

Article II GOVERNING BODY*

*Cross reference(s)--Meetings of governing body, App. A, No. 7.

Sec. 2-11. Composition.

The governing body shall consist of five commissioners as provided by statute and they shall be elected as provided by law. The governing body may be referred to in this Code as the "city commission," "commission," "board of commissioners" or "governing body."
(Code 1973, § 1-101)

State law reference(s)--Governing board under commission-manager plan, K.S.A. 12-1006.

Sec. 2-12. Election, term of commissioners.

Three commissioners are elected in every odd-numbered year at the regular city election, the candidates receiving the largest and second largest number of votes, respectively, being elected for a four year term, and the candidate receiving the third largest number of votes being elected for a two year term. The three commissioners, two being elected to a four year term, and one being elected to a two year term, shall assume their official duties at the first regular meeting held after the regular city election which regular city election is presently held by law on the first Tuesday of April in each odd-numbered year; provided, that said commissioners have otherwise executed their oath of office and filed their bond and done anything else necessary to qualify them to serve in such office.
(Code 1973, § 1-102)

Sec. 2-13. Powers generally.

All powers exercised by cities of the first class, or which shall hereafter be conferred upon them, shall be exercised by the governing body, insofar as they do not conflict with the provisions of the statutes relating to the city manager plan of government.
(Code 1973, § 1-103)

State law reference(s)--Similar provisions, K.S.A. 12-1002.

Sec. 2-14. Title.

No distinction shall be made in title or duties among the commissioners, except as the governing body shall organize itself for business.
(Code 1973, § 1-104)

State law reference(s)--Similar provisions, K.S.A. 12-1006.

Sec. 2-15. Chairman, mayor.

The governing body shall choose its own chairman annually, and the chairman shall have the title of mayor during the year of his office, to the end that the city shall have an official head on formal occasions.
(Code 1973, § 1-105)

State law reference(s)--Similar provisions, K.S.A. 12-1007.

Sec. 2-16. Designation of acting mayor.

The mayor of the city shall be and is hereby empowered to designate from among the other members of the governing body then serving with him, a person who shall serve as acting mayor, such acting mayor to otherwise do and perform the duties of mayor during the absence of the regularly elected mayor and for the period of time specified by the regularly elected mayor.
(Code 1973, § 1-106)

Sec. 2-17. Order of business.

The governing body shall determine its own order of business.
(Code 1973, § 1-107)
State law reference(s)--Similar provisions, K.S.A. 12-1007.

Sec. 2-18. Ordinances.

The governing body shall pass all ordinances needful for the welfare of the city.
(Code 1973, § 1-108)
State law reference(s)--Similar provisions, K.S.A. 12-1010; ordinances, K.S.A. 12-3001 et seq.

Sec. 2-19. Determination of officers and salaries.

The governing body shall provide for such offices as shall be necessary to carry out the provisions of the statutes relating to the city manager plan of government and determine salaries for the same.
(Code 1973, § 1-109)
State law reference(s)--Similar provisions, K.S.A. 12-1010.

Sec. 2-20. Appointment of city manager.

The governing body shall appoint a manager as provided in this Code, and shall be responsible for his efficient administration of the city's business.
(Code 1973, § 1-110)
State law reference(s)--Similar provisions, K.S.A. 12-1010.

Sec. 2-21. Departments.

Administrative departments shall be created by the governing body as the public business may demand. Such departments are hereinafter created in this Code.
(Code 1973, § 1-112)
State law reference(s)--Similar provisions, K.S.A. 12-1015.

Sec. 2-22. Members not to interfere with conduct of departments.

No member of the city governing body shall directly interfere with the conduct of any department, except at the express direction of the governing body.
(Code 1973, § 1-111)
State law reference(s)--Similar provisions, K.S.A. 12-1014.

Sec. 2-23. Emergency government.

When an emergency as defined by K.S.A. 48-1201 through 1210 occurs, it is contemplated that vacancies in local governmental offices both on the governing body

and the position of city manager and other subordinate positions in the executive branch of the city government may result. The governing body or such members thereof as are capable of fulfilling and discharging their duties, in the event of an emergency such as hereinbefore referred to, shall have full, final and complete authority to fill any vacancies, that may occur on the governing body or in the office of city manager. The person appointed by reason of the authority of this section shall only receive such appointment if the duly elected or appointed person filling that position is unavailable as defined in K.S.A. 48-1201 through 1210 and such person so appointed shall continue to fulfill the office where such vacancy occurs for the period of time permitted by the applicable laws of the state.

(Code 1973, § 1-113)

State law reference(s)--Emergency interim executive and judicial succession act, K.S.A. 48-1201 et seq.

Sec. 2-24. Common disaster.

Unless otherwise provided, in the event of a catastrophe in which all, or a majority, of the members of the governing body are fatally injured, the interim governing body shall be composed of the surviving members, the city attorney, the city clerk, and a sufficient number of the appointed officials selected in the order of the greatest seniority in office to make up a governing body of the prescribed number.

(Code 1973, § 1-114)

Secs. 2-25--2-35. Reserved.