

1 RESOLUTION NO. 7743

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3 A RESOLUTION introduced by Councilmember Richard Harmon, amending City
4 Council Rule and Procedure 5.2 concerning the times of Council
5 meetings, and repealing the original of said rule and procedure 5.2.

6 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS that:
7 City Council Rule and Procedure 5.2 is hereby amended to read as follows:

8 **5.2 Order of business.**

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10 (a) **Regular Council meeting order of business.** Regular 7:00 p.m.
11 meetings of the Council shall be conducted according to the standing rules
12 of procedure of the Council in the following order of business:

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

18 (ii) **Invocation.** The meeting chair shall announce the invocation.
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20 (iii) **Pledge of Allegiance.** The meeting chair will lead in the
21 presentation of the Pledge of Allegiance to the flag of the United
22 States of America.

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24 (iv) **Proclamations.** The meeting chair will present the scheduled
25 proclamations.
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27 (v) **Attendance.** The Clerk shall note the attendance of the
28 Councilmembers and shall enter as a matter of record their presence
29 or absence during all or any part of the meeting.
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31 (vi) **Approval of Minutes of Previous Meeting.** Minutes of the
32 previous meeting or meetings shall be amended, corrected and
33 approved and if approved by a majority of the Council shall be
34 entered in the permanent records of the City without being subject to
35 further change or amendment. Minutes of previous meetings shall
36 not be read aloud in their entirety unless so required by a vote of a
37 majority of the Council. Minutes of previous meetings may be
38 included for action as part of the consent agenda.
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40 (vii) **Consent Agenda.** The consent agenda shall be prepared by
41 the City Manager each week. It shall be restricted to the necessary
42 actions to be taken by the Council in connection with ordinances,

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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 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:

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(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 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.

(xii) **Miscellaneous.** Under unusual circumstances, authorized by suspension of a rule, miscellaneous or other matters either added to the agenda or not on any agenda may be considered.

(xiii) **Presentations by the City Manager, Mayor and Members of Council.** The agenda shall provide a time when the City Manager, Mayor and/or any Councilmember may bring before the Council any business that he/she feels should be deliberated upon by the Council. These matters need not be specifically listed on the agenda. The requested items should be listed as a pending request on subsequent agendas until formal action is scheduled.

(xiv) **Public Comment.** Requests by members of the public to speak will be placed on the agenda on a "first-come, first-served" basis. This portion of the meeting shall be subject to a limitation of four minutes for each presentation with extension of time permitted only upon approval of a majority of the Council. Members of the public desiring to speak to the Council on the public comment portion

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of the agenda must notify the City Clerk by 5:00 p.m. on the day of the Council meeting. The request should state the name of the individual(s) desiring to be heard and the matter to be presented. Matters pertaining to personnel, litigation and violations of laws and ordinances are excluded from the agenda. Further, public comment shall be limited to topics directly relevant to business of the City Council. Rules of decorum as provided in these rules will be observed.

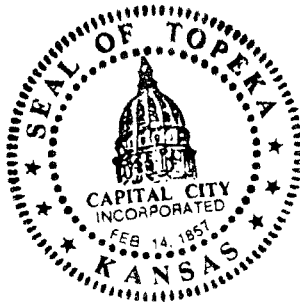
(xv) **Adjournment.** Adjournment shall occur no later than the hour of 140:00 p.m. when moved, seconded and approved by a majority of members present; or as shall be announced by the chair at the conclusion of business in the event no majority is obtainable from members present; provided, that meetings may be continued beyond the hour of 140:00 p.m. when moved, seconded and approved by a majority of members present.

BE IT FURTHER RESOLVED that the original of City Council Rule and Procedure

5.2 is hereby repealed.

ADOPTED and APPROVED by the City Council January 17, 2006.

CITY OF TOPEKA, KANSAS



William W. Bunten
William W. Bunten, Mayor

ATTEST:

Iris E. Walker
Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY
DATE 1/15/05 BY JK