

RESOLUTION NO. 3813

A RESOLUTION ESTABLISHING COUNCIL AND COMMITTEE PROCEDURES AS PART OF THE POLICY MANUAL; RESCINDING RESOLUTION NO. 3664 .

WHEREAS, the Governing Body needs and has provided for rules and procedures to govern the conduct of business; and

WHEREAS, such rules and procedures are found in ordinances, resolutions, and motions throughout the minutes and records of the City; and

WHEREAS, it has been desirable to collect these rules and procedures in one place for easy reference; and

WHEREAS, the Governing Body has reviewed the rules and procedures governing the conduct of business and made appropriate changes.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OVERLAND PARK, KANSAS:

SECTION 1. Adopting Council Rules, Procedures and Protocol.

The Council Rules, Procedures and Protocol dated May 3, 2010, attached to this resolution and incorporated herein by reference are hereby adopted to govern the conduct of business by the Governing Body and its standing committees.

SECTION 2. Policy Manual.

These adopted rules shall be incorporated into and made a permanent part of the Governing Body Policy Manual.

SECTION 3. Administrative Policies.

These adopted rules also shall be incorporated, as Appendix 1, into City Operating Procedures (COP) 220.

SECTION 4. Review.

The Finance, Administration and Economic Development Committee shall review these rules, procedures and protocol at least once every two years and recommend changes the committee deems appropriate to the Governing Body for action.

SECTION 5. Rescind.

Resolution No. 3664 is hereby rescinded.

ADOPTED by the Governing Body of Overland Park, Kansas, this 3<sup>rd</sup> day of May, 2010.

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Carl Gerlach, Mayor

ATTEST:

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Marian Cook, City Clerk

APPROVED AS TO FORM:

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Michael R. Santos  
Deputy City Attorney

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COUNCIL RULES, PROCEDURES AND PROTOCOL

SECTION I: COUNCIL MEETINGS - A meeting of the Governing Body (hereinafter "Council Meeting" or "Governing Body Meeting") for purposes of the Kansas Open Meetings Act is any gathering or assembly in person or through the use of a telephone or any other medium for interactive communication by a majority of the membership of the Governing Body ( seven or more) for the purpose of discussing the business or affairs of the City.

1.01 The Call.

Regular Meetings. The Governing Body shall meet regularly on the first and the third Mondays of each and every month at 7:30 p.m. and as otherwise set forth in the City's Annual Schedule of Meetings, in the Council Chamber, City Hall, 8500 Santa Fe, Overland Park, Kansas. The Governing Body, by a vote at a preceding regular or formal special meeting, for good cause, may elect to cancel or change the date, time or place of a regular meeting.

Special Meetings. Special Council Meetings (which hereinafter shall be deemed to include meetings of the Committee of the Whole of the Council) may be either formal or informal. A formal special meeting is a special meeting which has been duly called, at which roll call will be taken, and at which formal discussion and/or action on specific subjects will take place. An informal special meeting is one which has been duly called for the purpose of discussing a specific subject or subject but where no formal discussion will take place, where no roll call will be taken, where no action will be taken, and where no executive session will be called. A special meeting may be called by the Mayor or by any two Councilmembers. Except in the case of an emergency, all special meetings shall be called at least 24 hours prior to the time set for the special meeting. The call for a formal special meeting shall set out the date, time and place of such formal special meeting. The call of an informal special meeting shall set out the date, time and place of such informal special meeting and the subject or subjects to be taken up at the informal special meeting. The call of an informal special meeting shall also note in the upper right-hand corner: "Attendance Not Required--There Will Be No Roll Call." The call and notice of a special meeting may be combined in one document.

1.02 Notice.

Regular Meetings. An annual notice in writing of the date, time and place of all regular meetings of the Governing Body, in the form of a calendar, shall be sent by the City Clerk by postal mail or by electronic mail to *The Kansas City Star*, *Sun Publications, Inc.*, *The Olathe Daily News*, the Johnson County District Attorney, the Overland Park Chamber of Commerce, any other person or entity designated by the City Manager, and to any other person or entity requesting such notice from the City Clerk orally or in writing. Such annual notice shall be sent by postal mail or by electronic mail if requested by the person or entity, initially at the time

of receipt of such request and at the commencement of each subsequent fiscal year. Provided, the City shall discontinue sending such annual notice when the City has notified the person or entity prior to commencement of any subsequent fiscal year that notice will be discontinued unless the person or entity resubmits a request to continue to receive notice, to the City Clerk orally or in writing prior to the commencement of any subsequent fiscal year of the City. The annual calendar will be placed on the City's Website. The definitive list of those persons and entities, other than Governing Body members, who are entitled to receive notice of Council meetings shall be kept by the City Clerk. Notice of the date, time, and place of rescheduled regular meetings shall be disseminated in the same manner as is notice of special meetings.

### Special Meetings.

1. Formal Special Meetings. The Governing Body member(s) calling a formal special meeting should notify the City Manager and City Clerk of the call. The City Clerk is responsible for preparing the call and furnishing notice of such formal special meeting to all those entitled to receive it. The format of the call and notice of formal special meetings shall be approved by resolution of the Governing Body. Notice of the date, time and place of formal special meetings shall be furnished to each Governing Body member in one or more of fourways: (1) orally by announcement at a duly convened regular or formal special meeting of the Council; or (2) by electronic mail ; or (3) placement of the call and notice in Governing Body members' mailboxes in City Hall when the call has been made sufficiently in advance of the date and time set for the special meeting so as to allow receipt of the call and notice a reasonable time prior to the special meeting; or (4)when time does not allow receipt of such call and notice, then by telephone call. In addition, notice of the date, time and place of formal special meetings of the Governing Body shall be furnished to *The Kansas City Star*, *Sun Publications, Inc.*, *The Olathe Daily News*, the Johnson County District Attorney, the Overland Park Chamber of Commerce, any other person or entity designated by the City Manager, and to any other person or entity requesting such notice from the City Clerk orally or in writing. The method of furnishing such notice shall be . by postal mail or by electronic mail when the call has been made sufficiently in advance of the date and time set for the formal special meeting so as to allow reasonable time for receipt of the notice; or when time does not allow receipt of such notice in a timely fashion, by electronic mail and telephone notification. The City shall discontinue furnishing such notices when the City has notified the person or entity prior to commencement of any subsequent fiscal year that notices will be discontinued unless the person or entity resubmits a request to continue to receive notices to the City Clerk orally or in writing prior to the commencement of such subsequent fiscal year of the City. The definitive list of those persons and entities, other than Governing Body members,

entitled to receive notice of Council meetings shall be kept by the City Clerk.

2. Informal Special Meetings. The Governing Body member(s) calling an informal special meeting should notify the staff coordinator for the goal area under which the subject or subjects of the special meeting fall. The staff coordinator shall then prepare the call and notice of such informal special meeting and forward them to the City Manager and City Clerk. The format of the call and notice of informal special meetings shall be approved by resolution of the Governing Body. The City Clerk shall furnish notice of such informal special meeting to each Governing Body member and to all those entitled to receive it. The furnishing of the notice shall be done in the manner set out in subsection 1, above.

