

CITY OF MAIZE GOVERNING BODY MANUAL

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Adopted by the Governing Body on December 4, 2023

This manual is designed for the Governing Body and is particularly helpful for newly-elected or appointed Council members. It contains information about the structure of our City government and the role of the elected officials in that structure. The primary focus centers on the Council meeting, which is where the formal role of the Council member is exercised. Use this manual to learn how to perform your role as a member of the City’s Governing Body.

This manual is to be used instead of the *Governing Body Handbook*, published by the League of Kansas Municipalities. General information regarding Kansas Law and other topics is contained in the League publication, although because the League serves more than 600 member cities having several different forms of governance, the Maize-specific document is most helpful to Maize officials. If your questions cannot be found in this publication, contact the City Manager who will get your question answered.

Being an effective leader and member of a group of elected officials is not something which magically happens just because you are elected or appointed to office. Leadership and team skills must be learned. You will need to listen to the residents of the City and then work effectively with the rest of the Governing Body to achieve the goals for the entire City.

Good Luck!

Remember – when you have a particular problem, chances are somebody else has already dealt with the issue.

So Now You're a Council Member

By their action at the polls, the people of your community have given you a vote of confidence and expressed faith in your ability to act in their best interest. As a newly elected or appointed member of the City Council, you have a lot to learn about providing leadership and governing. But don't take yourself or the business of government so seriously that you don't enjoy it. It can and should be a fun as well as rewarding experience.

Your First Days on the Job

At the first Council meeting in January, newly elected officials are sworn in following the general election in November and receipt by the City Clerk of the Certificate of Canvass from the Sedgwick County Board of Commissioners.

New Council members may be overwhelmed at first by all they need to learn and the amount of time involved. Others are surprised to discover there are limits on their role in making decisions and setting policy. What is clear, however, is that it is a very big job.

Getting Oriented

First thing to do is attend the orientation sessions provided by City staff. During the sessions, the City Manager and directors will brief you on core services and current projects. It is a broad overview of the functions of the City. Tours of key City facilities and services are also provided. Take this opportunity to learn all you can about the City organization, its history, operations and financing. Take time to visit with the Mayor and other Council members to gain an insight into their perspectives and experience.

Review Key Documents

Several days before each Council meeting (usually Thursday), you will receive an agenda packet to read prior to the meeting. You will receive information at orientation sessions that you can read later and use as reference during your time on the Council. You will also receive other documents such as the Code of Meeting Procedure which will help you do your job. Don't be afraid to ask questions; you are not expected to know all the answers immediately. Find out about anything you need to know for a better understanding of City operations and issues facing the community. The information will come fast and furious, so don't worry about going back and getting items clarified or getting a more in-depth explanation until later.

Keeping Some Perspective

- **Pace yourself.**

Recognize that life – and the City – is dependent on a lot of things over which we have little control. Set some priorities, recognize the need to spend time with your family, and don't burn yourself out.

- **Develop a thick skin.**

Remember that they don't dislike you, they just may not like your ideas.

Keeping Some Perspective...

- **Be Yourself.**

Don't try to be someone you are not.

- **Majority Rules.**

Remember, it takes a majority of members to pass any motion. You will need to work with the other members to get things accomplished.

Legal Restrictions

Keep in mind that our City's ordinances, as codified in our municipal code, as well as other legally adopted regulations, such as the traffic code and zoning regulations, must be followed until the Governing Body takes action to amend them. If you are unsure of your responsibilities or authority in certain areas, seek clarification from the City Manager or City Attorney.

Value and Respect Your Staff

Recognize that the City has an experienced and professional staff and that these individuals are a valuable resource – treat them with respect and don't take them for granted.

Much of the staff have served the community for many years and have a valuable historical perspective which can help fill in the gaps for a new Council member.

Take it Slowly

Resist the urge to recommend drastic changes before you know how everything works. Many of the City's policies have evolved over years through trial and error. While some things may appear to need an overhaul, it pays to watch for a while before trying to change things. Don't seek change simply to do things differently! Give yourself some time to learn the fundamentals.

Public and Private Sector Differences

A word of caution... You may have run for office with the pledge to "run the City like a business." While there are similarities, there are some important differences between the public and private sectors that will become apparent as you get used to your new role. Here are just a few of those differences:

- **Most of your work will be done in the public eye.** Consequently, things move more slowly and take more time. The majority of deliberations of the Governing Body are done in public meetings, and most records are available to the public.
- **City programs and facilities don't pay for themselves.** We don't charge fees to cover all costs for programs, such as recreational facilities like parks or a splash pad. These programs are offered as part of the quality of life of the community, which is why they are supported by tax dollars. Also, you want all members of the community to be able to participate and use the facilities, not just the wealthiest. The City has an obligation to all of its residents, regardless of their socio-economic level, to provide a high quality of life.

- **The City is not a “for profit” organization.** Taxes are levied in an amount adequate to provide for the needs of the community, not to make a profit. Even enterprise funds, which are run like a business, only charge for their services so they can meet the current and future needs of the City.
- **You can operate the City in a “business like” manner, but not like a business.** Not all normal business principles apply to a municipality. We are governed by many state and federal laws which businesses are not required to follow.
- **City projects and contracting often must go through a public bidding or proposal process.** This takes time and sometimes costs more. The benefits are enhanced trust in the ethics of city officials and cost-savings in the long run.

General Information

- **Pay.** City Council members receive a stipend of \$300/month for their service plus \$50 per City Council meeting. Because the Mayor’s position includes more duties than the Council, a stipend of \$500/month is provided plus \$100 per City Council meeting. The Council President also has additional duties so receives \$400/month plus \$50 per City Council meeting. Stipends may also be declined or re-directed to the Maize Community Foundation or United Way.

The City participates in the Greater Wichita YMCA’s corporate membership program, which offers significant discounts on memberships for employees, Council Members, and their families. Contact the City Manager for details.

- **Election.** Three Council members are elected at-large to four-year terms in odd-numbered years, and two years later the Mayor and the other two Council members are elected at-large for a four-year term.

Practical Advice

Some pointers to help you be successful

Words of Wisdom...

- Listen.** Listen to everyone until your ears fall off. Soak it up. After six months in office, you will round out the picture of the complexities of City government and your role.
- Read.** Considerable time goes into staff reports provided to you. They contain critical information you will need when considering an issue. If you need additional information, ask for it early enough so it can be shared with the rest of the Council.
- Take notes** for the first six months to help you keep on track.
- Maintain documents** that you will need to refer to in the future. It will help you review items previously covered and save valuable time.
- Don't be afraid to say, "I don't know."**
- Don't make promises you can't deliver!** Policy decisions are made by the Council as a whole, not individual members; administrative decisions are the purview of the City Manager.
- Gear your mind to process** a tremendous amount of seemingly conflicting information.
- Don't enter office with an unmovable set agenda.** Learn as much as you can before taking on a major program or effort. Don't be strangled by campaign promises that were made without sufficient information.
- If you come on board as a big critic** of the "way things have been done," you may be surprised to find how hard the job really is. You'll soon gain a better appreciation for those who came before you.
- Don't waste valuable meeting time** with questions or issues that could have been handled beforehand by a phone call or an email to the City Manager.
- The job can be very complex** – try to stay focused on the big issues. Don't get mired in the minutiae.

Learn from Others...

- Ask for help when you need it.** Don't be afraid to ask the City Manager, the Mayor or other Council members.
- Network with your peers.** Meet with other elected officials from neighboring communities. They can provide support and new ideas. Get involved in the Sedgwick County Association of Cities, the Regional Economic Area Partnership (REAP), the League of Kansas Municipalities (lkm.org), or the National League of Cities(nlc.org).
- Find an experienced mentor** on the Council. Ask for advice when you need help. You'll get empathy and a clearer vision from someone who has been there.
- Ask opinions and listen.** Spend time with those individuals who have different opinions from yours. Listen, don't argue the points, then rethink your position.
- Reference the LKM E.A. Mosher List.** It has 52 tips for successful public service and great information. Available on the LKM website.

Form of Government in Maize

Maize operates under the Mayor-Council-Manager form of government, a system that combines strong political leadership of elected officials with strong managerial experience of a professional City Manager. The Governing Body's role is to establish city policies and priorities. Council members and the Mayor are leaders and policy makers elected to represent the City as a whole by concentrating on policy issues that are responsive to resident needs and wishes.

The City Council appoints a City Manager to execute the implementation of those policies. The City Manager oversees the administration and operations of the organization, ensuring that the entire community is being served.

Home Rule

All cities in Kansas have *home rule* powers, the ability to govern themselves without direct involvement from the state. Home rule powers are conferred directly by the Kansas Constitution on all classes of cities. Cities exercise their home rule powers through passage of an ordinary ordinance or a charter ordinance.

