

12-1014. Same; duties and functions of manager; civil service commission in certain cities; appointments. The 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 manager shall appoint and remove all heads of departments, and all subordinate officers and employees of the city. All appointments shall be made upon merit and fitness alone: Provided, That if any city operating under the commission form of government adopts the city manager form of government, after January 1, 1947, and at the time of such adoption has a civil service commission, said commission shall have a right to serve out its present time and such city shall continue to 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 the laws of 1913, chapter 88 [*], and acts amendatory thereto: And provided further, That no officer or employee who is under civil service at the time of the adoption of the city manager form of government 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 law in force at the time such removal or discharge is sought. In all cities adopting the city manager form of government, in which no civil service law is in force at the time of such adoption after January 1, 1947, the manager shall have the option to require the appointment of the civil service commission as established by the provisions of K.S.A. 13-2201, and any amendments thereto.

The governing board at the request of the manager, shall appoint civil service commissioners as is now or may hereafter be provided for by law for cities of the state of Kansas. He or she shall be responsible for the discipline of all appointive officers, and 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 commissioners 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.

No member of the city commission shall directly interfere with the conduct of any department, except at the express direction of the commission: Provided, however, That all cities having a population of over one hundred thousand, owning an electric-light plant, a waterworks plant, a municipal airport or other public utilities, which utilities are operated, managed and controlled by a board of public utilities as provided by chapter 126 [*] of the laws of Kansas for 1929, and all acts and parts of acts amendatory thereof, the utilities herein enumerated, as well as other utilities, shall be managed, operated and controlled by such boards of public utilities and the city manager shall have no jurisdiction or control over said utilities.

History: L. 1917, ch. 86, § 12; R.S. 1923, § 12-1014; L. 1945, ch. 100, § 1; L. 1947, ch. 113, § 1; March 14.

* See chapter of Laws for appropriate year in Table of Sections in Constitutions Volume.