

Contact: Nick Hernandez
Phone: (620) 441-4415
Fax: (620) 441-4426
nhernandez@arkansascityks.gov

City Manager's Office
City of Arkansas City
118 W. Central Ave.
Arkansas City, KS 67005



News Release

City Commission study session will be conducted online May 1

City will follow all new KOMA provisions; citizens may log in or call in to listen

ARKANSAS CITY, Kan. (April 28, 2020) — Pursuant to new open meetings requirements set forth by the Kansas Attorney General's Office, the City Commission of Arkansas City hereby provides public notice to all citizens that it will conduct its upcoming study session entirely virtually, starting at **noon Friday, May 1**.

The public will not be permitted to physically attend the meeting due to Executive Order 20-18, which temporarily prohibits mass gatherings of 10 or more people to limit the spread of coronavirus (COVID-19).

Citizens may receive official notice of this and all future virtual meetings by emailing Public Information Officer Andrew Lawson at alawson@arkcity.org to request to be added to a notification list.

Among other topics, the commissioners may discuss the agenda for the May 5 regular meeting.

Study sessions do not have set agendas. Those wishing to observe the discussion may do so by:

- Using a computer, tablet or smartphone — <https://global.gotomeeting.com/join/456259533>;
- Downloading the GoToMeeting app at <https://global.gotomeeting.com/install/456259533>;
- Dialing [\(571\) 317-3122](tel:5713173122), then entering the access code **456-259-533**, followed by the pound sign (#) twice.

Citizens may obtain in advance any written information to be discussed during this meeting, such as the agenda packet, at www.arkcity.org/government/open_government/agendas_and_minutes.php. For questions, concerns or assistance with accessing this virtual meeting, please call Lawson at [\(620\) 441-4415](tel:6204414415) or [\(620\) 660-5963](tel:6206605963) prior to **noon Friday**.

New KOMA guidance due to pandemic

The Kansas Open Meetings Act (KOMA) requires meetings public bodies to be “open to the public.”

For immediate release

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Ordinarily, that requirement is met by allowing members of the public to enter the room where the meeting is taking place so they can listen and observe.

But public health requirements to slow the spread of COVID-19, including the Centers for Disease Control (CDC) recommendations and state requirements not to gather in groups of 10 or more people, makes many in-person gatherings impossible or inadvisable. Additionally, City Hall is currently closed to the public. The new regulation for complying with KOMA during an emergency provides as follows:

- KOMA remains in full force and effect, unless explicitly suspended by emergency order of Kansas Gov. Laura Kelly. She has not currently suspended any requirement of KOMA.
- If the members of the City Commission themselves are not physically gathered in one place — for example, if the meeting itself is conducted by telephone or videoconferencing — then members of the public must be able to join in the electronic conferencing in order to listen to or observe the meeting. **There is no requirement to allow public comment in this format.**
- If the members of the City Commission are physically gathered for a meeting, but cannot allow members of the public to be present because of emergency limitations, then the City of Arkansas City must take steps to allow members of the public to listen to or observe the meeting by telephone, videoconferencing, television broadcast or a similar method.
- When the public is participating in a public meeting by telephone or another medium of interactive communication, members of the City Commission must take steps to help the public to understand the proceedings, despite not being physically present. For example, each speaker in the meeting should identify himself or herself by name before speaking or voting, so remote listeners or observers can more readily know who is speaking. Likewise, each motion should be clearly stated and each vote tally clearly announced afterward.
- The procedure for an executive session must be clearly explained at the outset of a meeting.
- There must be no cost for the public to participate. (*GoToMeeting is free to all citizens.*)
- There must be a method for distributing any agenda or other written materials that ordinarily could be picked up in person by members of the public attending the meeting. Those procedures must be explained to the public before the meeting begins.

In addition to the regulation itself, which is now legally binding, the attorney general also has issued a Best Practices document with additional actions that are strongly recommended, including:

- The City of Arkansas City will produce and widely disseminate to the general public through news media, social media, email, and other means this notice explaining why and how the ordinary meeting procedures will change, how the public may receive notice of meetings, and how the public may continue to observe or listen to meetings.

- The City will record the meeting audio or video and post it to the City's [YouTube page](#) so members of the public who could not participate can review what occurred later.
- The City will post to [its website](#) (arkansascityks.gov and arkcity.org) any materials distributed prior to or during the meeting, such as any meeting agenda, agenda packet or presentation.

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