Home rule power is not absolute. Cities must comply with state laws that apply uniformly to all cities and must conform to applicable federal laws and to the U.S. Constitution and the Kansas Constitution. In exercising home rule powers, cities may legislate on any subject other than those reserved to the exclusive jurisdiction of the legislature by the Home Rule Amendment itself.

City Classification

Cities in Kansas are designated by class based on the size of their population. In general, there are no advantages or disadvantages to being one classification versus another. Maize is a City of the Second Class as of January 1, 2024. The official 2023 population estimate is 6,498. City classification is an historical legacy of the state legislature pre-dating Home Rule authority, although it is still a general reference tool for City size.

Additional Related Information

Additional information can be found in Chapter 1 of the *Governing Body Handbook*, published by the League of Kansas Municipalities, a copy of which is available at City Hall.

The principal job of the City Council is to establish the general policies under which the City operates. The Council performs this function by:

- Enacting ordinances, resolutions and policies;
- Establishing City fees and utility rates;
- Approving the appointment of the City Manager, City Attorney, Municipal Judge, members of various boards and commissions, and vacant Council seats;
- Reviewing and approving the annual budget, setting the tax rate and approving the financing of City operations; and
- Authorizing contracts to be executed on behalf of the City.

It is not the role of the Council to administer City affairs. The Council sets policy, and the City Manager actually sees that the policies are implemented.

The City Council gives direction to the City Manager as a body in votes made in public meetings, not individually.

City Council members are elected to look after the interests of the entire City. Your effectiveness depends on you thinking and voting for the needs of the whole community.

Council members must **work together** to provide policy decisions that benefit the community as a whole and provide quality service to all of the City's residents. Once the Council makes a decision, it becomes the entire Council's decision. If you are asked about the issue and do not wish to defend it, simply explain why the Council made the decision it did.

Adopting Policy

The Council does not make policy in a vacuum. The Council relies on input and ideas from many sources, including staff, advisory boards, residents, groups and others. It is the Council's responsibility to consider the merits of each idea and then approve, modify or reject it in a public meeting. In doing so, Council members analyze community needs, program alternatives and available resources. The decision often takes the form of an ordinance or resolution, although it may be in the form of a simple motion.

See Appendix C for more information on advisory boards.

Responding to Resident Complaints

Residents often contact a Council member when they have a problem. You may also be approached by a resident, colleague, or even a friend about City operations, issues or service problems. Many times they approach you because they aren't aware that contacting the City Manager or City staff directly is appropriate. Help them understand this by acknowledging and redirecting them. You may say: "Yes, I can see that upset you. I apologize you had that experience. Have you shared this with the City Manager?" or "I don't have an answer for you right now, but let me look into it and get back with you."

If you personally take on the resident's request, contact the City Manager who will direct the request to the appropriate department or staff person for resolution. Keep in mind that neither you nor the Governing Body has the authority to direct staff to take any action.

So, Who Actually Manages City Operations and Staff?

It is not the role of the Governing Body or any of its members to administer City affairs. The Governing Body sets policy. The City Manager sees that policies are implemented. It is not the role of a Council member to supervise City employees on the job or become involved in day-to-day administration of City affairs. Contact with staff should be through the City Manager except for general questions and even then, the City Manager should be copied or notified.

Relationship with the City Attorney

The City Attorney's job is to provide legal advice and counsel to the City, which includes advising the entire Governing Body, staff, and boards and commissions. If you have been contacted by someone to appear as a witness in your capacity as a Council member or been served a legal notice in your capacity as a Council member, immediately contact the City Attorney.

While generally it is best to ask your questions of the City Manager, who can answer most of them, you can contact the City Attorney directly if you think it appropriate. Remember, although he or she is on salary, the attorney's time is a City resource, so use it wisely. If there is a legal issue that you need an immediate response to, it is better to err on the safe side and call the attorney.

Personnel Management

The Governing Body approves the City's compensation plan and personnel policies. It also hires the City Manager, City Attorney, and Municipal Judge and approves their contracts. All other personnel actions, unless specifically defined in the personnel policy, are the duty and responsibility of the City Manager, who is responsible for the hiring, discipline, promotion, demotion, and termination of all City employees except the City Attorney and Municipal Judge who serve at the pleasure of the Governing Body.

The Governing Body appoints the Municipal Judge, although due to the independent nature of the judicial branch of government, little contact usually occurs with the Governing Body during a judge's term of office. In no circumstance should a Council member attempt to influence a decision of the judge in a case.

Questions & Answers

Q. An employee comes to me with a gripe or problem, what should I do?

A. You should direct the employee to their supervisor, the Human Resources Director or remind them that the City Manager has an open-door policy for all employees. Afterward, give the City Manager a courtesy call to keep them in the loop.

Q. Is the City Manager required to inform Council members prior to disciplining or terminating an employee?

A. No. However, if a particular termination may prove controversial, the manager will likely inform you.

Q. Can we talk about personnel issues during a Council meeting?

A. Not if they are about an individual - this discussion should be done in executive session. You should only discuss general personnel policy issues in open session.

Practical Advice

Some pointers to help you be successful

Leadership...

- Lead by example.** Be honest, consistent, and flexible. Don't play games.
- Use common sense.**
- Don't be stampeded into action** by the strong demands of special interest groups or individuals. Your job is to find the long-term public interest of the entire community.
- Be clear on what you stand for.**
- Be open to others' ideas.** Don't assume that only you know the best way to accomplish things. Every issue will benefit from additional discussion. No one has a monopoly on good ideas.
- Sometimes we underestimate the potential impact of an elected official's leadership.** Use the dignity of your office to help the community get past contentious issues.
- There is a tremendous amount of discomfort in making public decisions.** Sometimes the decisions feel like the end of the earth. It's easy to fear the political consequences. But it is important to look a little more long-term in perspective; weigh everything to reach good decisions.
- You won't be able to satisfy all the people,** and you have to know that. Listen fairly...listen thoughtfully...and then do what you feel is right.

Working with Staff...

- Get to know staff and what they do.**
- Say "Thank you!"** Let folks know how much you appreciate them and give credit where credit is due.
- Treat staff with respect.** They are a very valuable asset, and they have committed themselves to making the community a better place.
- Be consistent.** Treat everyone equitably and keep relationships professional.
- Don't surprise staff at a meeting.** If you have a question or issue, let them know in enough time so they can provide the answer to you.

Roles of the Mayor & Council President **5**

The Mayor is a key political and policy leader. The Mayor presides over City Council meetings, serves as spokesperson for the community, facilitates communication and understanding between elected officials, assists the City Council in setting goals and policies, serves as an ambassador and defender of the community, nominates persons to serve on boards and committees, and then appoints them after Council approval.

The Mayor makes proclamations and serves as a key representative in intergovernmental relations and regional partnerships. Together, the Mayor and City Council form a policy-development team.

The Mayor votes on employment matters of the City Manager and City Attorney, appointment of the Municipal Judge, and charter ordinances. On ordinary ordinances and other matters, the Mayor votes only when the Council is evenly divided.

The Mayor has the power to veto ordinary ordinances unless the Mayor has cast the deciding vote. The Mayor's veto can be overridden by a three-quarters vote of the City Council (4 of 5 members).

The Mayor has signature authority only when so designated by the Council. Staff prepares documents for signature by the Mayor at City Hall.

The Mayor is also tasked with leading the annual performance evaluation of the City Manager. The evaluation process includes sharing a self-evaluation of the City Manager with each member of the Governing Body, gathering input from each Council Member compiling said input into one document, and discussing expectations and accomplishments with the City Manager.

Council President

The Council President is a serving Council member elected by the members of the City Council to serve in the temporary absence of the Mayor. The Council President presides at all Council meetings when the Mayor is absent and performs the ceremonial duties of the Mayor during the Mayor's absence.

When occupying the place of the Mayor, the Council President has the same privileges as other Council members and shall exercise no veto.

During Council meetings, the Council President takes the lead role in assisting the Mayor with meeting management, including but not limited to leading the Pledge of Allegiance, making motions to approve the agenda, approve the consent agenda, recess to executive session, and bring the Council back to order following an executive session, indicating no binding action was taken during the session. The Council President exercises leadership by assisting newer council members with parliamentary procedures and Council norms.

Each year, an election for Council President is held usually during the second Council meeting in January. The floor is opened for nominations, nominations (with seconds) are received, nominees confirm whether they are willing to serve, the floor is closed, and nominees are then voted on publicly. A majority vote of the Council members present and voting is required to elect a Council President. A tie is broken by the Mayor's vote. The term of a Council President is one year or until a new Council President is elected.

When a vacancy occurs in the office of Mayor, the Council President shall succeed to the office until the next regular City election.

Role of the City Manager 6

The Governing Body hires the City Manager to serve the community and brings the benefits of education, training and experience in leading and managing local government organizations, projects and programs.

