

TAYLORSVILLE CITY COUNCIL

AGENDA ITEM SUMMARY

MEETING DATE: 21 December 2012

AGENDA ITEM: Ordinance No. 12-37 - Recognizing the Midterm Vacancy in the Office of the Mayor of the City of Taylorsville, Directing that Public Notice be Given, Identifying the Date, Time and Place of the Meeting Where the Vacancy Will be Filled, Identifying the Person to Whom Interested Persons May Submit Interested Person's Name for Consideration, and Setting the Deadline for Such Submission

PUBLIC HEARING REQUIRED - No

ORDINANCE - Yes

PRESENTER: John Inch Morgan, City Administrator / John Brems, City Attorney

ISSUE SUMMARY: UCA identifies the process wherein the governing body (City Council) of a Utah municipality fills elected positions that become vacant mid-term. This ordinance represents the vehicle whereby the governing body provides public notice of the vacancy of the position of Mayor of the City of Taylorsville, identifies the time and place where the vacancy will be filled in a public meeting on January 9, 2013 where all interested parties who have submitted their names to the City Council will be considered.

CITY ATTORNEY (Approved as to form): Yes

ATTACHMENTS: Ordinance 12-37

ACTION REQUIRED: Council Approval

TAYLORSVILLE, UTAH
ORDINANCE NO. 12-37

AN ORDINANCE RECOGNIZING THE MIDTERM VACANCY IN THE OFFICE OF THE MAYOR, DIRECTING THAT PUBLIC NOTICE BE GIVEN, IDENTIFYING THE DATE, TIME AND PLACE OF THE MEETING WHERE THE VACANCY WILL BE FILLED, IDENTIFYING THE PERSON TO WHOM INTERESTED PERSONS MAY SUBMIT INTERESTED PERSON'S NAME FOR CONSIDERATION, AND SETTING THE DEADLINE FOR SUCH SUBMISSION

WHEREAS, the Taylorsville City Council ("Council") met in a special session on December 21, 2012, to consider, among other things, recognizing the midterm vacancy in the office of the Mayor, directing that public notice be given, identifying the date, time, and place where the vacancy will be filled; identifying the person to whom interested persons may submit interested person's name for consideration, and setting the deadline for such submission; and

WHEREAS, Russ Wall was duly elected as the Mayor in November 2009, with a term beginning January 2010 and ending December 2014; and

WHEREAS, on December 20, 2012, Russ Wall tendered his letter of resignation as the Mayor effective January 8, 2013, thereby creating a vacancy in the office of the Mayor; and

WHEREAS, Utah Code Ann. § 10-3-302 provides that vacancies in the office of the Mayor be filled as provided in Utah Code Ann. § 20A-1-510; and

WHEREAS, the Council finds that based on Utah Code Ann. § 20A-1-510 that the vacancy must be filled by an interim appointment, followed by an election in November 2013 to fill a four-year term beginning January 2014; and

WHEREAS, Utah Code Ann. § 20A-1-510 requires that persons interested in filling the vacancy only need to submit their names, but Utah Code Ann. § 20A-9-203 requires declaration of candidacy in a set format; and

WHEREAS, in order to comply with both statutory provisions, the City hereby requests that each interested person who submits their name for consideration to fill the vacancy also file a declaration of candidacy but not pay the requisite filing fee; and

NOW, THEREFORE, BE IT ORDAINED that the public notice of the vacancy in the office of Mayor be given, that January 9, 2013, beginning at 6:30 p.m. in the City Council Chambers located at 2600 West Taylorsville Blvd., Taylorsville, Utah, be the date, time, and place of the meeting where the vacancy will be filled.

BE IT FURTHER ORDAINED that Cheryl Peacock Cottle, City Recorder, be the person to whom a person interested in being appointed to fill the vacancy shall submit the interested person name together with a request to complete a declaration of candidacy without fee and that any questions regarding this matter be directed to her.

BE IT FURTHER ORDAINED that the deadline for submitting an interested person's name is January 4, 2013.

BE IT FURTHER ORDAINED that January 9, 2013, beginning at 6:30 p.m. in the City Council Chambers located at 2600 West Taylorsville Blvd., Taylorsville, Utah, be an open meeting where interviews of each person whose name was submitted will be conducted

This Ordinance, assigned Ordinance No. 12-37, shall take effect immediately upon passage and acceptance as required herein.

PASSED AND APPROVED this _____ day of December 2012.

TAYLORSVILLE CITY COUNCIL

By: _____
Jerry Rechtenbach, Chairman

VOTING:

Dama Barbour	Yea ___ Nay ___
Ernest Burgess	Yea ___ Nay ___
Larry Johnson	Yea ___ Nay ___
Kristie S. Overson	Yea ___ Nay ___
Jerry Rechtenbach	Yea ___ Nay ___

PRESENTED to Mayor of Taylorsville for his approval this _____ day of December, 2012.

APPROVED this _____ day of December, 2012.

Russ Wall, Mayor

ATTEST:

Cheryl Peacock Cottle, Recorder

DEPOSITED in the Recorder's office this _____ day of December, 2012.

POSTED this _____ day of December, 2012.