

**City of Sheldon  
City Council Report for 4/15/2019  
Special Council Meeting at 4:30 p.m.**

**3a (i). Accept resignation from Greg Geels from the City Council, effective April 15.**

Attachments: None.

Background: Greg Geels was appointed as Mayor at the April 3 City Council meeting, effective April 15. He will be resigning his position as City Council member in order to take the oath of office as Mayor. He will serve until the next municipal election on November 5, 2019, unless a special election petition is received by April 17.

**3a (iii). Approve pro-rated Mayoral wages for Brad Hindt.**

Attachments: None.

Background: The compensation for a City Council member is \$45 a meeting, and the compensation for Mayor is \$4,800 annually. City ordinance says the following (emphasis added):

**16.04 COMPENSATION.** If the Mayor Pro Tem performs the duties of the Mayor during the Mayor's absence or disability for a continuous period of fifteen (15) days or more, the Mayor Pro Tem may be paid for that period the compensation as determined by the Council, based upon the Mayor Pro Tem's performance of the Mayor's duties and upon the compensation of the Mayor.

*(Code of Iowa, Sec. 372.13[8])*

Brad Hindt performed the dual duties of Mayor and a City Council for 40 days (from March 6 to April 15). He was paid his Council pay (\$45.00 per meeting) during this time. Per City ordinance, the Council is to determine his compensation for the time he served as Mayor. The simplest way is to prorate the mayoral wage. On a pro-rated basis, Brad would receive \$526 ( $\$4,800/365 \times 40$ ).

**3e (iv). Mayoral appointment of Brad Hindt as Mayor Pro Tem.**

Attachments: None.

Background: Brad Hindt was appointed as Mayor Pro Tem on January 15, 2014. He has served as Mayor Pro Tem since that time, and performed the duties of Mayor from March 6 to April 15, 2019. On April 3, 2019, Greg Geels was appointed as Mayor. Mayor Geels desires to re-appoint Brad Hindt as Pro Tem. City code 15.03 designates the Pro Tem position as being appointed by the Mayor and confirmed by the City Council.

**3 (v). Discuss appointment or special election for City Council (at-large) vacancy.**

Attachments: None.

Background: City Code provides for the opportunity for an appointment or special election to fill the vacancy.

**5.11 VACANCIES.** A vacancy in an elective City office during a term of office shall be filled, at the Council's option, by one of the two following procedures: (*Code of Iowa, Sec. 372.13 [2]*)

1. Appointment. By appointment following public notice by the remaining members of the Council within forty (40) days after the vacancy occurs, except that if the remaining members do not constitute a quorum of the full membership, or if a petition is filed requesting an election, the Council shall call a special election as provided by law. (*Code of Iowa, Sec. 372.13 [2a]*)
2. Election. By a special election held to fill the office for the remaining balance of the unexpired term as provided by law. (*Code of Iowa, Sec. 372.13 [2b]*)

The decision for an appointment or special election would need to be made by the City Council within 40 days.

Per the Iowa Code and the Chapter 13 of the Iowa Secretary of State's Election Guide, if a vacancy is to be filled by an election, that election must occur within 90 days of the vacancy.

Greg Geels' term as a City Council member expires January 1, 2020. Therefore, an appointment would fill the seat until November 5, and a special election would fill the seat through the end of this year.