

1 RESOLUTION NO. 7710

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3 A RESOLUTION introduced by Councilmembers Sylvia Ortiz, Lana Kennedy, Brett
4 Blackburn and John Alcala, amending City Council Rule and
5 Procedure 5.2 concerning the order of business of Council meetings,
6 and repealing the original of said rule and procedure 5.2.

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

8 City Council Rule and Procedure 5.2 is hereby amended to read as follows:

9 **5.2 Order of business.**

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11 ~~(a) **Council Meetings held on the first and third Tuesdays.** Regular~~
12 ~~meetings of the council held on the first and third Tuesdays of each month~~
13 ~~shall be conducted according to the standing rules of procedure of the~~
14 ~~council in the following order of business:~~

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16 ~~(i) **Call to Order.** Promptly at the hour appointed for the meeting~~
17 ~~of the council, the mayor or, in his/her absence, the successor~~
18 ~~meeting chair shall take the chair and shall call the city council to~~
19 ~~order.~~

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21 ~~(ii) **Invocation.** The meeting chair shall announce the invocation.~~

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23 ~~(iii) **Pledge of Allegiance.** The meeting chair will lead in the~~
24 ~~presentation of the Pledge of Allegiance to the flag of the United~~
25 ~~States of America.~~

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27 ~~(iv) **Proclamations.** The meeting chair will present the scheduled~~
28 ~~proclamations.~~

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30 ~~(v) **Attendance.** The clerk shall note the attendance of the~~
31 ~~councilmembers and shall enter as a matter of record their presence~~
32 ~~or absence during all or any part of the meeting.~~

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34 ~~(vi) **Approval of Minutes of Previous Meeting.** Minutes of the~~
35 ~~previous meeting or meetings shall be amended, corrected and~~
36 ~~approved and if approved by a majority of the council shall be~~
37 ~~entered in the permanent records of the city without being subject to~~
38 ~~further change or amendment. Minutes of previous meetings shall~~
39 ~~not be read aloud in their entirety unless so required by a vote of a~~
40 ~~majority of the council. Minutes of previous meetings may be~~
41 ~~included for action as part of the consent agenda.~~

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~~(vii) **Consent Agenda.** The consent agenda shall be prepared by the city manager each week. It shall be restricted to the necessary actions to be taken by the council in connection with ordinances, resolutions, or other matters previously approved, placed on reading or adopted, or routine matters to be approved. Items on the consent agenda, although listed separately, shall be considered collectively as a consensus agenda and an affirmative vote of the council on the consent agenda will allow and be construed as an affirmative vote to take the recommended action as stated on each item. Any item on the agenda may be considered separately by request of any member of the council, or the city manager, in which event it will be deferred to the next 7:00 PM council meeting held on the second and fourth Tuesday for separate discussion, and remaining items on the agenda will be voted upon as a consensus agenda.~~

~~(viii) **First Reading Agenda.** The first reading agenda shall be prepared by the city manager and shall include all ordinances, including planning/zoning ordinances to be presented officially to the city council. Each item shall include sufficient summary explanation to make clear to members of the council and the public the matter to be discussed and the action requested. Additional or supplemental information may accompany the agenda or follow as soon thereafter as practicable. In general, there shall be no public discussion of items on the first reading agenda.~~

~~(ix) **Adjournment.** Adjournment shall occur no later than the hour of eleven p.m. when moved, seconded and approved by a majority of members present; or as shall be announced by the chair at the conclusion of business in the event no majority is obtainable from members present; provided, that meetings may be continued beyond the hour of eleven p.m. when moved, seconded and approved by a majority of members present. Upon adjournment, the council shall dissolve into a work session as provided in rule 3.4, unless the work session is otherwise cancelled by council action.~~

~~(ba) **Council Meetings held on the second and fourth Tuesdays.** Regular Council meeting order of business. Regular 7:00 p.m. meetings of the Council held on the second and fourth Tuesdays of each month shall be conducted according to the standing rules of procedure of the Council in the following order of business:~~

~~(i) **Call to Order.** Promptly at the hour appointed for the meeting of the Council, the Mayor or, in his/her absence, the successor meeting chair shall take the chair and shall call the City Council to order.~~

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(ii) **Invocation.** The meeting chair shall announce the invocation.

(iii) **Pledge of Allegiance.** The meeting chair will lead in the presentation of the Pledge of Allegiance to the flag of the United States of America.

(iv) **Proclamations.** The meeting chair will present the scheduled proclamations.

(v) **Attendance.** The Clerk shall note the attendance of the Councilmembers and shall enter as a matter of record their presence or absence during all or any part of the meeting.

(vi) **Approval of Minutes of Previous Meeting.** Minutes of the previous meeting or meetings shall be amended, corrected and approved and if approved by a majority of the Council shall be entered in the permanent records of the City without being subject to further change or amendment. Minutes of previous meetings shall not be read aloud in their entirety unless so required by a vote of a majority of the Council. Minutes of previous meetings may be included for action as part of the consent agenda.

