File #: 41083, **Version:** 1

Fiscal Note

Costs associated with the appointment process will be covered with existing resources. If the vacancy were filled by election, it would be added to the November ballot (and August ballot if a primary were required). The City Clerk estimates the cost of adding this item to the ballot at $7,000 for each of the elections.

Title

Authorizing the filling of the vacant District 11 Aldermanic seat by Common Council appointment.

Body

WHEREAS, former Ald. Chris Schmidt submitted his resignation effective January 31, 2016 to the Mayor and Council President on January 7, 2016 as the alderperson for District 11; and,

WHEREAS, Madison General Ordinance 2.03 and Wisconsin State Statutes 17.23 define how the vacancy is filled:

2.03 PROCEDURE TO FILL VACANCIES ON THE COMMON COUNCIL.

(1) The Common Council President shall oversee the application process to fill aldermanic vacancies.
(2) Applications to fill any aldermanic vacancy shall include information on:
(a) Name,
(b) Address,
(c) Home telephone number,
(d) Work telephone number,
(e) E-mail address,
(f) Biographical resume including education, work, neighborhood, and civic experience,
(g) A statement on why the applicant wishes to serve.
(h) A statement of what the applicant wants to accomplish,
(i) If the applicant plans to run for office during the next special or regular election, and,
(j) Such other information as the Common Council President in consultation with the Common Council Organizational Committee may request.
(3) The Common Council Organizational Committee shall review the applications and, following opportunities for personal candidate interviews, shall recommend to the Common Council a candidate selected for confirmation to fill the vacancy. If the Common Council Organizational Committee is unable to agree on a candidate to recommend, it may recommend more than one candidate, or it may reopen the application process to seek additional applicants.
(4) The Common Council shall appoint and confirm the recommended candidate, or appoint and confirm another candidate from among the applicants.
(5) The appointed and confirmed candidate shall serve until an alderperson is elected pursuant to sec. 17.23(1), Wis. Stats. and is qualified.; and

WISCONSIN STATE STATUTE 17.23 Vacancies in city offices; how filled.

(1) General and special charter cities. Vacancies in offices of cities operating under the general law or special charter shall be filled as follows:

17.23(1)(a) (a) In cities of the 2nd, 3rd, or 4th class, in the office of mayor, except as provided in s. 9.10, by appointment by the common council for the residue of the unexpired term unless a special

election is ordered by the common council, in which case the person appointed shall serve until his or her successor is elected and qualified. In the office of alderperson, by the common council, except as provided in s. 9.10. A person so appointed shall hold office until a successor is elected and qualified. Unless otherwise ordered by the common council, a successor shall be elected for the residue of the unexpired term on the first Tuesday of April next after the vacancy happens, in case it happens no later than December 1 preceding the first Tuesday in April, but if the vacancy happens after December 1 preceding the first Tuesday in April and before that day, then the successor shall be elected on the first Tuesday in April of the next ensuing year. The common council may, if a vacancy occurs before June 1 in the year preceding expiration of the term of office, order a special election to fill a vacancy to be held on the Tuesday after the first Monday in November following the date of the order. A person so elected shall serve for the residue of the unexpired term.;

NOW, THEREFORE BE IT RESOLVED, that the Common Council approves the process of filling the District 11 Aldermanic vacancy by appointment after review of applicants by the Common Council Organizational Committee and their recommendation to the Council, and,

BE IT FINALLY RESOLVED that the appointment will fill out the remainder of the unexpired term until the April 2017 Spring Election.

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