### 1.03 Agenda.

#### Regular Meetings.

Subjects to be brought before the Governing Body for discussion and/or action at a regular meeting shall be placed upon a regular meeting agenda, the format of which shall be approved by resolution of the Governing Body. The City Clerk's office shall place the current agenda format on the intranet for the goal area personnel to submit the subjects for a regular meeting agenda by 12:00 noon on the Thursday preceding the regular meeting. Hearings on and consideration of Planning Commission recommendations normally shall be included only on the agendas of the first and third regular meetings of the month, except that when an unusually large number of such recommendations have been made, some may be included on the agenda of the second meeting of the month. The City Clerk is responsible for the coordination and preparation of the agenda for regular meetings, and for assembling the supporting documents. The agenda of each regular meeting and all supporting documents shall be placed in each Governing Body member's mailbox in City Hall by 5:00 p.m. Thursday preceding the regular meeting. In addition, such agendas, but not the supporting documents, shall be sent by postal mail or by electronic mail to *The Kansas City Star*, *Sun Publications, Inc.*, *The Olathe Daily News*, the Johnson County District Attorney, the Overland Park Chamber of Commerce, and to those persons and entities entitled to receive notices of meetings. The agenda and supporting documents shall be placed on the City's website. Finally, the agenda of each regular meeting, but not the supporting documents, shall be posted on the bulletin board located in the main corridor on the first floor of City Hall, shall be available at City Hall to any person requesting one, and shall be available in the Council Chamber the night of the regular meeting. The definitive list of those persons and entities, other than Governing Body members, who are to be mailed agendas of regular Council meetings, shall be kept by the City Clerk. It is the Mayor's prerogative to add new subjects to the agenda, to vary the order of subjects on the agenda, and to schedule public appearances, unless there is a majority vote of the Councilmembers present prohibiting such actions.

The agenda of a regular meeting of the Governing Body shall contain, in the following order, a Consent Agenda of Goal Area Subjects, a Regular Agenda of Goal Area Subjects, a Consent Agenda of Planning Commission Recommendations and a Regular Agenda of Planning Commission Recommendations. Any remaining subjects not included elsewhere on the agenda shall be listed at the end of the agenda.

The Consent Agenda shall be listed, considered, and approved separately from the Regular Agenda. The Consent Agenda of Goal Area Subjects shall be sub-divided by goal area. Under each goal area, the corresponding goal area's Committee Consent Subjects shall be listed and shall be followed by the corresponding goal area's Staff Consent Subjects. The Consent Agenda of Planning Commission Recommendations shall include the Planning Commission Consent Subjects.

The Committee Consent Subjects shall be all those subjects including, but not limited to, ordinances and resolutions, which received a unanimous vote of the committee members who were present at the Standing Council Committee meeting at which each subject was recommended, unless otherwise requested at the committee meeting by any committee member. All Committee Consent Subjects shall be categorized by goal area.

The Staff Consent Subjects shall include the following: agreements negotiated by staff at the direction of the Council or of a Standing Council Committee; the approval of minutes of prior Governing Body meetings; passage of expenditure ordinances; passage of capital projects expenditure ordinances; the confirmation of investments; approval of applications for cereal malt beverage licenses, drinking establishment licenses, caterers licenses, class A private club licenses, class B private club licenses, temporary liquor permits, massage establishment permits, carnival permits, and juvenile dance hall licenses; ordinances declaring main trafficways; resolutions ordering and directing a public hearing on the advisability of improvements; resolutions setting forth the findings and determinations of the Governing Body on the advisability of improvements; resolutions authorizing improvements; resolutions declaring the intent of Governing Body to make improvements authorized by charter ordinances; resolutions authorizing improvements under various statutory provisions; resolutions directing the City Clerk to provide notice of assessment hearings; ordinances levying assessments; resolutions declaring it necessary to appropriate private property for improvements; ordinances authorizing and providing for the acquisition of land interests therein by condemnation; documents authorizing settlement of condemnation appeals or assessment appeals; resolutions authorizing the public sale of temporary notes; resolutions approving issuance of temporary notes; bond ordinances; and resolutions prescribing the form and details and authorizing delivery of general obligation bonds. All Staff Consent Subjects shall be categorized by goal area and subcategorized by the responsible staff members.

The Consent Agenda of Planning Commission Recommendations shall include the following subjects which were recommended by a unanimous vote of the Planning Commission members who were present at the Planning Commission meeting: rezonings, special use permits, acceptance of right-of-way included in final plats, renewal of special use permits, final development plan approvals, Unified Development Ordinance text amendments, and revised preliminary plans.

Notwithstanding the immediately preceding three paragraphs, however, subjects which require passage by a vote of more than seven (7) Councilmembers or which require a public hearing before the Governing Body prior to their passage, adoption or approval or which require separate reading(s) shall not be Committee Consent Subjects or Staff Consent Subjects or Planning Commission Consent Subjects but rather shall appear on the Regular Agenda.

Although listed separately, all subjects on a Consent Agenda shall be considered collectively and an affirmative roll-call vote of seven (7) Councilmembers on a motion to pass, adopt or approve the Consent Agenda will be construed as an affirmative vote to pass, adopt or approve, as appropriate, each subject on the Consent Agenda. Any subject on a Consent Agenda shall be considered separately if requested by any member of the Governing Body or the City Manager. Any subject on a Consent Agenda may be considered separately if requested by a member of the public in attendance at the meeting and if that request is approved by the Governing Body. Before a motion is made to pass, adopt or approve a Consent Agenda, any subject which is to be considered separately shall be set aside for separate discussion and action. A motion to pass, adopt or approve the remaining subjects on a Consent Agenda shall then be accepted and shall be voted upon by roll-call vote.

The Regular Agenda of Goal Area Subjects shall include all goal area subjects and any remaining subjects not included on the agenda. Subjects on the Regular Agenda shall be categorized by goal area; and each goal area shall be further categorized under either (1) the Committee Report or (2) the Staff Report.

The Regular Agenda of Planning Commission Recommendations shall include all Planning Commission recommendations which are not included on the Consent Agenda of Planning Commission Recommendations.

#### Special Meetings.

1. Formal Special Meetings. The subject or subjects to be taken up by the Governing Body for discussion and/or action at a formal special meeting shall be placed upon a formal special meeting agenda, the format of which shall be approved by resolution of the Governing Body. The City Clerk is responsible for preparing the agenda for formal special meetings and for assembling the supporting documents. The agendas of all formal special meetings and supporting documents shall be placed by the City Clerk in

Governing Body members' mail boxes in City Hall and by postal mail or by electronic mail when the call has been made sufficiently in advance of the date and time set for the formal special meeting so as to allow reasonable time for receipt of the agenda and supporting documents; or when time does not allow receipt of such agenda and supporting documents in a timely fashion, by electronic mail and telephone notification. In addition, the agendas of formal special meetings, but not the supporting documents, shall be sent by postal mail or by electronic mail to *The Kansas City Star, Sun Publications, Inc., The Olathe Daily News*, the Johnson County District Attorney, the Overland Park Chamber of Commerce, and to those persons and entities who have requested to receive notices of meetings. The agenda and supporting documents shall be placed on the City's website. Finally, the agendas of formal special meetings, but not the supporting documents, shall be posted on the bulletin board located in the main corridor on the first floor of City Hall, shall be available at City Hall to any person requesting them, and shall be available in the Council Chamber or other designated locations at the time of the formal special meeting. The definitive list of those persons and entities, other than Governing Body members, who have requested agendas of formal special Council meetings, shall be kept by the City Clerk. It is the Mayor's prerogative to vary the order of subjects on the agenda, and to schedule public appearances, unless there is a majority vote of the Councilmembers present prohibiting such actions. Only those subjects set out in the agendas for formal special meetings shall be discussed at such formal special meetings.

