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ORDINANCE NO. 46-259

AN ORDINANCE OF THE CITY OF WICHITA PERTAINING TO CHANGES TO THE ORDER OF BUSINESS AT REGULAR CITY COUNCIL MEETINGS; AMENDING CODE SECTIONS 2.04.190 AND 2.04.390 AND REPEALING THE ORIGINALS OF SAID SECTIONS, AND REPEALING THE ORIGINAL OF ORDINANCE NO. 46-241

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

**Section 1.** Section 2.04.190 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

**Section 2.04.190. Order of business at regular meetings.**

Regular meetings of the council shall be conducted according to the standing rules of procedure of the council in the following order of business:

- A. Call to Order. Promptly at the hour appointed for the meeting of the council, the mayor or, in his/her absence, the successor presiding officer shall take the chair and shall call the city council to order.
- B. Invocation. The presiding officer shall announce the invocation to be given by a member of a rotating panel invited for such purposes from all the religious faiths in the community.
- C. Pledge of Allegiance. The presiding officer will lead in the presentation of the Pledge of Allegiance to the flag of the United States of America.
- D. Attendance. The clerk shall note the attendance of the council members and shall enter as a matter of record their presence or absence during all or any part of the meeting.
- E. 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 quorum present 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.

F. Awards and Proclamations. The presiding officer will present the scheduled awards and proclamations.

G. Public Agenda. A public agenda shall be considered by the council. No action will be taken relative to items on this agenda other than referral for information. Requests to appear will be placed on the agenda on a "first-come, first-served" basis. This portion of the meeting is limited to thirty minutes and shall be subject to a limitation of five minutes for each presentation with no extension of time permitted. No speaker shall be allowed to appear more frequently than once every fourth meeting. Members of the public desiring to present matters to the council on the public agenda must submit a request in writing to the office of the city manager prior to twelve noon on the Tuesday preceding the council meeting. The request should state the name of the individual(s) desiring to be heard and the matter to be presented. Item requests may be referred, at the discretion of the city manager, to appropriate staff for mediation prior to being placed on the public agenda if the individual(s) consents to said referral. Matters pertaining to personnel, litigation and violations of laws and ordinances are excluded from the agenda. Rules of decorum as provided in this code will be observed.

H. Consent Agenda. The consent agenda shall be prepared by the city clerk 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.

I. 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.

J.. 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 by the city manager. 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. Items on this agenda shall be presented by 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 presiding officer and each item shall be concluded before the next item is discussed. Except for questions from members for purposes of clarification, the manager shall be permitted to explain fully each individual item before detailed questions or discussion is had either by the members of the council or by public members present. Following the complete presentation of each item on the agenda and the specific recommendation of the city manager in connection with each item presented, the matter shall be opened for discussion from the floor by public members.

K. 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 metropolitan area planning commission, and may include other matters referred to the city council from the planning department. The planning agenda shall be considered biweekly by the council following all other matters of business, except that the city manager may designate a time certain for hearing on items on this agenda that are of public interest. 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 unless a statement:

- (1) Alleging unfair hearing before the planning commission; or
- (2) Alleging new facts or evidence has been filed with the city clerk by five p.m. on the Wednesday preceding the meeting. The council will determine from the written statement whether or not to return the matter to the planning commission for rehearing.

L. Airport Agenda. The City Council meets as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and

City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

M. Housing Agenda. The City Council meets as the governing body of the Housing Authority for consideration and action on items on this Agenda, pursuant to State law, HUD, and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion. The designated Housing Member is also seated with the City Council.

N. City Council Agenda. The city council agenda shall be prepared by the city manager at the direction of either the majority of the council or any individual council member who shall be privileged to request that items be placed on the council agenda. Such items shall be placed on the council agenda in the order of "first come, first served" with the name of the individual council member sponsoring the item or making such request. Council members shall use the agenda for purposes concerning general policy matters involving all members of the council. Requests from members of the public shall not be placed on the agenda except as they are sponsored by a council member in each case. Items on the city council agenda shall be presented by the council members sponsoring such items. Generally speaking, the order of presentation shall follow the agenda except as may be directed otherwise by the presiding officer, and each item of the agenda shall be concluded before the next item is discussed. Except under unusual circumstances, subject to the direction of the presiding officer, individual council members shall have an opportunity to explain fully, without interruption, the particular matters placed on the agenda at the member's request. Thereafter, and in the following order, the city manager and public members present shall have an opportunity to comment on the matter in question following which the matter shall be placed on debate or shall be disposed of by motion from the council. Subject to the direction from the chair, individual council members shall be privileged to ask questions at any time during any part of the discussion. The matter may be debated by the council at any time, either prior or subsequent to a proper motion and second.

O. Debate and Cloture. Public comments and comments from the city manager shall be allowed on all motions; provided, however, that any council member

may at any time move to close the public debate and, if seconded, all further discussion of the matter either by members of the public or the city manager shall cease and the council shall vote on said motion which, if passed, shall close public debate. Discussion and debate of the original motion may be continued between members of the city council until the mayor or any other council member calls for the question. A call for the question, if seconded, shall immediately end all debate and discussion, and if passed by majority vote, the original motion must be voted on without delay, provided however, that the call of the question shall not be implemented until all members of the council have had an opportunity to speak to the original motion. After the formal vote has been taken by the council, all further discussion of the matter shall cease unless appropriate affirmative action follows to place the matter again before the council for reconsideration.

P. Miscellaneous. Under unusual circumstances, authorized by suspension of a rule, miscellaneous or other matters not on any agenda may be considered.

Q. Recesses. Recesses of the council shall be declared by the presiding officer or a majority of the council.

R. Adjournment. Adjournment shall occur at the hour of six 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 six p.m. when moved, seconded and approved by a majority of members present.

**Section 2.** Section 2.04.390 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

**Section 2.04.390      Agenda.**

Except under the most unusual circumstances, all council meetings shall be conducted strictly in accordance with a written agenda in order that the members of the council, the city manager, and the public may be informed as to the matters to be considered and may have an opportunity either to prepare themselves or to be present for such purposes as may be appropriate. The agenda shall be made public in advance of the meeting following the furnishing of the weekly agenda to individual members of the council.

The agenda shall be divided into general sections, namely: (a) awards and proclamations; (b) public agenda; (c) consent agenda; (d) unfinished business agenda; (e) new business agenda; (f) planning agenda; (g) airport agenda; (h) housing agenda; and (i) city council agenda. The order in which the sections of the agenda will be considered will be as set forth in the Order of Business in Section 2.04.190. The agendas will be prepared in accordance with such procedures as may be established by the city manager.

**Section 3.** The originals of Sections 2.04.190 and 2.04.390 of the Code of the City of Wichita and the original of Ordinance No. 46-241 are hereby repealed.

**Section 4.** This ordinance shall be effective upon its passage and publication once in the official city paper and shall be included in the Code of the City of Wichita, Kansas.

PASSED by the governing body of the City of Wichita, Kansas, this 19th day of October, 2004.

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Carlos Mayans, Mayor

ATTEST:

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Karen Sublett, City Clerk

Approved as to Form:

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Gary E. Rebenstorf, Director of Law