



City Council Work Session

Tuesday, October 17, 2017, 5:30 p.m.

Council Chambers, 317 S. Washington

Mayor Shelley Hansel

Council Member Kip Etter

Council Member Bill Butts

Council Member Kelly Hawley

Council Member Jim Valentine

Council Member Jan Korte

Council Member Vince Wetta

Agenda

❖ Pledge of Allegiance

❖ Agenda Items

1. Airport Authority Board Appointment- candidate applications included
2. Elkhorn Valley Packing odor issues- complaint list included
3. Rules of Procedure, February 8, 2011

❖ Miscellaneous



Memorandum

To: Honorable Mayor and Council Members

From: Carol S. Mericle, Finance Director/City Clerk

Date: October 12, 2017, for Council meeting October 17, 2017

Re: Board/Commission Appointments for Airport Authority Board Vacancy

Please find attached a listing of the individuals for consideration to appointment to the Airport Authority Board, of the City of Wellington. The applicants are Brian D. Marks, Jason Newberry, Will Ravenstein, and Bill Rhiley. It is recommended that the governing body consider and select the applicant to appoint to the board separately. A motion is needed to approve the appointment.

Respectfully Submitted,

Carol S. Mericle
City Clerk

SEP 22 2017

8

City of Wellington

Application for City Boards/Commissions

The City Council invites interested citizens to serve on a City board or commission. This is an excellent opportunity to get involved and make a difference in your city. Become involved in making Wellington the best city possible. For further information please call the City Manager's Office at 620-326-3631. Some information and current board member lists are available on the City's website at <http://www.cityofwellington.net/cityboards.html>

The City Council has established, by Resolution No. 5488, an application process and deadline. All applications for any opening on the boards and/or commissions shall be submitted prior to January 1st of any year in which appointments are to be made. If there are an insufficient number of applicants for any vacancies, then members of the governing body may solicit applicants who shall submit their applications on or before the last day of February. Please submit completed and signed applications to the City Clerk's Office.

As an applicant for a City board or commission, your application is deemed public information and will be available to the media and the public upon request.

Full Name: Brian Daniel Marks

Home Addr: 602 N. High Dr. Wellington, KS 67152

Business Addr: _____

Phone (Day): 316-648-7692 Phone (Evening): Same Email: marksbd602@gmail.com

Occupation: Sr. Manufacturing Engineer

Professional Activities: _____

Community Activities: _____

Resident of Wellington: Yes No If yes, for how long? 3 years

Resident of USD-353: Yes No Resident in 3-mile Zoning Jurisdiction: Yes No

Are you a registered voter in Wellington / Sumner County? Yes No

Have you ever been convicted of a felony? Yes No

Have you ever been convicted of a Class A Misdemeanor? Yes No

<i>FOR OFFICE USE ONLY:</i>		Form Rev 4/7/2014
Date Received: _____	Residency confirmed, if applicable <input type="radio"/> Yes <input type="radio"/> N/A	
Ad Valorem Tax Status: <input type="radio"/> Current <input type="radio"/> Past Due	Status of Utility Accts: <input type="radio"/> Current <input type="radio"/> Past Due	

Please indicate your interest in up to three Boards/Commissions. Indicate preference by numbering 1, 2, or 3.

Boards & Commissions

Meeting Times

<u>1</u> Airport Advisory Board	Monthly / 3 rd Monday evenings
___ Board of Zoning Appeals	As needed
___ Combined Trade Board	Bi-monthly
___ Health Care Authority (Hospital)	Monthly / 3 rd Thursday at Noon
___ Housing Authority	Monthly / 4 th Tuesday at Noon
___ Library Board	Monthly / 2 nd Wednesday at 5:15 p.m.
___ Memorial Auditorium Board	Monthly/1 st Thursday at 6:30 p.m.
___ Park Board	Monthly / 3 rd Monday at 6:30 p.m.
___ Planning Commission	Monthly / 4 th Tuesday at 6:30 p.m.
___ Public Building Commission	As needed

Please briefly state your interest in serving on the board/commission indicated.

*BRING NEW IDEAS AND VIEWS TO THE TEAM
WORKING WITH THE FRA ON NEW PROJECTS*

Please list any experience, including educational background or occupational experience that qualified you to serve in the areas you indicated.

- NEGOTIATION SKILLS*
- TEAM BUILDING*
- BUDGETING & FORECASTS*
- STRATEGIC PLANNING*

If you were to suggest goals to accomplish in the coming years for the board/commission you indicated, what would they be?

*ON BUDGET - ON TIME
OPEN THINKING*

Would your appointment to a board/commission indicated create any conflicts of interest due to your employment or business endeavors?

