COUNCIL OF THE TOWN OF RIVERDALE PARK

CHARTER AMENDMENT RESOLUTION 2022-CR-01

Introduced By: CM David Lingua
Date Introduced: January 3, 2022
Date Adopted: February 28, 2022
Date Effective: April 19, 2022

A RESOLUTION concerning

CHARTER AMENDMENT – ELECTIONS

FOR the purpose of amending the Charter of the Town of Riverdale Park to provide for the creation, composition, terms, duties and responsibilities of a Board of Elections for the Town of Riverdale Park; to specify the duties and responsibilities of the Board of Elections and alter certain duties and responsibilities of election judges for municipal elections; to provide for the designation, duties and responsibilities of a Chief Election Judge and Deputy Chief Election Judge; to make certain changes in style and terminology; and generally to relate to the conduct and management of municipal elections in the Town of Riverdale Park.

BY repealing and reenacting, with amendments
Charter of the Town of Riverdale Park (January 2008 Revision, as amended)
ARTICLE V, Nominations and Elections
§§ 502, 504, 506, 508, 511 and 514

Key:

CAPITAL LETTERS indicate matter added to existing Charter.
Strike-through indicates existing matter deleted from Charter.

SECTION 1: BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF RIVERDALE PARK that §§ 502, 504, 506, 508, 511 and 514 of the Charter of the Town of Riverdale Park (January 2008 Revision), ARTICLE V, Nominations and Elections, are repealed and re-enacted, with amendments, to read as follows:
This Article, and such other duties and responsibilities as the Mayor and Council may prescribe by ordinance, and all town elections.

The Mayor and Council shall designate one member of the Board as the Chair of the Election Judge. The Chair shall designate one or more Election Judges. The Chair shall be the Chair of the Election Judge.

The Election Judge shall be the chair or deputy chair of the Election Judge.

(f) Members of the Board shall serve without compensation, except the following:

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AND COUNCIL MAY PRESCRIBE BY ORDINANCE. THE DEPUTY CHIEF ELECTION JUDGE SHALL ASSUME AND PERFORM THE DUTIES AND RESPONSIBILITIES OF THE CHIEF ELECTION JUDGE IN THE ABSENCE OF THE CHIEF JUDGE OR TEMPORARY INABILITY OF THE CHIEF ELECTION JUDGE TO SERVE.

(H) THE MAYOR AND COUNCIL MAY REMOVE A MEMBER OF THE BOARD OR PARTICIPANT FOR CAUSE AFTER NOTICE AND OPPORTUNITY TO RESPOND.

(I) THE MAYOR AND COUNCIL SHALL FILL ANY VACANCY FOR THE UNEXPIRED PORTION OF THE INDIVIDUAL’S TERM.

(J) IN ADDITION TO SUCH OTHER DUTIES AND RESPONSIBILITIES AS MAY BE PROVIDED IN THIS ARTICLE OR BY ORDINANCE, THE BOARD OF ELECTIONS SHALL HAVE THE FOLLOWING DUTIES AND RESPONSIBILITIES:

1) IN COORDINATION WITH THE TOWN CLERK, PLAN AND CONDUCT ALL TOWN REGULAR AND SPECIAL ELECTIONS IN ACCORDANCE WITH THIS ARTICLE, THE TOWN OF RIVERDALE PARK CODE, THE TOWN OF RIVERDALE PARK ELECTION MANUAL, AND STATE LAW AS MAY BE APPLICABLE TO THE CONDUCT OF MUNICIPAL ELECTIONS.

2) SERVE AS ELECTION JUDGES FOR ALL TOWN ELECTIONS.

3) RECOMMEND TO THE MAYOR AND COUNCIL QUALIFIED INDIVIDUALS TO SERVE AS ELECTION JUDGES FOR ALL TOWN ELECTIONS.

4) PERIODICALLY REVIEW TOWN ELECTION PROCEDURES AND BEST PRACTICES FOR THE CONDUCT OF MUNICIPAL ELECTIONS.

5) SOLICIT COMMUNITY INPUT AND RECOMMEND TO THE MAYOR AND COUNCIL CHANGES TO THE TOWN’S ELECTORAL PROCESS.

6) CONDUCT VOTER EDUCATION PROGRAMS.

