

CHARTER ORDINANCE NO. FIFTY-FOUR

(Note: All or parts of this charter ordinance have been repealed. See notes at the end of the ordinance.)

A CHARTER ORDINANCE AMENDING AND REPEALING EXISTING SECTION 2 OF CHARTER ORDINANCE NO. 34 RELATING TO MEMBERS; PRESIDENT OF COUNCIL; POWERS AND DUTIES AND VOTING OF THE GOVERNING BODY; AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OVERLAND PARK, KANSAS:

SECTION 1.

Section 2 of Charter Ordinance No. 34 of the City of Overland Park, Kansas, is hereby amended to read as follows:

SECTION 2. MEMBERS-PRESIDENT OF COUNCIL-POWERS AND DUTIES AND VOTING OF THE GOVERNING BODY.

The Governing Body shall consist of a Mayor elected by the City as a whole and ten Councilmembers elected by wards as hereinafter provided. Qualifications, oaths and bonds of the Mayor and Councilmembers shall be as provided in the general laws establishing and relating to the Mayor-Council form in cities of the first class. On the second Monday after the first Tuesday in the month of April of each year, the Council shall elect by six affirmative votes cast by signed written ballot, provided that abstentions and blanks shall not be counted as votes cast, one of its members as president of the Council who, in the absence or disability of the Mayor shall become acting Mayor; Provided, that such Councilmember shall retain all his voting rights and other prerogatives as Councilmember while acting as Mayor. All powers now exercised by cities of the first class which are not inconsistent with this charter ordinance, or which shall hereafter be conferred upon them shall be exercised by the Governing Body herein provided. Any ordinance shall be passed by an affirmative vote of six Councilmembers, excluding abstentions, unless a greater number of votes are specifically required by another provision of law, and where the number of affirmative votes is one less than required, the Mayor shall have the power to cast the deciding vote in favor of the ordinance. Any resolution, motion or any other action of the Governing Body except charter ordinances, upon which the Mayor's vote shall be counted on every occasion, shall be passed at a meeting at which a quorum is present if more than half of the votes cast by Councilmembers are affirmative votes, provided that abstentions shall not be counted as votes cast, and where the number of affirmative votes is one less than required, the Mayor shall have the power to cast the deciding vote in favor of the resolution, motion or other action.

SECTION 2. Existing Section 2 of Charter Ordinance No. 34 is hereby repealed.

Charter Ordinance No. Fifty-Four

SECTION 3. This ordinance shall be published once each week for two consecutive weeks in the Overland Park Sun, an official City newspaper.

SECTION 4. This is a Charter Ordinance and shall take effect sixty-one days after final publication unless a sufficient petition for a referendum is filed and a referendum held on the ordinance as provided in Article 12, Section 5, subdivision (c)(3) of the Constitution of Kansas, in which case the ordinance shall become effective as approved 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 the 4th day of March, 1991.

Ed Eilert, Mayor

ATTEST:

Bernice Crummett, City Clerk

APPROVED AS TO FORM:

John S. Anderson
Assistant City Attorney

Passed:	3/4/91
Published:	3/6/91
	3/13/91
Effective:	5/13/91

Entire ordinance repealed by Charter Ordinance No. Seventy-Seven