NO

If appointed to the **Health Care Authority, Housing Authority, Library Board or Planning Commission**, I understand failure to attend seventy-five percent (75%) of the regular scheduled meetings held in a calendar year OR failure to attend three (3) consecutive regular scheduled meetings will result in my position being vacated. If appointed to the **Airport Advisory Board, Memorial Auditorium Board or Park Board**, I understand failure to attend three (3) consecutive regular scheduled meetings will result in my position being vacated. If my position is vacated for either of the above reasons, I shall not be eligible to reapply for a board or commission position for a period of one (1) year.

[Handwritten Signature]

Signature of Applicant

9-22-17

Date

City of Wellington

Application for City Boards/Commissions

RECEIVED
SEP 25 2017
CITY CLERK
WELLINGTON, KS

The City Council invites interested citizens to serve on a City board or commission. This is an excellent opportunity to get involved and make a difference in your city. Become involved in making Wellington the best city possible. For further information please call the City Manager's Office at 620-326-3631. Some information and current board member lists are available on the City's website at <http://www.cityofwellington.net/cityboards.html>

The City Council has established, by Resolution No. 5488, an application process and deadline. All applications for any opening on the boards and/or commissions shall be submitted prior to January 1st of any year in which appointments are to be made. If there are an insufficient number of applicants for any vacancies, then members of the governing body may solicit applicants who shall submit their applications on or before the last day of February. Please submit completed and signed applications to the City Clerk's Office.

As an applicant for a City board or commission, your application is deemed public information and will be available to the media and the public upon request.

Full Name: Jason Newberry

Home Addr: 437 S. West Rd. Wellington

Business Addr: 317 S. Washington

Phone (Day): 620-440-2829 Phone (Evening): _____ Email: jason.newberry@gmail.com

Occupation: Assistant City Manager for Utility and IT

Professional Activities: USD 353 Board Member, Rural Fire Dist (secretary),
Kansas Power Pool (Alternate Member)

Community Activities: Rotary (current President), Church, Coach for WRC,
KS Hunters Safety Instructor

Resident of Wellington: Yes No If yes, for how long? Life (currently live 2 miles south of town) _____

Resident of USD-353: Yes No Resident in 3-mile Zoning Jurisdiction: Yes No

Are you a registered voter in Wellington / Sumner County? Yes No

Have you ever been convicted of a felony? Yes No

Have you ever been convicted of a Class A Misdemeanor? Yes No

<i>FOR OFFICE USE ONLY:</i>		Form Rev 4/7/2014
Date Received: _____	Residency confirmed, if applicable <input type="checkbox"/> Yes <input type="checkbox"/> N/A	
Ad Valorem Tax Status: <input type="checkbox"/> Current <input type="checkbox"/> Past Due	Status of Utility Accts: <input type="checkbox"/> Current <input type="checkbox"/> Past Due	

Please indicate your interest in up to three Boards/Commissions. Indicate preference by numbering 1, 2, or 3.

Boards & Commissions

Meeting Times

<input checked="" type="checkbox"/> Airport Advisory Board	Monthly / 3 rd Monday evenings
<input type="checkbox"/> Board of Zoning Appeals	As needed
<input type="checkbox"/> Combined Trade Board	Bi-monthly
<input type="checkbox"/> Health Care Authority (Hospital)	Monthly / 3 rd Thursday at Noon
<input type="checkbox"/> Housing Authority	Monthly / 4 th Tuesday at Noon
<input type="checkbox"/> Library Board	Monthly / 2 nd Wednesday at 5:15 p.m.
<input type="checkbox"/> Memorial Auditorium Board	Monthly/1 st Thursday at 6:30 p.m.
<input type="checkbox"/> Park Board	Monthly / 3 rd Monday at 6:30 p.m.
<input type="checkbox"/> Planning Commission	Monthly / 4 th Tuesday at 6:30 p.m.
<input type="checkbox"/> Public Building Commission	As needed

Please briefly state your interest in serving on the board/commission indicated.

I have always had an interest in aviation. During the time Mr. Hamlin left the airport, I was asked to help with the day to day operations of the airport. That seemed to spark my interest once again. I am currently pursuing my private pilot license and plan on completing before the end of the year.

Please list any experience, including educational background or occupational experience that qualified you to serve in the areas you indicated.

Masters in Public Administration (WSU), have served on several boards through the years, familiar with basic airport operations and fuel sales

If you were to suggest goals to accomplish in the coming years for the board/commission you indicated, what would they be?

Increase community interest in the Airport Consider additional hanger options
Increase transient traffic to the Airport
Look into flight training at the Airport
Increase youth interest in aviation

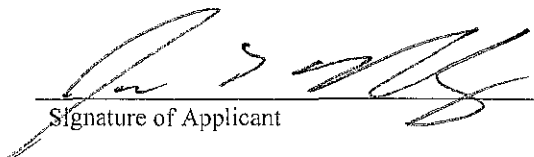
Would your appointment to a board/commission indicated create any conflicts of interest due to your employment or business endeavors?

