

Staff Report

File #: 22-496
Version: 1

Date: 11/2/2022
Item #: 2.a.

TO: Mayor and City Council
THROUGH: Keith Stahley, City Manager
FROM: Dan Atchison, City Attorney

SUBJECT:

Accepting the resignation of Mayor Chuck Bennett and declaring the mayor position vacant.

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
Result Area(s): Good Governance.

SUMMARY:

Mayor Chuck Bennett has announced his resignation, effective November 2, 2022. The Salem Charter provides that upon a resignation of a member of council, a vacancy does not occur until city council declares the position vacant. Upon declaring the position vacant, City Council may consider appointing Council President (and mayor-nominee) Chris Hoy as mayor, appointing Councilor-nominee Julie Hoy to the then vacant Ward 6 position, and electing a new Council President.

ISSUE:

Shall City Council accept Mayor Bennett's resignation and declare the mayor position vacant?

RECOMMENDATION:

Accept Mayor Bennett's resignation and declare the mayor position vacant.

FACTS AND FINDINGS:

Mayor Chuck Bennett announced his resignation, effective November 2, 2022, due to his planned

move to Ohio. As applicable here, Salem Charter, Section 19 states that a council position becomes vacant upon declaration of council in the case of an incumbent's ceasing to reside in the city in the case of the mayor or resignation from office.

Upon the mayor position being declared vacant, City Council may consider a motion to appoint Council President Chris Hoy, who won the spring primary election for mayor, as mayor for the remainder of the year until his first term will begin in January. Upon Councilor Chris Hoy's appointment, Council may then consider a motion to appoint Julie Hoy to the Ward 6 seat vacated by Chris Hoy. Julie Hoy won the spring primary election and is set to begin her first term in January. City Council may then elect a new Council President.

These motions may be made at tonight's meeting after City Council declares the mayor position vacant. The members appointed to their new positions may take the oath of office after their appointments.

At the November 14, 2022 meeting of the Salem Housing Authority Commission, the Commission will elect a new Commission Chair and potentially Vice-Chair to serve the remainder of the year.

BACKGROUND:

Salem Charter, Sections 19 and 20 - Vacancies - [City Charter | Salem, Oregon \(cityofsalem.net\)](https://www.cityofsalem.net/government/laws-rules/city-charter)
<<https://www.cityofsalem.net/government/laws-rules/city-charter>>.

Salem City Council Rules, Rule 18 - Vacancies - [Council Rules | Salem, Oregon \(cityofsalem.net\)](https://www.cityofsalem.net/government/city-council-mayor/about-city-council/council-rules)
<<https://www.cityofsalem.net/government/city-council-mayor/about-city-council/council-rules>>.

Dan Atchison,
City Attorney

Attachments:
None.