

CERTIFICATION OF CLERK

I, Brenda K. Wolf, the duly appointed, qualified, and Deputy City Clerk of Manhattan, Kansas, do hereby certify that the foregoing Resolution was duly adopted at a meeting of the City of Manhattan, Kansas, held on the 1st day of May, 2018, and that said Resolution has been compared by me with the original thereof on file and of record in my office, is a true copy of the whole of said original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City of Manhattan, Kansas, 2nd day of May, 2018.



Brenda K. Wolf

Brenda K. Wolf, CMC, Deputy City Clerk

POLICY MANUAL
RESOLUTION NO. 050118-B
CITY OF MANHATTAN, KANSAS

SUBJECT	EFFECTIVE DATE
Governing Body Meeting Procedures	May 1, 2018

A. BACKGROUND

The City Commission is the governing body of the City of Manhattan, and the City Commission can only conduct business at its open, public meetings. The City Commission holds legislative meetings and non-legislative meetings (work sessions) pursuant to its adopted schedule and practices. The City Commission conducts business and takes action during its legislative meetings, and the City Commission discusses and considers City business and provides feedback without taking action at its non-legislative (work session) meetings.

The City Commission's meetings are open to the public pursuant to the requirements of the Kansas Open Meetings Act (KOMA), K.S.A. 75-4317 *et seq.* In addition to its desire to comply with KOMA's requirements, the City Commission values transparency and public comment at its meetings.

B. PURPOSE

The purpose of this policy is to ensure that the City Commission can effectively conduct and/or consider City business at its meetings. The City Commission herein establishes meeting procedures for orderly and efficient meetings. In addition, the City Commission herein establishes reasonable and content-neutral public comment regulations to preserve the governing body's legitimate interest in conducting efficient, orderly and effective meetings.

C. MEETING PROCEDURE POLICY

1. Presiding Officer. The Mayor shall serve as the presiding officer of the City Commission's business meetings, ensuring that order and decorum are maintained in accordance with this Policy. In the absence of the Mayor, the Mayor *pro tem* shall serve as the presiding officer. Provided that, any City Commissioner may make a motion to enforce the provisions outlined in this Policy. The City Clerk will answer any questions of order which arise during a meeting.
2. Meeting Agendas
 - a. Legislative Meeting: The City Manager, or his/her designee, shall set the agenda, based upon input from the Mayor, a majority of the governing body or City staff.

Members of the public may not place an item on the agenda. The agenda may be comprised of the following items:

- Call to Order
- Pledge of Allegiance
- Recognitions
- Mayoral Proclamations
- Open Public Comment (provided at the first legislative meeting of each month)
- Open Commissioner Comment
- Consent Agenda Business
- Public Hearings Required by Law
- General Agenda Business
- Adjournment

b. Non-Legislative Meeting (Work Session): The City Manager, or his/her designee, shall determine work session discussion item(s), based upon input from a majority of the governing body or City staff.

3. Adjournment Times. Legislative meetings shall begin at 7:00 p.m. and shall adjourn prior to midnight. Non-legislative meetings shall begin at 5:30 p.m. and shall adjourn by 10:30 p.m. Special meetings shall begin at the time set forth in the special meeting notice. If all items on the agenda have not been discussed in the allotted time, the City Commission may table items or recess the meeting until a specified time and date, to complete the agenda.



4. Procedure for Consideration of an Item of Business: It is the general policy of the City Commission to follow these procedures when considering an item of business.

a. Legislative Meetings.

i. Consent agenda. The consent agenda is comprised of routine business items or items which have been previously considered by the Commission, and all items are considered and approved under one motion.

- **Commissioner questions/comments.** The Mayor will ask the Commissioners whether they have questions or comments about any item on the consent agenda. A Commissioner may request an item to be removed from the consent agenda and moved to the end of the general agenda for individual consideration.
- **Public comment.** The City Commission will receive public comment on any item on the consent agenda. The City Commission may ask questions or clarification of the speaker, and/or also may take the comments or questions under advisement for discussion or clarification following the close of the public comment.
- **Staff clarification/Commission discussion:** Following the close of public comment, the Commission will ask City staff for any

clarification. Also, the Mayor will invite City staff to answer any questions or clarify inaccuracies that City staff feels are necessary. The Commission may discuss concerns, options, or other questions to formulate a motion.

