

**BILL NO.** 2009-73

**SPONSORED BY COUNCILWOMAN** Carroll

**ORDINANCE NO.** \_\_\_\_\_

AN ORDINANCE OF THE CITY OF JEFFERSON, MISSOURI, SUBMITTING SEVERAL PROPOSED AMENDMENTS TO THE CHARTER OF THE CITY OF JEFFERSON TO A VOTE OF THE CITIZENS OF THE CITY OF JEFFERSON.

BE IT ENACTED BY THE COUNCIL OF THE CITY OF JEFFERSON, MISSOURI, AS FOLLOWS:

Section 1. Article III (The Council) Section 2 (Composition, eligibility, election, and terms) Subsection (d) of the Charter of the City of Jefferson shall be amended to read as follows:

- (d) Limitation on terms. A councilman is prohibited from serving more than eight years on the City council, with any service resulting from an **appointment, prior to April 6<sup>th</sup>, 2010, or resulting from an** election ~~or appointment~~ **which occurred** occurring prior to **April 6<sup>th</sup>, 1993,** the effective date of this amendment not counted toward the total number of years a person could serve.

Section 2. The amendment as set forth in Section 3 shall be submitted to the qualified voters of the City of Jefferson, Missouri, for their approval, at the election to be held on the 6<sup>th</sup> day of April, 2010, at the places designated by the Election Authority for said election and the ballot shall be in substantially the following form:

### PROPOSITION

Shall Subsection D Section 3.2 of Article III (The Council) of the Charter of the City of Jefferson be amended to provide that the limitation of a councilman to serve 8 years includes only service following an election and not resulting from a mid-term appointment; as provided in Ordinance No. \* \_\_\_\_\_ passed and approved by the City Council on \_\_\_\_\_.

Section 3. Article IV. (Mayor) Section 1 (Election, term; qualifications) of the Charter of the City of Jefferson shall be amended to read as follows:

#### **Section 4.1. Election, Term; Qualifications.**

- (a) The mayor shall be ~~election~~ **elected** by the qualified voters of the city at regular municipal general elections held in 1987 and each four years thereafter. He shall hold his office for a

term of four years and until his successor is elected and installed. No person shall be elected to the office of mayor who is not at least thirty years of age, a citizen of the United States, a qualified voter of the city and a resident thereof for two years next preceding his election, nor shall any person be elected to such office who shall, at the time of his election, be in arrears for any unpaid city taxes or unpaid judgment against the person by the City including any debt to the municipal Court, or guilty of forfeiture or defalcation in office.

- (b) Limitation on terms. A person is prohibited from serving more than eight years as Mayor, with any service resulting from an election or appointment occurring prior to April 6<sup>th</sup>, 1993 ~~the effective date of this amendment~~ not counted toward the total number of years a person could serve.

Section 4. The amendment as set forth in Section 5 shall be submitted to the qualified voters of the City of Jefferson, Missouri, for their approval, at the election to be held on the 6<sup>th</sup> day of April, 2010, at the places designated by the Election Authority for said election and the ballot shall be in substantially the following form:

### PROPOSITION

Shall Section 4.1 of Article IV (Mayor) of the Charter of the City of Jefferson be amended to prohibit citizens from running for mayor if the person owes an unpaid debt to the City as provided in Ordinance No. \* \_\_\_\_\_ passed and approved by the City Council on \_\_\_\_\_.

