

# CHAPTER I. ADMINISTRATION

## ARTICLE 2. GOVERNING BODY

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**1-201. GOVERNING BODY.** The governing body shall consist of a mayor and eight councilmembers to be elected as provided by section 6-101. (Code 1984)

**1-202. MAYOR.** The mayor shall preside at all meetings of the city council. He or she shall have the tie-breaking vote on all questions when the members present are equally divided. The mayor shall:

- (a) Have the superintending control of all the appointed officers and department heads in the operations of the city, which superintending control may be delegated to the city administrator as chief administrative assistant to the mayor in accordance with article 3 of this chapter;
- (b) Take care that the laws of the city are complied with;
- (c) Sign the commissions and appointments of all officers elected or appointed;
- (d) Endorse the approval of the governing body on all official bonds;
- (e) From time to time communicate to the city council such information and recommend such measures as he or she may deem advisable;
- (f) Have the power to approve or veto any ordinance as the laws of the state shall prescribe;
- (g) Sign all orders and drafts drawn upon the city treasurer for money;

- (h) Cause all subordinate officers to be dealt with promptly for any neglect or violation of duty;
- (l) Be vested with jurisdiction over those areas beyond the territorial limits thereof, but within five miles of the limits of the City of Leawood, for the enforcement of any sewer ordinance.

(Ord. 1056C; 06-20-88)

**1-203. MEETINGS; SPECIAL MEETINGS.** The mayor and councilmembers shall have regular sessions on the first and third Mondays of each and every month, at 7:00 P.M., provided, however, if a governing body work session is scheduled prior to the regular session, then the regular session shall commence at 7:30 P.M., if notice is given on the meeting agenda and on the City's website. Regular sessions may be cancelled if notice is given on the City's website. In case a regular session falls on a holiday, the regular session shall be held on the next day thereafter which is not a holiday. Special sessions shall be called by the Mayor in accordance with statute, specifying the object and purpose of such meeting, which request shall be read at the meeting and entered at length on the journal. All sessions shall be held at the City Hall unless circumstances make that place impracticable for a particular session, in which case it may be held at any convenient place within the city. In all cases, it shall require a majority of the councilmembers-elect to constitute a quorum to do business, but a smaller number may adjourn from day to day.

(Ord. 1757C; 11-02-98)

(Ord. 2926C; 02-18-19)

**1-204. COMPELLING ATTENDANCE OF ABSENTEES.** In order to secure a quorum in the absence of any other reasonable means, the minority of councilmembers may compel the attendance of absentees by attachment issued in the name of the city and directed to the chief of police, commanding him or her to bring any such absentees forthwith before the council.

(Ord. 694; 05-04-81)

**1-205. ORDER OF BUSINESS.** At the hours appointed for the meeting, the members shall be called to order by the mayor, and the order of business proceed as specified by the mayor; except that by majority vote of the governing body, such order may be changed.

(Ord. 694; 05-04-81)

**1-206. ORGANIZATIONAL MEETING.** At the first regular meeting in January following certification of the results of the City election held as provided by Section 6-101 of this Code, the Governing Body, as constituted before said election, shall meet and proceed to any unfinished business, and thereafter seat the new Governing Body, and the new Governing Body shall proceed to the order of business.

(Ord. 1035C; 02-16-88)

(Ord. 2750C; 10-05-15)

(Ord. 2948C; 06-17-19)

**1-207. ROBERT'S RULES REVISED.** Robert's Rules of Order, Revised, are adopted for the conduct of the meetings of the governing body.

(Ord. 694; 05-04-81)

**1-208. COMPENSATION.**

(a) For the Office of Mayor, there is hereby established the following sums to be paid during the Mayor's term of office and to cease when the Mayor is removed from office or, for any reason, shall leave office:

- (1) a salary of \$12,800 per year, payable according to the City's regular pay schedule; and
- (2) a car allowance of \$4,800 per year, payable monthly on the first and second pay periods of each month; and
- (3) a communication expense allowance of \$200 per month, payable in equal portions on the first and second pay periods of each month. Such allowance is for all communication related technology and no further reimbursement for such expenses, as specified in § 1-212 of this Code or otherwise, shall be allowed.

(b) For the Office of Councilmember, there is hereby established the following sums to be paid during the Councilmember's term of office and to cease when such Councilmember is removed from office or, for any reason, shall leave office:

- (1) a salary of \$6,800 per year, payable according to the City's regular pay schedule; and
- (2) a mileage expense allowance of \$250.00 per month payable on the first and second pay periods of each month, for the office of Councilmember; and
- (3) a communication expense allowance of \$100 per month payable in equal portions on the first and second pay periods of each month. Such allowance is for all communication related technology and no further reimbursement for such expenses, as specified in § 1-212 of this Code or otherwise, shall be allowed.

