

SULTAN CITY COUNCIL AGENDA ITEM COVER SHEET

ITEM NO: Action A 1

DATE: October 14, 2010

SUBJECT: Councilmember Wiediger Resignation
City Council Vacancy

CONTACT PERSON: Laura Koenig, Clerk/Deputy Finance Director

ISSUE:

The issue before the Council is to accept the resignation of Ron Wiediger from Council position 3 and to provide direct to staff for recruitment of candidates to fill the position.

STAFF RECOMMENDATION:

Accept the resignation of Ron Wiediger from Council position 3 effective October 14, 2010.

Staff recommends the council provide notice to the public of the vacancy in the legal newspaper (Everett Herald), on the City Web page, and notices at City Hall with an application deadline of November 10, 2010. Interview before the Council could be set for the November 18th meeting at 6:30 PM.

SUMMARY:

Councilmember Ron Wiediger submitted the following resignation via e-mail to the Mayor on September 23, 2010.

To: carolyneslick1@msn.com
Subject: Letter of Resignation.
Date: Thu, 23 Sep 2010 21:05:17 -0700

September 23, 2010

Mayor Eslick and The Sultan City Council,

I, Ron Wiediger, have been privileged to have the opportunity to serve as a Council Member and want to thank you all for your support and friendship.

Because I have been increasingly unwell I feel the need to tender my resignation as a Council Member.

I could not have found greater nor more caring people to work with.

Sincerely,

Ron Wiediger

Staff contacted the Snohomish County Elections Department in June when Mr. Flower resigned and were advised that the Council needs to appoint a replacement for the balance of the term or until the next general election. Mr. Wiediger 's term ends December 31, 2013.

Next year, the position will be placed on the ballot for a short and unexpired term election. What that means is the person elected to the position takes office upon certification of the election instead of waiting until January 1, 2012 and will serve until December 31, 2013.

The Council has established a procedure for filling vacancy under the Council Meeting Procedures. The procedure follows:

8. FILLING COUNCIL VACANCIES AND SELECTING MAYOR PRO TEM

8.1 Notice of Vacancy: If a Council vacancy occurs, the Council will follow the procedures outlined in RCW 42.12.070. (ATTACHMENT A). In order to fill the vacancy with the most qualified person available until an election is held, the Council will widely distribute and publish a notice of the vacancy and the procedure and deadline for applying for the position.

8.2 Application procedure: The Council will draw up an application form which contains relevant information that will answer set questions posed by Council. The application form will be used in conjunction with an interview of each candidate to aid the Council's selection of the new Councilmember.

8.3 Interview Process: All candidates who submit an application by the deadline will be interviewed by the Council during a regular or special Council meeting open to the public. The order of the interviews will be determined by drawing the names; in order to make the interviews fair, applicants will be asked to remain outside the Community Center Meeting Room while other applicants are being interviewed. Applicants will be asked to answer questions submitted to them in advance of the interview and questions posed by each Councilmember during the interview process. The Councilmembers will ask the same questions of each candidate. Each candidate will then be allowed two (2) minutes for closing comments. Since this is not a campaign, comments and responses about other applicants will not be allowed.

8.4 Selection of Councilmember: The Council may recess into executive session to discuss the qualifications of all candidates. Nomination, voting and selection of a person to fill the vacancy will be conducted during an open public meeting.

The first step in the process will be to provide public notice of the vacancy along with the process the Council will use to fill the position. The City has an application form (Attachment C) that has been used to fill the vacancies on the Council. The Council will need to review the application and determine if additional information or questions need to be added.

All candidates who submit an application by the deadline will be interviewed. The Council must decide if this will be done during a regular council meeting or if they would

like to set a special meeting for interviews. The council may discuss the qualifications of candidates in executive session. Nominations and voting must be done in an open public meeting.

There are policy questions the Council will need to address:

1. Does the Council want to appoint on December 2, 2010? This would require the candidate to take office and participate in the final meeting for 2010. During the last two meetings of the year the Council will be adopting the 2011 Budget and addressing any budget amendments for 2010.
2. Does the Council want to appoint on December 16, 2010? This would require the candidate to take office in January 2011. The new Councilmember would have four weeks to meet staff and become familiar with current city issues before taking office.

RECOMMENDED ACTION:

1. Accept the resignation of Ron Wiediger from Council position 3 effective October 14, 2010.
2. Direct Staff to provide notice to the public of the council vacancy in the legal newspaper (Everett Herald), on the City Web page, and notices at City Hall with an application deadline of November 10 2010.
3. Confirm the appointment on December 16, 2010 with an effective date of January 1, 2011.

Attachments: A. RWC 42.12.070
 B. Application Form

RCW 42.12.070

Filling nonpartisan vacancies.

A vacancy on an elected nonpartisan governing body of a special purpose district where property ownership is not a qualification to vote, a town, or a city other than a first-class city or a charter code city, shall be filled as follows unless the provisions of law relating to the special district, town, or city provide otherwise:

(1) Where one position is vacant, the remaining members of the governing body shall appoint a qualified person to fill the vacant position.

