

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 65th 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:

District #2: three (3) positions

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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 11TH DAY OF SEPTEMBER.

/S/ JAMES E. SMITH
MAYOR

ATTEST:

/S/ KATYA GROVER
DEPUTY CLERK OF THE COMMISSION