(Ord. 1597C; 07-15-96)

(Ord. 1837C; 12-20-99)

(Code 2000)

(Ord. 1883C; 02-05-01)

(Ord. 2058C; 04-19-04)

(Ord. 2154C; 02-20-06)

(Ord. 2447C; 06-07-10)

(Ord. 2871C; 11-20-17)

**1-209. PRESIDING OFFICER; ROTATING TERMS.** The mayor shall at the second regular meeting of the governing body in May of 2016, appoint from the council membership a presiding officer for each three month period for the remaining months of 2016. Commencing in December of 2016, and each December thereafter, the mayor shall at the first regular meeting in December, appoint from the council membership a presiding officer for each three month period for the following calendar year. The presiding officer shall preside at any council meeting during such three month term at which the mayor is absent. The position shall rotate among councilmembers and no councilmember shall be presiding officer for more than one three month period during any year.

(Ord. 1042C; 03-07-88)  
(Ord. 2765C; 12-21-15)

**1-210. VACANCY IN OFFICE OF COUNCILMEMBER.** If a vacancy should occur in the office of councilmember by reason of death, resignation, removal from the city, removal from office, disqualification, or otherwise, the existence of the same shall be published to the council and press within one week after receiving notification of the vacancy. If a councilmember moves out of the ward for which he or she was elected, or is deemed not to be a resident of the city, the office shall be deemed vacant. A nominating committee, to be composed of the mayor, the presiding officer and the councilmember remaining in the ward affected shall be established to seek out candidate(s) from the ward affected to fill such vacancy. Should the presiding officer be the remaining councilmember in the ward affected, then the councilmember appointed to serve as presiding officer for the following quarter shall serve on the nominating committee. The nominating committee will recommend the candidate(s) to the governing body. The candidate(s) shall be voted on by the governing body to serve in the vacated office until the next city election. If at such time, the term of the vacated office is not yet expired, the newly elected councilmember shall be elected only to serve out the balance of the original unexpired term.

(Ord. 1756C; 11-02-98)  
(Ord. 2751C; 10-05-15)  
(Ord. 2789C; 07-05-16)

**1-211. VACANCY IN OFFICE OF MAYOR; PRESIDENT OF COUNCIL.** If a vacancy shall occur in the office of the mayor by reason of death, disability, resignation, temporary absence from the city, removal from office, refusal to qualify, or otherwise, the governing body shall at its next meeting elect from its membership a president of the council who shall be acting mayor until such vacancy shall be filled at the next city election, such disability be removed, or, in case of temporary absence, the mayor returns. During such vacancy, other than temporary absence or disability, the president of the council shall become mayor and act as mayor and exercise the office of mayor with all rights, privileges, jurisdiction and compensation of the mayor. If at the next city election the term of the vacated office is not yet expired, the newly elected mayor shall be elected only to serve out the balance of the original unexpired term. For purposes of this Section, temporary absence shall be defined as being absent for more than one regularly scheduled consecutive council meeting.

(Ord. 1756C, 11-02-98)  
(Ord. 2751C; 10-05-15)

**1-212. REIMBURSEMENT OF EXPENSES OF CITY OFFICIALS AND EMPLOYEES.**

- (a) Whenever a city official, councilmember, committee member or employee shall be directed or ordered in connection with city affairs to attend any hearings or to represent the city in any matter or appear before any board, commission, or court, such person shall be reimbursed reasonable, necessary and proper travel expenses so advanced by said person; and shall be reimbursed for such other expenses actually advanced as are reasonable, necessary, and proper.
- (b) Employees of the city, required to use their personal automobile in the conduct of official city affairs, shall be reimbursed for their actual mileage at a rate equal to the rate annually fixed by the Internal Revenue Service for business mileage. The Director of Finance shall publish the annual rate to all eligible recipients by separate correspondence. Said funds shall be paid upon direction of the appropriate department head from either a special mileage reimbursement fund or petty cash as the department head so directs.

(Ord. 1574C; 04-15-96)

**1-213. OFFICIAL INTEREST IN CONTRACTS.** No officer of the city, whether appointed or elected, nor any member of a standing committee or commission of the city overseeing and directing any of the public improvements of the city, and all officers, elected and appointed, holding and exercising any office of trust or profit under or by virtue of any ordinance of the city or any law of the state, shall:

- (a) Take any contract with the city;
- (b) Perform or do for their own profit any work for the city over which they have in whole or in part the supervision, direction, or control;
- (c) Furnish any materials for their own profit for work over which they have in whole or in part the supervision, direction, or control;
- (d) Have performed or done for them any work by city employees or equipment except in furtherance of their duties to or for the city: Provided, That such prohibition may be removed from any such contract or transaction by the vote of the majority of the councilmembers-elect when requested by the officer, committee member or commission member upon revealing the extent and nature of the interest therein.

(Code 1973, 1-505)

**1-214. PENALTY.** Any person who shall violate the provisions of section 1-213 shall upon conviction therefore be fined in a sum not less than \$10, nor more than \$100.

(Code 1973, 1-506)

**1-215. INTERFERENCE BY MEMBERS OF THE CITY COUNCIL.** No member of the city council shall directly interfere with the conduct of any department or duties of employees subordinate to the city administrator except at the express direction of the city council, or with the approval of the city administrator.

(Code 1973, 1-430)