(2) Where two or more positions are vacant and two or more members of the governing body remain in office, the remaining members of the governing body shall appoint a qualified person to fill one of the vacant positions, the remaining members of the governing body and the newly appointed person shall appoint another qualified person to fill another vacant position, and so on until each of the vacant positions is filled with each of the new appointees participating in each appointment that is made after his or her appointment.

(3) If less than two members of a governing body remain in office, the county legislative authority of the county in which all or the largest geographic portion of the city, town, or special district is located shall appoint a qualified person or persons to the governing body until the governing body has two members.

(4) If a governing body fails to appoint a qualified person to fill a vacancy within ninety days of the occurrence of the vacancy, the authority of the governing body to fill the vacancy shall cease and the county legislative authority of the county in which all or the largest geographic portion of the city, town, or special district is located shall appoint a qualified person to fill the vacancy.

(5) If the county legislative authority of the county fails to appoint a qualified person within one hundred eighty days of the occurrence of the vacancy, the county legislative authority or the remaining members of the governing body of the city, town, or special district may petition the governor to appoint a qualified person to fill the vacancy. The governor may appoint a qualified person to fill the vacancy after being petitioned if at the time the governor fills the vacancy the county legislative authority has not appointed a qualified person to fill the vacancy.

(6) As provided in *RCW [29.15.190](#) and [29.21.410](#), each person who is appointed shall serve until a qualified person is elected at the next election at which a member of the governing body normally would be elected that occurs twenty-eight or more days after the occurrence of the vacancy. If needed, special filing periods shall be authorized as provided in *RCW [29.15.170](#) and [29.15.180](#) for qualified persons to file for the vacant office. A primary shall be held to nominate candidates if sufficient time exists to hold a primary and more than two candidates file for the vacant office. Otherwise, a primary shall not be held and the person receiving the greatest number of votes shall be elected. The person elected shall take office immediately and serve the remainder of the unexpired term.

If an election for the position that became vacant would otherwise have been held at this general election date, only one election to fill the position shall be held and the person elected to fill the succeeding term for that position shall take office immediately when qualified as defined in *RCW [29.01.135](#) and shall service both the remainder of the unexpired term and the succeeding term.

**Appointment Application
Council Vacancy Position No. 3**

Applicant Information

Name	
Street Address	
City ST ZIP Code	
Home Phone	
Work Phone	
E-Mail Address	

Eligibility Requirements, Notification and Signature

Councilmembers for the City of Sultan must reside within City limits and be registered voters in Sultan, Washington. In order to be eligible for appointment to a Council vacancy, applicants must have lived in the City of Sultan for 12 consecutive months prior to being appointed to office.

As an applicant for appointment to public office, the information provided on this application will be available to the public.

Signature	Date
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Additional Information

Are you a registered voter in Sultan, WA?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Are you a resident of the City of Sultan?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
How long have you been a resident of the City of Sultan?		
How long have you lived at your current address?		
<i>If you have lived at your current address for less than 12 months, please list your previous address.</i>		
Previous address and length of time at address.		
Do you or any family member residing in your household, have a financial interest in, or are you an employee or officer of any business or agency which conducts business with the City of Sultan?		
	YES <input type="checkbox"/>	NO <input type="checkbox"/>
If yes, please explain.		

Time Commitment

Appointment to the City Council will require your attendance at a number of regularly scheduled and special meetings, which occur in the evenings, on weekends, and/or during the weekday.

Councilmembers also serve on Council committees, regional boards and commissions, and represent the City Council at various community functions.

Councilmembers feel they are most effective in their duties when they commit 10 to 15 hours per week to Council-related activities. Are you able to commit this amount of time and are you willing to arrange your life schedule to participate fully as a member of the Sultan City Council?

YES NO

Have you ever attended a Sultan City Council meeting?

YES NO

If yes, please estimate how many Council meetings you have attended in the past year.

Supplemental Questions

Please respond to the following questions regarding your interest in the position of appointed Councilmember for the City of Sultan.

Why are you interested in serving as a Sultan City Councilmember?

The term for this appointed position will be effective until the next general election in November 2009. What do you hope to accomplish during this time?

Councilmember position no. 5 will be up for election in November 2011. Do you intend, and are you willing to run for the elected position?

Identify the three highest priorities you believe the City of Sultan needs to address. How do you propose to address each priority?

Discuss your qualifications relevant to the position of Sultan City Councilmember.

Where do you see yourself in four years?

Please return your signed application and letter of interest to Laura Koenig, City Clerk by
4:00PM on.

Candidates will be asked to interview for the position at an open public meeting prior to appointment. The top candidate will be appointed as quickly as possible.

To request additional information contact

Laura Koenig, City Clerk, at 360-793-2231 or by e-mail at laura.koenig@ci.sultan.wa.us.

Thank you for your interest in serving the Sultan community as a member of the Sultan City Council.