No

If appointed to the **Health Care Authority, Housing Authority, Library Board** or **Planning Commission**, I understand failure to attend seventy-five percent (75%) of the regular scheduled meetings held in a calendar year OR failure to attend three (3) consecutive regular scheduled meetings will result in my position being vacated.

If appointed to the **Airport Advisory Board, Memorial Auditorium Board** or **Park Board**, I understand failure to attend three (3) consecutive regular scheduled meetings will result in my position being vacated.

If my position is vacated for either of the above reasons, I shall not be eligible to reapply for a board or commission position for a period of one (1) year.



Signature of Applicant

9/25/17

Date

RECEIVED

SEP 22 2017

CITY MANAGER
WELLINGTON, KS

City of Wellington

Application for City Boards/Commissions

The City Council invites interested citizens to serve on a City board or commission. This is an excellent opportunity to get involved and make a difference in your city. Become involved in making Wellington the best city possible. For further information please call the City Manager's Office at 620-326-3631. Some information and current board member lists are available on the City's website at <http://www.cityofwellington.net/cityboards.html>

The City Council has established, by Resolution No. 5488, an application process and deadline. All applications for any opening on the boards and/or commissions shall be submitted prior to January 1st of any year in which appointments are to be made. If there are an insufficient number of applicants for any vacancies, then members of the governing body may solicit applicants who shall submit their applications on or before the last day of February. Please submit completed and signed applications to the City Clerk's Office.

As an applicant for a City board or commission, your application is deemed public information and will be available to the media and the public upon request.

Full Name: Will Ravenstein

Home Addr: 900 N. Woodlawn #115

Business Addr: _____

Phone (Day) 620-968-7392 Phone (Evening): _____ Email: wravenstein@yahoo.com

Occupation: _____

Professional Activities: Photography, graphic design, aerial photography, aerial videography

Community Activities: _____

Resident of Wellington: Yes No If yes, for how long? 1 yr

Resident of USD-353: Yes No Resident in 3-mile Zoning Jurisdiction: Yes No

Are you a registered voter in Wellington / Sumner County? Yes No

Have you ever been convicted of a felony? Yes No

Have you ever been convicted of a Class A Misdemeanor? Yes No

RECEIVED		Form Rev 4/7/2014	
FOR OFFICIAL USE ONLY			
SEP 22 2017			
Date Received: _____	Residency confirmed, if applicable <input type="checkbox"/> Yes <input type="checkbox"/> N/A		
Ad Valorem Tax Status: <input type="checkbox"/> Current <input type="checkbox"/> Past Due	Status of Utility Accts: <input type="checkbox"/> Current <input type="checkbox"/> Past Due		
CITY MANAGER WELLINGTON, KS			

Please indicate your interest in up to three Boards/Commissions. Indicate preference by numbering 1, 2, or 3.

Boards & Commissions

Meeting Times

- | | | |
|---------------------------------------|----------------------------------|--|
| <input checked="" type="checkbox"/> 1 | Airport Advisory Board | Monthly / 3 rd Monday evenings |
| <input type="checkbox"/> | Board of Zoning Appeals | As needed |
| <input type="checkbox"/> | Combined Trade Board | Bi-monthly |
| <input type="checkbox"/> | Health Care Authority (Hospital) | Monthly / 3 rd Thursday at Noon |
| <input type="checkbox"/> | Housing Authority | Monthly / 4 th Tuesday at Noon |
| <input type="checkbox"/> | Library Board | Monthly / 2 nd Wednesday at 5:15 p.m. |
| <input type="checkbox"/> | Memorial Auditorium Board | Monthly / 1 st Thursday at 6:30 p.m. |
| <input type="checkbox"/> | Park Board | Monthly / 3 rd Monday at 6:30 p.m. |
| <input type="checkbox"/> | Planning Commission | Monthly / 4 th Tuesday at 6:30 p.m. |
| <input type="checkbox"/> | Public Building Commission | As needed |

Please briefly state your interest in serving on the board/commission indicated. *Flight has interested me since I was a child. To have the ability to ensure Wellington maintains an active airport in light of our growth would be a way to stay active within the community.*

Please list any experience, including educational background or occupational experience that qualified you to serve in the areas you indicated. *NAV pilot in training, hope to complete ground school + private pilot training within next 5 yrs.*

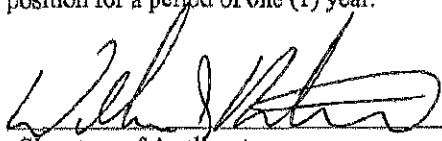
If you were to suggest goals to accomplish in the coming years for the board/commission you indicated, what would they be? *With the airport expansion project beginning the city should look at building an additional short term (day-to-day) rental hangar for business class jets, along with purchasing a tug to ferry the aircraft while on the ground.*

Would your appointment to a board/commission indicated create any conflicts of interest due to your employment or business endeavors? *No.*

If appointed to the **Health Care Authority, Housing Authority, Library Board or Planning Commission**, I understand failure to attend seventy-five percent (75%) of the regular scheduled meetings held in a calendar year OR failure to attend three (3) consecutive regular scheduled meetings will result in my position being vacated.

