

## CHARTER ORDINANCE NO. 11

### **A CHARTER ORDINANCE OF THE CITY OF LINCOLN CENTER, KANSAS EXEMPTING THE CITY OF LINCOLN CENTER, KANSAS FROM THE PROVISIONS OF K.S.A 12-1222, AS AMENDED, RELATED TO THE NUMBER AND RESIDENCY REQUIREMENTS WHO MAY SERVE ON THE LINCOLN CARNEGIE LIBRARY BOARD.**

**WHEREAS**, the City of Lincoln Center, Kansas (“City”) is a city of the second class;

**WHEREAS**, K.S.A. 12-1222, inclusive, establish rules related to libraries, including rules pertaining to who may serve on the board for a library, which provisions are not uniformly applicable to all cities; and

**WHEREAS**, the governing body of the City, by virtue of the powers vested in it by Article 12, Section 5, of the Kansas Constitution, desires **BY THIS CHARTER ORDINANCE, TO EXEMPT THE City** from the provisions of K.S.A. 12-1222 and hereby provide substitute and additional provisions therefor related to the restriction related to who may serve on the board of the Lincoln Carnegie. **SO, NOW THEREFORE,**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LINCOLN CENTER, KANSAS:**

**Section 1. Election to Exempt.** The City of Lincoln Center, Kansas, by virtue of the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas hereby elects to exempt itself and make inapplicable to it K.S.A. 12-1222 concerning who may serve as a member of a library board. K.S.A. 12-1222 applies to the City but does not apply uniformly to all cities in the State of Kansas.

**Section 2. Substitute Provisions.** Pursuant to Article 12, Section 5 of the Constitution of the State of Kansas, the governing body hereby adopts the following language as substitute provisions for K.S.A. 12-1222:

The library board shall consist of seven members, all of whom shall be at a minimum of eighteen (18) years of age. At least five (5) board members shall reside in the City of Lincoln Center, Kansas, with the other two (2) positions on the board may be filled by residents of either Lincoln County, Kansas or the City of Lincoln Center, Kansas. All members of the library board shall be appointed by the mayor with the approval of the council. Members shall be appointed for four-year terms expiring on successive years on April 30. Two members shall be appointed each year except that every fourth year only one member shall be appointed. In addition to the appointment of each member of the board, the mayor of the city shall be ex officio a member of the library board with the same powers as appointed members; but no person holding any office in the city shall be appointed a member while holding such office. Vacancies occasioned by removal from the city, resignation or otherwise, shall be filled by appointment for the unexpired term. No person who

has been appointed for two consecutive four-year terms to the library board shall be eligible for further appointment to such board until two years after the expiration of the second term. Members of the library board shall receive no compensation for their services as such but shall be allowed their actual necessary expenses in attending meetings and in carrying out their duties as members. (K.S.A. 12-1222).

**Section 3. Publication.** This Charter Ordinance shall be published once each week for two consecutive weeks in the official city newspaper.

**Section 4. Effective Date.** This Charter Ordinance shall take effect 61 days after final publication, unless a sufficient petition is filed and a referendum held on the ordinance as provided in Article 12, Section 5(c) of the Kansas Constitution, in which case the ordinance shall become effective upon approval by a majority of the electors voting thereon.

**PASSED AND APPROVED** by the Governing Body of the City of Lincoln Center, Kansas by not less than two-thirds of the members elect voting in favor thereon, this 12th day of November 2024.

CITY OF LINCOLN CENTER, KANSAS

By: /s/ Travis Schwerdtfager  
Mayor

ATTEST: (seal)

By: /s/ Heather N. Hillegeist  
City Clerk