The City Manager:

- supervises all of the City’s departments and employees to ensure laws and City ordinances are enforced and policies implemented;
- serves as the City Council’s chief advisor and carries out the City Council’s policies;
- recruits, hires, disciplines, and fires employees;
- prepares a budget for the City Council’s consideration;
- fulfills a leadership role in the community as a means of advancing the interests of the City.
- works in partnership with elected officials to develop sound approaches to community challenges;
- helps the governing body develop a long-term vision for the community that provides a framework for policy development and goal setting;
- promotes ethical government through commitment to a set of ethical standards beyond those required by law; and
- encourages inclusion and builds consensus among diverse interests (including elected officials, the business community, and residents).

The City Manager...

- Hires, disciplines and fires employees.
- Carries out the day-to-day activities of the City through the staff.
- Is the senior staff advisor to the Governing Body.

Council members and residents count on the City Manager to provide complete and objective information, pros and cons of alternatives and long-term consequences of decisions and policies.

Similarly, the City Manager relies on City staff to provide professional and well-reasoned information and recommendations, and the highest level of public service possible. See Charter Ordinance 32-23 for more information.

Maize Park Cemetery District

The City assumed operations of Maize Park Cemetery in July 2009. Located at 12733 W. 53rd Street North, the cemetery expanded from its original five acres (1887) by adding five acres in 1986 and has since added another five acres which includes a granite columbarium for cremation urns.

The business of the cemetery district is conducted in an open, public meeting of the City Council acting as the Maize Park Cemetery Board. Meetings are conducted according to the Code of Meeting Procedure adopted for use by the Governing Body. Generally, the Board meets annually to approve the budget for the upcoming calendar year. Cemetery operations are funded primarily by a property tax mill levy for the cemetery district, which is a larger geographic area than the city limits.

Maintenance and operations are routinely conducted by City staff. Regulations and additional information is available at www.cityofmaize.org.

Maize Community Foundation

In 2023, the City Council established a not-for-profit corporation known as the Maize Community Foundation for the purpose of accepting donations for charitable purposes, primarily to fund the Maize Fall Festival and other community events. The Foundation's money is accounted for separately from the City's budget. The business of the Foundation is conducted by its Board of Directors, which is defined in its Bylaws as 4-6 residents of Maize, each of whom is appointed by a member of the City Council to a one-year term.

Actions of the Governing Body 8

The Governing Body adopts policies for the City and itself to provide for safe, equitable and efficient City operations. It also adopts policies to regulate and administer its own conduct and operations. Policies are adopted by the Governing Body in several different forms. These are:

- **Ordinance.** An ordinance is a local law of the City, prescribing rules of conduct. It is used for a variety of purposes, including administrative action, such as establishing the employee compensation plan, or as an action to control the conduct of the public. Ordinances are also used to amend the City’s zoning and subdivision regulations, which are also laws of the City. Passage of an ordinance requires three affirmative votes by the City Council. Even if a position is vacant due to death or resignation, a full majority of the full body is still required. An abstention on an ordinance counts as an abstention and not with the prevailing side as with non-ordinance matters.
- **Charter Ordinance.** Kansas law allows cities to “charter out of” or exempt themselves from some state statutes and establish their own regulations. Passage of a charter ordinance requires four affirmative votes of the Governing Body (City Council + Mayor).
- **Resolution.** This is a less formal action than an ordinance and acts more as an expression of the opinion of the Governing Body. Passage of a Resolution requires a simple majority vote of City Council members present and voting.
- **City Council Policies.** A policy is an internal or administrative action to address issues not covered by a City ordinance, regulation, or the municipal code book and establishes rules and requirements not listed in any of those other publications. Passage of a policy requires a simple majority vote of City Council members present and voting.

When a vacancy on the City Council occurs, the unexpired term shall be filled by appointment by majority vote of the Council within 60 days, following a nomination made by the Mayor. If the Mayor’s nomination does not receive a majority vote, then the vacancy shall be filled by appointment made by the Council.

The Council Meeting 9

The Council meeting is the place to get the critical job of decision-making accomplished. A smoothly managed and productive Council meeting does not necessarily guarantee good results, but it certainly helps.

The Mayor's role is to chair the meeting. As the moderator, the Mayor helps facilitate the meeting while allowing full Council participation, maintains order and decorum, and sees that all motions are properly dealt with as they arise.

Schedule

The City Council meets the 1st and 3rd Mondays at 6:00 p.m. of each month, although some meeting dates are changed due to conflicts with holidays or other special events. Conflicts with Monday holidays are usually remedied by rescheduling to the 2nd Monday of the month. Additional meetings include workshops on important or complex matters, budget workshops, and special meetings needed to take action on time-sensitive items. Regular meetings take place in the Council Room located in City Hall at 10100 Grady Avenue.

The purpose of City Council meetings is to perform city business. Decisions and discussion on agenda items tend to occur best when Council Members are fresh and prepared for discussion.

The Agenda

The agenda is developed by the City Manager and disseminated to the Governing Body and the public before the meeting. The staff prepares a read-ahead packet of information that is normally posted online at www.cityofMaize.org or if requested, on paper delivered to your residence or other designated location on the Wednesday afternoon prior to the meeting.

The read-ahead packet contains the agenda and supporting material for each agenda item. Every item is accompanied by a staff report which gives most if not all of the information in advance of the staff presentation at the meeting. If an item on the agenda is a large size or volume, such as a contract or plat document, the necessary information will be summarized in the agenda packet, and the actual document will be available for review in the City Clerk's office and at the meeting itself. Oftentimes, large documents are posted on the agenda webpage.

The Mayor or Council members can change the order of business or add/delete items the night of the meeting by majority acceptance from the Council during the Approval of Agenda section of the meeting.

The Meeting

Even the best-planned Council meetings can deteriorate into endurance contests. These are not always the most productive meetings – exhausted people don't always make the best decisions. In order to have a smooth-running meeting, the following is the order of business for the Council meeting and the procedures that will be followed.

1. **Call to Order**
2. **Roll Call:** Roll call by voice of all six governing body members.
3. **Pledge of Allegiance/Moment of Silence:** The Mayor leads the flag salute.
4. **Approval of Agenda:** Approval or modification of the meeting agenda.
5. **Presentations:** If there are any presentations or proclamations to be made, they will normally be done at this point in the meeting.
6. **Public Comments:** This is to allow the public to comment on any subject relevant to City government. Introduction or endorsement of candidates for public office and degrading or defamatory comments concerning a person, business, or organization are not allowed. If the issue is on the meeting agenda, the Mayor may ask for comments to be made when the item is called rather than during Public Forum. People making comments are required to go to the podium, state their name and keep their comments to 5 minutes. If they have written material to share with the Governing Body, they may pass it to the City Clerk for distribution to the Council dais. They must also provide a copy to the City Clerk. The Mayor with Council approval may limit the amount of time to speak or the number of speakers if the same comments are repeated or it hampers the progress of the meeting. The Public Forum is also an opportunity for Council members and staff to make comments or pass on information.
7. **Consent Agenda:** The consent agenda is a tool used to streamline Council meetings. Routine, non-controversial items are listed collectively on the agenda and are passed with a single motion and vote.
 - The Mayor asks if any Council member wishes to remove an item from the Consent Agenda (so discussion can occur on the item).
 - No discussion is allowed on consent items.
 - If a Council member wants to discuss an item, he or she must make a motion to have an item removed from the consent agenda for separate consideration. The motion must be carried by majority vote. Items pulled from the consent agenda require a separate motion to approve, and discussion can take place on that item once a motion to approve has been made and seconded.
 - The remainder of the consent agenda can be voted on, omitting the items removed for discussion.
 - The following items will generally be placed on the Consent Agenda:
 - i. Approval of the minutes from the prior meeting.
 - ii. Purchases valued at less than \$50,000 that are in the approved budget and for which the low bid is recommended;
 - iii. Acceptance of low-bid contractors to construct infrastructure already approved by Council resolution unless more than \$50,000 in City-at-large funding is involved;
 - iv. Minor amendments to developer petitions or resolutions and re-spreading of special assessments that do not affect City finances or policy;

- v. Vacation of easements, alleys and access controls approved by the Planning Commission;
- vi. Mayoral appointments to boards and commissions (not Maize Recreation Commission or City Council);
- vii. Donations valued \$500 or less and donations of greater value but for which the donor has indicated no desire for recognition at a council meeting;
- viii. Routine annual actions like codification of ordinances, declaration of surplus property, nuisance abatement assessment ordinances, updating of city boundaries, and resolutions for infrastructure improvements paid by property owners for which petitions are already approved by the Council and for which no city funding is required.
- ix. Consent annexation requested by the property owner.

- The following items shall not be Consent Agenda items: Bond financing resolutions or ordinances, charter ordinances, items requiring special consideration or discussion, and public hearings.

8. Business: Items are listed on the agenda in the order in which they will be addressed. The regular agenda includes any unfinished business and new business. Normally items on the agenda are for action, but there may be instances when items for discussion are included as an informational presentation either for the benefit of or at the request of the Governing Body.

