

Section 4 Amendment – Commissioner Swenson

In the event of a councilor vacancy (other than by recall or resignation after recall petition is filed), the city council, by majority vote, shall, within [**sixty 60**]/forty-five (45)] days of said vacancy, appoint an eligible person to fill the same, who shall serve until the first Monday in January after the next municipal election occurring after there is sufficient time to give notice prescribed by law, and until a qualified successor is elected, when the office shall be filled by election for the unexpired term.

If a city councilor vacancy occurs forty-five (45) days before a regularly scheduled municipal election and the same council seat is already on the ballot for that election, the city council shall not appoint a temporary replacement. Upon certification of the election results and qualification of the successful candidate, the candidate elected to that office shall be sworn in immediately and shall assume the duties of the office upon taking the oath, rather than waiting until the first Monday in January. The elected individual shall thereafter serve the remainder of any unexpired term and continue into the term for which elected, without interruption.

If the city council vote to appoint an eligible person to fill a vacancy results in a deadlock, an eligible person will be chosen by coin toss.