



WESTMINSTER
COLORADO

AGENDA

SPECIAL CITY COUNCIL MEETING

MONDAY, MARCH 22, 1999 at 7:00 P.M.

- 1. Pledge of Allegiance**
- 2. Roll Call**
- 3. Purpose of Special Council Meeting**
 - A. Resolution No. 16 re Revision to Council Rules and Regulations**
 - B. Selection of New Councillor**
- 4. Adjournment**



WESTMINSTER
COLORADO

Agenda Memorandum

Date: March 22, 1999
Subject: Appointment of New Councillor Revised Procedures
Prepared by: Michele Kelley, City Clerk

Introduction

City Council previously set a special City Council meeting for Monday, March 22, 1999 at 7:00 P.M. in order to select a person to fill the vacancy created by the appointment of Glenn Scott to the State House of Representatives. Council is requested to adopt the attached Resolution pertaining to revisions to the voting process prior to voting on this vacancy.

Summary

On February 11, 1999, Glenn Scott was appointed to the Colorado House of Representative District #62 seat vacated by the appointment of Bryan Sullivant to the Colorado Senate seat vacated by the death of Tony Grampas.

Glenn Scott was sworn into office at the State Capital on Friday, February 12, 1999 thereby creating a vacancy on the City Council pursuant to City Charter requirements under section 3.2 (e) Neither the Mayor nor any Councillor shall hold any elective public office other than a City of Westminster elective office.

City Council solicited residents to apply and the deadline of Friday, March 12th was established. A total of 19 applications were received, with two citizens withdrawing their name as of Thursday, March 18th.

Previously, Council anticipated swearing in the newly appointed Councillor on Monday, March 22nd. Council has determined that the swearing in should take place on Monday, March 29th as part of the regular City Council meeting. Municipal Court Judge John Stipech will be present to swear the new Councillor into office

Pursuant to the Council Rules and Regulations the following procedures are to be followed: "Vacancies on the City Council shall be appointed by Council from applicants who have completed the appropriate application form and interview process. Appointments shall be by written ballot unless this method is suspended by unanimous Council vote. A majority vote is necessary to an appointment. If no single applicant obtains a majority vote after the first ballot, all persons receiving no votes, and the person receiving the smallest number of votes will be removed from nomination. This process will be repeated after each ballot until a majority vote is received by one applicant."

It is suggested that Council revise these rules by adding additional language as follow: IF, AFTER SEVEN (7) BALLOTS, NO CANDIDATE HAS A MAJORITY, COUNCIL WILL RE-OPEN THE BALLOT TO ALL CANDIDATES, AND PROCEED TO NARROW THE LIST OF CANDIDATES AS ABOVE, UNTIL ONE CANDIDATE RECEIVES A MAJORITY.

A resolution is attached for Council to revise the rules and regulations prior to voting.

Staff Recommendation

1. Adopt Resolution No. revising the procedure for appointing a person to fill a vacancy.
2. Voting by written ballot, Council will select a person to fill the vacancy on City Council created by the appointment of Glenn Scott to the Colorado House of Representatives.

Background Information

City Council conducted interviews on Monday, March 15th, Tuesday, March 16th and will conduct the last set of interviews on Thursday, March 18th.

Ballots have been preprinted with all candidate names for Council to use, and will be distributed on Monday night.

All of the Council candidates have been contacted and advised of the proposed changes to the Special Council meeting agenda.

Respectfully submitted,

William M. Christopher
City Manager

Attachment

RESOLUTION

RESOLUTION NO. _____.

INTRODUCED BY COUNCILLORS

SERIES OF 1999

A RESOLUTION AMENDING THE COUNCIL RULES AND PROCEDURES PERTAINING TO APPOINTMENTS MADE BY COUNCIL

WHEREAS, Chapter VII of the City Charter provides for the procedure and miscellaneous powers and duties of the City Council; and

WHEREAS, The City Council is entrusted with conducting the business of the City in a manner which will be most advantageous to the citizens and voters thereof.

NOW THEREFORE, be it resolved that the City Council of the City of Westminster, hereby adopts the following revision to the Council Rules and Regulations Governing the Conduct of all its meetings.

PART VII – MISCELLANEOUS

24. APPOINTMENTS MADE BY COUNCIL:

Positions on Boards and Commission shall be appointed by Council from applicants who have completed the appropriate application form and interview process. Appointments shall be reviewed by Council at a Study Session or post-meeting and then acted upon as part of the agenda at the next City Council meeting with a resolution drafted as referred by the interview team for the specific Board vacancy.

