



Legislation Details (With Text)

File #: 220021 **Version:** 1 **Name:**
Type: Ordinance **Status:** Passed
File created: 1/4/2022 **In control:** Council
On agenda: 1/13/2022 **Final action:** 1/13/2022

Title: Calling for submission to the voters of Kansas City, at a special election to be held on April 5, 2022, a question to remove certain City property devoted to park use in the park system generally located generally on the west side of Searcy Creek between 210 Highway and approximately N.E. 36th Street and serves as right of way for parkway purpose; directing the City Clerk to notify the responsible election authorities of the election on or before January 25, 2022; and recognizing this ordinance with an accelerated effective date.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Copy of Searcy Creek Ballot Fact Sheet, 2. Searcy Creek Ballot Fiscal Note, 3. Searcy Creek Ballot Ordinance, 4. Authenticated Ordinance 220021

Date	Ver.	Action By	Action	Result
1/13/2022	1	Council		
1/12/2022	1	Neighborhood Planning and Development Committee	Adv and Do Pass	Pass
1/6/2022	1	Council		

ORDINANCE NO. 220021

Calling for submission to the voters of Kansas City, at a special election to be held on April 5, 2022, a question to remove certain City property devoted to park use in the park system generally located generally on the west side of Searcy Creek between 210 Highway and approximately N.E. 36th Street and serves as right of way for parkway purpose; directing the City Clerk to notify the responsible election authorities of the election on or before January 25, 2022; and recognizing this ordinance with an accelerated effective date.

WHEREAS, certain vacant land containing approximately 6.82 acres was obtained by the City and dedicated for boulevard and parkway purposes (“Land”); and

WHEREAS, the Land is located generally located on the west side of Searcy Creek Parkway between 210 Highway and approximately Northeast 36th Street and serves as right of way for parkway purposes; and

WHEREAS, City Charter Section 1004(b) reads: If any property is determined by the Board of Parks and Recreation Commissioners to be no longer necessary or appropriate for park, parkway, or boulevard use, such property may be removed from the park system by a vote of the people; and

WHEREAS, on June 22, 2021, the Board of Parks and Recreation Commissioners approved the removal of certain property from the park system in Resolution No. 31510 since it is no longer needed for parkway purposes; and

WHEREAS, such removal would allow the City to dispose of the property as surplus property pursuant to City Charter Section 1210 and any disposal will be made on an open and public competition; NOW, THEREFORE

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. ELECTION CALLED. That an election is called on April 5, 2022, for the purpose of submitting to the voters of Kansas City the question of removing property from the park system.

Section 2. BALLOT TITLE. The ballot title shall be:

Should the City of Kansas City remove from the park system vacant land containing approximately 6.82 acres serving as a right of way for parkway purposes which is generally located on the west side of Searcy Creek parkway between 210 Highway and approximately Northeast 36th Street and has been determined by the Board of Parks and Recreation Commissioners to be no longer necessary or appropriate for park, parkway, or boulevard use?

Section 3. NOTICE OF ELECTION. The notice of election shall read as follows:

NOTICE OF ELECTION
KANSAS CITY, MISSOURI

Notice is hereby given that the City of Kansas City has called a special election to be held on Tuesday, April 5, 2022, between the hours of 6:00 a.m. and 7:00 p.m., at which election all qualified voters residing within Kansas City, Missouri will be given the opportunity to vote.

The official ballot will be in substantially the following form:

OFFICIAL BALLOT
CITY OF KANSAS CITY

GENERAL ELECTION, APRIL 5., 2022

QUESTION NO. []
(Park Property)

Should the City of Kansas City remove from the park system vacant land containing approximately 6.82 acres serving as a right of way for parkway purposes which is generally located on the west side of Searcy Creek parkway between 210 Highway and approximately Northeast 36th Street and has been determined by the Board of Parks and Recreation Commissioners to be no longer necessary or appropriate for park, parkway, or boulevard use?

YES _____
NO _____

(Instructions to voters will be supplied by the election authorities.)

A full and complete copy of Ordinance No. _____ (as it may be amended) submitting the above question to the electorate is on file in the office of the City Clerk of Kansas City, Missouri where the same is open for inspection and copying.

The polling places for the election will be (INSERT LIST OF POLLING PLACES IN LAST PUBLICATION ONLY)

I hereby certify that the foregoing is the legal notice to be published pursuant to Section 115.127, RSMo, as amended.

Given under my hand and the official seal of the Kansas City, Missouri, this day of _____, 20__.

(SEAL)

MARILYN SANDERS
City Clerk of Kansas City, Missouri

Before me, a notary public, personally appeared Marilyn Sanders, to me known to be the City Clerk of Kansas City, Missouri, and the person who acknowledged to me that she executed the same for the purposes therein stated.

Notary Public

My Commission Expires: _____

Section 4. NOTICE TO ELECTION AUTHORITIES BY CITY CLERK. That following passage of this ordinance the City Clerk shall deliver certified copies of this ordinance and notice of election to the Clerk of Cass County, Board of Election Commissioners of Clay County, Board of Election Commissioners of Kansas City, and Board of Election Commissioners of Platte County, on or before January 25, 2022, which shall be the authority of each election authority of the City to submit the amendment to the electors of Kansas City and to give public notice as provided by law.

Section 5. ACCELERATED EFFECTIVE DATE RECOGNIZED. This ordinance, providing for the submission of a question to the people of Kansas City, Missouri, is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3)(A) of the City Charter, and shall take effect in accordance with Section 503.

Section 6. EFFECTIVE DATE. If a majority of the qualified voters voting at the election shall vote in favor of the approval of the question, then the authority of the Council to adopt an ordinance implementing this grant of authority shall become effective immediately upon certification of the election results by the election authorities.

Approved as to form and legality:

Lana K. Torczon
Assistant City Attorney