

# City of Holton

## ORDINANCE NO. 16-001

**AN ORDINANCE AFFIRMING THE CITY OF HOLTON'S ADOPTION AND CONTINUING OPERATION UNDER THE COMMISSION-MANAGER FORM OF GOVERNMENT AND TRANSITION OF COMMISSION TERMS TO THE NOVEMBER ELECTION CYCLE.**

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

**WHEREAS**, on the 24th day of February, 1948, the citizens of the City of Holton, Kansas, adopted by a majority vote 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(1) 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ordinances and charter ordinances relating to a city's form of government shall remain in effect until amended or repealed by such city; and

**WHEREAS**, L.2015 ch.88, sec. 7 provides for a November election cycle,

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

**Section 1. FORM OF GOVERNMENT.** The City of Holton, 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 2. GOVERNING BODY; TRANSITION TO NOVEMBER ELECTIONS.** Those city commission positions with terms that would have expired in April 2017, shall expire on the second Monday in January 2018, when the city commissioners elected in the November 2017 general election take office. Those positions with terms that would have expired in April 2018 shall expire on the second Monday in January of 2019, when the city commissioners elected in the November 2018 general election take office. The city commissioners elected in the April 2016 election term will expire the second Monday in January, 2020 when the commissioners elected in the November 2019 general election take office.

**Section 3. SAME; OFFICES AND ELECTIONS.** (a) The governing body shall consist of five (5) commissioners to be elected to terms as set forth herein. The commissioners shall be residents and qualified electors of the City of Holton, Kansas.

(b) General elections shall take place on Tuesday following the first Monday in November 2017, and succeeding elections will be held on the Tuesday following the first Monday in November of every year for all such commissioner positions whose terms have expired.

(c) Two commissioners shall be elected in 2016; two commissioners shall be elected in 2017 and one commissioner shall be elected in 2018. Each commissioner shall serve a three (3) year term.

(d) In accordance with K.S.A. 25-205, and amendments thereto, 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 twenty-five (25) of the qualified electors of the City of Holton.

**Section 4. SAME; VACANCIES.** The laws establishing and relating to the commission form of government in cities of the second class shall govern the filling of vacancies in the governing body of the City of Holton, Kansas.

**Section 5. SAME; OFFICE AND POWERS OF THE MAYOR.** The laws establishing and relating to the commission form of government in cities of the second class shall govern the selection and powers of the mayor for the City of Holton, Kansas.

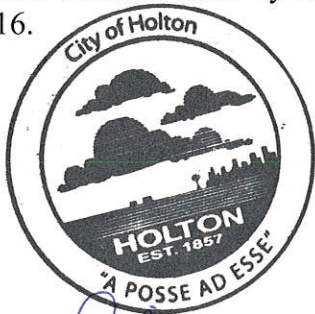
**Section 6. SAME; MEETINGS.** The laws establishing and relating to the commission form of government in cities of the second class shall govern the rules for governing body meetings for the City of Holton, Kansas.

**Section 7. CITY MANAGER.** (a) The city governing body shall appoint a city manager to be responsible for the administration and affairs of the city. The city manager shall serve at the pleasure of the governing body.

(b) The city manager shall see that all laws and ordinances are enforced. The city manager shall appoint and remove all heads of departments and all subordinate officers and employees of the city. All appointments shall be made upon merit and fitness alone.

**Section 8. PUBLICATION; EFFECTIVE DATE.** The ordinance shall take effect and be in full force and effect immediately following its adoption and publication as provided by law.

**PASSED AND APPROVED** by the governing body of the City of Holton, Kansas, this 19th day of January, 2016.



*Robert W. Dieckmann*

Robert W. Dieckmann, Mayor

ATTEST:

*Teresa Riley*  
Teresa Riley, City Clerk