Section 5. Article VI. (Administrative organization and personnel system) Section 3 (Police Department) of the Charter of the City of Jefferson shall be amended to read as follows:

#### **Section 6.3. Police Department.**

- (a) Merit System Required. A system of personnel administration based on merit principles and designed to secure efficient administration shall be established by ordinance for all officers, positions and employees of the police department.
- (b) Merit Provisions. Any ordinance concerning the merit system police department shall observe the following provisions for the appointment, promotion, suspension, demotion, or discharge of members of the police department:
1. A personnel board shall be created and whose members shall be prescribed by ordinance. ~~which shall be composed of members not more than one-half of whom shall be members of the same political party.~~
  2. The personnel board shall give examinations to candidates for appointment or promotion and shall certify lists of eligibles to the mayor.
  3. The mayor, with the consent of a majority of the council, shall appoint or promote all personnel in the police department, solely from the list of eligibles certified by the personnel board.
  4. All persons so appointed or promoted shall be at will employees of the City subject to the provisions herein. ~~entitled to hold office during good behavior and efficient service.~~
  5. Any person suspended, demoted, or discharged for misbehavior or inefficiency shall, upon his application, be granted a public or closed hearing before the

personnel board.

Section 6. The amendment as set forth in Section 7 shall be submitted to the qualified voters of the City of Jefferson, Missouri, for their approval, at the election to be held on the 6<sup>th</sup> day of April, 2010, at the places designated by the Election Authority for said election and the ballot shall be in substantially the following form:

PROPOSITION

Shall Section 6.3 of Article VI (Administrative Organization and Personnel System) of the Charter of the City of Jefferson be amended to:

1. Eliminate the requirement that the police personnel board be appointed based upon political party affiliation; and
2. Affirm that police officers are at will employees; and
3. Allow a police officer appealing a disciplinary action to elect to have the hearing either open to the public or closed to the public;

as provided in Ordinance No. \* \_\_\_\_\_ passed and approved by the City Council on \_\_\_\_\_.

Section 7. Article VIII (Nominations and elections) Section 4 (Council wards) of the Charter of the City of Jefferson shall be amended to read as follows:

**Section 8.4. Council Wards.**

There shall be five council wards, bounded and numbered the same as the wards which exist at the time of adoption of this charter. Ward boundaries shall be established by ordinance **and shall be reestablished at least** following each decennial census. Wards shall comprise compact and contiguous territory and shall contain, as nearly as possible, an equal number of inhabitants.

Section 8. The amendment as set forth in Section 9 shall be submitted to the qualified voters of the City of Jefferson, Missouri, for their approval, at the election to be held on the 6<sup>th</sup> day of April, 2010, at the places designated by the Election Authority for said election and the ballot shall be in substantially the following form:

PROPOSITION

Shall Section 8.4 of Article XIII (Nominations and Elections) of the Charter of the City of Jefferson be amended by allowing the City Council to amend ward boundaries when necessary and not only following a decennial census as provided in Ordinance No. \* \_\_\_\_\_ passed and approved by the City Council on \_\_\_\_\_.

Section 9. ARTICLE X (Franchises) of the Charter of the City of Jefferson shall be deleted.

Section 10. The amendment as set forth in Section 9 shall be submitted to the qualified voters of the City of Jefferson, Missouri, for their approval, at the election to be held on the 6<sup>th</sup> day of April, 2010, at the places designated by the Election Authority for said election and the ballot shall be in substantially the following form:

PROPOSITION

Shall the Charter of the City of Jefferson be amended by deleting Article X (Franchises) which will allow the City Council to contract directly for franchise agreements as provided in Ordinance No. \* \_\_\_\_\_ passed and approved by the City Council on \_\_\_\_\_.

Section 11. The Mayor and City Clerk shall prepare and execute the form of the Notice of said Election and shall transmit the same to the Election Authority for the City of Jefferson, Missouri and request said election be conducted by law.

Section 12. If a majority of the qualified voters voting at said election shall vote in favor of the approval of this ordinance, then the same shall be binding in full force and effect from and after such approval.

Section 13. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, as such holdings shall not affect the validity of the remaining portion thereof.

Section 14. This Ordinance shall be in full force and effect from and after the date of its passage and approval.

Passed: \_\_\_\_\_

Approved: \_\_\_\_\_

\_\_\_\_\_  
Presiding Officer

\_\_\_\_\_  
Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Counselor