

## CHARTER ORDINANCE NO. 21

**A CHARTER ORDINANCE EXEMPTING THE CITY OF IOLA, KANSAS, FROM THE PROVISIONS OF (K.S.A. 14-103) AND/OR (K.S.A. 14-201) AND/OR (K.S.A. 14-204), RELATING TO THE ELECTION OF OFFICERS, THEIR TERMS OF OFFICE, TRANSITIONS TO NOVEMBER ELECTIONS, THE APPOINTMENT OF OFFICERS, AND NOMINATION PETITIONS; AND, PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT; AND REPEALING CHARTER ORDINANCE NO. 19.**

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

**Section 1.** The City of Iola, 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) AND/OR (K.S.A. 14-201) AND/OR (K.S.A. 14-204)**, that apply to this city, but are parts of enactments which do not apply uniformly to all cities.

**Section 2.** As used in this ordinance, the following words and phrases shall be defined as follows:

**Mayor:** shall mean a person elected at large, on the first Tuesday in November of every odd-numbered year, for a two (2) year term, who shall have the following responsibilities and authority:

- (1) serve without compensation;
- (2) have no veto power;
- (3) preside over council meetings;
- (4) will have the authority to vote in all instances where there is a tie vote of the council;
- (5) make recommendations for all appointments to city positions and committees to be approved by the council; and
- (6) such other powers as the council may grant to the mayor from time to time

**Treasurer:** shall mean a person appointed by the council for a two (2) year term at the same time other appointments to city offices are made;

**Council members** shall:

- (1) serve without compensation;
- (2) serve for a term of four (4) years, with two (2) council members to be elected from each ward as follows:
  - a. The terms shall be staggered with one (1) council member to be elected from each ward every two (2) years;
  - b. The council members shall be chosen by the qualified electors of their respective wards, and no person shall be eligible to the office of council member who is not at the time of the election or appointment an actual resident of the ward for which he or she is elected or appointed, and if any council member shall move from the

ward from which he or she was elected or appointed, his or her offices as council member shall thereby become vacated immediately.

- c. Whenever a vacancy shall occur in the office of council member, the governing body shall appoint an elector of the ward where the vacancy occurs to be council member for the balance of the unexpired term.

**Section 3.** (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 Iola, Kansas.

(b) No ordinance redefining wards and precincts shall become effective less than 30 days prior to the next regular city election.

**Section 4.** 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 5.** A general election of city officers 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 that ward shall be elected at the succeeding election. The council members shall have four year terms. The Mayor shall have a two year term.

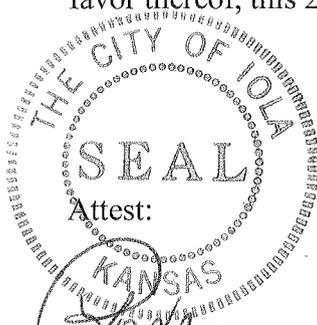
**Section 6.** The mayor shall appoint, by and with the consent of the council, a municipal judge of the municipal court, a chief of police, city clerk, city attorney, and any other officers deemed necessary. Any officers appointed and confirmed shall hold an initial term of office of not to exceed one year 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. The council shall by ordinance specify the duties and compensation of the office holders and by ordinance may abolish any office created by the council whenever deemed expedient.

**Section 7.** In accordance with K.S.A. 25-2110a, subsection (c), and amendments thereto, any person may become a candidate for city office elected by district 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 1% of the qualified electors of the City of Iola.

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

**Section 9.** 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 28<sup>th</sup> day of March, 2016.



*Roxanne Hutton*

City Clerk Roxanne Hutton

[SEAL]

*Joel Wicoff*  
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Mayor Joel Wicoff