If appointed to the **Airport Advisory Board, Memorial Auditorium Board or Park Board**, I understand failure to attend three (3) consecutive regular scheduled meetings will result in my position being vacated.

If my position is vacated for either of the above reasons, I shall not be eligible to reapply for a board or commission position for a period of one (1) year.



Signature of Applicant

9/22/17

Date

City of Wellington

Application for City Boards/Commissions

The City Council invites interested citizens to serve on a City board or commission. This is an excellent opportunity to get involved and make a difference in your city. Become involved in making Wellington the best city possible. For further information, please call the City Manager's Office at 620-326-3631.

SEP 14 2017

As an applicant for a city board or commission, your application is public and will be available to the press and the public upon request. Incumbents whose terms expire are automatically considered for reappointment unless they indicate non-interest or fail to comply with other eligibility requirements.

Applications are kept on file in the City Clerk's Office for one (1) year from the date of application.

Date: 9/14/2017

Full Name: Bill Philey

Home Address: 403 S. West Road, Wellington

Business Address: _____

Phone (day): 316-258-1011 (evening) _____

Occupation: Entrepreneur

Professional Activities: _____

Community Activities: _____

Resident of Wellington: Yes ___ No X ^{2 miles south} For how long? 14 years

Are you a registered voter in Wellington? Yes ___ No X

Have you ever been convicted of a felony? Yes ___ No X

Have you ever been convicted of a Class A Misdemeanor? Yes ___ No X

FOR OFFICE USE ONLY			
Ad Valorem Tax Status	Current	<u>X</u>	Past Due _____
Status of Utility Accounts	Current	<u>N/A - Rural</u>	Past Due _____

Please indicate your preference by numbering 1-2-3....

Boards and Commissions

Meeting Times

<input checked="" type="checkbox"/> Airport Advisory Board	Monthly/ 3 rd Monday (evenings)
<input type="checkbox"/> Board of Zoning Appeals	As needed
<input type="checkbox"/> Combined Trade Board	Bi-monthly
<input type="checkbox"/> Health Care Authority (Hospital)	Monthly/ 3 rd Thursday at Noon
<input type="checkbox"/> Housing Authority	Monthly/ 4 th Tuesday at Noon
<input type="checkbox"/> Library Board	Monthly/ 2 nd Wednesday at 5:15 p.m.
<input type="checkbox"/> Memorial Auditorium Board	As needed
<input type="checkbox"/> Park Board	Monthly/ 3 rd Monday at 6:30 p.m.
<input type="checkbox"/> Planning Commission	Monthly/ 4 th Tuesday at 6:30 p.m.
<input type="checkbox"/> Public Building Commission	As needed
<input type="checkbox"/> Special Alcohol and Drug Advisory Board	As needed
<input type="checkbox"/> Sunner County Economic Development	Monthly/ 2 nd Tuesday at 3:00 p.m.

Please briefly state your interest in serving on the board/commission indicated.

PRIVATE PILOT
AVIATION RELATED FAMILY HISTORY

Please list any experience, including educational background or occupational experience that qualifies you to serve in the areas you indicated.

Chamber Board of Directors
Master's Degree, Southwestern College


If you were to suggest goals to accomplish in the coming years for the board/commission you indicated, what would they be?

Promote Local Aviation & PILOT TRAINING to Youth

Would your appointment to a board/commission indicated create any conflicts of interest due to your employment or business endeavors?

No


Signature of Applicant


Date

SEP 14 2017

Section 8-201 was moved to Chapter 16 during the recodification project of 2009. Ordinance No. 4082, adopted March 15, 2011 repealed Chapter 16.

ARTICLE 2. HEALTH NUISANCES

State law reference—Authority to abate nuisances, K.S.A. 12-1617e; public nuisances, K.S.A. 21-3760, 21-4106, 21-4107, 22-3901.

8-201. NUISANCES UNLAWFUL; DEFINED.

