

**TOWN OF PRESCOTT VALLEY  
REQUEST FOR COUNCIL ACTION**

**Date: February 23, 2012**

**SUBJECT:** Council Vacancy Applicant Interviews

**SUBMITTING DEPARTMENT:** Town Clerk

**PREPARED BY:** Diane Russell

**AGENDA LOCATION:** Comments/Communications , Consent , Work/Study ,  
New Business , Public Hearing , Second Reading

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**ATTACHMENTS:** Candidate Applications

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**SUMMARY BACKGROUND:** At its February 2<sup>rd</sup> Work Study Session, Council chose to proceed with an application and interview process in search of a potential Council member to complete term of Council member Henry Schmitt not due to expire until June 2015. However, with the passage of SB 1318 last year, the new law modified the method of filling vacant seats on general law city and town councils in non-charter municipalities, based on when the vacancy occurs. ARS §9-235 states that if the vacancy occurs more than thirty days before the nomination deadline, the appointment is until the next regularly scheduled council election. If the vacancy occurs less than thirty days before the nomination deadline, the appointment is for the whole length of the unexpired term. Since the next Council election is scheduled for 2013, the Council will now appoint a replacement until that election. Whoever then runs for and wins that seat in 2013 (either at the primary election in March or the general election in May) would be sworn into the seat at the first meeting in June, 2013 to complete the unexpired term until 2015. Town Code Section 2-01-040 states that "The Council shall fill by appointment for the unexpired term any vacancy that may occur for whatever reason."

Council chose to advertise the vacancy and accept applications from any interested parties. Advertising was completed in both the Courier and Prescott Valley Tribune newspapers for the determined dates. Eight applications were received by the February 13, 2012 5:30 p.m. application submittal date. Two subsequently withdrew from the process (Teeni Moreno & James Soto). At the February 16, 2012 Work Study session the six applicants were allotted five to ten minutes each to address Mayor and Council as to why they are the best candidate for the council appointment and present what they feel are important issues faced by the Town and solutions to those issues. Applicants also presented any additional materials that they wished to be taken into consideration by the Council for the appointment. Anthony Morrison subsequently withdrew his application February 20, 2012.

Council reviewed the applications received and chose to interview all five applicants who are now being advanced for interviews by Mayor and Council at the February 23, 2012 Regular Council meeting. The applicants are Jennifer Roel, Harold Wise, Michael Whiting, Walt Nagy and James Woods. Council will consider nominating one candidate for appointment to the vacant council member position through secret ballot in open meeting. This candidate is scheduled to take the Oath of Office and be seated as a council member at the March 8, 2012 Regular Council meeting.

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**OPTION ANALYSIS:** Council may nominate and vote, by ballot, for one applicant for appointment to fill the vacant Council member position or choose to advertise for additional candidates for consideration of appointment.

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**ACTION OPTION:** Motion to appoint \_\_\_\_\_ to the existing vacant Council member term expiring in June 2013, by electronic vote.

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**RECOMMENDATION:** Staff recommends nominating and appointing one applicant to the vacant Council member seat.

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**FISCAL ANALYSIS:** None.

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**REVIEWED BY:**

Management Services Director \_\_\_\_\_

Town Clerk \_\_\_\_\_

Town Attorney \_\_\_\_\_

Town Manager \_\_\_\_\_

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**COUNCIL ACTION:**

Approved    Denied    Tabled/Deferred    Assigned to \_\_\_\_\_