9. Reports: Generally, reports from department directors are presented monthly at the second meeting of the month and are followed by reports from Council members and Mayor.

10. Executive Session

11. Adjournment

Executive Sessions

Closed sessions are authorized by the Kansas Open Meetings Act (KOMA) after a formal motion has been made, seconded and carried to recess into executive session. Executive sessions may occur at any point during the meeting. No formal action of the City Council can be taken during an executive session. The most common topics that can be discussed in executive session are:

- Personnel matters of non-elected personnel;
- Consultation with attorney on matters deemed to be of attorney-client privilege;
- Data relating to financial affairs or trade secrets of second parties;
- Preliminary discussions about acquisition of real estate; or
- Discussions concerning security matters.

The content and discourse of executive sessions are not to be told to anyone nor discussed outside the session, even with other Council members. Any official who knowingly violates KOMA is liable for payment of a civil penalty of up to \$500 if the action is brought by the Kansas Attorney General or the Sedgwick County District Attorney and may be sanctioned by the Governing Body. For more detailed information on KOMA, refer to the League's *Governing Body Handbook*.

Meeting Guidelines

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| <ul style="list-style-type: none">▶ Meetings start on time.▶ Meetings end at a reasonable hour.▶ Stick to the agenda.▶ Stay focused and act efficiently – be respectful of other people’s time.▶ Don’t attempt to engineer “how to” details at the meeting.▶ Stay on topic, don’t jump to other items or away from the topic at hand.▶ Members do their homework. | <ul style="list-style-type: none">▶ All members participate.▶ Members do not engage in side conversations during the meeting.▶ Members actively listen to each other, to speakers, and to presenters.▶ Don’t “hog” the conversation; let other Council members state their thoughts.▶ Unnecessary meetings are not called.▶ Packed audiences do not unduly sway the Council. |
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Voting Guide

Quorum

A majority of Council members must be present at the meeting to constitute a quorum. This means four members of the six-member Governing Body must be present.

Abstentions

Council members are discouraged from abstaining from voting on any issue before the Council, unless a conflict of interest exists. When a statutory conflict of interest exists, the member should explain they have a conflict, excuse themselves before discussion begins and leave the Council Room until the item has been resolved by the remaining members.

For those non-ordinance matters where an abstention is used, such a vote shall be counted as for the prevailing side.

Mayor’s Voting Power

The Mayor may vote only in case of a charter ordinance, as a tie-breaker when the City Council is equally divided on a vote, on matters involving employment of the City Manager or City Attorney, or on appointment of the Municipal Judge.

Mayor’s Veto Power

The Mayor may veto an ordinance, but the mayor’s veto can be overruled by four members of the Council.

Questions & Answers

Q. Can the Mayor unilaterally adjourn an uncompleted Council meeting?

A. No, not in normal circumstances. The Mayor can request that a Council member move that the meeting be adjourned, but the motion and subsequent vote are up to the Council. If there is a disruption during a Council meeting which requires a break in the meeting to restore order, it would be appropriate for the Mayor to announce that the meeting is recessed for ten minutes, but other than such circumstances, it is up to the Council whether they wish to continue dealing with business.

Q. Can the Mayor call on whichever Council members the Mayor prefers for speaking privileges?

A. No. The Mayor recognizes Council members in the order in which they request to speak.

Q. Can the Mayor unilaterally cut off debate?

A. No, cutting off debate requires a motion to call the question. It requires a second and a majority vote. As a meeting management tool, the Mayor may suggest when debate has extended past the point of new information being shared or when the hour is late.

Q. If the Council passes an ordinance at one meeting, can that ordinance be reconsidered at the subsequent meeting?

A. No. If the ordinance was passed and signed by the mayor, then the ordinance can subsequently be amended or repealed, but not reconsidered.

Meeting Survival Tips...

- **Prepare in advance** of meetings and be familiar with the issues on the agenda.
- **Be careful with executive sessions.** Only use executive sessions for issues that are specifically allowed. Ask the City Attorney if you have questions on whether a topic would be allowed.
- **Be courteous to each other and members of the public;** let them know you appreciate their comments.
- **Don't spring surprises on fellow Council members or City staff,** especially at public meetings. If a matter is worth discussing, it is worth putting on the agenda. Surprises may get you publicity, but they may embarrass others and tend to erode the "team" approach to governance.

Public Participation at Council Meetings 10

The public evaluates the performance of its elected officials to a great extent by what happens at meetings. Many residents form their total opinions of the City government on the basis of having attended just one Council meeting. This is the time to impress the public favorably and show them that the Council is capable of doing its job.

Public Comments at Council Meetings

The “Public Forum” period is a time slot set aside on the agenda for people to address the Council on any subject relevant to the City government, its policies, operations, or services. It is not to be confused with a public hearing, which is a formal proceeding conducted for the purpose of discussing a specific topic, such as the City budget.

Anyone wishing to address the Governing Body must speak from the podium (unless accommodations are needed due to disabilities) and introduce themselves. Comments are limited to five minutes in length. If additional presentation time is requested by the individual or group addressing the Governing Body, additional time up to three (3) minutes may be granted only by motion, second, and majority vote of the City Council.

While providing an opportunity to speak on any topic of concern, the Mayor is responsible for maintaining order and decorum and will discourage the speaker from making personal attacks or inflammatory comments. In many cases, the speaker will be directed to meet with staff to resolve the issue or get questions answered.

If the speaker has documents they wish to share with the Governing Body that support their comments, they must also provide a copy to the City Clerk. If they email them in advance to the City Clerk, the City Clerk will provide copies to the Governing Body.

Other than asking a question to clarify a statement, Council members should refrain from entering into a dialogue with the speaker. This time on the agenda is not intended for a discussion between the Governing Body and the speaker and should not be used for that purpose.

If speakers engage in personal attacks on any member of the Governing Body or staff, try to maintain a neutral face, keep emotions in check, and do not ask questions or approve additional time. The First Amendment allows people latitude in what they say.

Council members are expected to be polite to people appearing before them, but there also is no requirement for a Public Forum at each Council meeting.

Comments on Agenda Items during the Meeting

The City Council meeting is designed for the Governing Body to discuss and make decisions on the various issues on the agenda. Other than asking for clarification, discussion should be limited

to members of the Governing Body. At no time will members of the audience be allowed to enter into the discussion from their seats in the audience. If recognized by the Mayor, they may be allowed to speak at the podium during the discussion if the Mayor believes their comments are germane to the topic and necessary or helpful for the Governing Body to continue its discussion or make a decision.

Each speaker should only speak once unless clarification is requested by the Mayor.

If a planning item is on the agenda which had a public hearing as part of the process with the Planning Commission, the Mayor will not normally ask for public comment, as they had their opportunity to do so at the public hearing with the Planning Commission. The Governing Body will have minutes of the prior public hearing so they can take those comments into consideration during their deliberation. *Comments are not normally allowed on an item due to the possibility of new information being presented outside the official public hearing which could open the door to potential litigation.*

Public Hearings

When an item requires a public hearing, by statute, the Mayor will open the public hearing and facilitate the hearing. Public comments can be made in the same manner as the Public Forum agenda item. Reasonable limitations on the number of speakers and time allowed to speak may be imposed by the Council to keep the meeting moving. Public hearings are held to gather data and opinions from those affected to facilitate decision making.

Public hearings also afford the public due process prior to key decisions by the Council (and boards and commissions). Due process requires that public hearings be fair, open, and impartial.

Ex parte communications are those received outside of the formal public hearing. To protect the due process rights of all, it is important that ex parte communications be disclosed and made a part of the record at the public hearing.

Prejudgment of an issue is a denial of due process. It is essential that members of the Governing Body retain an open mind and a willingness to listen to all the evidence and make their ultimate decision as a result of the public hearing even if they have received information prior to the public hearing.

How to Deal with Criticism...

- **At some point, the Council's action must be defended.** Try to help people understand the factors that influenced the Council or discuss the parameters that influence an impending decision which is under attack.
- **When attacked, think carefully before responding.** Know your facts. Be truthful. Credibility is your most important asset in dealing with your critics.
- **Don't belittle small but vocal sources of opposition.** Don't label people.
- **Don't argue.** Maintain decorum and don't get drawn into an argument.
- **Remember that groups fostering a narrow self-interest will self-destruct** through an inability to gain mainstream support. Don't overreact.
- **Keep in mind that anger is directed at your role,** not at you as an individual. Finally, while remaining respectful, keep a sense of humor.