It shall be unlawful for any person to maintain or permit any nuisance within the city as defined, without limitation, as follows:

- (a) Filth, excrement, lumber, rocks, dirt, cans, paper, trash, metal or any other offensive or disagreeable thing or substance thrown or left or deposited upon any street, avenue, alley, sidewalk, park, public or private enclosure or lot whether vacant or occupied;
- (b) All dead animals not removed within 24 hours after death;
- (c) Any place or structure or substance which emits or causes any offensive, disagreeable or nauseous odors;
- (d) All stagnant ponds or pools of water;
- (e) All grass or weeds or other unsightly vegetation not usually cultivated or grown for domestic use or to be marketed or for ornamental purposes;
- (f) Abandoned iceboxes or refrigerators kept on the premises under the control of any person, or deposited on the sanitary landfill, or any icebox or refrigerator not in actual use unless the door, opening or lid thereof is unhinged, or unfastened and removed therefrom;
- (g) All articles or things whatsoever caused, kept, maintained or permitted by any person to the injury, annoyance or inconvenience of the public or of any neighborhood;
- (h) Any fence, structure, thing or substance placed upon or being upon any street, sidewalk, alley or public ground so as to obstruct the same, except as permitted by the laws of the city.

(~~K.S.A. 21-4106-4107~~; Code 1987; Code 1996, § 8-201)

Elkhorn Valley Packing- Complaints, covering the period of August 2016 to present (10/12/2017)

Select Saved Search ▾		Advanced Search Results											Select View ▾	
<input checked="" type="checkbox"/>	Case #	Date	Parcel	Name	Address	Violation	Owner Name	Complaint	Date Completed	Status	Courtesy Mailing Date	Legal Notice Publication Date	Letter	
<input checked="" type="checkbox"/>	1634	10/3/2017	1511203003029000	Elkhorn Valley Packing Co	1509 East 16th	Animal Nuisance	Elkhorn Valley Packing Plant	Offensive odor complaint		Open	10/3/2017			Edit/View
<input checked="" type="checkbox"/>	1545	9/7/2017	1511203003029000	Elkhorn Valley Packing Co	1509 East 16th	Animal Nuisance	Elkhorn Valley Packing Plant	Offensive odor complaint		Closed				Edit/View
<input checked="" type="checkbox"/>	1542	9/1/2017	1511203003029000	Elkhorn Valley Packing, LLC	1509 E. 16th St.	Animal Nuisance	Elkhorn Valley Packing, LLC	Odor caused by plant.	9/1/2017	Closed				Edit/View
<input checked="" type="checkbox"/>	1481	8/23/2017	1511203003029000	Elkhorn Valley Packing Co	1509 East 16th	Tall Weeds/Grass	Elkhorn Valley Packing Plant	Offensive odor complaint		Open				Edit/View
<input checked="" type="checkbox"/>	1453	7/19/2017	1511203003029000	Elkhorn Valley Packing Co	1509 East 16th	Animal Nuisance	Elkhorn Valley Packing Plant	Offensive odor complaint		Open				Edit/View
<input checked="" type="checkbox"/>	1422	7/10/2017	1511203003029000	Elkhorn Valley Packing Co	1509 East 16th	Animal Nuisance	Elkhorn Valley Packing Plant	Offensive odor complaint		Open				Edit/View
<input checked="" type="checkbox"/>	1391	6/21/2017	1511203003029000	Elkhorn Valley Packing Co	1509 East 16th	Animal Nuisance	Elkhorn Valley Packing Plant	Offensive odor complaint		Closed				Edit/View
<input checked="" type="checkbox"/>	1390	6/21/2017	1511203003029000	Elkhorn Valley Packing Co	1509 East 16th	Animal Nuisance	Elkhorn Valley Packing Co.	Offensive odor complaint		Open				Edit/View
<input checked="" type="checkbox"/>	1355	6/13/2017	1511203003029000	Elkhorn Valley Packing Co	1509 East 16th	Animal Nuisance	Elkhorn Valley Packing Plant	Offensive odor complaint		Open				Edit/View
<input checked="" type="checkbox"/>	1343	6/13/2017	1511203003029000	Elkhorn Valley Packing Co	1509 East 16th	Animal Nuisance	Elkhorn Valley Packing Plant	Offensive odor complaint		Open				Edit/View
<input checked="" type="checkbox"/>	1311	6/12/2017	1511203003029000	Elk Horn Valley Packing Co	1509 East 16th	Animal Nuisance	Elkhorn Valley Packing Plant	Offensive odor complaint		Closed				Edit/View
<input checked="" type="checkbox"/>	1298	5/25/2017	1511203003029000	Elkhorn Valley Packing Co	1509 East 16th	Animal Nuisance	Elkhorn Valley Packing Plant	Offensive odor complaint		Closed				Edit/View
<input checked="" type="checkbox"/>	1148	3/21/2017	1511203003029000	Elkhorn Valley Packing Plant	1509 East 16th	Animal Nuisance	Elkhorn Valley Packing Plant	Offensive odor coming from plant		Open				Edit/View
<input checked="" type="checkbox"/>	1130	1/23/2017	1511203003029000	Elkhorn Valley Packing Plant	1509 East 16th	Animal Nuisance	Elkhorn Valley Packing Plant	Offensive odor coming from plant		Open				Edit/View
<input checked="" type="checkbox"/>	1129	1/19/2017	1511203003029000	Elkhorn Valley Packing Plant	1509 East 16th	Animal Nuisance	Elkhorn Valley Packing Plant	Offensive odor coming from plant		Open				Edit/View
<input checked="" type="checkbox"/>	1128	1/18/2017	1511203003029000	Elkhorn Valley Packing Plant	1509 East 16th	Animal Nuisance	Elkhorn Valley Packing Plant	Offensive odor coming from plant		Closed				Edit/View
<input checked="" type="checkbox"/>	1125	1/9/2017	1511203003029000	Elkhorn Valley Packing Plant	1509 East 16th	Animal Nuisance	Elkhorn Valley Packing Plant	Offensive odor coming from plant		Open				Edit/View
<input checked="" type="checkbox"/>	1117	1/4/2017	1511203003029000	Elkhorn Valley Packing Plant	1509 East 16th	Animal Nuisance	Elkhorn Valley Packing Plant	Blood Trail from Transport (drive to turnpike)		Open				Edit/View
<input checked="" type="checkbox"/>	1116	12/27/2016	1511203003029000	Elkhorn Valley	1509 East 16th	Animal Nuisance	Elkhorn Valley	Offensive odor coming from plant		Closed				Edit/View

