

(First Published in the Lincoln Sentinel-Republican, December 22, 2016)

CHARTER ORDINANCE NO. 8

A CHARTER ORDINANCE EXEMPTING THE CITY OF LINCOLN CENTER, KANSAS, FROM THE PROVISIONS OF K.S.A. 14-103 AND K.S.A. 14-201 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. 1.

Be it Ordained by the Governing Body of the City of Lincoln Center, Kansas:

Section 1. The City of Lincoln Center, 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 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 five 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 Lincoln Center, 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 primary election may be held on the first Tuesday in August of each odd numbered year beginning in 2017, if needed, as prescribed in K.S.A. 25-205 and 25-2108a and amendments thereto. A general election of the mayor and council members whose terms as extended expire on the second Monday of January 2018 (Ward 1, Position 2 and Ward 2, Position 2) shall take place on the Tuesday succeeding the first Monday in November 2017 and the council members including the at large position whose terms as extended expire on the second Monday in January of 2020 (Ward 1, Position 1; Ward 2, Position 1; and at large position) shall take place on the Tuesday succeeding the first Monday in November 2019. Succeeding general elections shall be held every two years for governing body positions whose terms have expired. The mayor and all such council members and shall have four year terms.

The filing deadline for all city elections shall be at 12:00 noon on June 1 as provided in K.S.A. 25-205 and amendments thereto. Candidates for municipal office shall file for election with the Lincoln county election officer (Lincoln County Clerk's Office) in the Lincoln County Courthouse, Lincoln, Kansas.

Section 5. The mayor shall appoint, by and with the consent of the council, a municipal judge of the municipal court, a city clerk, city attorney, city treasurer, and any other officers deemed necessary including a chief of police unless the city of Lincoln Center has and continues to contract with the Board of County Commissioners of Lincoln County, Kansas, for law enforcement services. 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. The council may retain a licensed professional engineer to act in the capacity of city engineer for specifically defined duties, and provide for reasonable compensation for the services rendered. The officers who have been previously appointed and confirmed and who are in office at the time of the adoption of this Charter Ordinance shall continue in office until the second Monday in January of 2018 at which time the newly elected governing body positions are filled following the November 2017 general election.

Section 6. This Charter Ordinance shall be published once each week for two consecutive weeks in the official city newspaper.

Section 7. 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 12th day of December, 2016.

/s/ Travis Schwerdtfager
Travis Schwerdtfager, Mayor

ATTEST: (seal)

/s/ Heather N. Simms
City Clerk