Meeting Savvy

Consider these pieces of advice when preparing for a meeting:

- **Read the material you have been given for the meeting.** This will give you a good understanding of the issue and allow you to intelligently consider and discuss the issue.
- **Don't try to please everyone.** This simply does not work and makes you look weak and indecisive.
- **Don't waste quality meeting time dealing with routine questions or complaints** that can be resolved by staff outside the meeting.
- **Alert the Mayor and City Manager before the meeting if you intend to bring up an important issue.** This simple courtesy will help staff prepare background information and avoid embarrassment.
- **If you disagree with a significant statement or proposal made by a colleague or staff member at a meeting, express the disagreement in a respectful manner.** Silence may be interpreted by staff as agreement, and they may take action based on that assumption.
- **Practice civility and decorum in discussion and debate.** Avoid personal comments that could offend other Council members, the Mayor, staff or the audience.
- **Honor the role of the Chair (Mayor).** Council members should honor the role of the Chair to focus discussion on agenda items and ensure the meeting moves along in a reasonable manner. If there is disagreement about the agenda or Chair's actions, those actions should be voiced politely and with reason.

How to Aid Discussion by Asking the Right Questions

Questions are one of the most important tools you can use to obtain information, focus the group, and facilitate decision making. Here are some samples:

Asking of Colleagues

- What do you think about this item?
- What do you think the proposed action will accomplish?
- Would you please elaborate on your position?
- What results are we looking for?
- How does this fit into our priorities?

Asking Staff

- What other alternatives did you consider?
- What are we trying to accomplish with this?
- What are the benefits and drawbacks?
- Will you please explain the process?

Asking of the Public

- How will this proposal affect you?
- What are your concerns?
- What other ways can you suggest for solving the problem?

Preventing and Resolving Conflicts 12

“Always do right. This will gratify some people and astonish the rest.”

-- Mark Twain

It is essential for Council members to understand their role and how it relates to the roles of the Mayor, City Manager, staff and other Council members. Many conflicts in City governments are the result of confusion as to these roles and the consequent overstepping of the boundaries between the respective roles.

Preventing and Resolving Conflicts with the Mayor

The Mayor retains flexibility to perform the functions of the Chair of the Governing Body within the policies and regulations established by the City Council. Council members need to respect that role and work with the Mayor to advance the goals of the City. While the Mayor does not vote on most issues, the Mayor’s comments and thoughts should be acknowledged and respected. If you have a disagreement with the Mayor, you should meet one-on-one in private to discuss and resolve the issue. If it is a matter that comes up in the course of a meeting and cannot wait, politely and respectfully voice your concern or issue. If it is something that falls within the authority or purview of the Mayor, accept the Mayor’s decision.

Preventing and Resolving Conflicts with other Council Members

Any conflicts or disagreements with other Council members should be done one-on-one, in private, keeping in mind requirements of the Kansas Open Meetings Act. If it arises during a meeting and cannot wait, then ask for additional clarification or reasoning and center your discussion on the issue, not on the person. Avoid personal comments that could offend other Council members and remember respectful behavior even in private.

Council Member Communication with Staff

Requests for information should, in almost all cases, go to the City Manager. If it is a simple request for easily retrievable information that would not involve additional research, then you can email the Department Head directly while copying the City Manager. If you are in doubt about what staff contact is appropriate, ask the City Manager. Any request for a meeting with staff must be directed to the City Manager, unless, again, it is for the purpose of obtaining simple information.

Consider the impact on staff of your requests for information. Do not solicit political support from staff. Also remember as an individual Council member, you do not have the authority to direct the City Manager or any employee to do anything. All direction comes from you acting in concert with the rest of the Governing Body in a public meeting.

Staff Communication with Council Members

Staff should not contact Council members unless they are responding to a simple request for information, providing pertinent information, or have been otherwise directed to do so by the City Manager. If contacted by staff for any other reason, tell them they need to contact their Department Head or the City Manager. Do not get involved in personnel actions nor allow staff to think they can directly influence you somehow.

Roles of the City Manager and the Governing Body

In order to alleviate potential conflicts, it is important to understand the role of the Governing Body and the City Manager in the functions of the City. The following table describes most areas of possible conflict or confusion and lays out the role and responsibility for each party.

Policy Making and Implementation

City Manager	Governing Body
Keep Council informed	Listen to residents – keep track of their concerns and wishes
Propose policy	Discuss, develop and adopt City policies
Implement policy adopted by the Governing Body	Hold City Manager accountable for policy implementation
Report back regarding policy implementation, effectiveness and possible improvements	

Personnel Matters

City Manager	Governing Body
Hire, supervise, discipline, promote, demote and fire all City employees except City Attorney and Municipal Court Judge	Adopt personnel policies, establish positions, set pay scales and benefits

Budget and Strategic Planning

City Manager	Governing Body
Work with staff to develop preliminary budget and departmental strategic plans	Adopt city-wide strategic plan which provides framework for the budget
Present budget to Governing Body and facilitate deliberation process	Discuss and adjust proposed budget to meet established goals and priorities; adopt budget, set mill levy, utility rates and other fees
Implement budget adopted by Governing Body, provide regular financial reports and present alternatives when City is faced with budget issues	Review financial reports and annual audit; make decisions to amend budget when necessary

Meetings of the Governing Body

City Manager	Governing Body
Prepare agenda; review the agenda highlights with Governing Body members in advance of the meeting; attend meetings; report to Governing Body on matters involving City administration; propose policy initiatives or changes	Deliberate on all agenda items; take action on all agenda items; approve policy initiatives and changes

Land Use and Planning & Code Enforcement

City Manager	Governing Body
Supervise Planning staff, who make recommendations to the Planning Commission and Governing Body on a broad range of planning issues and who implement the plans and regulations approved by the Planning Commission and Governing Body	Adopt and amend zoning code, subdivision regulations and comprehensive plan after receiving input from staff, residents, Planning Commission and others
Supervise codes administration and ensure regulations are enforced fairly and equitably	Relay questions and concerns to the City Manager

City Expenditures & Contracts

City Manager	Governing Body
Sign contracts, change orders within the project budget and scope, and commitments up to \$25,000; ensure supervision and enforcement of contracts; recommend a purchasing policy and, once adopted, implement the policy	Authorize execution of contracts, change orders in excess of the project budget and scope, and commitments over \$25,000; approve a purchasing policy; approve expenditures according to the purchasing policy

Relationships with Other Entities

City Manager	Governing Body
Represent the City and speak on its behalf when coordinating and working with other governmental entities	Members may serve as City representative on certain intergovernmental bodies or speak on behalf of the City when designated or as required

Checklist for Monitoring Conduct

- Will my decision/statement/action violate the trust, rights or good will of others?
- What are the motives and spirit behind my actions?
- If I have to justify my conduct in public tomorrow, will I do so with pride?
- How would my conduct be evaluated by people whose integrity and character I respect?
- Even if my conduct is not illegal or unethical, is it done at someone else's expense? Will it destroy their trust in me? Is it just and morally right?
- Does my conduct give others a reason to trust me?
- Am I willing to take an ethical stand when it is called for? Am I willing to make my ethical beliefs public in a way that makes it clear where I stand?
- Can I take legitimate pride in the way I conduct myself and the example I set?
- Do I listen and try to understand the views of others?
- Do I question different points of view in a constructive manner?
- Do I work to resolve differences and come to mutual agreement?
- Do I support others and show respect for their ideas?
- Will my conduct cause public embarrassment to someone else?

Practical Advice

"The most important single ingredient in the formula of success is knowing how to get along with people."

Franklin D. Roosevelt

- **Keep disagreements from getting personal.** Discussion should be about the policy and not personalities.
- **Always be courteous to other Council members,** especially new ones who may not have a full grasp of the issue.
- **Address conflict head on.** Putting an item off to another day does not solve the problem.
- **Don't be overly swayed by a few people who called you or are in the audience.** Remember, you were elected to represent everyone in your ward, not just the few that show up for a meeting. Do what's right for the entire community!
- **The secret to successful politics is compromise!**

Part of being a public official is being subject to public scrutiny. Like it or not, the public expects you to behave according to a high level of ethical standards.

State Ethics Laws

Kansas state law contains certain requirements to achieve a fair balance between public and private interests. The law requires members of the Governing Body to file a Statement of Substantial Interest (SSI) to disclose to the public the ownership by the official and their spouse of certain personal financial interests. **Every elected official should verify their SSI is on file in the Sedgwick County Election Office.** Elected officials must file an updated SSI between April 15 and 30 if any changes occurred the past year. The City Clerk usually sends a reminder to members of the Governing Body once a year. Contact the City Clerk, City Manager, or City Attorney if you have questions.

Code of Ethics

Public officials have the duty of serving the public with undivided loyalty, uninfluenced by any private interests or motives. Care must be taken not to violate this duty of trust, either in fact or appearance.

Conflict of Interest

A practical definition of when you have a conflict of interest is when your personal interests or life intersect with your official position. It may be an appearance issue rather than an actual conflict of interest according to the law. Either way, you should recognize the situation for what it is and develop your strategy to address it in an ethical way.

If a Governing Body member has a statutory conflict of interest on a matter before the Governing Body, before the item is presented for consideration, that person should announce the potential conflict and excuse themselves from the Council Room until the matter has been addressed by the remaining Governing Body members. If there is a question of real or perceived conflict of interest, the Council member with the potential or real conflict should contact the City Manager or City Attorney for an interpretation of the situation prior to the meeting.