2. Informal Special Meetings. No separate agenda of an informal special Council meeting need be prepared. The calls for and notices of informal special meetings of the Council may serve as the agendas of those meetings. However, if a separate agenda is prepared, the staff coordinator responsible for preparing the call and notice of informal special meeting is responsible for preparing the agenda, for assembling the supporting documents and for forwarding them to the City Clerk. The agendas and supporting documents of all subject to be discussed at informal special meetings shall be placed by the City Clerk in Governing Body members' mail boxes in City Hall. and by postal mail or by electronic mail when the call has been made sufficiently in advance of the date and time set for the informal special meeting so as to allow reasonable time for receipt of the agenda and supporting documents; or when time does not allow receipt of such agenda and supporting documents in a timely fashion, then by telephone notification. In addition, the agendas of informal special meetings, but not the supporting documents, shall be sent by postal mail or by electronic mail to *The Kansas City Star, Sun Publications, Inc., The Olathe Daily News*, the Johnson County District Attorney, the Overland Park Chamber of Commerce, and to those persons and entities who have requested to receive notices of meetings. Finally, the agendas of informal

special meetings, but not the supporting documents, shall be posted on the bulletin board located in the main corridor on the first floor of City Hall, shall be available at City Hall to any person requesting them, and shall be available at the designated location at the time of the informal special meetings. Only those subjects set out in the calls/notices/agendas for informal special meetings shall be discussed at such informal special meetings. It is the Mayor's prerogative to vary the order of subjects on the agenda, and to schedule public appearances unless there is a majority vote of the Councilmembers present prohibiting such actions.

#### 1.04 Recording of Meetings.

Regular Meetings. The proceedings of all regular meetings of the Governing Body shall be recorded by recording secretaries of the Finance, Budget and Administration Department. The recordings shall be retained for a minimum period of sixty (60) days following Governing Body approval of the minutes derived therefrom, unless a longer period of retention is otherwise requested.

#### Special Meetings.

1. Formal Special Meetings. The proceedings of formal special meetings shall be recorded by recording secretaries of the Finance, Budget and Administration Department. The recordings shall be retained for a minimum period of sixty (60) days following Governing Body approval of the minutes derived therefrom unless a longer period of retention is otherwise requested.
2. Informal Special Meetings. The proceedings of informal special meetings shall not be recorded.

#### 1.05 Minutes.

Regular Meetings. Minutes shall be prepared of regular meetings of the Council and retained by the City Clerk. The minutes shall reflect the attendance of all Governing Body members. Members who cannot attend a meeting due to business, other governmental or family reasons shall notify the City Manager's office prior to the scheduled meeting in order for the absence to be recorded as excused.

#### Special Meetings.

1. Formal Special Meetings. Minutes shall be prepared of formal special meetings of the Council and retained by the City Clerk. The minutes shall reflect the attendance of all Governing Body members. Members who cannot attend a meeting due to business, other governmental or family

reasons shall notify the City Manager's office prior to the scheduled meeting in order for the absence to be recorded as excused.

2. Informal Special Meetings. Minutes shall not be prepared of informal special meetings.

1.06 Presiding Officer.

The Mayor shall preside at all meetings of the Governing Body. In the absence of the Mayor, the President of the Council shall preside and in the absence of both, the Council shall choose a Presiding Officer from among the members present.

1.07 Quorum.

At all meetings of the Governing Body, seven members shall constitute a quorum to do business.

1.08 Order of Business.

At the hour appointed for each regular or formal special meeting, the members of the Governing Body shall be called to order by the Chair. The City Clerk or his or her representative shall note absences, members requesting to be excused, and shall announce whether a quorum is present. Upon the appearance of a quorum, the Governing Body shall proceed to consider the subjects contained within the meeting agenda. No meeting shall continue past the hour of 11:00 p.m. without an affirmative vote of nine or more members of the Governing Body, including the Mayor, to extend the meeting to 11:30 p.m. Such meeting may be further extended for additional thirty (30) minute increments but only upon successive affirmative votes of nine or more members of the Governing Body, including the Mayor, to do so. In the absence of such a vote to extend, the meeting shall adjourn and all remaining business, if any, shall be continued to the next regular or formal special Council meeting.

1.09 Meetings Open to the Public.

All meetings of the Governing Body shall be open to the public in accordance with the requirements of K.S.A. 75-4317 et seq., the Kansas Open Meetings Law. A meeting may be closed to the public by formal motion made, seconded, and carried to recess the meeting to a specified time for the purpose of having an executive session in accordance with applicable law. No binding action shall be taken by vote in executive session.

1.10 Telephone Polling of the Governing Body.

Polling of the Council by telephone for taking action on a subject shall not be permitted nor shall any action taken by such poll be held valid.

1.11 Personal Appearances Before Council.

Persons requesting to appear personally on a subject before the Council should be referred to the director of the Department which has jurisdiction over the subject. The Department Director should contact the chairperson of the Standing Council

Committee having jurisdiction over his or her goal area in order to schedule the person to appear before that committee. If the person cannot wait until the Standing Council Committee meeting, the Department and/or the Mayor should refer the request to both appropriate Ward Councilmembers who will hear the request and advise the staff accordingly. Requests by persons residing outside Overland Park to appear before the Council should continue to be scheduled by the staff.

1.12 Rules of Order.

Council meetings shall be conducted in accordance with the Council's own rules and with Robert's Rules of Order.

SECTION II: COUNCIL COMMITTEES

2.01 Standing Council Committees.

The Council shall have four standing committees; the work assigned to and the jurisdiction of those committees is as follows:

- A. Community Development
  - Building, Zoning, Health, Nuisance and Housing
  - Housing
  - Social Services
  - Park System
  - Recreation Facilities and Programs
  - Public Health and Hospital Services
  - Refuse Collection and Disposal
  - Energy Conservation
  - Planning and Research
  - Long Range Planning
  - Pollution Control, other than Water
  - Right-of-Way Maintenance
  
- B. Finance, Administration and Economic Development
  - Council Rules
  - Legislative Program, State and Federal
  - Community Relations and Communications Program
  - Courts
  - Administrative Services
  - Legal Services
  - Planning
  - Appropriation Ordinances and Related Fiscal Actions
  - Economic Development
  - Risk Management
  - Human Resources

- C. Public Works
  - Streets and Highways
  - Improvement Districts
  - Sidewalks and Bikeways
  - Streets and Right-of-Way Maintenance
  - Traffic Signals, Signs and School Crossings
  - Public Transportation
  - Planning
  - Storm Water Drainage
  - Water Resource Management, Water Pollution Control and Water Supply
  
- D. Public Safety
  - Police Services (excluding those directly related to Traffic Safety)
  - Fire Protection Services
  - Emergency Medical and Rescue Services
  - Consumer Fraud and Protection
  - Civil Defense/Homeland Security
  - Planning
  - Traffic Enforcement
  - School Crossing Guards

2.02 Appointments to Standing Council Committees.

The Mayor shall appoint the members of the Standing Council Committees and shall designate the Chairperson and Vice Chairperson thereof. The President of the Council shall not serve as Chairman or Vice Chairman of a Standing Council Committee. The Mayor may attend the meeting of a Standing Council Committee in the capacity as the official representative of the Governing Body; however, the Mayor shall not be a member of the Standing Council Committee unless appointed to serve as an alternate in accordance with Section 2.04 below.

