

The City of Lee's Summit
Action Letter - Final
City Council Rules Committee

Thursday, January 25, 2018

5:30 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

1. CALL TO ORDER

Chairperson Carlyle called the meeting to order at 5:37 p.m.

2. ROLL CALL

Present: 3 - Chairperson Trish Carlyle
Councilmember Phyllis Edson
Councilmember Fred DeMoro

Guests in Attendance

Dale Coy

Tim Arbietter

Staff in Attendance

Brian Head

Jina Bellamy

3. APPROVAL OF AGENDA

Councilmember Binney made a motion to approve the Agenda as published. Councilmember DeMoro seconded the motion. Motion passed unanimously.

4. APPROVAL OF ACTION LETTER

A. [2017-1728](#) Approval of the December 5, 2017 Rules Committee Action Letter

Councilmember Edson made a motion to approve the December 5, 2017 Action Letter. Councilmember DeMoro seconded the motion. The Action Letter was unanimously approved.

5. PUBLIC COMMENTS

There were two individuals in the audience that wanted to speak before the Rules Committee:

1. Mr. Dale Coy, resident, expressed frustration with the lack of communication from Staff with response to his question at the last meeting, "Who is responsible for supervising Boards and Commissions for the City?"

Mr. Coy is seeking further direction from the Committee. Should he continuing waiting for an answer from Staff, present his question to another Council Committee, take it to the full Council, or forget about it.

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Councilmember Carlyle asked him for his specific concerns regarding the Boards and Commissions, he mentioned the following:

- a. Beautification Committee : They are supposed to report annually to the City Council and act as the Tree Board and propose to the Council for ratification a tree ordinance for the City and they haven't done it.
- b. HSAB: The documents on their web page haven't been updated since 2014.
- c. HRC: The Committee does not have two High School members as required by Ordinance.
- d. PSAB: no one has reviewed the current ordinances to conform to state regulations in the last three years.

Mr. Coy does not believe it is his responsibility, as a citizen, to be discovering issues and bringing those issues to the attention of City Staff.

Mr. Head and Chairperson Carlyle responded to Mr. Coy's concerns as follows:

- a. Beautification Commission and the Tree Board: They are in the process of being completely redrafted (in light of Mr. Coy's previous comments).
- b. HRC: The Committee can't seem to keep student members and therefore will be doing a by-law change taking the student membership requirement out of the ordinance
- c. HSAB: The City is in the process of a web redesign which will hopefully take care of some of Mr. Coy's concerns.
- d. PSAB: As items are brought forward at CEDC and later to the Council, they have been reviewed beforehand to ensure compliance.

Mr. Head informed Mr. Coy that he also requested that Staff Liaisons be added to the web page for each of the Boards and Commissions. Mr. Head and Councilmember Carlyle stated that ultimately, the City Council has the ultimate authority over the Boards and Commissions, however Staff liaisons and support staff are the ones that work on agendas and post items to the webpage.

Chairperson Carlyle thanked Mr. Coy for his comments and for bringing these concerns to the Committee.

2. Mr. Tim Arbietter, Chamber of Commerce wanted to support and encourage the Committee with the work they will be doing on their code of conduct and ethics discussion.

6. ITEMS FOR DISCUSSION

- A. [BILL NO. 18-36](#) AN ORDINANCE AMENDING SECTION 2-60.23-RULE 2.3 COUNCIL COMMENTS AND ENACTING TWO NEW SECTIONS; SEC. 2-60.24.-RULE 2.4 COUNCIL ROUNDTABLE. AND SEC. 2-60.25.-RULE 2.5 STAFF ROUNDTABLE. OF THE CODE OF ORDINANCES OF THE CITY OF LEE'S SUMMIT, MISSOURI TO PROVIDE GUIDANCE FOR THE ORDER AND CONDUCT OF BUSINESS FOR THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI. (Rules 2-12-18)

City Attorney Head explained the differences with where specific items would be

discussed in light of a new "Staff Roundtable" previously moved onto the full Council at the last meeting. The Staff Roundtable would be a place for general interest items, community announcements and other such information. Staff may also ask for clarification or direction on agenda items or discuss emergency type items.

The only substitutive changes to the existing definitions of Council Comments and Council Roundtable are:

1. Separating the definitions into two separate definitions
2. Adding "Ministerial Items" to Council Comments, thereby allowing Council to discuss non-law related issues.

In response to a question regarding if motions can be made in Council Roundtable, Mr. Head responded that would ultimately be the Mayor's decision.

After general discussion, it was decided to hold off on taking "Staff Roundtable" to the full Council until "Council Comments" and "Council Roundtable" are also ready and to bring all three definitions back to the Committee at their next meeting.

This Discussion Item was read into the record.

B. [BILL NO. 18-49](#)

AN ORDINANCE AMENDING ARTICLE III. OFFICERS AND EMPLOYEES. CHAPTER 2. ADMINISTRATION OF THE CODE OF ORDINANCES OF THE CITY OF LEE'S SUMMIT BY REPEALING SECTION 2-61 AND ENACTING TEN NEW SECTIONS RELATING TO A CODE OF ETHICS, FINANCIAL DISCLOSURE AND CODE OF CONDUCT. (Rules 2-12-18)(Note: First reading by Council on March 1, 2018.)

The draft ethics ordinance was discussed and the following changes were requested by the Committee prior to bringing it back to the Rules Committee for review at the next meeting.

1. All Sections will have an annotation of the State Statute including a hyperlink to the statute and keeping all the State Statute information within the document.
2. Sec. 2-62. - keeping all the definitions and adding three more: Official Authority, Official Influence, and Malfeasance.
3. Sec. 2-63. B.4. -line 4 - changing the word "personal" to personnel.
4. Sec. 2-65.C -adding "by motion" in the first line: After hearing the report, any Councilmember may "by motion" request that a public hearing be held on the matter.
5. Sec. 2-67. - renumbering section B and following and tweaking the language in the first paragraph to clarify that the person would be found guilty after the investigation.
6. Sec. 2-67.E2.-changing the number of the reserved section in light of the renumbering mentioned above.
7. Sec. 2-76.A - deleting the last three words in the paragraph "including physical appearance".

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7. Sec.2-76.B - adding Mayor/Chair in the entire paragraph where ever Mayor is mentioned.

8. Sec. 2.76.C - taking out everything but the first and last sentence.

This Ordinance was continued.to the City Council Rules Committee due back on 2/12/2018

7. ROUNDTABLE

Councilmember Binney mentioned he was approached by a citizen regarding Councilmembers texting during Council meetings and wondered if there were any laws in effect regarding social media at the dais. City Attorney Head mentioned the differences of Councilmembers using their personal phones vs. using City issued phones and what could be discoverable if we got sued.

At this time he is not aware of any laws that refer specifically to texting.

8. ADJOURNMENT

Chairperson Carlyle adjourned the meeting at 7:530p.m.

For your convenience, City Council agendas, as well as videos of City Council and Council Committee meetings, may be viewed on the City's Internet site at "www.cityofls.net".