

**MINUTES
CITY OF ISANTI CITY COUNCIL
SPECIAL MEETING
August 31, 2010**

Mayor Wimmer called the meeting to order at 7:00 p.m.

Members Present: Mayor George Wimmer, Councilors Jim Kennedy, Sue Larson and Ross Lorinser

Members Absent: None.

Staff Present: City Administrator Don Lorsung, Assistant City Administrator/City Clerk Irene Bauer, City Attorney Clark Joslin, and Finance Director Kristi Smith

Motion by Larson, second by Kennedy to approve the agenda as presented. Motion carried unanimously.

E. Business Items

1. Consider Ordinance No. 492, an Ordinance Establishing Procedures to Fill Council Vacancies by Special Election and/or Appointment

City Attorney Joslin reviewed the two separate draft ordinance options that were prepared for Council review and consideration relating to establishing procedures to fill Council vacancies by special election and/or by appointment. Said ordinances shall be considered as option 'a' and option 'b'.

There was review and discussion on the following issues:

- Hold special elections based on State Statute requirements and not adopt an ordinance.
- The number of years or months left in an unexpired term that would trigger a special election. There was discussion of eighteen to twenty-four months would trigger a special election.
- Appointments. There was review and discussion that if State Statute allows an appointment to complete the term and/or the interim of a special election, to appoint the candidate from the last election who was not elected but who was next in line in obtaining the most number of votes for that election, and there was discussion on opening the appointment to the public whereas interested persons would make application to be considered for appointment to fill the vacancy.
- Primary election. There was review and discussion that the City currently has City Code providing for primary elections. Joslin stated that in discussion with the Secretary of State's attorney the special election would have to follow the provisions the City has in its Code for a primary election; Joslin stated that the League of MN Cities attorney also reviewed this and noted that this may be a grey area that the City may have to follow the provisions for a primary election when calling a special election. It was noted that a special primary election would be triggered when more than two filings of affidavits of candidates are received for the special election. If a special primary election is required it would extend the date for the special election by approximately two months.

There was discussion on the number of filings that could potentially be received; a primary would allow the two candidates receiving the most votes to be on the ballot for the special election.

- Costs. There was discussion on the cost to hold a special election. To hold a special election is estimated at \$2,000 and if a primary election is necessary the cost would double to an estimated \$4,000. Council Members expressed concern of the costs to hold a special election.
- Date of special election. There was review of the schedule that provided December 22nd as the earliest date for the special election. There was discussion that because of the holidays in December the date should be set in January.
- Conclusion. Council concluded that should an ordinance be adopted it would include that the triggering point to hold a special election would be a minimum of two years left on the vacant seat, include the provision for a primary if more than two filings of affidavit of candidacy are received, and to set a special election date of January 11, 2011.

Motion by Larson, second by Lorinser to adopt Ordinance No. 492 using option 'a' ordinance including the provisions as provided in the above paragraph. Motion carried 3-1 (Kennedy opposed)

There was discussion on the interim appointment to fill the vacancy until the outcome of the special election.

Motion by Lorinser, second by Kennedy to direct staff to solicit for applications that will be due on September 14, 2010 and appointments to be considered at the September 21, 2010 Council meeting; said applications will be a letter of interest that includes the applicants qualifications for the council seat and the applicant must be available to attend the September 21st Council meeting for an interview. Motion carried unanimously.

Adjournment

Motion by Kennedy, second by Larson to adjourn. Motion carried unanimously.

Meeting adjourned at 7:46 p.m.

Respectfully Submitted,

Irene J. Bauer
Assistant City Administrator/City Clerk