

Chapter 05  
**CITY COUNCIL**

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Section 2.05.010                      City Council; Composition.

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The council shall consist of seven members elected by the voters at large.

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Section 2.05.020                      Qualifications of Council Members.

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- A. Council Members shall be qualified city voters. Candidates for Council shall have resided in the city for not less than nine months preceding the date of filing nominating petitions or declarations of candidacy for election to the council.
- B. Council seats are designated and terms expire as follows:
  - a. Seat A – term expires in 2016, 2019, 2022, etc.
  - b. Seat B – term expires in 2015, 2018, 2021, etc.
  - c. Seat C – term expires in 2015, 2018, 2021, etc.
  - d. Seat D – term expires in 2016, 2019, 2022, etc.
  - e. Seat E – term expires in 2016, 2019, 2022, etc.
  - f. Seat F – term expires in 2017, 2020, 2023, etc.
  - g. Seat G – term expires in 2017, 2020, 2023, etc.
- C. A council member who ceases to be a voter in the City immediately forfeits office.

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Section 2.05.030                      Election of Council Members; Terms.

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An election shall be held annually on the first Tuesday in October to choose Council Members for staggered three year terms and until successors are elected and have qualified; and to decide such other questions or propositions as may require a vote of the people and are placed upon the ballot. Council Members terms of office begin following certification of the election.

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**Section 2.05.040**                      **Oath of Office.**

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- A. All officers, whether elected or appointed, before entering upon the duties of office shall in writing, give the following oath or affirmation:

“I, \_\_\_\_\_, do solemnly swear (or affirm) that I will support the Constitution and laws of the United States and State of Alaska, and the laws and ordinances of the City of Cold Bay, Alaska, and that I will honestly, faithfully and impartially discharge my duties as \_\_\_\_\_ to the best of my ability.”

- B. The oath is filed with the City Clerk.

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**Section 2.05.050**                      **Compensation of Council Members.**

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Council Members shall be paid for serving on the Council at the rate of \$50.00 for each regular meeting of the Council attended. Compensation shall be paid for attending two special meetings per year. Per Diem payments or reimbursements for expenses are not considered to be compensation under this section.

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**Section 2.05.060**                      **Conflicts of Interest.**

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If a council member has a substantial financial interest in an official action, the Council Member shall declare that interest and ask to be excused from a vote on the matter, following the procedure provided in AS 29.20.010.

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**Sections 2.05.070**                      **Employment of Council Members.**

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Elected officials may be hired by the City, or a subcontractor of the City, for temporary or permanent part-time employment. Elected officials shall be considered on the basis of merit with all other job applicants. Employees of the City, or a subcontractor of the City, elected or appointed to a seat on the City Council may continue in their employment, subject to the approval of the Council and the provisions of this section.

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**Section 2.05.080**                      **Vacancies.**

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An elected city office is vacated under the following conditions. The Council shall declare an elective office, other than the office of Mayor, vacant when the person elected:

- A. Fails to qualify or take office within thirty days after his/her election or appointment;
- B. Is physically absent from the City for ninety consecutive days unless excused by the Council;

- C. Resigns and his/her resignation is accepted;
- D. Is physically or mentally unable to perform the duties of his office as determines by two-thirds vote of the Council;
- E. Is convicted of a felony or an offense involving a violation of the oath of office;
- F. Is convicted of a felony or misdemeanor described in AS 15.56 and two-thirds of the members of the Council concur in expelling the person elected;
- G. Is convicted of a violation of AS 15.13;
- H. No longer physically resides in the City and the Council by two-thirds vote declares the seat vacant; or
- I. If a member of the Council misses three consecutive regular meetings and is not excused.

Section 2.05.090                      Recall.

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- A. An official who is elected or appointed to an elective city office may be recalled by the voters after the official has served the first 120 days of the term for which elected or appointed.
- B. Grounds for recall are misconduct in office, incompetence or failure to perform prescribed duties.
- C. Procedures to be followed for a recall petition and election are those set out in AS 29.26.
- D. If a Council Member is recalled, that office is filled in accordance with this Chapter. If all members of the Council are recalled, the governor shall appoint three qualified person to the Council. The appointees shall appoint additional members to fill remaining vacancies. A person appointed to the Council serves until a successor is elected and takes office.

Section 2.05.100                      Filling a Vacancy.

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If a vacancy occurs in the Council, the remaining members shall, within 30 days, appoint a qualified person to fill the vacancy. If less than 30 days remain in a term, a vacancy may not be filled. Notwithstanding the less than 30 days remaining in a term provision, if the membership of the Council is reduced to fewer than the number required to constitute a quorum, the remaining members shall, within seven days, appoint a number of qualified persons to constitute a quorum. A person appointed under this section serve until the next regular election, when a successor shall be elected to serve the balance of the term.