(vii) **Consent Agenda.** The consent agenda shall be prepared by the City Manager each week. It shall be restricted to the necessary actions to be taken by the Council in connection with ordinances, resolutions, or other matters previously approved, placed on reading or adopted, or routine matters to be approved. Items on the consent agenda, although listed separately, shall be considered collectively as a consensus agenda and an affirmative vote of the Council on the consent agenda will allow and be construed as an affirmative vote to take the recommended action as stated on each item. Any item on the agenda may be considered separately by request of any member of the Council, or the City Manager, in which event it will be set aside for separate discussion and remaining items on the agenda will be voted upon as a consensus agenda.

(viii) **Unfinished Business Agenda.** Items on this agenda will be those items of unfinished business carried over from previous meetings and designated for further consideration by the Council.

(ix) **New Business Agenda.** The new business agenda shall be prepared by the City Manager and shall include all items to be presented officially to the City Council. Each item shall include sufficient summary explanation to make clear to members of the Council and the public, the matter to be discussed and the action

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requested. Additional or supplemental information may accompany the agenda or follow as soon thereafter as practical. Items on this agenda shall be presented by the sponsoring City Councilmember, the City Manager or such members of the staff as the City Manager may designate. Generally speaking, the order of presentation shall follow the agenda except as may be directed otherwise by the meeting chair and each item shall be concluded before the next item is discussed. Except for questions from members for purposes of clarification, the sponsoring Councilmember and/or the City Manager shall be permitted to address fully each individual item before detailed questions or discussion is had either by the members of the Council or by public members present.

(x) **Planning Agenda.** The planning agenda shall be prepared by the City Manager. Items on the planning agenda shall include all regulatory and policy matters which carry the recommendation of the Planning Commission, and may include other matters referred to the City Council from the Planning Department. The planning agenda shall be considered by the Council following all other matters of business. Public hearing on planning items is conducted by the Planning Commission under provisions of state law. Additional hearing on zoning applications will not be conducted by the Council. Applications may be referred back to the Planning Commission by majority vote of the Council if:

(a) A written statement is filed with the City Clerk by 5:00 p.m. on the Wednesday preceding the Council meeting:

(1) Alleging unfair hearing before the Planning Commission; or

(2) Alleging new facts or evidence has been filed with the City Clerk by 5:00 p.m. on the Wednesday preceding the meeting; or

(b) The Council determines that further deliberation is needed by the Planning Commission.

A matter returned to the Planning Commission for further consideration should be accompanied by a statement specifying the basis for the remand.

(xi) **First Reading Agenda.** The first reading agenda shall be prepared by the city manager and shall include all ordinances, including planning/zoning ordinances to be presented officially to the

177 city council. Each item shall include sufficient summary explanation
178 to make clear to members of the council and the public the matter to
179 be discussed and the action requested. Additional or supplemental
180 information may accompany the agenda or follow as soon thereafter
181 as practicable. In general, there shall be no public discussion of
182 items on the first reading agenda.
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184 (xii) **Miscellaneous.** Under unusual circumstances, authorized by
185 suspension of a rule, miscellaneous or other matters either added to
186 the agenda or not on any agenda may be considered.
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188 (xiii) **Presentations by the City Manager, Mayor and Members**
189 **of Council.** The agenda shall provide a time when the City
190 Manager, Mayor and/or any Councilmember may bring before the
191 Council any business that he/she feels should be deliberated upon
192 by the Council. These matters need not be specifically listed on the
193 agenda. The requested items should be listed as a pending request
194 on subsequent agendas until formal action is scheduled.
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196 (xiiiv) **Public Comment.** Requests by members of the public to
197 speak will be placed on the agenda on a "first-come, first-served"
198 basis. This portion of the meeting shall be subject to a limitation of
199 four minutes for each presentation with extension of time permitted
200 only upon approval of a majority of the Council. Members of the
201 public desiring to speak to the Council on the public comment portion
202 of the agenda must notify the City Clerk by 5:00 p.m. on the day of
203 the Council meeting. The request should state the name of the
204 individual(s) desiring to be heard and the matter to be presented.
205 Matters pertaining to personnel, litigation and violations of laws and
206 ordinances are excluded from the agenda. Further, public comment
207 shall be limited to topics directly relevant to business of the City
208 Council. Rules of decorum as provided in these rules will be
209 observed.
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211 (xiv) **Adjournment.** Adjournment shall occur no later than the hour
212 of 11:00 p.m. when moved, seconded and approved by a majority of
213 members present; or as shall be announced by the chair at the
214 conclusion of business in the event no majority is obtainable from
215 members present; provided, that meetings may be continued beyond
216 the hour of 11:00 p.m. when moved, seconded and approved by a
217 majority of members present.
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219 BE IT FURTHER RESOLVED that the original of City Council Rule and Procedure

220 5.2 is hereby repealed.

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ADOPTED and APPROVED by the City Council NOV 08 2005

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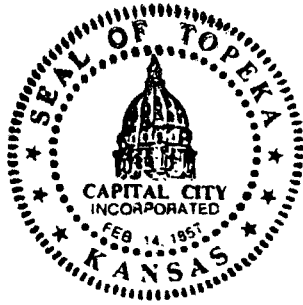
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ATTEST:



Iris E. Walker
 Iris E. Walker, City Clerk

CITY OF TOPEKA, KANSAS

William W. Buntten
 William W. Buntten, Mayor

APPROVED AS TO FORM AND LEGALITY DATE <u>10/5/05</u> BY <u>[Signature]</u>
