

**CITY OF MAPLE PLAIN
ORDINANCE NO. 303**

**AN ORDINANCE PROVIDING FOR THE HOLDING OF SIMULTANEOUS
SPECIAL ELECTIONS TO PERMANENTLY FILL TWO VACANCIES
ON THE CITY COUNCIL OF THE CITY OF MAPLE PLAIN.**

Based on the following findings of fact, the City Council of the City of Maple Plain does ordain:

FINDINGS OF FACT

WHEREAS, the City of Maple Plain (the “City”) is a statutory city under the laws of the State of Minnesota;

WHEREAS, the City has four Councilmembers and a Mayor elected as at-large representatives;

WHEREAS, one City Council seat became vacant on February 25, 2019 with resignation of John Timpe from his City Council term ending December 31, 2022.

WHEREAS, a second City Council seat became vacant on March 25, 2019 with the resignation of Dominic Broda from his City Council term December 31, 2020.

WHEREAS, pursuant to Minnesota Statute, section 412.02, subdivision 2a, a special election is required to fill the City Council vacancy due to the resignation of John Timpe, but is not required to fill the City Council vacancy due to the resignation of Dominic Broda.

WHEREAS, the City Council finds it in the best interests of the City to hold a special election to fill the City Council vacancy due to the resignation of Dominic Broda simultaneously with the special election for the vacancy due to the resignation of John Timpe as it is already required by Minnesota Statute to hold a special election.

WHEREAS, the City Council will appoint two individuals to the City Council seats on or before April 22, 2019, to hold such seats until the seats are permanently filled at the special election;

WHEREAS, Minnesota Statute, section 412.02, subdivision 2a, does not prohibit a city from holding a special election to fill a vacancy with a special election held on a date that is not a regular city election after a city has approved an ordinance providing for a special election;

WHEREAS, the City Council finds it is in the best interests of the City to hold a special election before the next regular city election to permanently fill the vacancies, due to the unique situation of two vacancies occurring nearly simultaneously;

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MAPLE PLAIN:

SECTION 1. Findings of Fact. The above recitals constitute the findings by the City Council and are expressly incorporated into this ordinance.

SECTION 2. Special Election Ordinance

A. DEFINITIONS

For the purpose of this ordinance, the following terms shall have the following meanings:

City. The City of Maple Plain, County of Hennepin, State of Minnesota

Special Election. A “Special Election” is the simultaneous special elections held on August 13, 2019, to fill the 2019 City Council Vacancies, as defined herein.

2019 City Council Vacancies. “2019 City Council Vacancies” refers to the February 25, 2019 vacancy of a Maple Plain Councilmember and the March 25, 2019 vacancy of a Maple Plain Councilmember.

B. SPECIAL ELECTION

A Special Election to fill the 2019 City Council Vacancies shall be held on August 13, 2019.

C. APPOINTMENT

The City Council shall appoint two qualified individuals who apply for City Council to hold the seats on City Council until those elected are sworn into office following the Special Election.

D. SEVERABILITY

If any provision of this ordinance is found to be invalid for any reason by a court of competent jurisdiction, the validity of the remaining provisions shall not be affected.

SECTION 3. This Ordinance shall become effective immediately upon its adoption. This ordinance shall be published in the official newspaper following its passage.

SECTION 4. The following summary clearly informs the public of the intent and effect of the ordinance and is approved for publication:

SUMMARY FOR PUBLICATION
CITY OF MAPLE PLAIN
ORDINANCE NO. 303

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SPECIAL ELECTIONS TO PERMANENTLY FILL TWO VACANCIES
ON THE CITY COUNCIL OF THE CITY OF MAPLE PLAIN.

The City Council of the City of Maple Plain passed Ordinance 303 effective upon adoption. This ordinance allows the City of Maple Plain to hold a special election to fill two City Council vacancies on Tuesday, August 13, 2019. Two qualified individuals who apply for City Council

to hold the seats on City Council will temporarily serve until those elected are sworn into office following the Special Election.

Robert Schoen
City Administrator

ADOPTED this 25th day of March 2019, by the City Council of the City of Maple Plain.

By: _____
Julie Maas-Kusske, Mayor

Attest:

Robert Schoen, City Administrator