				Packing Plant			Packing Plant						
<input checked="" type="checkbox"/>	1115	12/23/2016	1511203003029000	Elkhorn Valley Packing Plant	1509 East 16th	Animal Nuisance	Elkhorn Valley Packing Plant	Bad odor/smell in the surrounding neighborhood		Closed			Edit/View
<input checked="" type="checkbox"/>	1114	12/23/2016	1511203003029000	Elkhorn Valley Packing Plant	1509 East 16th	Animal Nuisance		Carcass dropings from plant on highway		Closed	12/22/2016		Edit/View

Records 1 to 21 (of 21)

**RULES OF PROCEDURE
FOR THE CONDUCT OF BUSINESS
BY
THE GOVERNING BODY OF THE CITY OF WELLINGTON, KANSAS
Edition of February 8, 2011**

**Promulgated and Published
By
The City of Wellington, Kansas**

RULES OF PROCEDURE

I. Meetings.

A. Regular Meetings.

Regular meetings of the City Council of the City of Wellington, Kansas, shall be held at such times as are fixed by ordinance duly passed and published as provided by law.

B. Special Meetings.

The Council shall meet in special session at the call of the Mayor or President of the Council, or upon the written request of three members of the council. Such call or written request shall specify the purpose of the special meeting and shall be read at the special meeting and entered at length in the minutes of such meeting. Notice of a special meeting setting forth the time, place and purpose of the special meeting, shall be given by the City Clerk to each member of the Council at least 24 hours in advance of the special meeting, provided, however, that such notice may be waived in writing by individual councilmen. Business transacted at such special meeting shall be limited to that stated in the notice.

C. Place of Meetings.

Regular meetings and special meetings of the council shall be held in the Council Chambers in the City Administration Center at 317 South Washington Avenue in Wellington. The Mayor may change the meeting if, in his opinion, the Council Chambers are not large enough to accommodate members of the public desiring to attend a meeting, or if necessary to otherwise assist the council in carrying out its duties and functions. No meeting of the council shall be held outside the corporate limits of the city. A notice of a change of meeting place shall be posted in a conspicuous place near or on the door of the regular meeting place.

D. Change of Time and Date of Regular Meeting.

The time and date of regular meetings may be changed only by unanimous consent of council members present.

E. Closed or Executive Meetings.

No closed or executive meetings of the Council shall be held unless the requirements of the Kansas Open Meetings Law are met, and the subjects discussed at such meeting shall be limited to those set forth in K.S.A. 75-4319 which are as follows:

- 1) personnel matters of non-elected personnel
- 2) consultation with an attorney on matters that would be deemed privileged in an attorney-client relationship
- 3) employer-employee relations and negotiations
- 4) confidential data relating to financial affairs or trade secrets of second parties
- 5) discussions prior to acquisition of real estate
- 6) matters relating to the security of a public body or agency, public building or facility, or information system of a public body or agency.

No information concerning a closed or executive meeting or session or any matters there discussed shall be made public.

