

**CHARTER ORDINANCE NO 20.**

**A CHARTER ORDINANCE EXEMPTING THE CITY OF PAOLA, KANSAS, FROM THE PROVISIONS OF L. 2015, CH. 88, SEC. 11, RELATING TO THE CITY MANAGER FORM OF GOVERNMENT AND REPEALING CHARTER ORDINANCE NOS. 1, 2, AND 6.**

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

**WHEREAS**, on the 7th day of August, 1962. the citizens of the City of Paola, Kansas, adopted by a majority vote the mayor-council-manager form of government;

**WHEREAS**, the Kansas Legislature passed L. 2015, ch. 88 (H.B. 2104), which amended and transferred the statutory provisions for the mayor-council-manager form of government, and L. 2015, ch. 88, sec. 8(a) states that a city shall continue to operate under its current form of government if established at an election until such time that the city's form of government is changed;

**WHEREAS**, the statutory provisions for the mayor-council-manager form of government have been recodified in L. 2015, ch. 88, sec. 11;

**WHEREAS**, L. 2015, ch. 88, sec. 8(b) states that all existing ordinances and charter ordinances relating to a city's form of government shall remain in effect until amended or repealed by such city;

**WHEREAS**, the City of Paola, Kansas, wishes to exempt itself from provisions within L. 2015, ch. 88, sec. 11;

**AND WHEREAS**, the City of Paola, Kansas, wishes to repeal Charter Ordinance No.1, Charter Ordinance No. 2, and Charter Ordinance No. 6;

**THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF PAOLA, KANSAS:**

**Section 1.** The City of Paola, 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 L. 2015 ch. 88 sec. 11 that apply to this city, but are parts of enactments which do not apply uniformly to all cities.

**Section 2.** The City of Paola, Kansas, continues to operate under the mayor-council-manager form of government and pursuant to all existing ordinances and charter ordinances relating to its form of government.

**Section 3.** Those governing body positions with terms that would have expired in April 2017, shall expire on the second Monday in January of 2018, when the city officials elected in the November 2017 general election take office. Those governing body positions with terms that would have expired in April 2018, shall expire on the second Monday in January of 2019, when the city officials elected in the November 2018 general election take office.

**Section 4.** General elections shall take place on the Tuesday succeeding the first Monday in November 2017, and succeeding elections will be held every year for all such governing body positions whose terms have expired. The governing body shall consist of a Mayor and four Council Members to be elected to terms as set forth in Section 5 below.

**Section 5.** The general election for Mayor and Council Members from Ward 1 and Ward 3 will be held in odd numbered years and the general election for Council Members from Ward 2 and Ward 4 will be held in even numbered years. The Mayor and Council Members shall all have two year terms.

**Section 6.** That each of the four (4) wards in said city shall have one (1) Council Member with alternating terms as prescribed in Section 5 of this ordinance, each of which Council Members shall be chosen by the qualified electors of his/her ward, and no persons shall be eligible for the office of Council Member who, at the time of his/her election, is not an actual resident of the ward from which he/she was elected and if any Council Member shall remove himself/herself from the ward from which he/she was elected, the office shall become vacant, provided however, that nothing herein shall be construed as disqualifying a Council Member from office for the remainder of the term for which he/she was elected in the case and event where the governing body, upon redefining the boundaries of wards of said city, shall place the Council Member's residence outside of the ward from which he/she was elected.

**Section 7.** All elections for the City of Paola, Kansas shall be nonpartisan.

**Section 8.** In accordance with K.S.A. 25-205, and amendments thereto, any person may become a candidate for city office by having had filed on their behalf, a nomination petition or a declaration of candidacy, accompanied by any fee required by law. The nomination petition must be signed by fifty (50) of the qualified electors of the City of Paola.

**Section 9.** That upon the effective date of this Charter ordinance, Charter Ordinance No. 1, Charter Ordinance No. 2, and Charter Ordinance No. 6 are hereby repealed.

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

**Section 11.** This Charter Ordinance shall take effect 61 days after the final publication unless a sufficient petition for a referendum is filed, requiring a referendum to be held on the ordinance as provided by 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 the majority of the electors voting thereon.

**PASSED, APPROVED AND ADOPTED** by the Governing Body, not less than two-thirds of the members elect voting in favor thereof, this 24th day of May, 2016.

CITY OF PAOLA, KANSAS

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Artie Stuteville, Mayor

ATTEST: [seal]

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Daniel G. Droste, City Clerk