2.03 Standing Council Committee Meetings. A meeting of a Standing Council Committee for purposes of the Kansas Open Meetings Act is any gathering or assembly in person or through the use of a telephone or any other medium for interactive communication by a majority of the membership of the Standing Council Committee ( four or more) for the purpose of discussing the business or affairs of the Standing Council Committee.

A. The Call:

Regular Standing Council Committee Meetings. Each Standing Council committee shall meet regularly once each month during the week of the month determined by the Mayor, and the day of the week and hour of the day determined annually by the Committee on the basis of what will permit the highest attendance at regular meetings. The Committee, by a vote at a preceding regular meeting or at a preceding formal special

meeting called for that purpose, for good cause, may elect to cancel or change the date, time or place of a regular committee meeting. Finally, the Committee Chair may cancel or change the date, time or place of a regular committee meeting by so announcing at a preceding regular meeting of the Council; provided, that the Council can override the Committee Chair's cancellation by a majority vote of the members present at that meeting.

Special Standing Council Committee Meetings. Special Standing Council Committee meetings may be either formal or informal. A formal special Standing Council Committee meeting is a special meeting which has been duly called, at which roll call will be taken, and at which formal discussion and/or action on specific subjects will take place. An informal special Standing Council Committee meeting is one which has been duly called for the purpose of discussing a specific subject or subjects, but where no formal discussion will take place, where no roll call will be taken, where no action will be taken and where no executive session will be called. A special Standing Council Committee meeting may be called by the Chairperson of the Committee. Except in the case of an emergency, all special Standing Council Committee meetings shall be called at least 24 hours prior to the time set for the special meeting. The call for a formal special meeting shall set out the date, time and place of such formal special meeting. The call of an informal special meeting shall set out the date, time, and place of such informal special meeting and the subject or subjects to be taken up at the informal special meeting. The call of an informal special meeting shall also note in the upper right-hand corner: "Attendance Not Required--There Will Be No Roll Call." The call, notice and agenda, if any, of a special meeting may be combined in one document.

B. Notice:

Standing Council Committee Regular Meetings. An annual notice in writing of the date, time and place of all regular meetings of the Standing Council Committees shall be sent by the City Clerk by postal mail or by electronic mail to *The Kansas City Star, Sun Publications, Inc., The Olathe Daily News*, the Johnson County District Attorney, the Overland Park Chamber of Commerce, and any other person or entity requesting such notice from the City Clerk orally or in writing. Such annual notice shall be sent by postal mail or by electronic mail at the commencement of each subsequent fiscal year. Provided, the City shall discontinue sending such annual notice when the City has notified the person or entity prior to commencement of any subsequent fiscal year that notice will be discontinued unless the person or entity resubmits a request to continue to receive notice. The definitive list of those persons and entities, other than Governing Body members, who are entitled to receive notice of Standing

Council Committee meetings shall be kept by the staff coordinator. Notice of the date, time and place of rescheduled regular meetings shall be disseminated in the same manner as is notice of special Standing Council Committee meetings.

Special Standing Council Committee Meetings. The Committee member(s) calling a formal or informal special Standing Council Committee meeting should notify the staff coordinator and City Manager of the call. The Committee Chairperson or the staff coordinator is responsible for preparing the call and notice and furnishing notice of such formal or informal special meeting to all those entitled to receive it. Notice of the date, time and place of formal and informal Special Committee meetings shall be furnished to each Governing Body member in one or more of four ways: (1) orally, by announcement at a duly convened regular or formal special meeting of the committee or of the Council; or (2) by electronic mail or (3) placement of the call and notice in Governing Body members' mailboxes in City Hall when the call has been made sufficiently in advance of the date and time set for the special meeting so as to allow receipt of the call and notice a reasonable time prior to the special meeting; or (4) when time does not allow receipt of such call and notice, then by telephone call. In addition, notice of the date, time and place of formal and informal special meetings of the Standing Council Committees shall be furnished to *The Kansas City Star, Sun Publications, Inc., The Olathe Daily News*, the Johnson County District Attorney, the Overland Park Chamber of Commerce, any other person or entity designated by the staff coordinator, and to any other person or entity requesting such notice. The method of furnishing such notice to persons or entities other than the Governing Body members shall be by postal mail or by electronic mail when the call has been made sufficiently in advance of the date and time set for the formal or informal special meeting so as to allow reasonable time for receipt of the agenda and supporting documents; or when time does not allow receipt of such agenda and supporting documents in a timely fashion, by telephone notification. The City shall discontinue furnishing such notice when the City has notified the person or entity prior to commencement of any subsequent fiscal year that notice will be discontinued unless the person or entity resubmits a request to continue to receive notice. The definitive list of those persons and entities, other than Governing Body members, who are entitled to receive notice of Standing Council Committee meetings shall be kept by the staff coordinator.

C. Agenda:

Regular Meetings. Subjects to be brought before a Standing Council Committee for discussion and/or action at a regular committee meeting shall be submitted to the Committee Chairperson either directly or through the staff coordinator prior to the date of the regular meeting at which the subjects are to be taken up. The

Committee Chairperson or the staff coordinator is responsible for assembling the agenda for regular meetings. The agenda of each regular meeting and all supporting documents, shall be placed in each Council member's mailbox in City Hall by 5:00 p.m. Friday preceding the regular meeting. In addition, such agendas, but not the supporting documents, shall be sent by postal mail or by electronic mail to *The Kansas City Star*, *Sun Publications, Inc.*, *The Olathe Daily News*, the Johnson County District Attorney, the Overland Park Chamber of Commerce, to those persons and entities entitled to receive notices of committee meetings, and to any person or entity designated by the Committee Chairperson or staff coordinator. The agenda and supporting documents shall be placed on the City's website. Finally, the agenda of each regular meeting, but not the supporting documents, shall be posted on the first floor of City Hall, shall be available at City Hall to any person requesting one, and shall be available in the Committee meeting room the night of the regular meeting. The definitive list of those persons and entities, other than Governing Body members, who are to be mailed agendas of regular Standing Council Committee meetings shall be kept by the staff coordinator. It is the Chairperson's prerogative to add additional subjects to the agenda, to vary the order of subjects on the agenda, and to schedule public appearances, unless there is a majority vote of the Committee members present prohibiting such actions.

