

FILE

Subject Cities Government  
City Officials  
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STATE OF KANSAS

*Office of the Attorney General*

State Capitol Bldg. (913) 296-2215 Topeka, Kansas 66612

VERN MILLER  
Attorney General

May 14, 1974

Opinion No. 74- 146

Thomas W. Stockwell  
Merriam City Attorney  
9000 West 62nd Terrace  
Merriam, Kansas 66202

Dear Mr. Stockwell:

K.S.A. 14-201 states in pertinent part thus:

"The mayor shall appoint, by and with the consent of the council, a municipal judge of the municipal court, a city marshal-chief of police, city clerk, city attorney, and may appoint policemen and such other officers as they may deem necessary."  
[Emphasis supplied.]

You inquire whether all city employees, including volunteer firemen, reserve police officers and public works employees, are among those subject to appointment or reappointment and confirmation at the council meeting on May 1, 1974. Pursuant to the underscored language above, only officers of the city are subject to appointment and confirmation under K.S.A. 14-201. Persons holding positions of employment only, who are not municipal officers, such as volunteer firemen and public works employees, are not subject to appointment and confirmation under this provision. Reserve policemen, likewise, fall into that class of "officers" who must be appointed or reappointed and confirmed by the council, inasmuch as the authority for appointment of police officers derives from K.S.A. 14-201.

Yours very truly,

Handwritten signature of Vern Miller in cursive.

VERN MILLER  
Attorney General

VM:JRM:jsm