

**TAYLORSVILLE CITY COUNCIL
AGENDA ITEM SUMMARY**

MEETING DATE: January 16, 2013

AGENDA ITEM: Ordinance No. 13-02 – An Ordinance Recognizing the Midterm Vacancy in the City Council, 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 – YES _____ **NO** **X** _____

RESOLUTION/ORDINANCE REQUIRED

ORDINANCE **X** **RESOLUTION** _____ **NONE** _____

PRESENTER: John Brems

ISSUE SUMMARY: Consideration of Ordinance No. 13-02 - An Ordinance Recognizing the Midterm Vacancy in the City Council, 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

STAFF RECOMMENDATION: Consider Ordinance 13-02

CITY ATTORNEY (Approved as to form):

ACTION REQUIRED: Move to Adopt Ordinance 13-02

ATTACHMENTS: Ordinance 13-02

CONTACT: John Brems / John Inch Morgan

TAYLORSVILLE, UTAH
ORDINANCE NO. 13-02

AN ORDINANCE RECOGNIZING THE MIDTERM VACANCY IN THE CITY COUNCIL, 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 January 16, 2013, to consider, among other things, recognizing the midterm vacancy in the City Council, 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, Jerry Rechtenbach was duly elected as a member of the City Council in November 2011, with a term beginning January 2012 and ending December 2015; and

WHEREAS, on January 9, 2013, Jerry Rechtenbach tendered his letter of resignation as a member of the City Council, thereby creating a vacancy in the office of the City Council; and

WHEREAS, Utah Code Ann. § 10-3-302 provides that vacancies in the legislative body 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 two-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 City Council be given, that January 30, 2013, beginning at 6:30 p.m. in the City Council Chambers located at 2600 West Taylorsville Blvd., 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's name together with a request to complete a declaration of candidacy without fee.

BE IT FURTHER ORDAINED that the deadline for submitting an interested person's name is January 25, 2013, at 5:00 p.m. local time.

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

This Ordinance, assigned Ordinance No. 13-02, shall take effect immediately upon passage and acceptance as required herein.

PASSED AND APPROVED this _____ day of January, 2013.

TAYLORSVILLE COUNCIL

Dama Barbour, Council Chair

VOTING:

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

PRESENTED to Mayor of Taylorsville for his approval this _____ day of January, 2013.

APPROVED this _____ day of January, 2013.

Jerry Rechtenbach, Mayor

ATTEST:

Cheryl Peacock Cottle, Recorder

DEPOSITED in the Recorder's office this _____ day of January, 2013.

POSTED this _____ day of January, 2013.