#### Special Meetings.

1. Formal Special Meetings. The subject or subjects to be taken up by the Committee for discussion and/or action at a formal special meeting shall be placed upon a formal special meeting agenda. The Committee Chairperson or the staff coordinator is responsible for assembling and making available such agendas. The agendas of all formal special meetings and supporting documents shall be placed in Governing Body members' mail boxes in City Hall or mailed to the home address of Governing Body members when the call has been made sufficiently in advance of the date and time set for the formal special meeting so as to allow receipt of the agenda and supporting documents a reasonable time prior to the formal special meeting; or when times does not allow receipt of such agendas and supporting documents in a timely fashion by mail, then by electronic mail and telephone notification. In addition, the agendas of special meetings, but not the supporting documents shall be sent by postal mail or by electronic mail to *The Kansas City Star*, *Sun Publications, Inc.*, *The Olathe Daily News*, the Johnson County District Attorney, the Overland Park Chamber of Commerce, and to those persons and entities who have requested to receive notices of meetings. The agenda and supporting documents shall be placed on the City's website. Finally, the agendas of formal special meetings, but not the supporting documents shall be posted on the bulletin board located in the main corridor on the first floor of the City Hall, shall be available at City Hall to any person requesting them, and shall be available in the designated

location at the time of the formal special meeting. The definitive list of those persons and entities, other than Governing Body members, who are to be mailed agendas of formal special Standing Council Committee meetings shall be kept by the staff coordinator. It is the Chairperson's prerogative to vary the order of subjects on the agenda, and to schedule public appearances, unless there is a majority vote of the Committee members present prohibiting such action. Only those subjects set out in the calls/notices/agendas for formal special meetings shall be discussed at such formal special meetings.

2. Informal Special Meetings. No separate agenda of an informal special Standing Council Committee meeting need be prepared. The calls for and notices of such meetings may serve as the agendas of those meetings. However, if a separate agenda is prepared, the Committee Chairperson or the staff coordinator is responsible for preparing the agendas of all subjects to be discussed at informal special meetings, for assembling the supporting documents and for furnishing them to the Governing Body members. The agendas and supporting documents of all subjects to be discussed at informal special meetings shall be placed in Governing Body members' mail boxes in City Hall or mailed to the home addresses of Governing Body members when the call has been made sufficiently in advance of the date and time set for the informal special meeting so as to allow receipt of the supporting documents a reasonable time prior to the informal special meeting; or when time does not allow receipt of such supporting documents in a timely fashion by mail, then by electronic mail and telephone notification. In addition, the agendas of informal special meetings, but no supporting documents shall be sent by postal mail or by electronic mail to *The Kansas City Star*, *Sun Publications, Inc.*, *The Olathe Daily News*, the Johnson County District Attorney, the Overland Park Chamber of Commerce, and to those persons and entities who have requested to receive such notices. Finally, the agendas of informal special meetings, but not the supporting documents, shall be posted on the bulletin board located in the main corridor on the first floor of City Hall, shall be available at City Hall to any person requesting them, and shall be available in the designated locations at the time of the informal special meetings. It is the Chairperson's prerogative to vary the order of subjects on the agenda, and to schedule public appearances, unless there is a majority vote of the committee members present prohibiting such actions. Only those subjects set out in the calls/notices/agendas for informal special meetings shall be discussed at such informal special meetings.

D. Recording of Meetings:

Regular Meetings. The proceedings of all regular meetings of each Standing Council Committee shall be recorded by the recording secretaries of the Finance, Budget and Administration Department. The recordings shall be retained for a minimum

period of sixty (60) days after distribution of the minutes unless a longer period of retention is otherwise requested.

Special Meetings.

1. Formal Special Meetings. The proceedings of formal special meetings shall be recorded or otherwise taken down by the staff coordinator or his or her designee.
2. Informal Special Meetings. The proceedings of informal special meetings shall not be recorded.

E. Minutes:

Regular Meetings. Minutes shall be prepared by the recording secretaries of the Finance, Budget and Administration Department of regular meetings of the Standing Council Committees and shall be retained by the City Clerk. The minutes shall reflect the attendance of all Committee members and Governing Body members. Members who cannot attend a meeting due to business, other governmental or family reasons shall notify the City Manager's office prior to the scheduled meeting in order for the absence to be recorded as excused.

Special Meetings.

1. Formal Special Meetings. Minutes shall be prepared by the staff coordinator or his or her designee of formal special meetings of each Standing Council Committee and shall be retained by the City Clerk. The minutes shall reflect the attendance of all Committee members and Governing Body members. Members who cannot attend a meeting due to business, other governmental or family reasons shall notify the City Manager's office prior to the scheduled meeting in order for the absence to be recorded as excused.
2. Informal Special Meetings. Minutes shall not be prepared of informal special meetings of the Standing Council Committees.

2.04 Alternate Members of Committees.

If a member of a Standing Council Committee cannot be present at a meeting, that member may appoint an alternate to serve at that meeting, with full voting rights. If the member does not or cannot make the appointment, then the chairman of the committee shall appoint the alternate. The appointment shall be made in the following order of priority:

- A. The other ward Councilmember.

B. A Councilmember from another ward or the Mayor

2.05 Council Committee of the Whole.

The Council Committee of the Whole consists of the Mayor and all members of the Council and meets as needed to develop recommendations for the Governing Body. The meetings of the Council Committee of the Whole shall be governed by the provisions of Section 2.03, above. The Council Committee of the Whole serves the following special roles:

- Budget Coordination Committee
- Capital Improvements Program Committee
- Planning Coordination Committee
- City Manager Evaluation Committee
- Review of issues or proposals involving more than one Standing Council Committee or of an exceptional nature--referred by the Mayor, Standing Council Committee, or Council majority.

2.06 Special Council Committees.

The Mayor may appoint Council members to Special Council Committees from time to time as he deems necessary. He shall also set forth the purposes and duties of such special committees, the length of time they should continue to exist, and the Chairperson and Vice Chairperson. Such Special Council Committees, when four or more Council members are appointed to serve, shall be governed by the procedures set out in Section 2.03, above.

2.07 Duties of Council Committees.

It shall be the duty of the Standing Council Committees to act promptly and faithfully in all matters referred to them and to submit written reports from time to time to the Governing Body. The Chairperson of each Standing Council Committee, the Council Committee of the Whole, and Special Council Committees shall report to the Governing Body all recommendations of the Committee and, if possible, shall forward any related reports and minutes prior to the scheduled meeting. Standing Council Committee tie votes shall be reported to the Governing Body without recommendation. The Chairperson should prepare a summary of each committee's recommendations, which should include the key pros and cons of the issue. The Chairperson of any Special Council Committee who wishes discussion time on a Council agenda shall so notify the City Clerk five days prior to such Council meeting and shall be limited to those subjects requiring Council action. Councilmembers should contact the Committee Chairperson prior to the Governing Body meeting at which an subject is being discussed to ask questions or seek further information in order to expedite the consideration of business on the floor of the Council meeting.

