

To: Mayor and Town Council
From: Michelle Metteer, Town Manager
Date: 12/20/2023
Agenda Item: Council Seat Vacancy



REQUEST: Provide Direction to staff regarding the process and notice for filling the vacant council seat.

INTRODUCTION: Tom Sullivan resigned from the Minturn Town Council on December 12, 2023. The Council is now tasked with filling the empty seat until a permanent council member is seated through the election process.

ANALYSIS: Section 4.6 of the Minturn Charter is flexible in how the vacant seat is temporarily filled. The Charter states as follows:

Section 4.6 - Vacancies.

An elective office shall become vacant whenever any officer is recalled, dies, becomes incapacitated, removes from or becomes a nonresident of the Town, absents himself from meetings of the Council for sixty (60) days, unless excused by resolution thereof, is convicted of a felony or is judicially declared a mental incompetent. In case of vacancy the remaining councilmembers shall choose by majority vote, within thirty (30) days after such a vacancy occurs, a duly qualified person to fill the unexpired term so vacant. If more than three vacancies occur simultaneously, the remaining councilmembers shall call a special election to fill such vacancies provided there will not be a regular general municipal election within thirty (30) days.

If a councilmember's office is vacated during the first two (2) years of a four-year term, the term of the newly appointed councilmember shall expire at the next regular municipal election, and the qualified electors shall elect a councilmember to complete the final two plus years of that term.

Because it is unlikely there will be a Council meeting on January 3, 2024, it is anticipated the vacant seat will be filled on January 17, 2024. This will provide enough time should the Council want to advertise and provide public notice.

This council position would be from January 17 to April 3, 2024, or effectively, a little less than four months.

COMMUNITY INPUT: Extensive

BUDGET / STAFF IMPACT: Minimal

STRATEGIC PLAN ALIGNMENT:

PRACTICE FAIR, TRANSPARENT AND COMMUNICATIVE LOCAL GOVERNMENT.

RECOMMENDED ACTION OR PROPOSED MOTION:

Direct staff on actions for public noticing, if any for filling of the vacant council seat.

ATTACHMENTS:

None