

# RESOLUTIONS OF THE CITY OF HELENA, MONTANA

## RESOLUTION NO. 20403

### A RESOLUTION CANCELING THE GENERAL ELECTION FOR CITY OF HELENA NEIGHBORHOOD COUNCIL DISTRICTS #2 THROUGH #7

**WHEREAS**, the City of Helena will have a general election on November 7, 2017, for election of Mayor, City Commissioners and Neighborhood Council members; and

**WHEREAS**, each of the seven City of Helena Neighborhood Council Districts contain four total positions; and

**WHEREAS**, Lewis and Clark Elections Administrator has advised the Helena City Clerk that the election for Neighborhood Council Districts #2 through #7 are uncontested with less than 4 candidates filing for each district; and

**WHEREAS**, House Bill 447 (Chapter 174, Laws 2017) authorizes a municipality to cancel a general election for the election of a municipal officer by resolution after notification by the election administrator that the number of candidates filing for election is equal to or less than the number of positions to be filled; and

**WHEREAS**, pursuant to Section 13-1-403, as amended by HB 83 (Chapter 242, Laws 2017), a declaration of intent to be a write-in candidate must be filed with the election administrator by 5 p.m. on the 65<sup>th</sup> day before the date of the election, or

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September 5, 2017; and

**WHEREAS**, on August 21, 2017, the Helena City Commission passed a Resolution of Intention to cancel the general election for Neighborhood Council Districts #2 through #7 if they remained uncontested as of September 5, 2017; and

**WHEREAS**, as of September 5, 2017, the election for Neighborhood Council Districts #2 through #7 remain eligible for cancellation; and

**WHEREAS**, pursuant to § 13-1-403(5)(b), MCA, if an election has been canceled and there are no regular or declared write-in candidates for a position, the governing body shall fill the position by appointment with the term of an appointed member being the same as if the member were elected; and

**WHEREAS**, no regular or write-in candidates exist for the position in Helena Neighborhood Council District #5; and

**WHEREAS**, a public hearing was held on this matter on September 11, 2017, at 6:00 p.m. in the Commission Chambers at the City-County Administration Building at 316 North Park Avenue in Helena, Montana.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE**

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## **CITY OF HELENA, MONTANA:**

**Section 1.** The Helena City Commission hereby cancels the general election for members of the City of Helena of Neighborhood Council Districts #2 through #7.

**Section 2.** The Lewis & Clark County Clerk and Recorder, as the Election Administrator, is requested not to conduct a general election for members of the Helena Neighborhood Council Districts #2 through #7.

**Section 3.** The following persons are hereby elected to the Helena Neighborhood Council positions by acclamation:

District #2: Tyrel Suzor-Hoy  
District #3: Sumner M. Sharpe  
District #4: Tom Woodgerd  
Douglas J. Hunsaker  
District #6: William A. Bovee  
Terry Ray  
Maureen G. Kiely  
District #7: Denise Roth  
Bob Habeck  
Richard Sloan

**Section 4.** The Helena City Clerk is hereby directed to accept applications for appointment, by the Helena City Commission, to the following positions in the following districts of the Helena Neighborhood Council:

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District #2: three (3) positions  
District #3: three (3) positions  
District #4: two (2) positions  
District #5: four (4) positions  
District #6: one (1) position  
District #7: one (1) position

**PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF  
HELENA, MONTANA, THIS 11<sup>TH</sup> DAY OF SEPTEMBER.**

/S/ JAMES E. SMITH  
MAYOR

**ATTEST:**

/S/ KATYA GROVER  
DEPUTY CLERK OF THE COMMISSION