BILL NO. 26-

AN ORDINANCE AMENDING ARTICLE II. COUNCIL; DIVISION 2. PROCEDURES FOR THE CONDUCT OF BUSINESS BY REPEALING RULE 13 OF SECTION 2-49. RULES OF ORDER AND SECTION 2-50. PROCEDURAL RULES FOR PUBLIC MEETINGS AND PUBLIC HEARINGS CONDUCTED BY VIDEO CONFERENCE AND AMENDING SECTION 2-45 TO PROVIDE TRANSPARENCY RELATED TO THE CONDUCT OF MEETINGS AND THE PARTICIPATION OF THE PUBLIC THEREIN.

NOW, THEREFORE, be it ordained by the City Council of the City of Lee's Summit, Missouri, as follows:

SECTION 1. That Division 2. Procedures for the Conduct of Business of Article II. Council by amended by repealing Rule 13 of Section 2-49 Rules of Order and Section 2-50. Procedural Rules for Public Meetings and Public Hearings Conducted by Videoconference.

SECTION 2. That Division 2. Procedures for the Conduct of Business of Article II. Council be further amended by repealing section 2-45. Public comments. and enacting in lieu thereof a new section 2-45. Public participation in meetings to read as follows:

"Sec. 2-45. Public Participation in Meetings.

I. Public comments.

A. During public comments, the public may address Council on any matter listed in the Council agenda for the meeting or directly related to the operations of the City of Lee's Summit, except for those matters that are the subject of a public hearing requiring that testimony be sworn. Any person requesting time to speak to the Council during the public comments portion of the meeting must complete a "Request to Comment" card consisting of at least the person's name, whether or not the person is a resident of the city, the agenda item(s) the person wishes to address or the general subject related to the operations of the City of Lee's Summit and whether such person is speaking on behalf of a larger group that is in attendance before the person will be allowed to speak. A completed "Request to Comment" card must be submitted to the City Clerk prior to the Call to Order, and the person will be given no more than three (3) minutes to speak. Should the speaker yield to a question from a councilmember, the time yielded shall not be included in the three (3) minutes. Members of the public will be ruled out of order if their comments stray from the agenda item(s) or general subject related to the operations of the City of Lee's Summit as identified on the person's "Request for Comment" card.

B. During public comments, Councilmembers may address a speaker on the speaker's issue, unless such matter is the subject of litigation involving the City and/or its employees or officials, and City Council has determined its litigation strategy and/or policy and such Councilmember comments will not act to diminish the City's position in such litigation.

C. Any ordinance directed by Council to be drafted as a result of a public hearing requiring testimony to be sworn shall not be subject to comment by the public outside a duly advertised public hearing and upon being duly sworn. Such ordinances shall be placed on the agenda under "Public Hearing."

II. Public Hearings, generally

A. Public hearings required by law or deemed advisable by the City Council or Council Committee shall be organized and notice shall be provided as required by law. Any such notice shall set forth the subject, date, place, and time of the hearing as well as any special rules regarding the length of time allotted for each speaker, and other pertinent matters. Any person wishing to speak may do so as provided by these rules. In the interest of time, groups may be asked to limit the number of speakers to a single representative, and the Chair may provide additional speaking time to such representative as deemed appropriate by the Chair. Generally, members of the public wishing to speak will be given no more than three (3) minutes. Should the speaker yield to a question from a councilmember, the time yielded shall not be included in the three (3) minutes. The total time allotted for the public to testify shall not exceed 45 minutes. The Applicant and Staff shall be given such time as may be required to fully present the item.

B. All speakers should avoid repetitive testimony.

1. *Repetitive testimony in the same public hearing.* If a speaker is providing testimony which presents evidence or arguments that the body has already heard from a previous speaker or speakers in same public hearing, the Chair has the discretion to end such repetitive testimony and limit testimony to the receipt of new evidence. If a speaker has provided written testimony for a public hearing, the Chair may limit oral testimony by such speaker to evidence that is not provided by the written testimony or questions from members. Speakers shall avoid reading written testimony to the body where such written testimony was made available to the body prior to the public hearing.

2. *Repetitive testimony in a second public hearing.* In the case where the body is holding a second public hearing on the same subject matter or application as a previous public hearing before another City body, the Chair may limit testimony in the second public hearing to avoid repetition from the first public hearing. In such situations, the Chair may further limit testimony in the second public hearing to the receipt of new evidence that was not reasonably available at the time of the first public hearing.

3. *Repetitive testimony at continued public hearings.* In the case where a public hearing before a body has been continued to a later date, the Chair may limit testimony in the continued public hearing to avoid repetition from the first public hearing, and may further limit testimony in the continued public hearing to the receipt of new evidence that was not reasonably available at the time of the first public hearing.