7) PREPARE AND DISTRIBUTE VOTER OUTREACH MATERIALS.

§ 504: Notice of Elections

Notices of designated dates and places and registration deadlines for all town elections shall be published in at least one newspaper of general circulation in the town and posted in at least one (1) prominent public place in each ward, as may apply, by the chief election judge TOWN CLERK UPON AUTHORITY OF THE CHIEF ELECTION JUDGE at least twenty (20) days before an election.
of votes, they will appear on the list at the same rank.

The candidate with the lowest number of votes, if two or more candidates received the same number
received, with the highest rank for the candidate with the highest number of votes, and lowest rank for
(a) Candidates names shall be placed on a list in ranked order by the number of votes

ballot or placed on the machines for a runoff election the following procedure shall be followed:

In the event no person receives more than half of the votes cast for all candidates for any

office, the results shall be recorded in the minutes of the council,

BOARDS shall present the order of votes cast to the mayor and council, who shall determine the

and/or machine ballots. Within five (5) calendar days after the closing of the polls, the judges

ELECTIONS shall determine and record the vote count for each candidate and shall call the ballots

Within five (5) calendar days after the closing of the polls, the election judges BOARD OF

§ 311: Vote Count, Declaration of Persons Elected, and Determination of Candidates For

shall conduct all elections in accordance with the provisions of this article.

ballots shall be used; shall provide the voting machines or paper ballots as the case may be; and

ELECTIONS AND JUDGES and clerks of election; shall establish whether voting machines or paper

remain open for a minimum of twenty (20) consecutive hours; shall apportion a BOARD OF

convenient polling place or places, provided, however, that such polling place or places shall

The council by ordinance shall provide for all elections; shall designate in said ordinance a

§ 308: Conduct of Elections

Placement of names on the voting machine for runoff elections is detailed in §311.

This section applies only to regular elections: printing of names on the ballot or

nomination of election to any law elective office; filling fee for each office shall be set by

an appointed official of the town small continue in such position after becoming a candidate for

be signed by not less than fifteen (15) qualified voters from the ward in which the candidate resides.

qualify for the same office in the town at large; in the case of a candidate for the municipal, the election shall

candidate seeking election as mayor, the petition shall be signed by not less than twenty-five (25)
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ELECTIONS are to hold the office to which they elect. The candidates for any office on the voting

the twenty-fifth (25th) day proceed the election file with the judge of election file the town small on or before

§ 306: Candidates For Office To File Petition

Any person desiring to be a candidate for any elective office in the town small on or before
b) If there is only one candidate at the highest rank, and there is only one candidate at the second highest rank, then these town candidates' names shall be printed on the ballot or placed on the machines for a runoff election on the fourth Monday in May.

c) If there are two candidates at the highest rank, then both of the candidates at this rank shall be printed on the ballot or placed on the machines for a runoff election on the fourth Monday in May.

d) If there are more than two candidates at the highest rank, then two of the candidates shall be printed on the ballot or placed on the machines for a runoff election on the fourth Monday in May. The two candidates shall be chosen from all of the candidates at highest rank by coin tosses, drawing of straws, or another game of chance agreed upon by all candidates and administered by the chief ELECTION judge of election.

e) If there is only one candidate at the highest rank, and there is more than one candidate at the second highest rank, then one candidate shall be chosen from all the candidates at the second highest rank by coin tosses, drawing of straws, or another game of chance agreed upon by all candidates and administered by the chief ELECTION judge of election. The name of the candidate at the highest rank and the name of the winner of the game of chance between the candidates at the second rank shall be printed on the ballot or placed on the machines for a runoff election on the fourth Monday in May.

The results of the runoff election shall be reported to the mayor and council, who shall declare that person or persons elected who shall have received the highest number of votes for the respective office or offices. In the event of a tie vote for any office, the person or persons elected shall be determined by a coin toss, drawing of straws, or another game of chance agreed upon by all candidates and administered by the chief ELECTION judge of election.

