

CHARTER ORDINANCE NUMBER 7

A CHARTER ORDINANCE EXEMPTING THE CITY OF GALENA, KANSAS, FROM THE PROVISIONS OF K.S.A. 12-1005c RELATING TO THE TERM OF COMMISSIONERS IN CITIES OF 8,000 OR LESS, K.S.A. 14-101 TO 14-310 RELATING TO THE MAYOR AND COUNCIL FORM OF GOVERNMENT, K.S.A. 14-204. RELATING TO ELIGIBILITY OF APPOINTED OFFICERS AND EMPLOYEES, AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECTS; ADOPTING PROVISIONS RELATING TO THE COMMISSION-MANAGER FORM OF GOVERNMENT; REPEALING CHARTER ORDINANCE NUMBERS 1,5, AND 6.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GALENA:

Section 1. The City of Galena by virtue of the powers vested in it by Article 12, Section 5 of the Constitution of the State of Kansas hereby elects to and does exempt itself and make inapplicable to it K.S.A. 14-101 TO 14-310, K.S.A. 12-1005C, K.S.A. 14-1204, and K.S.A. 14-1502, WHICH APPLY TO THE City, but are part of enactments which do not apply uniformly to all cities.

Section 2. The City of Galena hereby adopts the Commission-Manager form of government.

Section 3. The Governing Body shall consist of three city commissioners who shall be elected as follows. Upon the first Tuesday in April of the year 1999, and upon the first Tuesday in April of every odd-numbered year thereafter, there shall be held a city election for the election of new commissioners or expiring commission seats as herein set forth. Two commissioners shall be elected to hold office until the regular city election in 2003, one commissioner shall be elected to hold office until the regular city election in 2001, all of which commissioners shall be elected at the next regular city election in 1999. The two persons receiving the largest number of votes as said election shall be designated as the commissioners to fill the initial four year terms, and the person receiving the third highest vote total as said election shall fill the two year term. Thereafter all commissioners will be elected to four year terms. All commissioners shall be elected at large.

Section 4. Charter Ordinance Number 1, Charter Ordinance Number 5, which was passed on June 21, 1988, and Charter Ordinance Number 6 of the City of Galena are hereby repealed and of no further force and effect.

Section 5. No person shall be eligible to any appointive office unless he or she shall be a bona fide resident of the city or of the territory within a ten (10) mile radius of such city prior to his or her appointment, except that the city may hire nonresident expert employees or appoint nonresidents as municipal judge, city attorney, or as law enforcement officers when deemed necessary by the board of commissioners, including the appointment of nonresidents of another municipality or public agency. Nonresidents of the State of Kansas may be appointed as expert employees. Expert employees shall be defined to include the appointed offices of the Municipal Judge, the City Attorney, and the City Engineer or such other positions requiring specialized expertise as shall be defined by and deemed necessary by the board of commissioners.

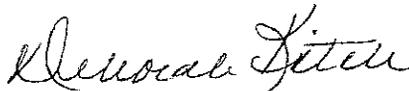
Section 7: This Charter ordinance shall be published once each week for two consecutive weeks in the official city newspaper.

Section 8: This Charter Ordinance shall take effect 61 days after final publication unless a sufficient petition for a referendum is filed, requiring a referendum to be held of the ordinance as provided by Article 12, Section 5 of the Constitution of the State of Kansas, in which case this Charter Ordinance shall become effective upon the approval by a 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 8th day of May, 1998.



MARK LaTURNER,
Mayor of the City of Galena, Kansas



ATTEST: DEBORAH KITCH,
City Clerk

(SEAL)