Generally, a conflict of interest that would require abstention from the matter would occur in two situations. The first is when the City contracts with a private entity. A member of the governing body may not participate in making a contract with an entity in which they have a substantial interest (financial stake, including employment, or a leadership role such as serving on a board of directors).

The second occurs when the governing body takes up a matter in which a member has an interest that is different in kind or degree from that of others affected by the decision. For example, when

the governing body discusses a policy of general applicability to land development, a governing body member involved in real estate or land development does not have a conflict unless the impact of the policy on that member would be different from the impact on others having similar business interests.

Keeping Out of Trouble

The following are some common areas where you can get in trouble by violating state law or City code:

- Violating the Kansas Open Meetings Act (KOMA). Violation occurs when three or more Governing Body members meet in person, by telephone, via email, using social media, or by any other means of interactive communication for the purpose of discussing the business or affairs of the public body or agency.
- Conducting a “serial meeting” has been a particular concern under KOMA. A serial meeting involves successive interactive communications collectively involving a majority of the membership, such as by email or using social media, sharing a common topic of discussion concerning public business and intended by any participant to reach agreement on a matter that would require binding action.
- Not disclosing a conflict of interest during Governing Body deliberation, nor refraining from participating in discussion and/or voting on something in which you have a conflict of interest.
- Disclosing information discussed in executive session.
- Not disclosing ex parte communications when a quasi-judicial matter is before the Governing Body.
- Using your office for personal gain or profit.

If you're not sure what to do, ask: Is it legal? Is it ethical? Is it the right thing to do?

The media is the conduit through which most City business and goings-on reach the public. As such, the news media and social media activity highly influence how the public perceives you and your actions. Elected officials who understand the important role of the media in building public trust and who take a proactive approach to local reporters can go a long way to build positive relationships. These relationships, in turn, are more likely to result in fair, accurate coverage.

Everyone Has a Role in Media Relations

All media inquiries and requests should go through the City Manager, or designee. The City Manager will act as a spokesperson in most circumstances. Occasionally, the Mayor or the appropriate key staff will perform an interview. Nonetheless, every elected official should be prepared to be approached by the media and be asked about questions surfacing on social media sites.

Staff will do all the legwork in fielding calls from the media, providing them information, sending out news releases, and organizing media events such as interviews. You will receive an email via the website on all news releases and be contacted by the staff when it's important for you to give an interview.

Tips for Social Media

1. Before posting, consider how your post might be perceived. Are you the best person to relay the information? Was your knowledge of the subject learned in executive session or a private meeting with the City Manager? If so, can you keep that information separate from information that should be shared with the public?
2. Sometimes identifying yourself as a Council member will result in complaints or questions about other topics being directed to you. Refer people to the appropriate City office for assistance (if you don't know, just advise them to call City Hall at (316) 722-7561) or ask the City Manager or Deputy City Manager for assistance in developing your response.
3. Engaging on social media can result in excessive back and forth, especially on complex topics. Consider suggesting a phone call or meeting to explain an issue and listen to concerns.
4. Do not represent yourself as the City spokesperson. The City has an official account on Facebook, Twitter, etc. to post announcements and respond to questions.
5. When you see a post to which you believe the City should contribute, text or call the City Manager or Deputy City Manager for assistance.
6. Consider using a disclaimer on your personal site such as "The posts on this site are my own and do not necessarily reflect the views of the City of Maize."
7. Remember that social media posts and discussion could result in violations of KOMA.

Tips to a Great Interview:

- Tell the truth.
- Be courteous and don't play favorites.
- Nothing is "off the record." Ever!
- Always assume that a microphone is live.
- Don't rely on, "No Comment." Try to say something, even if it's: "I'm sorry, but I cannot comment on pending legal matters."
- Never say anything you wouldn't want printed or broadcasted.
- Listen carefully to the reporter's questions. Pause...think...ask for more time if you need it.
- Don't repeat a reporter's negative question in your answer. Reframe the issue accurately.
- Do not speculate. Respond only to the question you've been asked. Avoid giving well-intentioned but potentially inaccurate information.
- Get to know your reporters. Read their columns regularly. If you see a particularly good article, give the reporter a sincere and timely compliment. Mention the article by name or topic.
- If giving a telephone interview, go to a quiet room without distractions. When a question is asked, take a moment to collect your thoughts before responding.
- Use the "Five C's to Interview Success." Speak with *conviction* in a *conversational* manner while retaining your *composure*. Be *confident* and *colorful*.
- During times of crisis, residents need to hear a calm, reassuring and well-prepared message. Do not speculate or guess about the situation. Give facts.

Planning Ahead

An interview with the reporter will go better with some simple advanced planning. Ask what the topic and angle of the story is to be. You don't have to give an interview right away; you can ask for time to prepare. Also...

- Soundbites.** Develop a short list of your main talking points, and put them into "soundbites" of 7 to 12 seconds each and repeat these key points several times during the interview. This will help the reporter hone in on the message and more easily format the interview for publication.
- Tough questions.** Be prepared for difficult questions. Think, "If I were the reporter, what would I ask?" Then, instead of responding to a negative question, be prepared to turn the question to make the point you wish.
- Body language.** Be aware of how body language can send a different message from the one intended. Practice appearing open and relaxed whenever you speak with a reporter. Look at yourself in the mirror. Are you rocking (on your feet or in a chair!), fiddling with jewelry or jingling coins in your pocket? All are distracting and make you appear unprofessional. Crossed arms may be interpreted as a defensive sign. Instead, assume the "soldier stance" with arms at your sides and feet slightly apart; relax and gesture naturally.

- ***What Not To Wear.*** When appearing on camera, put thought into your wardrobe. Dress conservatively, no stripes or busy designs. Do not wear white next to the skin; it washes you out. Wear colors that complement your skin tone, hair color, and personality. Solid-colored saturated blues and greens are best.

- ***Practice.*** Practicing in advance with someone close to you can put you at ease.

The budget is one of the Council's strongest policy-making tools. Spending guidelines are a reflection of numerous policy decisions. The budget can give a new Council member a clear view of City policy on many issues.

Setting policy through the budget is a continuous, year-long process. It involves setting goals and establishing priorities. Public participation is critical to the budget process, as well as being required by law, because of the many policy decisions involved. Once a budget is adopted, Council members monitor program progress through periodic reports from staff. If programs are not effectively implementing policy decisions, revisions can be made.

The Governing Body deals with three *types* of budgets in the master budget document:

- An operating budget is for delivering services like police, parks, public works, and administration. The operating budget enables you to set policy. When most people think about their city's budget, they're referring to the operating budget. The operating budget is financed from the City's ongoing general revenue sources.
- Utility services or special proprietary facilities provided by the City are separately funded through user fees. These funds are called Enterprise Funds. Officially, the City of Maize has two: Wastewater and Water.
- A capital budget determines which capital improvements will be bought or built during the budget year and how they will be financed. The master budget document also includes a Capital Improvement Plan (CIP), Equipment Replacement Plan and Vehicle Replacement Plan for a 5-year planning period.

The Legal Document

In Kansas, budgets must be balanced – anticipated revenues must equal forecasted expenditures. Unexpected revenues can be appropriated by a supplemental budget modification or can be allocated to reserve funds or to the following year's beginning balance. Expenditures which exceed revenues can be made only by the Council transferring funds from reserve accounts or by issuing interest-bearing warrants.

Budgeting Method

Maize uses a line-item or incremental budget. The budget is prepared by adjusting expenses based on current expenditure levels. It shows how much money will be spent on every element of expense, or line item, in every department.

The Budget Calendar

The budget is a living document and can be amended or adjusted throughout the year, as necessary. The standard time table the City follows to prepare the next year's budget generally starts in March when the City Treasurer/Finance Officer reviews how the previous year ended and previews the budget development process at a regular meeting of the City Council.

The City Manager, Deputy City Manager, and City Treasurer/Finance Officer meet one-on-one with each department to scrutinize their proposed budgets and CIP requests, adjusting them as necessary.

In June, a City Council workshop is held to review the Capital Improvement Plan (CIP) and major budget issues. In July, the City Manager presents the recommended budget to the Governing Body where it may direct staff to adjust the budget as it deems necessary.

In August, a public hearing is held, and the City Council adopts the budget before the deadline set by state law.

Fiscal Calendar

The fiscal calendar for the City is the same as the calendar year, meaning each fiscal year begins on January 1 and ends on the following December 31.

Putting the Budget Together

The following is the budget process. It is definitely a team effort involving the Governing Body, City Manager and staff.

- **Setting Goals**

The Governing Body establishes goals at its annual planning retreat and in several council meetings throughout the year when it updates its priority list. The Budget workshop is the Governing Body's opportunity to review the City's programs and its priorities and consider necessary and desired changes for the coming fiscal year. The outcome of Council workshops and actions taken at Council meetings provides guidance to the staff for preparing the budget.

