

RESOLUTION #594

NOTE:

On July 15, 1997, while going through the resolution file, it was discovered that Resolution #594 had not been signed. Upon further research, of the December 16, 1997 minutes, it was also unclear as to the intent of the resolution. Because Resolution #594 was revoked on January 21, 1997, by Resolution #596, no attempt was made to clarify the issue of term limitations for City Council members.

RESOLUTION NO. 594

A RESOLUTION TO LIMIT THE TERM FOR A CITY COUNCILOR TO TWO TERMS IN HIS OR HER LIFETIME AND FOR THE MAYOR TO THREE TERMS IN HIS OR HER LIFETIME, EFFECTIVE 1998

WHEREAS, the Oregon Constitution, Article XI § 2 provides that “the legal voters of every city and town [may] enact and amend their municipal charter, subject to the constitution and criminal laws of the state of Oregon”; and,

WHEREAS, the City of Stayton, by and through its Charter, has vested in itself all powers pursuant to Oregon’s “Initiative and Referendum” provisions (Or. Const. Art. IV §I); and,

WHEREAS, ORS 222.410 grants control of local affairs to the city “to take all actions necessary or convenient for the government of its local affairs”; and,

WHEREAS, Stayton City Charter, Title 1, Chapter III, Sections 8 and 9 governs the term limitations for members of the City Council and the Mayor to two and three “consecutive” terms, respectively.

WHEREAS, the Stayton City Council desires to permit the voters of the City of Stayton to decide to limit the lifetime terms of the City Councilors and the Mayor to two terms and three terms respectively; provided, such amendment shall not affect the present terms of those presently in office.

NOW THEREFORE, the Stayton City Council hereby resolves as follows:

SECTION 1: AUTHORITY

This resolution is adopted under the authority of and pursuant to Oregon laws, and the authority of the City of Stayton under its Charter.

SECTION 2: AMENDMENT TO CHARTER

All sections of the Stayton City Charter referencing the Stayton City Council’s members and the Mayor’s terms of two terms and three terms respectively, shall delete “consecutive” and establish those as lifetime term limitations. The amendment if approved, shall be effective beginning 1998, but, shall not affect the present terms of those presently in office.

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SECTION 3: GENERAL PROVISIONS

A. **Short Title.** This resolution shall be know as the "Term Limitations for Councilors and Mayor" and cited herein as "resolution."

B. **Purposes, Policy and Scope.** In the interest of ensuring that no one individual during their lifetime serves multitudinous terms in the position of Councilor or Mayor, the Stayton City Charter is proposed to be amended to limit the term of Councilor to two terms in his or her lifetime, and the term of Mayor to three terms in his or her lifetime.

SECTION 4: CHARTER AMENDMENT PROPOSED

Term Limitation for Councilors and Mayor. The word "consecutive" shall be deleted from the Stayton City Charter, Chapter II, Section 8 and 9 governing term limitations for Councilors and the Mayor, effective 1998; provided, the present terms, now permitted under the City Charter, of those presently in office shall not be affected by the amendment.

SECTION 5: SUBMITTAL TO QUALIFIED ELECTORS OF THE CITY OF STAYTON

This measure shall be submitted to the qualified electors of the City of Stayton for their approval or rejection at the election to be held March 11, 1997.

SECTION 6: BALLOT

For the purpose of submitting this measure to the electorate, the following ballot title is hereby approved and adopted:

a. **Caption:**

LIFETIME TERM LIMITATION FOR THE MAYOR AND COUNCILORS EFFECTIVE 1998.

b. **Question:**

SHALL "CONSECUTIVE" BE DELETED FROM THE STAYTON CITY CHARTER, CHAPTER III, SECTIONS 8 AND 9 GOVERNING TERM LIMITATIONS EFFECTIVE 1998?

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c. **Summary:**

BY ELIMINATING THE WORD "CONSECUTIVE" FROM THE STAYTON CITY CHARTER, CHAPTER III, SECTION 8 AND 9, A CITY COUNCILOR WOULD BE LIMITED TO TWO TERMS IN HIS OR HER LIFETIME AND A MAYOR WOULD BE LIMITED TO THREE TERMS IN HIS OR HER LIFETIME EFFECTIVE BEGINNING 1998. THE AMENDMENT SHALL NOT AFFECT THE PRESENT TERMS OF THOSE PRESENTLY IN OFFICE.

SECTION 7: VOTER PAMPHLET

The City of Stayton shall file, along with its Notice of Measure Election, an Explanatory Statement for the local voters pamphlet. The Explanatory Statement shall be not more than 500 words and shall be a fair and impartial statement describing the proposed measure and the reasons for it. There is no fee for filing the Explanatory Statement. The authority for this requirement is ORS Ch. 251.

Adopted by the Stayton City Council this _____ day of January, 1997.

Date: _____, 1997

By: _____
DAPHNE GIROD, Mayor

Date: _____, 1997

Attest: _____
THOMAS L. BARTHEL, City Administrator

APPROVED AS TO FORM:

Date: _____, 1997

DAVID A. RHOTEN, City Attorney

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