

CHARTER ORDINANCE NO. 1-2016

CHARTER ORDINANCE EXEMPTING THE CITY OF LANSING, KANSAS FROM K.S.A. 14-103, 14-201, RELATING TO THE ELECTION OF OFFICERS, THEIR TERMS OF OFFICE, FILLING GOVERNING BODY VACANCIES, TRANSITIONS TO NOVEMBER ELECTIONS, THE APPOINTMENT OF OFFICERS, AND NOMINATION PETITIONS; AND, PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT IN CITIES OF THE SECOND CLASS, AND REPEALING CHARTER ORDINANCE 1-2012.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LANSING, KANSAS:

Section 1. The City of Lansing, Kansas, by the power vested in it by Article 12, Section 5 of the Kansas Constitution hereby elects to and does exempt itself and make inapplicable to it the provisions of K.S.A. 14-103, 14-201, and L.2015, Chapter 88, § 71 that apply to this city, but are parts of enactments which do not apply uniformly to all cities.

Section 2. The governing body shall consist of a mayor and 8 council members to be elected to terms as set forth herein. The mayor and council members shall be residents and qualified electors of the City of Lansing, Kansas. The governing body of the city may, by ordinance, divide the city into wards and precincts, establish the boundaries thereof, and number the same. The wards shall be as equal in population as practicable. No ordinance redefining wards and precincts shall become effective no later than the filing deadline of the next regular city election.

Section 3. Beginning on the first Tuesday in November, 2016 and every four (4) years thereafter, there shall be elected at large, the position of Mayor for a term of four (4) years. The purpose of this section is to place the election for the position of Mayor on even-numbered years to eliminate the issue of both a mayoral and any then current city council member's election occurring within the same year. This section removes such an election conflict anomaly and places all future council member mayoral candidacies on an equal position before the electorate.

Section 4. A general election of city officers shall take place on the Tuesday succeeding the first Monday in November of 2017. Succeeding elections will be held every two (2) years for all such governing body positions whose four year terms have expired; and one council member from each ward shall be elected at one election, and the other council member from that ward shall be elected at the succeeding election; and the council members shall have four years term.

Section 5. Those governing body positions with terms expiring in April of 2017, shall expire on the second Monday in January of 2018, when the city officials elected in the November 2017 general election take office. The purpose of this section is to stagger the terms of the governing body members to avoid an inexperienced city council taking offices all at the same time

Section 6. Those governing body positions with terms expiring in April of 2019, shall expire on the second Monday in January of 2020, when the city officials elected in the November of 2019 general election take office. The purpose of this section is to stagger the terms of the governing body members to avoid an inexperienced city council taking offices all at the same time.

Section 7. The governing body when a vacancy exists shall appoint by a majority vote of the remaining members, a person to fill the vacancy within 120 days of the vacancy. If the appointment is not made within the 120 day time frame, the governing body shall pass a resolution calling for a special election to fill such vacancy to be held within 45 days of the passage of such resolution. Candidates for the vacant office shall file for such office as provided in K.S.A. 25-2110a, and amendments thereto. The special election shall be conducted by the county election officer. The candidate receiving the highest number of votes for the vacant position shall assume such office upon certification of the election results.

Section 8. The Mayor shall appoint, by and with the consent of the council, the contract positions of City Administrator, Municipal Court Judge, City Attorney, City Engineer, City Prosecutor, and any other officers deemed necessary. Any officers appointed and confirmed by the Council shall hold an initial term of office of not to exceed two years and until their successors are appointed and qualified. Any officers who are reappointed shall hold their offices for a term of two years and until their successors are appointed and qualified, and the council shall specify the duties and compensation of these contract officers, and may abolish any office created by it whenever deemed necessary, provided that such abolishment is not in contravention of existing law.

Section 9. The City Administrator shall appoint and/or hire all other city employees.

Section 10. This Charter Ordinance shall be published once each week for two (2) consecutive weeks in the official city newspaper.

Section 11. This Charter Ordinance shall take effect sixty-one (61) days after the final publication, unless a sufficient petition for a referendum is filed, requiring a referendum to be held on this Charter Ordinance as provided in Article 12, Section 5, Subsection (c)(3) of the Constitution of the State of Kansas, in which case this Charter Ordinance shall become effective upon approval by a majority of the electors voting thereon.

Section 12. Charter Ordinance 1-2012 is hereby repealed.

Passed and approved by the Governing Body, not less than two-thirds of the members-elect voting in favor thereof, this 4th day of February, 2016.

{SEAL}

ATTEST:

Louis E. Kirby, Mayor

Sarah Bodensteiner, City Clerk

APPROVED AS TO FORM:

Published: *Leavenworth Times*

First Publication Date: _____

Second Publication Date: _____

Greg Robinson, City Attorney