

CHARTER ORDINANCE NO. FORTY-THREE

*(Note: All or parts of this charter ordinance have been repealed. See notes at the end of the ordinance.)*

A CHARTER ORDINANCE AMENDING AND REPEALING EXISTING SECTION 2 OF CHARTER ORDINANCE NO. THREE RELATING TO THE APPLICABILITY OF K.S.A. 12-1009 THROUGH 12-1015 TO THE CITY.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OVERLAND PARK, KANSAS:

SECTION 1. Section 2 of Charter Ordinance No. Three of the City of Overland Park be and the same is hereby amended to read as follows:

SECTION 2. The Governing Body and the City Manager shall be governed by the provisions of K.S.A. Section 12-1009 to 12-1013, both sections inclusive, and K.S.A. 12-1015, and any amendments thereto, in the organization and administration of the City.

\*SECTION 2. The City Manager shall be responsible for the administration of all of the affairs of the City. He or she shall see that the laws and ordinances are enforced. The City Manager shall have the authority to appoint, promote, transfer, assign and demote, discipline, lay off, suspend, discharge, or remove all heads of departments, and all subordinate officers and employees of the City. All such appointments shall be made upon merit and fitness alone. Provided that, such authority to appoint, promote, transfer, assign and demote, discipline, lay off, suspend, discharge, or remove subordinate officers and employees of the City may be delegated to department heads by the City Manager at his or her discretion. In addition, he or she may, without notice, cause the affairs of any department or the conduct of any officer or employee to be examined. He or she shall prepare and submit the annual budget to the Governing Body and also keep the City fully advised as to the financial conditions and needs of the City. He or she may make recommendations to the Governing Body on all matters concerning the welfare of the City and shall have a seat, but no vote, in all of the public meetings of the Governing Body.

\*\*SECTION 3. Notwithstanding the provisions of Section 2, above, the City shall have a Civil Service Commission and such Civil Service Commission shall determine the merit and fitness of any and every person appointed to any position within the jurisdiction of the Civil Service Commission, as established by ordinances of the City. No officer or employee who is under the Civil Service shall be discharged or removed from the office or position of employment he or she holds at the time of such adoption except for cause and then only in the manner prescribed by the Civil Service ordinance or rules in force at the time such removal or discharge is sought.

SECTION 4. Existing Section 2 of Charter Ordinance No. Three is hereby repealed.

SECTION 5. This ordinance shall be published once each week for two consecutive weeks in the Overland Park Sun, an official City newspaper.

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SECTION 6. This is a Charter Ordinance and shall take effect sixty-one days after final publication unless a sufficient petition for a referendum is filed and a referendum held on the ordinance as provided in Article 12, Section 5, subdivision (c)(3) of the Constitution of Kansas, in which case the ordinance shall become effective as approved by a majority of the electors voting thereon.

PASSED by the governing body not less than two-thirds of the members elect voting in favor thereof the 15th day of June, 1987.

Ed Eilert, Mayor

ATTEST:

Bernice Crummett, City Clerk

APPROVED AS TO FORM:

Robert J. Watson  
City Attorney

Passed:	6/15/87
Published:	6/19/87
	6/25/87
Effective:	8/25/87

*\*Section 2 is repealed by Charter Ordinance No. Sixty-Eight*  
*\*\*Section 3 is repealed by Charter Ordinance No. Seventy-Three*  
*Entire ordinance repealed by Charter Ordinance No. Eighty-Four.*