



Kansas City

414 E. 12th Street
Kansas City, MO
64106

Legislation Text

250840

File #: TMP-6043

RESOLUTION NO. TMP-6043

Affirming the City's position in *City of Kansas City, Missouri v. International Association of Firefighters, Local No. 42*, Case No. 2416-CV11242.

WHEREAS, on December 15, 2021, a Kansas City Fire Department firefighter was operating a KCFD fire truck, entered the intersection of Westport Road and Broadway Boulevard and crashed into another vehicle, which became lodged on the bumper of the fire truck; and

WHEREAS, the fire truck then veered off to left, crushing a pedestrian, striking three vehicles, and crashing into a building which later collapsed; and

WHEREAS, both occupants of the vehicle and the pedestrian died in the crash; and

WHEREAS, the subsequent investigation by the Kansas City Police Department determined that the fire truck entered the intersection against a red light traveling 51 miles per hour in a 25 mile per hour zone and found probable cause that the firefighter committed vehicular manslaughter; and

WHEREAS, on February 21, 2023, the firefighter was charged before the 16th Judicial Circuit, Jackson County, with three counts of Involuntary Manslaughter in the 2nd Degree; and

WHEREAS, consequently, on February 23, 2023, the firefighter was suspended without pay from his position pending the adjudication of his case by the 16th Circuit, pursuant to City Code of Ordinances Section 2-1112 ; and

WHEREAS, on March 7, 2023, Local 42 filed a grievance alleging the suspension violated provisions of the Collective Bargaining Agreement between the City and Local 42; and

WHEREAS, on March 27, 2024, the arbitrator issued an opinion and award for Local 42 against the City; and

WHEREAS, in spite of an agreement between the City and Local 42 to limit arbitration to whether the City had just cause and afforded the firefighter due process in suspending him pending the resolution of his case, the arbitrator exceeded his authority and issued discipline on the underlying accident, finding that the firefighter should only be suspended for a total of three days and ordered the firefighter's full reinstatement with backpay; and

WHEREAS, the City Council believes it is in the best interests of Kansas Citians to ensure accountability for unlawful actions by city employees while on duty; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Mayor and Council affirm their support for City's position in *City of Kansas City, Missouri v. International Association of Firefighters, Local No. 42, Case No. 2416-CV11242* and direct the City Attorney to take any legal actions necessary to challenge the arbitrator's ruling.

Section 2. That the Mayor and Council express their heartfelt condolences to the families and loved ones of the three victims of the crash, Jennifer San Nicolas, Michael Elwood and Tami Knight.



Authenticated as Passed

Quinton Lucas, Mayor

SEP 18 2025

Marilyn Sanders, City Clerk

Date Passed