

To: City Council

From: Allen Joines, Mayor

Subject: Filling of Council Member Montgomery's seat

Council Members, attached is a draft resolution that sets forth a proposed process that we would use to fill the vacancy caused by Council Member Montgomery's appointment to the General Assembly.

I have talked to each of you and a majority desire an open process whereby interested East Ward residents can apply for selection to this position and that the Council would select said replacement by using a nomination and ballot format (explained in detail below).

It is noted that one member desired a special election and one desired a motion and approval process. However, I believe that the suggested process outlined below meets a majority of the Council's preferences.

The suggested process would work in the following manner:

- Council Member Montgomery submits a letter of resignation effective a future date.
- The City will advertise the vacancy and invite interested parties to submit an application form (attached) along with a written summary of their qualifications and their opinion of the three most pressing issues facing the city and the three most pressing issues facing the East Ward. There would be a fourteen (14) day period during which applications would be accepted. Statements will be limited to no more than 500 words.
- The City Council and I would then review each of the applications and supporting documents
- At a special called meeting, each City Council member may nominate (if they choose to) up to one candidate from the list of applications received.
- All of the nominees will be listed on a written ballot and each Council Member (including Council Member Montgomery) will then vote for one nominee on the ballot. However, if there are only two nominees, the Council will take a final vote on these two nominees and the winner will be appointed to fill the vacancy.
- If there are more than two nominees, each Council Member will vote for one nominee on a written ballot. The City Secretary and the Mayor will count the votes and report the number of votes each nominee received.
- The names of the two nominees receiving the most votes will be placed on a final ballot.
- If there is a tie on the original written ballot for first position, both names will be placed on the final ballot. If there is a tie for second position, the Council will then vote on the two nominees to select a winner for the second position on the final ballot.

- Before the final vote is cast, the two nominees on the final ballot will be given ten minutes to make a presentation to the Mayor and Council. The Mayor and Council may ask the nominee questions. While one candidate is making a presentation or being questioned, the other nominee will be sequestered.
- After the presentations and questions, the Council will vote on the final two nominees and the nominee that receives a majority of the votes cast shall be appointed as the Council Member of the East Ward. If there is a tie, the Council will continue to vote until a nominee receives a majority.
- If there is a deadlock after four rounds of voting, the Mayor may recess the meeting to a future date and at that time voting will commence again.
- The appointment is to fill the remainder of the unexpired term of the Council Member of the East Ward.