



Legislation Details (With Text)

File #: 230360 **Version:** 3 **Name:**
Type: Ordinance **Status:** Passed
File created: 4/20/2023 **In control:** Council
On agenda: 6/15/2023 **Final action:**
Title: Sponsor: Councilmember Lee Barnes

Directing that, prior to suspending, terminating, or taking any other adverse action against an employee in the unclassified service for failure to comply with the residency requirements of the City’s Code of Ordinances the City Manager, shall submit the investigatory file to the City Internal Auditor for review.

Sponsors: Lee Barnes Jr.

Indexes:

Code sections:

Attachments: 1. Docket Memo 230360, 2. 230360 cs-fowler to org ord-com, 3. 230360.Authenticated Ordinance C.S.A.A.

Date	Ver.	Action By	Action	Result
6/15/2023	1	Council	Move to Amend	Pass
6/15/2023	3	Council	Passed as Substituted as Amended	Pass
6/14/2023	1	Neighborhood Planning and Development Committee		
6/7/2023	1	Neighborhood Planning and Development Committee		
5/24/2023	1	Neighborhood Planning and Development Committee		
5/17/2023	1	Neighborhood Planning and Development Committee		
5/10/2023	1	Neighborhood Planning and Development Committee		
5/3/2023	1	Neighborhood Planning and Development Committee		
4/20/2023	1	Council	referred	

[COMMITTEE SUBSTITUTE FOR] ORDINANCE NO. 230360, AS AMENDED

Sponsor: Councilmember Lee Barnes

Directing that, prior to suspending, terminating, or taking any other adverse action against an employee in the unclassified service for failure to comply with the residency requirements of the City’s Code of Ordinances the City Manager, shall submit the investigatory file to the City Internal Auditor for review.

WHEREAS, Council has the duty to supervise the City Manager in his exercise of his duties; and

WHEREAS, the Council has the obligation to determine whether residency ordinances as written are being properly interpreted and fairly enforced, consistent with the intentions of the Council; and

WHEREAS, the City has been required to pay hundreds of thousands of dollars for claims arising out of disciplinary actions taken related to allegations of non-residency; and

WHEREAS, it is within the proper purview of the Council to determine if changes to the residency requirements are necessary or desirable to properly regulate City employees, including granting waivers of required residency;

WHEREAS, the majority of City employees are in classified service positions, but the City Charter identifies certain positions as unclassified; and

WHEREAS, discipline taken against employees in unclassified positions is not subject to the same administrative reviews as similar discipline taken against employees in classified positions; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That, prior to suspending, terminating or taking any other adverse action against any employee in the unclassified service based on failure to comply with the residency requirements of the City's Code of Ordinances, the City Manager shall submit the investigatory file to the City Auditor for a review of the investigation to determine its efficiency, effectiveness, and compliance with laws, regulations, policies, and procedures.

Approved as to form:

Katherine Chandler
Assistant City Attorney