

12-1037. Certain commission-plan cities of second class over 13,500; adoption of manager-plan and election of five commissioners; terms. Cities of the second class in excess of thirteen thousand five hundred (13,500) population having the commission plan of government wherein the question of adopting the city-manager plan of government is to be submitted shall elect three (3) commissioners as now provided by law for cities of the second class in excess of eight thousand (8,000) population, except that such city shall elect five (5) commissioners as hereinafter provided if the question of electing five (5) commissioners be submitted pursuant to K.S.A. 12-184 to the qualified electors of the city at the same election.

The proposition of electing five (5) commissioners shall be stated substantially as follows as a separate proposition on the ballot:

"Shall the city of _____ elect five commissioners to constitute the governing body of the city in the event that the city shall adopt the city-manager plan?"

Yes [] No []

In the event a majority of electors voting on such proposition vote in favor thereof, five (5) commissioners shall be elected as hereinafter provided, but if a majority of such electors shall vote against such proposition, the city shall thereafter elect three (3) commissioners as provided by K.S.A. 12-1005b. In the event such city shall adopt the city-manager plan of government and a majority of the qualified electors shall have voted in favor of the election of five (5) commissioners, the five (5) commissioners shall be elected as follows: If the city-manager plan is adopted in sufficient time prior to the regular city election, otherwise required to be held in an even-numbered year, the five (5) commissioners shall be elected for terms of one year each and their terms shall expire when their successors shall have been elected and qualified following the regular city election held the succeeding odd year. Thereafter and in the event the city-manager plan shall have been adopted sufficiently prior to the regular city election otherwise required to be held in any odd year, two (2) of the said commissioners shall be elected for terms of four (4) years and until their successors shall have been elected and qualified, and three (3) of the said commissioners shall be elected for terms of two (2) years and until their successors shall have been elected and qualified.

At each regular city election held each odd year thereafter, three (3) commissioners shall be elected. The two (2) commissioners receiving the greatest number of votes respectively shall serve terms of four (4) years, and until their successors shall have been elected and qualified, and the one commissioner receiving the least number of votes of the three (3) elected shall serve for a term of two (2) years, and until a successor shall have been elected and qualified. In the event any city herein shall become a city of the first class after adopting the city-manager plan of government and shall have elected five (5) commissioners, such city shall continue to elect five (5) commissioners in the manner hereinbefore provided.

History: L. 1949, ch. 182, § 1; L. 1976, ch. 76, § 10; July 1.