RESOLUTION NO. 8381

A RESOLUTION introduced by Daniel R. Stanley, Interim City Manager, amending Article II of the City of Topeka Personnel Code, relating to residency requirements for department heads.

WHEREAS, Article II, Section 5B of the City’s personnel code requires that all department heads reside within the boundaries of the City of Topeka, unless specifically approved by the Council; and

WHEREAS, City employees who are not department heads need only reside within the boundaries of Shawnee County; and

WHEREAS, numerous exceptions to the residency requirement for department heads have been made over the past several years; and

WHEREAS, it appears to be a prudent time to review and reconsider the residency requirement for department heads.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS, that:

Section 1. City of Topeka Personnel Code, Article VII, Section 5, Residency Requirement, is hereby amended to read as follows:

A. Specifications. Employees, including department heads, employed after December 31, 1981, by the City must be bona fide residents of Shawnee County, except at the time of appointment or employment when they need not be residents of Shawnee County, but shall establish residency in Shawnee County within six (6) months after completion of the initial employment probation. Employees employed in a public safety position, as defined by the Human Resources Director, shall, within six (6) months after
completion of the initial employment probation, reside within the boundaries of Shawnee County at a location which is no more than thirty (30) minutes travel time from the assigned reporting station or office. Said residency shall be maintained within the boundaries of Shawnee County for the duration of the employee’s employment. The City Manager may grant one (1) extension not to exceed six (6) months for establishment of residency upon the request of an individual employee for good cause shown.

B. Department Head Residency. Unless specifically approved by the City Council, all department heads hired after September 3, 2002 shall reside within the boundaries of the City of Topeka. All department heads hired prior to September 3, 2002 shall reside within the boundaries of Shawnee County.

The salaries of those department heads who reside within the boundaries of Shawnee County but are not bona fide residents of the City or whose residences are not subject to consent to annex, shall be frozen at the rate of pay in effect on September 9, 2002. The salaries of those department heads who are or become bona fide residents of the City or whose residence are subject to a consent to annex shall not be frozen and those department heads will receive pay increases as allowed by the City of Topeka administrative rules and regulations.

Section 2. This resolution shall supersede any ordinances, resolutions or rules, or portions thereof, which are in conflict with the provisions of this resolution.
ADOPTED and APPROVED by the City Council September 13, 2011.

CITY OF TOPEKA, KANSAS

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William W. Bunten, Mayor

ATTEST:

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Brenda Younger, City Clerk