

BILL NO. 16-279

AN ORDINANCE CALLING AN ELECTION FOR APRIL 4, 2017, IN THE CITY OF LEE'S SUMMIT, MISSOURI, A CONSTITUTIONAL CHARTER CITY, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF SAID CITY THE QUESTION OF WHETHER TO RECALL DISTRICT 4 COUNCILMEMBER CHRISTOPHER MORENO AND AUTHORIZING THE ELECTION AUTHORITY OF THE COUNTY OF JACKSON, MISSOURI, TO CONDUCT SAID ELECTION; PRESCRIBING THE FORM OF QUESTION TO BE USED THEREAT AND PROVIDING THAT NOTICE OF SAID ELECTION BE GIVEN AND SAID ELECTION BE HELD IN ACCORDANCE WITH ALL APPLICABLE MISSOURI LAW.

WHEREAS, Article X, Initiative, Referendum and Recall of the Charter for the City of Lee's Summit, Missouri, provides for the recall of elected officials; and,

WHEREAS, a petition committee was established and a petition circulated for the recall of District 4 Councilmember Christopher Moreno in conformance with the Charter for the City of Lee's Summit, Missouri; and,

WHEREAS, in accordance with Section 10.3. Petitions, Subsection (a) Number of Signatures, of the Charter for the City of Lee's Summit, Missouri, a recall petition requires at least thirty percent (30%) of the total number of votes cast for the office in the election in which that office was elected; and,

WHEREAS, the total number of votes cast for District 4 Councilmember on April 5, 2016 was 1,744, thereby requiring 524 valid signatures in order to constitute a sufficient petition; and,

WHEREAS, the Jackson County Board of Election Commissioners reviewed the submitted petition and on December 9, 2016 certified that the petition contained 621 valid signatures from registered voters in District 4; and,

WHEREAS, the City Clerk for the City of Lee's Summit certified to the Council that said petition was sufficient on December 12, 2016.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That an election be, and the same is hereby ordered to be held in the City of Lee's Summit, Missouri, on April 4, 2017, pursuant to Section 115.123 RSMo, as amended, and Section 10.6(c) of the Charter of the City of Lee's Summit, Missouri for the purpose of submitting to the qualified voters of said city the following question:

QUESTION NO. ?

Shall District 4 Councilmember Christopher Moreno be recalled?

Yes No

If you are in favor of the question, place an "x" in the box opposite "yes". If you are opposed to the question, place an "x" in the box opposite to "no".

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SECTION 2. That at said election the qualified registered voters in District 4 of the city shall vote at the polling places within the city, as designated by the Board of Election Commissioners of Jackson County, Missouri.

SECTION 3. That the judges and clerks at said election shall be designated by the Board of Election Commissioners of Jackson County, Missouri.

SECTION 4. That the Board of Election Commissioners for Jackson County, Missouri, shall be furnished a certified copy of this ordinance and are requested to conduct said election in the manner provided in the Statutes of the State of Missouri relating to Charter Cities.

SECTION 5. That all ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 6. That this Ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED by the City Council for the City of Lee's Summit, Missouri, this _____ day of _____, 2016.

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Denise R. Chisum*

APPROVED by the Mayor of said city this _____ day of _____, 2016.

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Denise R. Chisum*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*