F. Work Sessions.

Work sessions may be held by the Council for the purpose of discussing major items of business at such time as the Council may designate. Even though such work sessions are open to the public, they are primarily working sessions for Council discussion. Members of the public may address the council, but only upon invitation to do so. The Mayor, with the unanimous consent of the Council members present may fix a reasonable limitation on the time persons may address the Council at such sessions.

II. Public Notice of Meetings.

F. Notice

Public notice of meetings shall be given as required by the Kansas Open Meetings Law.

III. Quorum, Attendance, Call of Council.

A. Quorum.

A majority of the membership of the Council members-elect shall constitute a quorum for the transaction of business at all meetings of council.

B. Attendance.

No member of the Council may excuse herself or himself from a meeting without first notifying the Mayor or City Manager.

C. Call of Council.

In the absence of a quorum and upon the advice of the City Manager that there is business before the Council that cannot be delayed, if any Council member present agrees and finds that said business cannot wait, then upon the consensus of the members present, a call of the Council may be requested. Any law enforcement officer of the City may be dispatched to bring before the Council any such members who are absent in a number sufficient to constitute a quorum.

IV. Agenda For Meetings.

A. Regular Meeting Agenda.

The City Manager shall prepare the agenda of business for all regular Council meetings. Any person, or a representative of any group desiring to place a matter on the agenda, shall notify the City Manager of such desire by 5:00 o'clock P. M. on Thursday preceding the next regular meeting. Items of business not on the agenda may be considered by the Council and placed on the agenda by majority vote of the Council members present.

B. Special Meeting Agenda.

Whenever the Council shall be called into a special meeting, only matters stated in the call of the special meeting shall be considered and the agenda for such meeting shall be deemed to be contained in the call of the special meeting.

C. Distribution and Availability of Agenda and Materials.

Upon completion of the agenda the City Manager shall distribute copies of the agenda together with copies of reports, explanations, studies, etc. that relate to business coming to the Council to the Mayor and members of the Council in a timely manner so that the same may be reviewed prior to the meeting of the Council. The agenda of any meeting shall be made available prior to the meeting to any person who requests the same.

V. Conduct of Meetings.

A. *Presiding Officer.*

The Mayor shall be the presiding officer at all meetings and study sessions of the Council at which he is present. In the absence of the Mayor, the President of the Council shall preside at such meetings. In the absence of both the Mayor and the President of the Council, the Acting President of the Council shall be determined by a majority vote of the quorum present at such meetings. The President of the Council or the Acting President of the Council shall not be deprived of any of his/her rights and privileges as a council member, and he/she may move, second, debate and vote on any matter before the Council. The Mayor shall have the power to cast the deciding vote.

B. *Council members, Others - Decorum.*

- 1) Council members. Before speaking every Council member shall address the presiding officer and be recognized by name. Comments of Council members shall be limited to the question under debate and shall not impugn the motives of other Council members' arguments or votes.
- 2) Others. Other persons at the meeting shall not speak unless recognized by the Presiding Officer and each person desiring to address the Council shall approach the podium, state his or her name and address for the record, state the subject, state whom he or she is representing if he or she represents an organization or other persons, and unless further time is granted upon motion, shall limit his or her remarks to five (5) minutes. All remarks shall be addressed to the Council as a whole and not to any member thereof. No questions shall be asked of a Councilmember or a member of the City staff without obtaining permission of the Presiding Officer. The Presiding Officer shall not permit any communication, oral or written, to be made or read where it does not bear directly on the agenda item then under discussion.

C. *Order of Business*

The agenda shall be arranged in the following order of business:

- 1) Call to order.
- 2) Pledge of Allegiance
- 3) Invocation.
- 4) Roll Call.
- 5) Audience participation.
- 6) Approval of minutes.
- 7) Approval of appropriations.
- 8) Correspondence.
- 9) Reports of Mayor and Council members.
- 10) Report of city officials.
- 11) Public hearings.
- 12) Ordinances.
- 13) Resolutions.
- 14) Study items.
- 15) Adjournment.

D. *Disorderly Conduct at Meetings.*

The Presiding Officer may call to order any person who is being disorderly by speaking or otherwise disrupting the meeting and such person shall not be permitted to remain at the meeting except upon special leave of the Presiding Officer. No person shall be removed from a public meeting except for an actual breach of peace committed at the meeting.

