

**ORDINANCE NO. 39**

**AN ORDINANCE CALLING FOR A SPECIAL ELECTION  
TO PROPOSE TO THE VOTERS STAGGERED FOUR YEAR  
TERMS FOR ALDERMEN; AND TO DECLARE AN  
EMERGENCY AND FOR OTHER PURPOSES**

WHEREAS, Arkansas Code Annotated § 14-44-103 sets out the procedure for election of aldermen in cities of the second class; and

WHEREAS, aldermen are currently elected every two years pursuant to Arkansas statutes; and

WHEREAS, by Ordinance 17, duly adopted by the City Council of the City of Goshen on May 14, 2002, the City Council previously established wards and required that aldermen reside in the ward for which they seek to be elected. The ordinance provided that each alderman shall run for election at large such that all of the qualified electors of the City of Goshen shall be entitled to vote in the election; and

WHEREAS, the Legislature, in 2003, adopted Act 328, which is now codified in Ark. Code Ann. § 14-44-103, and provides that the city council of a city of the second class may refer to voters an ordinance on the question of electing two aldermen for each ward to staggered four year terms.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF GOSHEN, ARKANSAS:

SECTION 1. Consistent with Ark. Code Ann. § 14-44-103, the City Council hereby calls for a special election to be held on Tuesday, December 9, 2003, which election shall be held consistent with the laws of the State of Arkansas and the solitary question to be presented to the voters at that election is whether the City of Goshen will elect its aldermen to staggered four year terms beginning with the general election to be held in November, 2004.

SECTION 2. The initial term for the aldermen designated as Alderman No. 1 in each ward shall be a four year term at the general election to be held in November, 2004. The initial term for the aldermen designated as Alderman No. 2 of each ward shall be a two year term at the general election to be held in November, 2004 and, thereafter, shall be a four year term beginning with the election to be held in November, 2006.

SECTION 3. The City Council of the City of Goshen hereby requests and directs that the County Clerk and the County Election Commission place the following language on the ballot at the above-referenced special election:

**CHANGING THE TERMS OF ALDERMEN IN THE CITY OF GOSHEN FROM TWO-YEAR TERMS TO STAGGERED FOUR-YEAR TERMS**

The question of changing the terms of aldermen who make up the City Council of Goshen from two-year terms to staggered four-year terms. Currently aldermen for each ward in the City of Goshen are elected to two year terms. If this question is approved, aldermen for position 1 in each of the three wards would be elected to a four- year term at the November 2004 general election and those aldermen for position 2 in each ward would be elected to a two-year term in the November 2004 general election, but would be elected to a four year term starting in the November 2006 general election. If this question is approved, half of the City Council positions would be open for election every general election after 2004. If this question is not approved, all of the aldermen positions for the City of Goshen will be open for election every two years at the general election.

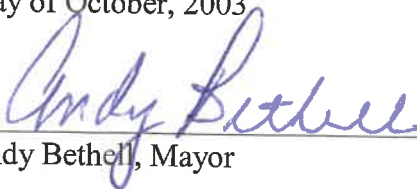
**FOR** changing the terms of aldermen in the City of Goshen from two-year terms to staggered four-year terms.

**AGAINST** changing the terms of aldermen in the City of Goshen from two-year terms to staggered four-year terms.

SECTION 4. Section 2 of this ordinance shall only be effective upon approval by a majority of the voters of the City of Goshen who cast their ballot at the special election on Tuesday, December 9, 2003. If a majority of those voting at the special election vote against this proposal, Section 2 of this ordinance shall be null and void.

SECTION 5. EMERGENCY CLAUSE: It is hereby declared that based on the conditions set forth herein, an emergency exists and this Ordinance, being necessary for the immediate protection of the health, safety, and welfare of the citizens of Goshen, Arkansas, shall be in effect immediately upon its passage, approval, and publication.


PASSED AND APPROVED this 14<sup>th</sup> day of October, 2003

  
\_\_\_\_\_  
Andy Bethell, Mayor

ATTEST:

  
\_\_\_\_\_  
Sharon Baggett, City Recorder

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Charles Harwell, City Attorney

ROLL CALL

Names Of Those Voting YEA

Joe Benson  
Bob Brake  
Dean Hull  
Chuck Huskey  
Dick Seddon  
Albert Skiles

Names Of Those Voting NAY