2.08 Staff Coordinator.

The City Manager shall assign a staff coordinator for each Standing Council Committee, the Council Committee of the Whole, and each Special Council

Committee. The staff coordinator shall be responsible for assisting the Chairperson in the preparation of the agenda, the calendar of regular meetings, arrangements, reports, minutes and special appearances by citizens and shall perform other staff research or support as the Committee requires.

2.09 Quorum.

At a meeting of a Standing Council Committee, four (4) members of the Committee shall constitute a quorum. At a meeting of all other Special Council Committees, a majority of the membership on the Committee shall constitute a quorum.

2.10 Meetings Open to the Public.

All meetings of Council Committees shall be open to the public in accordance with the requirements of K.S.A. 75-4317 et seq., the Kansas Open Meetings Law. A meeting of a Council Committee may be closed to the public by formal motion made, seconded and carried to recess the meeting to a specified time for the purpose of having an executive session in accordance with applicable law. No binding action shall be taken by vote in executive session.

2.11 Telephone Polling of Council Committees.

Polling of a Council Committee by telephone for taking action on a subject shall not be permitted nor shall any action taken by such poll be held valid.

2.12 Rules of Order.

All rules of the Council, including Robert's Rules of Order shall govern the conduct of meetings of the Council Committees.

SECTION III. BOARDS, COMMISSIONS AND OTHER PLURAL AUTHORITIES DETERMINED BY THE LAW DEPARTMENT TO BE SUBJECT TO THE KANSAS OPEN MEETINGS ACT (HEREINAFTER "PLURAL AUTHORITY" OR "PLURAL AUTHORITIES"). - A meeting of a Plural Authority for purposes of the Kansas Open Meetings Act is any gathering or assembly in person or through the use of a telephone or any other medium for interactive communication by a majority of the membership of the Plural Authority for the purpose of discussing the business or affairs of the Plural Authority.

3.01 The Call.

Regular Meetings of Plural Authorities. Each Plural Authority may establish a regular meeting schedule. In the event a regular meeting falls upon a holiday, the Plural Authority, by a vote at a preceding regular or formal special meeting, may elect not to have a regular meeting on the holiday. Also, the Plural Authority, by a vote at a preceding regular or formal special meeting, for good cause, may elect to cancel or change the date, time or place of a regular meeting.

Special Meetings of Plural Authorities. Special meetings of plural authorities may be either formal or informal. A formal special meeting of a Plural Authority is a

special meeting which has been duly called, at which roll call will be taken, and at which formal discussion and/or action on specific subjects will take place. A rescheduled regular meeting is a formal special meeting and must be treated as such. An informal special meeting of a Plural authority is one which has been duly called for the purpose of discussing a specific subject or subjects, but where no formal discussion will take place, where no roll call will be taken, where no action will be taken and where no executive session will be called. A special meeting of a Plural Authority may be called by the Chairperson of the Plural Authority. Except in the case of an emergency, all special meetings of Plural Authorities shall be called at least 24 hours prior to the time set for the special meeting. The call for a formal special meeting shall set out the date, time and place of such formal special meeting. The call of an informal special meeting shall set out the date, time and place of such informal special meeting and the subject or subjects to be taken up at the informal special meeting. The call of an informal special meeting shall also note in the upper right-hand corner: "Attendance Not Required--There Will Be No Roll Call." The call, notice and agenda, if any, of a special meeting may be combined in one document.

### 3.02 Notice:

Regular Meetings of Plural Authorities. An annual notice in writing which establishes the date, time and place of all regular meetings of each Plural Authority shall be sent by the Chairperson of the Plural Authority or the staff coordinator by postal mail or by electronic mail by the person or entity entitled to receive the notice, to *The Kansas City Star*, *Sun Publications, Inc.*, *The Olathe Daily News*, the Johnson County District Attorney, the Overland Park Chamber of Commerce, the City Clerk, any other person or entity designated by the Chairperson of the Plural Authority or staff coordinator. Such annual notice shall be sent by postal mail or by electronic mail if requested by the person or entity entitled to receive the notice, initially at the time of receipt of such request and at the commencement of each subsequent fiscal year. Provided, the staff coordinator shall discontinue sending such annual notice when the staff coordinator has notified the person or entity prior to commencement of any subsequent fiscal year that notice will be discontinued unless the person or entity resubmits a request to continue to receive notice. The definitive list of those persons and entities who are entitled to receive notice of meetings of a Plural Authority shall be kept by the staff coordinator. Notice of the date, time and place of rescheduled regular meetings shall be disseminated in the same manner as is notice of special meetings.

Special Meetings of Plural Authorities. The member(s) of the Plural Authority calling a formal or informal special meeting of a Plural Authority should notify the staff coordinator and City Clerk of the call. The Chairperson or the staff coordinator of the Plural Authority is responsible for preparing the call and notice and furnishing notice of such formal or informal special meeting to all those entitled to receive it. Notice of the date, time and place of formal and informal meetings of a Plural

Authority shall be furnished to each member of the Plural Authority in one or more of four ways: (1) orally, by announcement at a duly convened regular or formal special meeting of the Plural Authority; or (2) by electronic mail; or (3) by mailing it through the Post Office to the home address of the members of the Plural Authority when the call has been made sufficiently in advance of the date and time set for the special meeting so as to allow receipt of the call and notice a reasonable time prior to the special meeting; or (4) when time does not allow receipt of such call and notice in a timely fashion by postal mail, then by telephone call. In addition, notice of the date, time and place of formal and informal special meetings of the Plural Authority shall be furnished to *The Kansas City Star*, *Sun Publications, Inc.*, *The Olathe Daily News*, the Johnson County District Attorney, the Overland Park Chamber of Commerce, the City Clerk, any other person or entity designated by the Chairperson or staff coordinator of the Plural Authority. The method of furnishing such notice to persons or entities shall be by postal mail or by electronic mail when the call has been made sufficiently in advance of the date and time for the special meeting so as to allow receipt of the notice a reasonable time prior to the special meeting; or, when time does not allow receipt of such notice in a timely fashion, then by telephone call. The staff coordinator shall discontinue furnishing such notice when the staff coordinator has notified the person or entity prior to commencement of any subsequent fiscal year that notice will be discontinued unless the person or entity resubmits a request to continue to receive notice. The definitive list of those persons and entities who are entitled to receive notice of meetings of the Plural Authority shall be kept by the staff coordinator.

### 3.03 Agenda.

Regular Meetings. Subjects to be brought before a Plural Authority for discussion and/or action at a regular meeting shall be submitted to the Chairperson either directly or through the staff coordinator prior to the date of the regular meeting at which the subjects are to be taken up. The Chairperson or the staff coordinator is responsible for assembling the agenda for regular meetings. The agenda of each regular meeting and all supporting documents, shall arrive at or be delivered to each member at least 72 hours prior to the meeting by postal mail or electronic mail. In addition, such agendas, but not the supporting documents, shall be sent by postal mail or by electronic mail to *The Kansas City Star*, *Sun Publications, Inc.*, *The Olathe Daily News*, the Johnson County District Attorney, the Overland Park Chamber of Commerce, the City Clerk, to those persons and entities entitled to receive notices of the meetings, and to any person or entity designated by the Chairperson or staff coordinator. Finally, the agenda of each regular meeting, but not the supporting documents, shall be posted on the first floor of City Hall, shall be available at City Hall to any person requesting one, and shall be available in the committee meeting room of the Plural Authority or other designated location the night of the regular meeting. The definitive list of those persons and entities who are to be sent agendas of regular meetings shall be kept by the staff coordinator. It is the Chairperson's prerogative to add additional subjects to the

agenda, to vary the order of subjects on the agenda, and to schedule public appearances, unless there is a majority vote of the Committee members present prohibiting such actions.

