

ORDINANCE NO. G-1191

AN ORDINANCE AFFIRMING THE CITY OF JUNCTION CITY'S ADOPTION AND CONTINUED OPERATION UNDER THE COMMISSION-MANAGER FORM OF GOVERNMENT AND AMENDING TITLE I "GOVERNMENT CODE", CHAPTER 105 "ADMINISTRATION", ARTICLE I "COMMISSION" SECTIONS 105.010 THROUGH 105.115 OF THE CODE OF ORDINANCES OF THE CITY OF JUNCTION CITY, KANSAS, BY ADDING CERTAIN PROVISIONS AND AMENDING AND RENUMBERING CERTAIN PROVISIONS OF SAID ARTICLE I "COMMISSION", AND PROVIDING FOR ELECTIONS AND TERMS OF OFFICE

WHEREAS, by election the citizens of the City of Junction City, Kansas, have adopted the commission-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 commission-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 commission-manager form of government have been recodified in L. 2015, ch. 88, sec. 10 through 12;

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ordinances and charter ordinances relating to a city's form of government shall remain in effect until amended or repealed by such city.

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

Section 1. Article I "Commission", of Chapter 105 "Administration", of Title I "Government Code", of the Code of Ordinances of the City of Junction City, Kansas is hereby repealed and replaced with the following provisions:

SECTION 105.010:- FORM OF GOVERNMENT

The City of Junction City, Kansas, continues to operate under the commission-manager form of government, as codified in L. 2015, ch. 88, sec. 10 through 12, and pursuant to all existing ordinances and charter ordinances relating to its form of government.

SECTION 105.020: - MEMBERSHIP OF COMMISSION

The Commission shall consist five (5) members. Each candidate for office and elected Commissioner shall be "qualified elector" of the City, defined as: a resident of the City who is at least eighteen (18) years of age, a citizen of the United States and a registered voter. The Commission shall be referred to in the ordinances of the City as the "Governing Body", "Commissioners", "Governing Board" and "Commission".

SECTION 105.030:- ELECTIONS; TERMS

(a) General elections shall take place on the Tuesday succeeding the first Monday in November 2017, and succeeding elections will be held every two years for all such governing body positions whose terms have expired. Three Commissioners are elected at each general city election. The candidates receiving the largest and second largest number of votes shall be elected for four-year terms, and the candidate receiving the third largest number of votes shall be elected for a two-year term. The terms of office for all Commissioners elected after January 1, 2017 shall commence on the second Monday in January following certification of the election.

(b) Any person may become a candidate for city office elected at large 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 50 qualified electors of the city or by a number of such qualified electors of the city equal to not less than 1% of the ballots cast and counted at the last general city election, whichever is less.

SECTION 105.040:-VACANCIES

In case of any vacancy from any cause in the office of Mayor, Vice Mayor or any commissioner, the remaining members of the board of commissioners within thirty (30) days after the occurrence of the vacancy shall elect some suitable person to fill the vacancy for the balance of the unexpired term of such office.

SECTION 105.050: - TITLES

No distinction shall be made in title or duties among the Commissioners, except as the Board shall organize itself for business.

SECTION 105.060: - CHAIRMAN—MAYOR

(a) The Commission shall choose its own Chairman annually, and the Chairman shall have the title of Mayor during the term of his/her office, to the end that the City shall have an official head on formal occasions. The Commission shall also choose a Vice Mayor annually, to preside in the absence of the Mayor.

(b) For the calendar year 2017, the Mayor and Vice Mayor shall be chosen at the first meeting in January, 2017, for a term expiring on the second Monday in January, 2018. Commencing in 2018, and in even years thereafter, the Mayor and Vice Mayor shall be chosen at the meeting held on the second Monday in January, for a term expiring on the first meeting in January of the following year. Commencing in 2019, and in odd years thereafter, the Mayor and Vice Mayor shall be chosen at the first meeting in January for a term expiring on the second Monday in January of the following year.

SECTION 105.070: - ORDER OF BUSINESS

The Commission shall determine its own order of business by resolution.

SECTION 105.080: - DESIGNATION OF THE TIME AND PLACE OF MEETINGS

(a) On the second Monday in January following certification of the results of the City election held the previous November as provided by Section 105.040 of this Code, the governing body, as constituted before said election, shall meet and proceed to any unfinished business, and thereafter seat the new governing body, and the new governing body shall proceed to the order of business.

(b) Except as provided in subsection (a), the Governing Body of the City of Junction City, Kansas, shall meet regularly on the first (1st) and third (3rd) Tuesday of each month at 7:00 P.M. for the transaction of City business. These meetings will be held at the Municipal Court Building in Junction City, Kansas, and will be always open to the public except as otherwise authorized by the laws of the State of Kansas. In the event the said meeting day shall be a legal holiday, the Commission shall meet on the following business day 7:00 P.M. in the same place. The phrase "legal holiday" shall, for the purpose of construing this Section, mean each and all of those days which have been or which hereafter shall be designated as legal holidays by any one (1) of the following authorities:

1. The State of Kansas;
2. The Congress of the United States of America.

SECTION 105.090: - ORDINANCES

It shall be the duty of the Commission to pass all ordinances needful for the welfare of the City.

SECTION 105.110: - OFFICERS AND SALARIES

The Commission shall provide for such offices as shall be necessary to carry out the provisions of the statutes relating to the City Manager plan of government and determine and fix the salaries of the same.

SECTION 105.111: - APPOINTMENT OF CITY MANAGER

The Commission shall appoint a Manager as herein provided, and shall be responsible for his/her efficient administration of the City's business.

SECTION 105.112: - MEMBERS NOT TO INTERFERE

No member of the Commission shall directly or indirectly interfere with the conduct of any department except at the express direction of the Commission.

SECTION 105.113: - ADMINISTRATIVE DEPARTMENTS

Administrative Departments shall be created by the Commission as the public business may demand. Such Departments are herein created by the Commission by Article IV hereinafter contained.

Section 2. Those Commission 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 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 3. To accommodate the shift from April to November elections and the extension of the terms of existing Commissioners as set forth in Section 2 hereof, the mayoral and vice-mayoral terms shall be set forth as follows:

(1) The current Mayor's and Vice Mayor's terms that began April 21, 2015 will expire April 19, 2016.

(2) The successor Mayor's and Vice Mayor's terms will begin April 19, 2016 and end on the first meeting in January, 2017. Thereafter the term of the Mayor and Vice Mayor shall be as provided in Section 105.060(b).

Section 4. This ordinance shall take effect and be in full force and effect immediately following its adoption and publication as provided by law.

Passed by the Governing Body of the City of Junction City on March 15, 2016 and signed by the Mayor.



Mick McCallister, Mayor

Attest:

Shawna Settles, City Clerk