- **Estimating Expenditures**

Departments prepare estimates based on a projection of current trends, a forecast of the effects of new programs, and an estimate of what is needed to operate and maintain their services.

- **Reviewing Estimates**

Management and Finance staff review departmental requests, taking into account policy objectives and priorities for new or expanded programs. What develops from this is a preliminary budget.

- **Estimating Revenues**

The Finance Director reviews revenues, asking “What are the factors affecting future revenue flows, and what is the estimated level of revenues for the upcoming budget period?” Once these questions are answered and reviewed by Management, revenue estimates are established and used in the preliminary budget.

- **Adopting the Budget**

The City Manager presents the budget to the Council and the public for review and adoption. Adoption of the budget authorizes funding specific expenditures with specific resources. As approved, the State budget forms are prepared and submitted to the State within its prescribed timelines.

- **Implementing the Budget**

The City Manager implements the budget adopted by the Council, and the Finance Director provides the Council with periodic reports showing accrued revenues and expenditures and a comparison of budgeted revenues and expenditures.

- **Annual Audit**

The City has an audit conducted by an independent auditor every year, and an Annual Comprehensive Financial Report is prepared by staff. The audit report contains information on cash balances, revenues, and expenditures. If there are any irregularities in budgeting and expenditure practices, they are reported. The Governing Body is provided a copy of the audit report, and the company which conducts the audit also makes a verbal report to the Governing Body.

An Inside Look

Now that you know how the budget works, it is important to understand what the budget is and what it is not.

The budget:

- Expresses your community’s priorities.
- Works as a plan to identify resources and expenditure flows.
- Operates an annual work program by guiding program management and evaluating existing expenditures.
- Responds to change. The budget process is dynamic – it has to be flexible to meet public needs, keep up with technology and adjust to financial circumstances.

But the budget can’t do it all. It will not:

- Be precisely accurate. The budget relies on estimates based on forecasts.
- Create efficiency. The budget is a resource allocation plan. It can’t overcome obstacles in management or staff structure.
- Establish public policy. Public policy is established through careful discussion before the budget is prepared.
- Make everyone happy. There will be winners and losers!

Budget Do's and Don'ts

Do:

- Evaluate materials and data carefully before you speak.
- Show your appreciation for staff. Respect their experience.
- Explore creative ways to meet your City's needs.

Don't:

- Expect to be an instant expert.
- Drown in details.
- Criticize previous budgets until you know all the facts and can correctly interpret them.
- Try to immediately change traditional budget practices.

Suggested Leadership Reading List **16**

The following books may be of use as you assume your new role as an elected leader.

- The OnTarget Board Member - 8 Indisputable Behaviors, by Mike Conduff, 2015
- For the Common Good: Redefining Civic Leadership, by David D. Chrislip & Ed O'Malley, 2013
- Getting Out of the Box, by The Arbinger Institute, 2010
- The Power of Positive Leadership: How and Why Positive Leaders Transform Teams and Organizations and Change the World, by Jon Gordon, 2017
- The Idea Team Player: How to Recognize and Cultivate the Three Essential Virtues: A Leadership Fable, by Patrick Lencioni, 2016

Best of luck in this new adventure!

Definitions

Amendment. A change or addition which changes the meaning or scope of an original formal document. Often these are laws or regulations. However, plans or specifications can also be amended.

Assessment. The value placed on an item of real or personal property for property tax purposes. The rate of tax times the value equals the amount of tax levied on the property. Also a special tax levied on the property within a special assessment district.

Audit. An examination of the financial activities of an agency and the report based on such examination.

Board of Zoning Appeals. A planning agency appointed by the City Council and authorized by law to grant Exceptions and Variances from the zoning regulations and to hear appeals of decisions of the zoning and floodplain administrators.

Bond. A debt instrument issued by a municipality. Bonds normally bear interest. They are a common way of raising money for capital improvements.

Budget. A plan for spending and receiving money to sustain municipal operations during a fiscal year.

Capital Outlay. Expenditures made to acquire fixed assets or additions to them. They are recorded in the general fund or utility fund where assets are to be used. Ultimately, assets acquired through the general fund should be reflected in the general fixed assets group of accounts.

Capital Improvement Plan. A schedule of construction of items of high cost, such as streets and buildings, over a period of five years together with a plan for spending and receiving the money to pay for the items.

Appendix A

Capital Reserve. Established to account for resources legally set aside for anticipated capital expenditures, including construction, purchase or replacement of, or addition to municipal buildings, equipment, machinery, motor vehicles or other capital assets.

City Council. The elected governing authority of a city which sets legislative policy for the city.

City Manager. The chief administrator of a municipality in the council-manager form of government, appointed by the Governing Body as the City's chief executive officer.

Comprehensive Plan. A generalized, coordinated land-use policy statement of the governing body of a city consisting of maps and descriptive text covering objectives, principles and standards used to develop the plan. A comprehensive plan must include a plan, scheme, or design for (at least) the following elements: land use, housing, capital facilities, utilities, natural resource lands and critical areas.

Conflict of Interest. Engaging in any business or transaction or having a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of duties in the public interest or would tend to impair independence of judgment or action in the performance of official duties. See Chapter 13. See also the definition of Statutory Conflict of Interest.

Debt Service. Payments to creditors, primarily the holders of municipal bonds. Debt service includes principal, interest and minor incidentals such as agent fees.

Defeasance. Paying off bonds before the original maturity, typically with the use of an escrow account.

Developer. Any landowner, agent of such landowner, or tenant with the permission of such landowner who makes or causes to be made a subdivision of land or a land development.

Easement. A right-of-way for public use. Normally, they are used for utilities, parkways, floodways, scenic uses, property access and other purposes. The fee title to land in the easement area remains tied to the adjacent land, and easement rights are relinquished through the vacation process.

Effluent. The water discharged from a sewage treatment device. See Purple Pipes.

Eminent Domain. The concept of the power of certain governmental entities to acquire privately owned real estate for public use by means of legal processes and payment of just compensation to the private owner.

Enterprise Funds. These funds account for the financial transactions of utility or special facility services rendered to the general public financed by specific user charges (wastewater fund, stormwater fund). Also called “utility funds” or “business-like activity.”

Exception An exception to the provisions of the zoning regulations such as permitting an increase in building height or a reduction of a building setback. Exceptions are granted by the Board of Zoning Appeals and require a public hearing.

Executive. Pertaining to the power to carry out laws and functions, veto legislation, appoint members of boards and commissions, and perform other duties as prescribed by law. If a municipality has a city manager, the administrative portion of the executive function is the responsibility of the manager.

Executive Session. A portion of a meeting closed to the public that can legally be held only for certain purposes.

Feasibility Study. A preliminary survey to determine the design, aesthetics, construction and economic aspects of a proposed project.

Flood Plain. The area along a natural watercourse subject to periodic overflow by water.

General Fund. Used to account for all revenues and the activities financed by them, which are not accounted for in a special fund.

General Obligation Bond. A financial instrument giving borrowing power to a municipality, based on pledging of taxing power to retire the debt and pay interest.

General Obligation Bond Funds. Established to account for the proceeds from bond sales and other revenues properly allocated to these funds and the costs of projects financed by them.

Governing Body. The five City Council members and the Mayor.

Home Rule. The ability of cities to govern themselves independently from the state government. Kansans passed the Home Rule Amendment to the state constitution in 1961.

Improvements. Those physical changes to the land necessary to produce usable and desirable lots from raw acreage including but not limited to grading, paving, curb, gutter, storm sewers and drains, improvements to existing watercourses, sidewalks, crosswalks, street signs, monuments, water supply facilities and sewage disposal facilities.

Industrial Park. A planned industrial area where consideration has been given to human and aesthetic values, such as vegetation, open space and buffer zones.

ISO Rating. Fire insurance rating issued by Insurance Services Office (ISO) on a scale of 1-10 based on a community’s water supply; fire staffing, equipment, training, inspection & prevention programs; hydrant maintenance & testing; and dispatching. Maize’s ISO rating is Class 2.

Job Description. An outline of the duties assigned a class of personnel positions together

with the training and experience normally required to qualify for the class.

Joint Meeting. The Maize City Council usually meets annually with the USD 266 Board of Education in April. Also, the City Council usually meets with the Maize Planning Commission in an annual workshop.

Judicial. Pertaining to the power to judge, to administer justice, and interpret laws and ordinances.

Legislative. Pertaining to the power to make laws as opposed to executive and judicial.

Mayor. The Mayor presides over City Council meetings, serves as a spokesperson for the community, facilitates communication and understanding between elected officials, assists the City Council in setting goals and policies, nominates persons to serve on boards and committees and then appoints them after Council approval, and serves as an ambassador and defender of the community. The Mayor also makes proclamations and serves as a key representative in inter-governmental relations.

Meeting. A gathering of elected officials set or called in accordance with prescribed laws or charter provisions and where business may be transacted.