- **Motion:** The Mayor may ask for a motion, or a member of the City Commission may make a motion for action on the item. If the motion is not seconded, the motion dies and will not be discussed. If the motion is seconded, the City Commission may debate, discuss or seek clarification.
- **Vote on the motion.** The Mayor will ask the City Clerk to call the roll. The City Clerk will then call the roll on the vote on the live motion. Each member must vote in favor or against the live motion, or abstain.
- **Announcement of the vote.** The City Clerk announces the disposition of the motion.

ii. Public Hearings Required by Law. State and local laws require the City Commission to hold public hearings on certain matters, such as the annual budget, the financing of public improvements by special assessments, and the demolition of unsafe structures. This provision is not intended to supplant any legal or procedural requirements set forth in state law or City ordinance related to any legally required hearing. This provision provides a general process for public hearings that may be adapted to meet the legal or procedural requirements for a particular hearing:

- **Presentation:** City staff presents and/or introduces the item.
- **Applicant/Affected Party presentation:** The applicant and/or the affected party has an opportunity to present relevant evidence.
- **Public comment:** Members of the public have the right to present relevant evidence. Once public comment is closed, a member of the public may no longer speak to the matter.
- **Applicant/Affected Party rebuttal:** The applicant and/or the affected party may rebut with relevant evidence.
- **City staff response:** City staff may respond to questions raised by the City Commission, the public or the applicant/affected party.
- **City Commission discussion/action.** The City Commission will discuss the evidence that has been presented at the hearing and take action in accordance with the requirements for the particular public hearing.

iii. General agenda. The following is the general procedure for consideration of an individual item of business on the general agenda (other than a public hearing) at the City Commission's legislative meetings:

- **Presentation:** Presentation by City staff and/or other listed presenters, or their designees, on the agenda item.

- **Questions regarding presentation:** The City Commissions asks questions regarding the presentation.
 - **Public comment:** The City Commission will receive public comment on the item. The City Commission may ask questions or clarification of the speaker, and/or also may take the comments or questions under advisement for discussion or clarification following the close of the public comment.
 - **Staff clarification/Commission discussion:** Following the close of public comment, the Commission will ask City staff for any clarification. Also, the Mayor will invite City staff to answer any questions or clarify inaccuracies that City staff feels are necessary. The Commission may discuss concerns, options, or other questions to formulate a motion.
 - **Motion:** The Mayor may ask for a motion, or a member of the City Commission may make a motion for action on the item. If the motion is seconded, then the City Commission will proceed to discussion/debate and must vote on the item. If the motion is not seconded, the motion dies and will not be discussed. A live motion may be amended upon a motion, second, and approval by a majority of the City Commission. A vote to amend a motion is not a final vote on the underlying motion. A separate vote must occur on the underlying, amended motion. Only one live motion may be pending on the floor at any one time. A live motion must be withdrawn or advanced to a vote before another motion is introduced.
 - **Discussion/debate.** If a motion is seconded, the City Commission will debate the motion on the floor among themselves. A Commissioner may ask a question of City staff, but no further public input will be permitted.
 - **Vote on the motion.** Any Commissioner may call the question once all members of the governing body have had an opportunity to speak to the live motion. If the call for the question is seconded, then a majority of the Commissioners must vote to call the question. If the question is called, no further debate/discussion is permitted. The City Clerk will then call the roll on the vote on the live motion. Each member must vote in favor or against the live motion, or abstain.
 - **Announcement of the vote.** The City Clerk announces the disposition of the motion.
- b. Non-Legislative Meetings (Work Sessions). The following is the general procedure for consideration of an item of business at the City Commission's non-legislative (work session) meetings:
- **Presentation:** City Staff presents and/or introduces the item.
 - **Questions regarding presentation:** The City Commissions asks questions regarding the presentation.
 - **Public comment:** The City Commission will receive public comment on the item.

