



City Manager's Report

April 23rd, 2019

Honorable Mayor Gwin and City Commissioners Brecheisen-Huss and Cole,

Thank you for attending our First Impressions meeting this past Monday evening. I was extremely pleased with our turnout and results and I hope to see this blossom into significant positive momentum in the form of strategic planning involvement in our community. We have a pretty short agenda this meeting following the last few lengthy meetings. I expect the presentation of the police department remodel proposal from WDM Architects. I received notice from County Clerk Julie Heck on April sixteenth (16th) that a sufficient petition protesting the passage of Charter Ordinance number 28 was filed in her office. Based on this and the special election thus required for the Charter Ordinance's passage, I believe we shall have to pass a new Charter Ordinance as the language in our protested Ordinance is now invalidated. City Attorney Solander is looking into this further and should have more to report at the meeting. The following text comes from Article Twelve (12) Section Five (5) of the Kansas Constitution addressing Charter Ordinances (I have highlighted the section which directly deals with the special election and timeline):

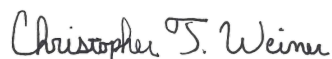
(3) No charter ordinance shall take effect until sixty days after its final publication. If within sixty days of its final publication a petition signed by a number of electors of the city equal to not less than ten percent of the number of electors who voted at the last preceding regular city election shall be filed in the office of the clerk of such city demanding that such ordinance be submitted to a vote of the electors, it shall not take effect

until submitted to a referendum and approved by a majority of the electors voting thereon. An election, if called, shall be called within thirty days and held within ninety days after the filing of the petition. The governing body shall pass an ordinance calling the election and fixing the date, which ordinance shall be published once each week for three consecutive weeks in the official city newspaper or, if there be none, in a newspaper of general circulation in the city, and the election shall be conducted as elections for officers and by the officers handling such elections. The proposition shall be: "Shall charter ordinance No. _____, entitled (title of ordinance) take effect?" The governing body may submit any charter ordinance to a referendum without petition by the same publication of the charter ordinance and the same publication of the ordinance calling the election as for ordinances upon petition and such charter ordinance shall then become effective when approved by a majority of the electors voting thereon. Each charter ordinance becoming effective shall be recorded by the clerk in a book maintained for that purpose with a statement of the manner of adoption and a certified copy shall be filed with the secretary of state, who shall keep an index of the same.

Based on this, we shall certify to County Clerk Heck that Commissioner Gwin's seat is up for election this year and I seek your direction upon how to proceed. I believe we have a number of options to consider in looking to settle the question of shall we have a three (3) or five (5) member City Commission.

As always, please let me know if you have any questions and I appreciate the opportunity to serve you and this wonderful Garnett community as City Manager.

Sincerely,



Christopher T. Weiner, City Manager