Mill. A unit of property tax equal to one dollar per one thousand dollars of assessment.

Non-Conforming Use. A use, whether of land or of structure, that lawfully existed prior to applicable provisions of a zoning ordinance that does not comply with the currently applicable use provisions in a zoning ordinance.

Non-Conforming Structure. A structure or part of a structure that does not comply with applicable provisions in a zoning ordinance as enacted, where such structure lawfully existed prior to enactment of such ordinance to its location. Such non-conforming structures include but are not limited to non-conforming signs.

Ordinance. A law enacted by a city. See Resolution.

Pay Matrix. A list of approved positions with pay ranges as approved by the City Council.

Personnel Policy Manual. A document approved by the City Council to communicate to employees the policies, rules, regulations, and procedures applicable to their employment.

Planned Unit Development (PUD). A special purpose zoning district intended to provide well planned, cohesive and unified residential developments. Approved through a review process which establishes greater design flexibility through careful consideration of typical zoning district regulations and requirements of the subdivision regulations and landscaping requirements. The approval process may also include attachment of conditions to protect the public safety and general welfare which may include provisions for allowing land uses other than residential to the extent they are designed to serve the residents.

Planning Commission. A planning agency, appointed by the City Council and authorized by law to prepare and recommend plans for the development of physical, social, economic and cultural resources/facilities within a city.

Plat. The official map of a subdivision of land marking property lines, easements, right-of-way and setbacks.

Public Forum. An optional time on the City Council meeting agenda for members of the public to address the Council about issues of concern.

Public Hearing. A meeting or portion of a meeting provided to give members of the public a chance to speak on a particular subject such as a proposed ordinance.

Regulation. A rule, procedure or other formal requirement passed to carry out the purpose of the law. It carries the same legal power as the law but may only be used to carry out the purpose of the law under which it was passed.

Revenue Bonds. A borrowing tool with higher interest rates than general obligation bonds but does not need voter approval. Based on a revenue-producing project and not municipal taxing power.

Revenue Neutral Rate. The property tax rate in mills that would generate the same property tax revenue in dollars as levied during the previous tax year using the current tax year's total assessed valuation.

Resolution. An act that is typically less formal than an ordinance, expressing the opinion or mind of the legislative body and generally dealing with matters of a special or temporary character or setting policy.

Right-of-Way. Real property owned by the city as a public asset for conveyance either of traffic or utility services. Generally known as the streets and adjacent grassy side strips and sidewalks.

Setback. A requirement established by plat or zoning regarding how close a building can be constructed to a property line.

Special Assessment. The cost of public improvements provided by bond proceeds is assessed against properties benefited by the improvements and paid as part of the county property tax bill.

Special Revenue Funds. Established to account for revenues specifically raised for a particular purpose, such as the Water Utility and Wastewater Utility funds.

Special Use. A permit granted by the Planning Commission or City Council through a public hearing process for certain uses which might have the potential of creating an adverse effect upon nearby properties. The permit establishes conditions designed to promote compatibility of the use with surrounding property.

STAR Bonds. Bonds issued by a municipality to be paid primarily from future sales tax revenue collected by businesses within the STAR Bond District. The City incurs no financial risk when issuing these bonds because

they are not backed by the City's full faith and credit.

Statutory Conflict of Interest. When a Governing Body member makes or participates in the making of a contract with persons or businesses who employ the Governing Body member or in which the Governing Body member holds a substantial interest as defined in K.S.A. 85-4301a. It is NOT a statutory conflict of interest for a Governing Body member to (a) participate in the letting of a contract to a person or business by which they are employed or in which they hold a substantial interest, after competitive bidding has been advertised by published notice; or (b) participate in the making of a contract with a person or business by which they are employed or in which they hold a substantial interest, for property or services for which the price or rate is fixed by law. To avoid a Statutory Conflict of Interest, a Governing Body member must abstain from any action concerning the matter in which they hold such interest. See Section 13. Also see the definition of Conflict of Interest.

Subdivision. The division of a single tract or other parcel of land into two or more lots.

Subdivision Regulations. Procedures and requirements which must be met before the subdivision or development of land is permitted.

Tax Increment Financing. A TIF is a public financing tool used by cities to stimulate private sector development in blighted or underdeveloped areas.

Vacation. Relinquishing an easement, right-of-way, setback or other requirement of a plat. The process requires a recommendation by the Planning Commission and approval by the City Council.

Variance. The permission granted by a City Council or Board of Zoning Appeals, following a public hearing, for a relief of specific enumerated instances when owing to special conditions, a literal enforcement of the regulations will, in an individual case, result in unnecessary hardship. The permission granted must not be contrary to the public interest and

must maintain the spirit and original intent of the ordinance.

Workshop. Informal work sessions of the City Council are useful when major policy questions must be discussed or when a complicated issue is to come before the council. Workshops are open meetings where no formal action (votes) may be taken.

Zoning. The regulation by a municipality (city or county) of the use of land within its jurisdiction, and of the buildings and structures located thereon, guided by a comprehensive plan and for the purposes set out in the enabling statute.

Local Government Acronyms

Appendix B

ADA	Americans with Disabilities Act (federal law)
ARPA	American Rescue Plan Act
BOCC	Board of County Commissioners
BZA	Board of Zoning Appeals
CDBG	Community Development Block Grant (federal funding)
CID	Community Improvement District (special sales tax to fund development)
CIP	Capital Improvement Plan
CPI	Consumer Price Index (U.S. Bureau of Labor Statistics)
EMS	Emergency Medical Service
EPA	U.S. Environmental Protection Agency
FLSA	Fair Labor Standards Act (federal law)
FMLA	Family and Medical Leave Act (federal law)
GIS	Geographic Information System
GO	General Obligation (bonds)
HOA	Homeowners Association
IBC	International Building Code
ICMA	International City/County Management Association
IFC	International Fire Code
IRB	Industrial Revenue Bond
KACM	Kansas Association of City/County Management
KDHE	Kansas Department of Health & Environment
KDOT	Kansas Department of Transportation
KOMA	Kansas Open Meetings Act
KORA	Kansas Open Records Act
KPERS	Kansas Public Employees Retirement System
KP&F	Kansas Police & Fire Retirement System
LKM	League of Kansas Municipalities
MABCD	Metropolitan Area Building and Construction Department
MAPD	Metropolitan Area Planning Department
MAPC	Metropolitan Area Planning Commission
MRC	Maize Recreation Commission
MSA	Metropolitan Statistical Area

NIMS	National Incident Management System (established by FEMA, the Federal Emergency Management Agency)
NLC	National League of Cities
REAP	Regional Economic Area Partnership
RFP	Request for Proposals
RFQ	Request for Statements of Qualifications
RNR	Revenue Neutral Rate
ROW	Right-of-Way
SCAC	Sedgwick County Association of Cities
STAR	Sales Tax and Revenue bonds
TIF	Tax Increment Financing
WAMPO	Wichita Area Metropolitan Planning Organization
WWTF	Wastewater Treatment Facility

Maize Recreation Commission

The Maize Recreation Commission is an autonomous organization governed by a five-person board. The board makes policy and supervises the Superintendent of Recreation. The Superintendent performs day-to-day management of organized sports leagues and tournaments, community wellness, and programs and activities that occur in the MRC multi-purpose room and meeting room at 10100 Grady Avenue.

MRC board members serve staggered four-year terms beginning in September. Two members are appointed by the Maize City Council, two members by the USD 266 Board of Education, and one appointed by those four members as a member at-large. The commission meets monthly on the third Wednesday at 5:45 p.m.

Park & Tree Board

The Park & Tree Board is an advisory board to the City Council and to the Parks Division of Public Works. Its purpose is to provide support, ideas, educational and environmental programs, and events to engage Maize residents in our park system. The board's goal is to provide great recreational facilities and green spaces for our active community.

The board promotes planting trees appropriate for the Kansas landscape and climate, educates residents on proper tree care, and works with the City Council and staff to develop and maintain a Park System Master Plan. The Board is made up of 7 members, each serving two-year terms, and meets monthly on the second Tuesday at 5:30 p.m.

Planning Commission & Board of Zoning Appeals

The Planning Commission annually reviews the Comprehensive Plan; prepares, adopts and maintains the Zoning Regulations and Subdivision Regulations; holds hearings on uses, zone changes and vacation requests; reviews and approves plats and commercial site plans; and makes recommendations to the City Council to approve or disapprove requests brought before them.

The Commission consists of 7 members serving staggered three-year terms. Two members must reside outside the City but within the designated planning area of the City, which generally is within three miles of the corporate city limits. The Planning Commission usually meets on the first Thursday of each month at 7 p.m.

The Board of Zoning Appeals has jurisdiction and authority over appeals, variances, exception requests and related matters. Members of the Planning Commission also serve as the members of Board of Zoning Appeals. Members cannot hold any other public office within the City. The Board usually meets on the first Thursday of each month.