- **Commission discussion:** Following the close of public comment, the Commission will ask City staff for any clarification, discuss the item and provide input as requested.

D. PUBLIC COMMENT POLICY

1. Public Comment on Any Item
 - a. Speaker's List. To speak on any item on the City Commission's agenda, the speaker may sign up with the City Clerk prior to the start of the meeting. The City Clerk may determine the methods of sign-up, but the speaker must state his/her name, residential address, and if applicable, organization he/she represents. At the meeting, the City Clerk will first call the speakers on the Speaker's List to speak in the order in which they signed up. No substitutions will be permitted. After the Speaker's List has been completed, any other members of the public may speak to the item, after being recognized by the Mayor and signing up at the podium.
 - b. A member of the public shall only be permitted to speak on the item one time per meeting.
 - c. Time limit. A speaker shall not speak for more than five minutes. A speaker may not combine his/her time with another speaker's time. Provided that, if more than ten (10) members of the public wish to speak on any one item, the Mayor, or the majority of the Commission, may reduce the time of each citizen based upon the number of people wishing to speak and the amount of time available.
2. Rules of Decorum Applicable to All Public Comment
 - a. At the podium, the speaker should state his/her name, residential address, and, if applicable, organization he/she represents into the microphone. Only one speaker may be present at the podium at a time.
 - b. The speaker may not read a written document of another person; such document may instead be submitted to the City Clerk prior to the meeting to distribute to the City Commission. However, this provision shall not limit the representative of any group from reading a statement of the group that represents their position(s).
 - c. The speaker may use the City's overhead projector during his/her presentation. If the speaker wishes to present a PowerPoint or similar presentation that requires the use of the City computer, the electronic file(s) must be provided to the City Clerk by 5 p.m. the Monday before the meeting in the format requested by the City Clerk.
 - d. The speaker's comments should be directed to the body as a whole (City Commission), and should not be directed to individual members. No personal, slanderous, profane, obscene, or threatening remarks are permitted.
 - e. The speaker's comments should relate to City business (Open Public Comment), to the public hearing, or to the agenda item of business.
 - f. The speaker may not debate with audience members during his/her comments or make personal comments toward audience members.
 - g. Once public comment on an item has closed, no further public comment will be permitted as the item progresses.

3. Response to Public Comment. The purpose of public comment at a business meeting is for the City Commission to receive the input. Generally neither the City Commission nor City staff will respond to questions or issues raised during open public comment or agenda item of business comment. Provided that, the City Commission may ask questions of the speaker, decide to address the issue at a future meeting or refer the matter to City Administration.
4. The Mayor will warn any member of the public who is not in compliance with this Subsection (D) and any continued non-compliance will result in the speaker's revocation of his/her speaking privileges at the meeting.
5. If an individual with a disability (as defined by federal law) would like to request a reasonable accommodation (as required by federal law) from the application of any provision(s) of this policy, the individual should contact the City Clerk at least three (3) business days prior to the meeting.

E. APPLICATION OF POLICY; COMPLIANCE WITH OTHER LAWS

It is the general policy of the City Commission to follow the procedures and policies set forth herein. However, the procedures and policies contained herein may be temporarily altered or suspended, with the approval of a majority of the City Commission, if such temporary alteration or suspension is necessary and is in compliance with other applicable laws. Further, nothing in this policy shall be construed to authorize non-compliance with applicable laws; this policy is intended to supplement the requirements of other applicable laws.

F. POLICY OF THE GOVERNING BODY

This Resolution reflects the policy of the governing body and repeals Resolution No. 070996-B and any other resolutions in conflict herewith.

**PASSED BY THE GOVERNING BODY OF THE CITY OF MANHATTAN, KANSAS
THIS 1ST DAY OF MAY, 2018.**

LINDA MORSE, Mayor



ATTEST:

GARY S. FEES, MMC, City Clerk