



City of Olathe

COUNCIL AGENDA ITEM

MEETING DATE: 4/16/2024

FOCUS AREA: Legal

STAFF CONTACT: Ron Shaver and Bob Gallimore

SUBJECT: Proposed Charter Ordinance No. 81, concerning City officers and employees, and proposed Charter Ordinance No. 82, redesignating and repealing Charter Ordinance No. 24.

TITLE:

Report on proposed Charter Ordinance No. 81, concerning City officers and employees, and proposed Charter Ordinance No. 82, redesignating and repealing Charter Ordinance No. 24.

SUMMARY:

Staff recently completed projects that involved reviewing the City's charter ordinances for consistency with each other, the Olathe Municipal Code ("O.M.C."), and Kansas statutes. Staff identified eleven Kansas statutes with provisions regarding the appointment, powers, and duties of City officers and employees that potentially conflict with City charter ordinance or O.M.C. provisions (Attachment A). Staff has prepared Charter Ordinance No. 81 to exempt the City from these Kansas statutes and to authorize substitute provisions by charter or ordinary ordinance. (Attachment B). The charter ordinance also provides substitute provisions regarding the duties of the City Clerk. Other cities, including Overland Park, Lenexa, and the Unified Government, have exempted themselves from some or all of these statutes.

Staff also discovered that two versions of Charter Ordinance No. 24 were adopted in 1984, addressing different topics. To ensure a clean historical record, staff has prepared Charter Ordinance No. 82 to redesignate the version of Charter Ordinance No. 24 addressing court costs and witness expenses as "Charter Ordinance No. 24a" and to specifically repeal this charter ordinance in its entirety, since its subject matter has been addressed by subsequent charter ordinances.

FINANCIAL IMPACT:

None

ACTION NEEDED:

Accept report. Unless otherwise directed by the City Council, staff will prepare Charter Ordinance Nos. 81 and 82 for formal consideration on May 7, 2024.

ATTACHMENT(S):

A - Summary of statutes

B - CO 81 - Officers and Employees

C - CO 82 - CO 24 Redesignation and Repeal