§ 514: Recall

(a) Recall of the mayor or any council member may be initiated at any time after the end of the sixth (6th) month of a term until the end of the eighteenth (18th) month of a term by the filing of a petition with the mayor and council, at a regular or special meeting, seeking the recall of the named elected official and containing the signatures of at least twenty-five percent (25%) of the total number of voters qualified to vote for the office from which recall of the named elected official is sought, but only for one or more of the following reasons, which shall be specified in the petition: failure to uphold the oath of office; malfeasance in office; misfeasance in office; or nonfeasance in office. Only one person may be named in a petition. A petition may contain several pages, but each page shall contain the name and office of the official sought to be removed and the reason(s). Each signer shall print and sign his THEIR name as it appears on the county or town voter registration records and shall add his THEIR residence address to his THEIR signature. At the bottom of each page of the petition, the person circulating the petition, who shall be a qualified voter for the office from which recall is sought, shall sign the page and make an affidavit before a notary public that he THEY circulated the petition and saw each person whose name appears thereon sign his THEIR name in the circulator's presence. All pages composing such petition shall
AND BE IT FURTHER RESOLVED that the Town Manager is hereby authorized and directed to carry out all of the provisions of Sections 2 and 3 of the Ordinance.

SECTION 2: AND BE IT FURTHER RESOLVED that the Town Manager shall, no later than the date of this Resolution, place a weekly insertion in a newspaper of general circulation in the Town notifying the public of the amendments to the Chartered Amendments and the effective date of the amendments.

Adoption of this Resolution by the Town Manager shall immediately after the date of this Resolution be posted at the Town Hall of the Town of Arvada, in the area of the official Town Council meeting site, and shall be posted in a conspicuous place in a convenient location, in accordance with the provisions of §§ 4-308 and 4-109 of the Local Government Article of the Revised Code of Missouri, and in accordance with the provisions of §§ 4-304 of the Local Government Article of the Revised Code of Missouri.

SECTION 3: AND BE IT FURTHER RESOLVED that the amendments to the Chartered Amendments and the amendments to the Ordinance, shall become effective upon the publication of this Resolution.

$ 209 of § 405 of this chapter, as may apply,

(a) The official whose recall is sought shall continue to serve pending the results of the recall election, but shall not be entitled to a term of office until the results are certified by the Official whose recall is sought.

(b) Upon certification of the petition by the board of election judges, the board shall hold a special election within ninety (90) days after the certification of the petition.

(c) Upon certification of the petition, the board shall refer the petition to the board of election judges.

(d) The petition shall be valid if signed by a sufficient number of registered voters of the Town of Arvada, to recall the Town Manager, and if the petition is signed by a number of registered voters, as defined in the Revised Code of Missouri, the Town Manager shall be recalled.

(e) Upon certification of the petition, the board shall hold a special election to be held within fifteen (15) days after the certification of the petition, and the petition shall be valid if signed by a sufficient number of registered voters of the Town of Arvada, to recall the Town Manager.

(f)Upon certification of the petition, the board shall hold a special election to be held within fifteen (15) days after the certification of the petition, and the petition shall be valid if signed by a sufficient number of registered voters of the Town of Arvada, to recall the Town Manager.

(g) Upon certification of the petition, the board shall hold a special election to be held within fifteen (15) days after the certification of the petition, and the petition shall be valid if signed by a sufficient number of registered voters of the Town of Arvada, to recall the Town Manager.

(h) Upon certification of the petition, the board shall hold a special election to be held within fifteen (15) days after the certification of the petition, and the petition shall be valid if signed by a sufficient number of registered voters of the Town of Arvada, to recall the Town Manager.
summary of the Charter amendments shall have been published or other evidence of publication; provided that, the failure to so maintain the same shall not invalidate the effectiveness of the Charter amendments provided for in this Resolution.

The above amendments to the Charter of the Town of Riverdale Park were adopted by the foregoing Resolution which was passed at a Special Legislative meeting of the Town Council on February 28, 2022, 6 members of the Town Council voting in the affirmative, 0 members of the Town Council voting in the negative, 1 members of the Town Council abstaining and 1 members of the Town Council absent, and the said Resolution becomes effective on the 19th day of April, 2022 if a petition for referendum has not been filed in the time prescribed by law.

ADOPTED this 28th day of February, 2022.

ATTEST:

Jessica Barnes, Town Clerk

COUNCIL OF THE TOWN OF RIVERDALE PARK

Alan K. Thompson, Mayor