### Special Meetings.

1. Formal Special Meetings. The subject or subjects to be taken up by the Plural Authority for discussion and/or action at a formal special meeting shall be placed upon a formal special meeting agenda. The Chairperson or the staff coordinator is responsible for assembling and making available such agendas. The agenda of each formal special meeting and all supporting documents, shall be sent by postal mail or electronic mail to the committee members when the call has been made sufficiently in advance of the date and time set for the formal special meeting so as to allow receipt of the agenda and supporting documents a reasonable time prior to the formal special meeting; or when time does not allow receipt of such agendas and supporting documents in a timely fashion by postal or electronic mail, then by delivery to each member's home by City personnel. In addition, the agendas of formal special meetings, but not the supporting documents, shall be sent by postal mail or by electronic mail to *The Kansas City Star, Sun Publications, Inc., The Olathe Daily News*, the Johnson County District Attorney, the Overland Park Chamber of Commerce, the City Clerk, to those persons and entities entitled to receive notices of committee meetings, and to any person or entity designated by the Chairperson or staff coordinator when the call has been made sufficiently in advance of the date and time set for the formal special meeting so as to allow receipt of the agenda a reasonable time prior to the formal special meeting; or when time does not allow receipt of such agendas and supporting documents in a timely fashion by postal or electronic mail, then by telephone notification. Finally, the agendas of formal special meetings, but not the supporting documents shall be posted on the bulletin board located in the main corridor on the first floor of the City Hall, shall be available at City Hall to any person requesting them, and shall be available in the committee meeting room of the Plural Authority or other designated locations at the time of the formal special meeting. The definitive list of those persons and entities who are to be mailed agendas of formal special meetings shall be kept by the staff coordinator. It is the Chairperson's prerogative to vary the order of subjects on the agenda, and to schedule public appearances, unless there is a majority vote of the members present prohibiting such action. Only those subjects set out in the calls/notices/agendas for formal special meetings shall be discussed at such formal special meetings.
2. Informal Special Meetings. No separate agenda of an informal special meeting need be prepared. The calls for and notices of such meetings may serve as the agendas of those meetings. However, if a separate agenda is

prepared, the Chairperson or the staff coordinator is responsible for preparing the agendas of all subjects to be discussed at informal special meetings, for assembling the supporting documents and for furnishing them to the members. The agendas and all supporting documents of all subjects to be discussed at informal special meetings shall be sent by postal mail or electronic mail to the committee members when the call has been made sufficiently in advance of the date and time set for the formal special meeting so as to allow receipt of the agenda and supporting documents a reasonable time prior to the formal special meeting; or when time does not allow receipt of such agendas and supporting documents in a timely fashion then by delivery to each member's home by City personnel. In addition, the agendas of informal special meetings, but not the supporting documents, shall be sent by postal mail or by electronic mail to *The Kansas City Star*, *Sun Publications, Inc.*, *The Olathe Daily News*, the Johnson County District Attorney, the Overland Park Chamber of Commerce, the City Clerk, to those persons and entities entitled to receive notices of committee meetings, and to any person or entity designated by the Chairperson or the staff coordinator when the call has been made sufficiently in advance of the date and time set for the informal special meeting so as to allow receipt of the agenda a reasonable time prior to the informal special meeting; or when time does not allow receipt of such agendas and supporting documents in a timely fashion, then by telephone notification. Finally, the agendas of informal special meetings, but not the supporting documents, shall be posted on the bulletin board located in the main corridor on the first floor of City Hall, shall be available at City Hall to any person requesting them, and shall be available in the committee meeting room of the Plural Authority or other designated locations at the time of the informal special meetings. It is the Chairperson's prerogative to vary the order of subjects on the agenda, and to schedule public appearances, unless there is a majority vote of the committee members present prohibiting such actions. Only those subjects set out in the calls/notices/agendas for informal special meetings shall be discussed at such informal special meetings.

### 3.04 Minutes.

Regular Meetings. Minutes shall be prepared by the staff coordinator of regular meetings of the Plural Authority and shall be retained by the staff coordinator. The minutes shall reflect the attendance of all members of the Plural Authority. Members who cannot attend a meeting due to business, other governmental or family reasons shall notify the Chairperson prior to the scheduled meeting in order for the absence to be recorded as excused.

### Special Meetings.

1. Formal Special Meetings. Minutes shall be prepared by the staff coordinator or his or her designee of formal special meetings of each Plural Authority and shall be retained by the staff coordinator. The minutes shall reflect the attendance of all members of the Plural Authority. Members who cannot attend a meeting due to business, other governmental or family reasons shall notify the Chairperson prior to the scheduled meeting in order for the absence to be recorded as excused.
2. Informal Special Meetings. Minutes shall not be prepared of informal special meetings of Plural Authorities.

3.05 Meetings Open to the Public.

All meetings of Plural Authorities shall be open to the public in accordance with the requirements of K.S.A. 75-4317 et seq., the Kansas Open Meetings Law. A meeting of a Plural Authority may be closed to the public by formal motion made, seconded and carried to recess the meeting to a specified time for the purpose of having an executive session in accordance with applicable law. No binding action shall be taken by vote in executive session.

3.06 Telephone Polling of Plural Authorities.

Polling of Plural Authorities by telephone for taking action on a subject shall not be permitted nor shall any action taken by such poll be held valid.

3.07 Best Practices.

The purpose of the “best practices” listed below is to provide a framework for the effective and efficient operation of the various plural authorities. These “best practices” are not mandatory, however, all advisory committees, boards, commissions and other plural authorities shall review and consider these “best practices,” at least every two years or more frequently as deemed appropriate by the authority. Those “practices” deemed appropriate and helpful to the authority should be adopted.

Advisory Committees:

Citizens Advisory Council on Parks and Recreation  
 CDBG Advisory Committee  
 Environmental Advisory Council  
 Landmark Commission  
 Legacy of Greenery Committee  
 Sister City Committee  
 Other Committees as appropriate

Boards and Commissions:

Civil Service Commission  
 OPPD Citizen Advisory Board  
 Code Board of Appeals

Fair Housing Commission  
OPFD Pension Plan Trustees  
MEPP Board of Trustees  
Planning Commission  
Police Pension Plan Trustees  
Board of Zoning Appeals  
Other Boards and Commissions as appropriate

A. Provide Organizational Report to Council Oversight Committee.

- 1) Record member attendance.
- 2) Provide minutes to Council via email.
- 3) Report attendance quarterly.
- 4) Elect new leadership at least every 2 years.
- 5) Review by-laws at least every 3 years.
- 6) Provide information to Mayor and/or Oversight Committee regarding membership renewal at least 90 days prior to end of term.

