



City of Lee's Summit
Department: Law
Memorandum

To:	Council Rules Committee
From:	City Attorney, Brian Head <i>BH</i>
Date:	October 24, 2016
Re:	Guests at Closed Session

At the previous City Council Rules Committee meeting, Staff was asked to poll some area cities to determine how they handled guests attending Closed Session meetings. The following is a list of responses:

Belton:

In Belton the City Attorney said it hasn't come up but if it had the mayor would need to be aware and give general consent to bringing someone from the outside into closed session.

Blue Springs:

In Blue Springs staff brings resource people in to ask questions. There is no vote or determination by Council or Mayor. The individuals present information, answer questions and leave. Council tries not to conduct discussion with them present. Guests leave when the input is done and minutes reflect it.

Columbia:

The City of Columbia has had non-city employees participate in closed meetings only if they are needed for that closed meeting discussion. If there is more than one topic, the person is asked to leave/not be in the room when the other topics are discussed.

Independence:

In Independence the City Manager requests permission of the Council via a consensus. Minutes reflect who was present and why.

Jefferson City:

When there is a need to have an "outside person" attend a Closed Session to make a presentation or answer questions about an issue (or a paid consultant who has been invited to provide updates on court cases, negotiations, etc.). The City Clerk annotates the attendance in the minutes.

Then the City Clerk annotates IN the minutes the point in which the outside person(s) either entered or left the meeting... "Mr. Doe left at this point in the meeting (7:45 P.M.)" to show that they were not present when other topics may have been discussed that did not involve them. If they are brought into the meeting after it has already been going, that information is entered as well.... "Mr. Doe came into the meeting at this point (8:15 P.M.)"

If NO "others" were present, that designation is just left off the attendance altogether.

They have always known that if there is an "outside" person there, it is for the Council's own benefit (to answer questions, present updates, etc.) and sometimes at the Council's own invitation.

For clarification - there are never outside guests (non-City staff) there just to watch and listen without having an active part in the meeting. There are times when City Department Heads want to attend meetings to keep informed on the issues that may affect their departments. But if there are ever any issues, such as personnel not directly involving them, they are NOT there. In fact, the only one who might be present at those meetings besides the Council Members themselves (and Mayor) is the City Clerk to take the minutes.