

ORDINANCE NO. 1651

AN ORDINANCE DESIGNATING TERM OF OFFICE, COMPENSATION, QUALIFICATIONS, AND DUTIES OF THE CITY PROSECUTOR OF THE CITY OF COLBY, KANSAS, AS AUTHORIZED BY K.S.A. 14-201 AND 14-205 AND REPEALING ORDINANCE NO. 1639 DATED DECEMBER 7, 2021.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF COLBY, KANSAS:

SECTION 1. CITY PROSECUTOR APPOINTMENT AND TERM OF OFFICE. The City Prosecutor shall be appointed by the mayor, by and with the consent of the Council, for a term of one year, the term beginning each year on January 1, and until a successor is appointed and qualified;

SECTION 2. CITY PROSECUTOR ELIGIBILITY. No person shall be eligible for the office of City Prosecutor who is not by profession an attorney-at-law admitted to practice in the Supreme Court of Kansas;

SECTION 3. CITY PROSECUTOR QUALIFICATIONS. The City Prosecutor shall be a qualified elector of Thomas County;

SECTION 4. CITY PROSECUTOR COMPENSATION. The Salary of the City Prosecutor for the 2023 term is \$195.00 per hour, paid membership for the Kansas City Attorneys' Association, and reimbursement for registration fee, mileage, and lodging to attend the Annual Meeting.

SECTION 5. CITY PROSECUTOR JOB DESCRIPTION. The duties and responsibilities of the City Prosecutor within the monthly salary shall be:

- I. The City Prosecutor shall represent the City of Colby and shall perform the following duties provided, however, that the City Prosecutor position is not a full-time employee of the City of Colby and shall not be entitled to benefits accorded to the City employees. The City Prosecutor's duties shall include the following, to-wit:
 - (a) Prosecute violations of city ordinances.
 - (b) Assist the City Attorney as requested by the City Attorney and City Manager.
- II. The City Prosecutor shall furnish a monthly accounting of the service provided under the monthly retainer and billed as additional representation.

Nothing herein shall prevent or limit the City Prosecutor from conducting his private practice or prevent the City of Colby from obtaining other counsel to represent it on specific matters or cases not included under the duties of the City Prosecutor.

SECTION 6. REPEALER. Ordinance No. 1639, dated December 7, 2021 is hereby repealed.

SECTION 7. This Ordinance shall be in full force and effect from and after its publication in the official city paper as provided by law.

PASSED by the Governing Body and approved by the mayor this 6th day of December, 2022.

Gary L. Adrian, Mayor

ATTEST:

Joni L. Ketchum, City Clerk

Seal