

AGENDA ITEM
September 6, 2016

Subject: Calling Primary and General Municipal Election

Department: City Clerk

This ordinance provides for the holding of the April 4, 2017 general election and for a primary election, if required, on February 7, 2017.

There are two City Council seats to be filled at this election. Filing begins on October 18, 2016 at 8:00 a.m. and ends on November 22, 2016 at 5:00 p.m.

BILL NO. 2016-031

ORDINANCE NO.

A SPECIAL ORDINANCE PROVIDING FOR THE HOLDING OF A PRIMARY AND GENERAL ELECTION WITHIN THE CITY OF NEVADA, MISSOURI AND FIXING THE POLLING PLACE, APPOINTING JUDGES OF SAID ELECTION, AND PROVIDING FOR OTHER MATTERS INCIDENTAL TO SAID ELECTION.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEVADA, MISSOURI THAT:

Section 1. The annual general municipal election is hereby called within the first Tuesday following the first Monday in April, April 4, 2017 (Section 115-121.3). A primary election, if required is hereby to be held on February 7, 2017, all in accordance with Section 115.123 RSMo., as amended.

Section 2. Any person desiring to become a candidate for the City Council shall file with the City Clerk by Tuesday, November 22, 2016, by 5:00 p.m., a Statement of Candidacy in the form to be provided by the City Clerk, to permit statutory notice of the County Clerk under Section 115.125 RSMo., 1994, as amended, all in conformity with Section 115.127.5 RSMo., as amended. Filing will open at 8:00 a.m. on Tuesday, October 18, 2016, in conformity with Section 115.127.5 RSMo., as amended. Immediately after the expiration of the time for filing said Statement of Candidacy and in no event later than eight weeks prior to the primary election, the City Clerk shall cause to be published in proper form for three successive days in a daily newspaper of the City, the names of the candidates to appear upon the primary ballot and the Clerk shall thereupon cause the primary ballots to be printed and arrange the candidate's names thereon in the order filed.

Section 3. In the event no more than two candidates file for each of the available offices, a primary election will not be required. Within forty-eight hours after expiration of the time for filing the Statements of Candidacy, the City Clerk shall canvass the statements and if the number does not exceed two persons for each of the available offices, then the applicable primary election or elections shall not be held and the names of person filing statements shall be printed upon the sample ballot to be provided to the County Clerk eight weeks prior to the general election in accordance with Chapter 115, RSMo., as amended, providing, however, that the names of such person appearing on said ballots will appear thereon in the order in which they are filed with the City Clerk.

Section 4. The sample form of ballot for the general election provided to the County Clerk will be in the general form described in paragraph 2 of Section 78.480, RSMo., as

amended and will comply with the requirement of Section 115.237, RSMo., as amended.

Section 5. In the event a primary election is held, at the first Council Meeting following the primary election, the City Council will canvass the abstract of election and make and publish the same by resolution.

Section 6. If the County Clerk is the election authority, upon this receipt of the estimate of election costs from the County Clerk three weeks prior to the general election, the City is hereby authorized and directed to remit to the County Clerk the precise amount of the estimate of costs and upon completion of the election, is authorized and directed to remit to the County Clerk the precise amount of the remaining costs.

Section 7. The County Clerk of Vernon County, Missouri, in accordance with Chapter 115, RSMo., as amended, with his committee of four judges is required under said statute to canvass the election results and to refer to the City Clerk the abstract of election for further action by the City Council.

Section 8. The City Council will certify the results of the election by resolution upon receipt of the general election abstract from the County Clerk.

Section 9. The City Council will provide by way of information the following notice of election for publication by the County Clerk for the general election, which publication will be made as required by Section 115.127.2 RSMo., as amended, in two newspapers of different political faith qualified under Chapter 493. RSMo., as amended, published by the City. Notice shall be published twice, the first publication occurring in the second week prior to the election, the second within one week prior to the election. The form of said notice is attached hereto and incorporated herein by reference.

PASSED, APPROVED and ADOPTED, by the City Council of the City of Nevada, Missouri, this _____ day of September, 2016.

(seal)

ATTEST:

Brian L. Leonard, Mayor

Johnna Williams, Deputy City Clerk