

## **CHARTER ORDINANCE NO.17**

**A CHARTER ORDINANCE EXEMPTING THE CITY OF OSAGE CITY, KANSAS, FROM PROVISIONS OF K.S.A. 14-201 AND L. 2015 CHAPTER 88, SECTION 71, RELATING TO THE ELECTION OF OFFICERS, THEIR TERMS OF OFFICE, TRANSITIONS TO NOVEMBER ELECTIONS, THE APPOINTMENT OF OFFICERS, AND FILLING OF A VACANCY IN OFFICE AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT; AND REPEALING CHARTER ORDINANCE NO. 12.**

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

**Section 1:** The City of Osage City, 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. 14-201, that apply to this city, but are parts of enactments which do not apply uniformly to all cities.

**Section 2:**

- a) The governing body shall consist of a mayor and eight 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 Osage City, Kansas.
- b) The governing body of the city may, by ordinance, divide the city into wards and precincts, establish the boundaries thereof, and number the same. No ordinance redefining wards and precincts shall become effective less than 30 days prior to the next regular city election.

**Section 3:** Those governing body positions with terms expiring 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 expiring in April 2019, shall expire on the second Monday in January of 2020, when the city officials elected in the November 2019 general election take office.

**Section 4:** A general election of city officers shall take place on the Tuesday succeeding the first Monday in November 2017. Succeeding elections will be held every two years for all

such governing body positions whose terms have expired. One council member from each ward shall be elected at one election, and the other council member from the ward shall be elected at the succeeding election. The council members shall have four year terms. The Mayor shall have a two year term.

**Section 5:** The mayor shall appoint, by and with the consent of the council, a municipal judge of the municipal court, a chief of police, a city clerk, a city treasurer, a city fire chief, and a city attorney. Any person appointed and conformed shall hold an initial probationary period of not to exceed six months. Upon successful completion of the probationary period, any such appointment shall then hold their office until resignation, retirement, disqualification or removal by the council. The council shall specify their duties and compensation and by ordinance may abolish any offices created by them whenever they may deem is expedient. The council may by ordinance retain a licensed professional engineer to act in the capacity of city engineer for specifically defined duties, and provide for reasonable compensation for services rendered.

**Section 6:** The City of Osage City, Kansas, by virtue of the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby elects and does exempt itself and make inapplicable to it L. 2015, Chapter 88, Section 71, relating to the filling of governing body vacancies, which enactment applies to this city, but does not apply uniformly to all cities.

**Section 7:** In case of a vacancy in the council occurring by reason of resignation, death, or removal from office or from the city, the mayor, by and with the advise and consent of the remaining council members, shall appoint an elector to fill the vacancy until the next election for that office. In case any person elected as a council member neglects or refuses to qualify within 30 days after election, the council member shall be deemed to have refused to accept the office and a vacancy shall exist. The mayor may, with the consent of the remaining council members, appoint a suitable elector to fill the vacancy.

In case of a vacancy in the office of Mayor occurring by reason of resignation, death, removal from office or from the City, the President of the Council shall become Mayor until the next regular election for that office and a vacancy shall occur in the office of the councilmember becoming mayor.

**Section 8:** This Charter Ordinance shall be published once each week for two consecutive weeks in the official city newspaper.

**Section 9:** Charter ordinance number 12 is hereby repealed.

**Section 10:** 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 by the Governing Body, not less than two-thirds of the members elect voting in favor thereof, this 9th day of August, 2016.

/s/ Quintin Robert, Mayor

**ATTEST:**

/s/ Teresa Fultz, City Clerk