VI. Ordinances, Resolutions, and Motions.

A. Ordinances.

All ordinances of the City shall be considered at a public meeting of the Council, and the vote on their final passage shall be taken by "yeas" and "nays", which shall be entered on the journal by the City Clerk, and no ordinance shall be valid unless a majority of all the members-elect vote in favor thereof. When the number of favorable votes is one less than required, the Mayor shall have power to cast the deciding vote in favor of the ordinance. The Mayor has the power, until or at the next regular meeting of the Council to sign or veto any ordinance passed by the Council except ordinances upon which the Mayor casts the deciding vote and appropriation ordinances. Upon the veto of an ordinance, the Mayor must furnish a written statement setting forth his objection to the ordinance. A vetoed ordinance may be passed over the Mayor's veto by a three-fourths (3/4ths) vote of the Council members elected. An ordinance that is neither signed nor vetoed by the Mayor as aforesaid shall take effect without the Mayor's signature and such fact shall be endorsed on the ordinance at the end thereof.

B. Resolutions.

All resolutions shall be adopted or carried only if voted upon favorably by a majority of the Council members present, provided, however, that where the voting is tied, the Mayor shall have the power to cast the deciding vote in favor of the resolution.

C. Motions.

A motion is a formal statement by a Council member of a proposal to be considered and acted upon by the Council. No motion shall be considered or debated until the same have been seconded. No motion, except motions to receive and file, shall be deemed passed unless a majority of the Council members present shall vote in favor thereof, provided, however, that where the voting is tied, the Mayor shall have the power to cast the deciding vote in favor of the motion. Motions to receive and file shall be passed if voted upon favorably by a majority of the quorum of the Council. A motion having been seconded may not be withdrawn by the maker without the consent of the second.

D. Abstention.

Any Council member who abstains from voting on any issue before the Council shall be deemed to have voted with the prevailing side on such issue, provided, however, that such abstention shall not be used as a vote to pass an issue that would have otherwise failed to pass. Any Council member who abstains must first announce the reasons for said abstention prior to any discussion of the issue before the Council.

E. Order of Motions.

Whenever a question is under debate, no motion shall be received except a motion to:

- 1) Adjourn
- 2) Recess
- 3) Vote immediately
- 4) Table
- 5) Postpone to a time certain
- 6) Refer to study session, staff or committee
- 7) Postpone indefinitely
- 8) Amend, if applied to a debatable motion

The foregoing motions shall take precedence in the order in which they are stated above. All of the above motions are debatable except the motion to vote immediately and the motion to amend if applied to an undebatable motion. The following special motions shall be permitted at any time and shall be voted on in the order made and prior to ordinary motions:

- 1) to suspend specific rules
- 2) to take up an agenda item out of order
- 3) to reconsider a vote

A motion to reconsider a vote may be made only by a Councilmember who voted on the prevailing side. A motion to change the order of the agenda is debatable only as to the agenda position to which the item is to be changed. A motion to reconsider a vote is debatable only as to the reopening of the issue.

VII. Public Hearings.

A. Rules of Procedure.

All public hearings, whether or not required by statute, shall be held in accordance with these Rules of Procedure and shall be scheduled to begin at a time certain which shall be the hour the Council convenes. The order of the hearing shall be as follows unless otherwise required by statute:

- 1) Presentation of proponent
- 2) Presentation of opponent
- 3) Council questions

B. Limitation of time to address Council.

The Mayor, with the unanimous consent of the Council members present may fix a reasonable limitation on the time persons may address the Council at such hearing, taking into consideration that such hearing shall afford a full presentation of the facts necessary for a judicious consideration by the Council of the subject of the hearing. Evidence in oral or written form shall be accepted at such hearing if such evidence is relevant or material to the subject matter of the hearing.

C. Continuance of Hearing.

If it appears necessary or appropriate to continue a public hearing, such continuance shall be made to a time certain, and the reason for the continuance shall be stated and made a part of the record of the hearing. After all interested persons have presented all the evidence they wish to present, the Mayor shall declare the public hearing closed, and no evidence shall thereafter be received by the Council, provided, however, that for good cause shown, a public hearing may be reopened, but only after due and proper notice of such reopening has been given to all interested parties.

D. Decision.

The Council, after the close of the public hearing, shall consider the evidence presented and make findings called for in the matter based only on evidence presented at the public hearing and render a decision thereon.

VIII. Record of Meetings.

A. Minutes.

The City Clerk shall be responsible for maintaining the official record and minutes of each meeting and study session of the Council. The minutes shall include the date, time and place of the meeting or session, the Council members recorded as present or absent, all actions of the Council with respect to motions with the name of the mover and the seconder, and the vote of the Council thereon. The record shall also state whether the vote was by voice or by roll call, and when by roll call, the record shall show the "yes", "no" or abstention of each Council member.

IX. Failure to Observe Procedure.

A. Failure to Observe.

These Rules of Procedure are adopted to expedite the transaction of business at meetings or sessions of the Council and are deemed procedural only. The failure to strictly observe any such Rules of Procedure, except those required by statute or ordinance, shall not affect the jurisdiction of the Council or invalidate any action taken at a lawfully held meeting of the Council.