B. Organizational Review: With the assistance of Staff, above referenced organizations may conduct review of the following best practices relative to their applicability to that organization.

1) Mission Statement

- Clearly defines the organization's mission/purpose
- Determine how effective the organization has been in fulfilling mission/purpose.

2) By-Laws

- Do current by-laws exist?
- Do by-laws need to be created or amended?

3) Term /Term Limits

- A three year term permits adequate time for a person to become oriented and effective on a committee or board. In this arrangement, one-third of the members would be up for renewal or replacement each year.
- Term Limits Advisory Committees: -Three 3-year term limits.
- Term Limits Boards and Commissions: Four 3-year terms.

4) Identify desirable or beneficial membership skills and experience description for recruiting new members.\*

5) Establish appropriate materials/description for promoting organizational mission on City website.

6) Organization review presented to appropriate council committee upon completion.

C. Organizational Development Methods.

- 1) By-Laws changes.
- 2) Transition in adopting and applying term limits for organization.\*

D. Membership Recruitment.

1) Methods

- a. Scope and fairness of recruitment methods.
- b. Website.
- c. Recommendation by councilmember or committee member.
- d. Hold opportunity fair.

2) New member Orientation.

- a. Organizational tutorial, including mission, relationship to Governing Body, resources., etc.
- b. Code of Conduct and Code of Ethics.
- c. Notice of Insurance Coverage, etc.

E. Renewal of Terms.

1) Checklist for consideration of renewal.\*

- Notice of vacancy to community via website or publications.  
\* Checklist/tools provided to staff for various processes.

SECTION IV: CONDUCT OF BUSINESS

- 4.01 Preservation of Order: The Chair shall preserve order and decorum and shall decide questions of order subject to an appeal from the members present.
- 4.02 Addressing the Chair: Every member, prior to his speaking, shall address himself to the Chair and shall not proceed until he has been recognized by the Chair. The member shall confine his remarks to the matter under debate or discussion, and shall refrain from a discussion of individual personalities.
- 4.03 Limitation on Speaking: No interested person in attendance shall speak more than twice to any question, nor more than five minutes each time, except where such other limitations may be imposed by action of the Council prior to hearing such questions.
- 4.04 Point of Order: Upon a point of order being raised, debate shall immediately cease until the point of order is decided by the Chair.

- 4.05 Motions: Every motion, except to adjourn, postpone, reconsider, commit to table the motion, or for the previous question, shall be reduced to writing if the Chair or any member requests it; when moved or seconded, it shall be stated by the Chair, or if it is written, shall be read by the City Clerk and may be withdrawn before decision or amendment or any disposition thereof has been made, or a vote thereon had.
- 4.06 Resolutions: All resolutions must be a part of the permanent records of the City, either in written form or incorporated into the minutes of the meeting.
- 4.07 Question Under Debate: When a question is under debate, no motion shall be entertained unless to adjourn, to table the motion, to call for a vote of the previous questions, to postpone or commit, or to amend, which several motions shall have precedence in the order in which they are named and the first three shall be decided without debate.
- 4.08 Voting: When a question is put by the Chair, every member present shall either vote or abstain from voting, but if a member has a personal interest or concern in the matter under consideration, he shall abstain. The yeas and nays shall be called upon by a request of the Chair or by a member and upon the final passage of all ordinances in which case the names of the members voting shall be recorded in the minutes. Voting by secret ballot is prohibited. On matters or questions before a Standing Committee, a vote of the majority of the members present is required for passage or recommendation to the Governing Body. Tie votes of a Standing Committee shall be reported to the Governing Body without a recommendation.
- 4.09 Order of Questions - Privileged Questions: All questions shall be put in the order in which they are moved, except in the case of privileged questions.
- 4.10 Rules of Committee of the Whole: The rules of the Governing Body shall be observed in Committee of the Whole so far as they are applicable.
- 4.11 Motion for Committee to Rise and Report: A motion that the Committee rise and report shall always be in order and shall not be decided without debate.

## SECTION V: ETHICS AND PROTOCOL

- 5.01 Councilmember's Creed: See Resolution No. 2361 (Attachment No. 1).
- 5.02 Courtesy to Other Members and Staff:
1. Other Governing Body members or staff should be contacted in advance if information related to an subject appearing on a regular meeting agenda is desired to assure that correct, timely information is given and to avoid undue confusion or embarrassment.

2. Confine nonagenda subjects to information matters and to business subjects which cannot wait--in the latter case, inform the Mayor, City Manager and Committee Chairperson in advance so they can make some preparation. The Mayor, appropriate Committee Chairperson or individual Councilmember may request the consideration of a nonagenda subject.
3. Treat all members and staff and general public with respect. Uphold the status of the City through the manner of deliberations in treatment of fellow Councilmembers and persons appearing before the Council.
4. When a Council Committee submits a recommendation on which you have a question or concern, extend the appropriate courtesy to the Committee Chairperson and Staff Coordinator by discussing the matter in advance with them.

RESOLUTION NO. 2361

ESTABLISHING A COUNCILMEMBER'S CREED; RESCINDING RESOLUTION NO. 2242.

WHEREAS, the Governing Body met in regular session on the 13th day of September, 1971, to adopt a Councilmember's creed; and

WHEREAS, members of the Governing Body remain interested in their personal creed for efficient municipal government; and

WHEREAS, periodically the creed is in need of review and revision.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OVERLAND PARK, KANSAS, that we, individually, will:

- I. Support the Constitution of the United States and the Constitution of my state.
- II. Uphold the laws of the United States of America and those of my state.
- III. Concern myself with the advancement of the public interest in all matters that come before me.
- IV. Endeavor, through diligent attendance, to represent my constituency as I have been elected to do.
- V. Seek to assimilate all pertinent information on matters before the Governing Body prior to committing myself to an irrevocable judgment or decision.
- VI. Abstain from participation in a decision of the Council where a possible conflict of interest may occur.
- VII. Strive to provide fiscally-sound policies, matching expenditures to funds budgeted.
- VIII. Resolve to make services available to all citizens on a fair and equitable basis.
- IX. Avoid unilateral action that does not comply with existing Council policy.
- X. Work with the City Manager through Council structure, not on an individual Council-Manager basis.
- XI. Conduct myself in keeping with the trust and dignity reposing in my position as a servant of the people of my City. I shall further take care to guard, not only the factual principles, but also the appearance of justice and integrity.
- XII. Prepare myself for all subjects scheduled for presentation to the Council.

- XIII. Refuse personal gifts in every instance where I have reason to believe the gift would not have been extended to me except for my official position, where I have reason to believe the giver's interests are likely to be affected by my official actions, or where the gift is or may reasonably be considered to be designed to influence my official actions.
- XIV. Abstain from seeking or accepting employment with the City of Overland Park within one (1) year of vacating office.
- XV. Place the competence and effectiveness of service to the public above all interests of persons, factions, or parties.

RESOLUTION NO. 2242 is hereby rescinded.

ADOPTED and PASSED this 20th day of August, 1990.

(s) Ed Eilert  
Mayor

ATTEST:

(s) Bernice Crummett  
Finance Director/City Clerk

APPROVED AS TO FORM:

(s) John S. Anderson  
Assistant City Attorney