Vacant positions on the City Council shall be appointed by Council from applicants who have completed the appropriate application form and interview process. Appointments shall be by written ballot unless this method is suspended by unanimous Council vote. A majority vote is necessary to an appointment. If no single applicant obtains a majority vote after the first ballot, all persons receiving no votes, and the person receiving the smallest number of votes will be removed from nomination. This process will be repeated after each ballot until a majority vote is received by one applicant. IF, AFTER SEVEN (7) BALLOTS, NO CANDIDATE HAS A MAJORITY, COUNCIL WILL RE-OPEN THE BALLOT TO ALL CANDIDATES, AND PROCEED TO NARROW THE LIST OF CANDIDATES AS ABOVE, UNTIL ONE CANDIDATE RECEIVES A MAJORITY.

PASSED AND ADOPTED THIS 22nd day of March, 1999.

ATTEST:

Mayor

City Clerk

CITY OF WESTMINSTER, COLORADO
MINUTES OF THE SPECIAL CITY COUNCIL MEETING
HELD ON MONDAY, MARCH 22, 1999 AT 7:00 P.M.

PLEDGE OF ALLEGIANCE:

Mayor Heil led Council, Staff and the audience in the Pledge of Allegiance.

ROLL CALL:

Present at roll call were Mayor Heil, Mayor Pro Tem Merkel and Councillors Allen, Atchison, Dixon and Smith. Also present were William Christopher, City Manager; Sharon Widener, Assistant City Attorney; and Michele Kelley, City Clerk. Absent none.

PURPOSE OF SPECIAL MEETING:

Mayor Heil stated the purpose of the Special Meeting was to consider a resolution revising the procedures for appointing a person to fill a vacancy on City Council, and to appoint a person to fill the vacancy on City Council created by the appointment of Glenn Scott to the Colorado House of Representatives.

RESOLUTION NO. 16 – AMENDING CITY COUNCIL RULES AND PROCEDURES:

A motion was made by Atchison and seconded by Merkel to adopt Resolution No. 16 amending the Council Rules and Procedures pertaining to appointments made by Council, with the following additional language added: “after seven ballots with no one person appointed, the Council will consider all candidates again and begin the process of elimination of candidate names after every seven ballots.” Upon roll call vote, the motion carried unanimously.

SELECTION OF NEW COUNCILLOR:

The following names were placed into nomination to fill the vacancy on City Council: Frances Coet, LuDawn Farnworth, Dennis Graham, Kim Grice, John Hafer, Michele Haney, Butch Hicks, Ken Morfit, Carole Pool, Scott Sands, Dennis Stark, David Tracy, Bruce Vezina, Susan Warren, Roger Whatley and Lloyd Williams.

Voting was by written ballot.

There was no majority vote on the first ballot with 3 votes for Dennis Stark, 2 votes for Bruce Vezina and one vote for John Hafer. Those nominees receiving no votes and John Hafer were removed from nomination. On ballots 2 through 7 the vote was 3 votes for Dennis Stark and 3 votes for Bruce Vezina.

In accordance with Council Rules and Procedures, Council re-opened the ballot to all candidates. Ballot 8 results were Ken Morfit 2 votes, Dennis Stark 3 votes and David Tracy one vote. Ballots 9 through 14 were 3 votes each for Ken Morfit and Dennis Stark.

A motion was made by Dixon and seconded by Atchison that the appointment to fill the vacancy on City Council be made by an election with the vote of the citizens. The motion failed with dissenting votes from Allen, Heil and Merkel.

All applicants names were placed into nomination for ballot 15 with Michele Haney receiving 1 vote, Ken Morfit receiving 2 votes and Dennis Stark receiving 3 votes. Michele Haney’s name was removed from nomination on and ballots 16 through 21 had 3 votes each for Ken Morfit and Dennis Stark.

A motion was made by Atchison and seconded by Dixon for Council to recess to attend to the remaining Study Session items. The motion carried unanimously. At 7:58 P.M. the Mayor called a recess. At 9:03 P.M. Council reconvened.

All applicants names were placed into nomination for ballot 22 with Michele Haney receiving 2 votes, Ken Morfit receiving 1 vote and Dennis Stark receiving 3 votes. Ken Morfit’s name was removed from nomination and ballots 23 through 28 had 3 votes each for Michele Haney and Dennis Stark.

A motion was made by Dixon and seconded by Atchison that the appointment to fill the vacancy on City Council be made by an election. The motion failed with dissenting votes from Allen, Heil and Merkel.

A motion was made by Dixon and seconded by Allen to continue the meeting until another night. The motion carried with a dissenting vote from Heil.

After discussion by Council, the Mayor declared the meeting would be continued until Tuesday, March 23, 1999 at 6:00 P.M.

ADJOURNMENT:

The meeting was continued at 9:20 P.M.

ATTEST:

Mayor

City Clerk