C. All notice and other requirements of the Sunshine Law shall also apply to public hearings before the City Council, any City Council Committee or other Board/Commission of the City; such a hearing is considered part of a regular or special meeting thereof. A public hearing for which any required notices have been given may be continued to a date, time and place certain without further advertisement provided the date, time and place are announced during the meeting at which the hearing was scheduled to occur. The requirements of Rule 9; Motion 7 — Motion to postpone shall be followed in continuing a hearing at which a majority of the Council or Council Committee, is present.

D. At the time appointed for the public hearing, the Chair shall open and preside over the public hearing. When the allotted time for the public hearing expires, or if no one wishes to speak who has not done so, the Chair shall declare the hearing ended. The Chair may re-open the public hearing at the same meeting at which the hearing was originally scheduled if the Body desires to receive additional evidence or testimony in the public hearing. During the body's debate and deliberation of the pending matter after the public hearing has closed, the Chair may accept input and advice from City staff about the pending matter without re-opening the public hearing.

III. Special Procedural rules for public meetings and public hearings conducted by video conference.

A. *Applicability.* The provisions of this section shall apply to the City Council, Council Committees, and all boards and commissions of the City that are subject to the Sunshine Law as set forth in RSMo ch. 610 of the (each a "body" as used in this section).

B. *Method of holding meetings, in-person or by videoconference.* Each body may elect to conduct meetings in-person or by videoconference. The chair of each body shall communicate the method of conducting each meeting to City staff with sufficient advanced notice to prepare for the method of holding each meeting. City staff will coordinate with the body to conduct each meeting by the method selected by the body.

C. *General rules for videoconference meetings.*

1. The City Manager shall select a videoconference platform which shall be used by each body to hold meetings which are conducted by videoconference. This method shall be communicated to the bodies of the City. The City Manager may change the videoconference platform from time to time, as deemed necessary.

2. The provisions of this section shall apply to all meetings that are conducted by videoconference.

3. This section shall govern participation in a public meeting by videoconference. If a person participates in a meeting by telephone, these rules will be followed to the greatest extent possible.

4. City staff is directed to incorporate directions regarding how to participate in public meetings by videoconference within the various hearing notices, mailings, agendas, site signage and other means that are distributed to the public for public meetings and public hearings.

5. City staff shall communicate the requirements of this section, as deemed necessary, to educate applicants and members of the public who participate in a meeting by videoconference.

D. *Public hearing oath during sworn public hearings.*

1. For each public hearing, when called upon by the chair of the body, the swearing-in oath shall be delivered as normal to the participants in the videoconference meeting. Video screens shall be turned on, when possible, so the participants can see the person being sworn in.

2. Prior to administering the swearing-in oath, the chair should inform the participants that anyone who needs to be sworn in should have their audio and video turned on, for the limited purpose of swearing to the oath. After this step is complete, all persons who have been sworn in should turn off audio and video and wait to speak to the body as outlined below.

3. The chair of each body will inquire, as necessary, of person speaking in a sworn public hearing whether they were sworn in, and if not then they will receive the public hearing oath.

E. *Applicant participation and testimony.*

1. The applicant in a public hearing will be given an access code and a password to participate on the selected videoconference platform.
2. The applicant may circulate the access code and password only to consultants and team members who might speak in the meeting. The access code and password will apply only to the designated meeting and should be treated as confidential information.
3. At the swearing-in oath, all applicant team members who might speak should have audio and video turned on to swear to the oath.
4. When the applicant's team members are not speaking, audio and video should be turned off.
5. During the question and answer period of a public hearing, when an applicant team member wants to speak, the person should turn on their video and wait to be called upon by the chair of the body. When finished, the person should turn off their audio and video again. Keeping everyone muted unless speaking will minimize background noise and distractions during the course of the discussion.
6. When an applicant's item is finished on the agenda, all of the applicant's team members should leave the videoconference platform. Such persons can continue watching the meeting as a member of the public through LSTV or other publicly available means.
7. The overall goal is to conduct each public hearing as close to the normal in-person process as possible, within the constraints of the videoconference setting.

F. *Public testimony.*

1. Public participation through the videoconference platform in a public hearing is solely for the purpose of providing testimony in the public hearing. General attendance by the public at a public meeting, when not providing testimony in a public hearing, must be by one of the methods stated on the agenda of the meeting and the other written material that is distributed for the public meeting. These methods will typically include watching on LSTV or on the television channel designated by a cable service provider. The several City departments will coordinate to provide information to the public and potential speakers at public hearings about the procedural rules in this section.
2. A member of the public who wants to speak at a public hearing by videoconference must inform the City Clerk by 5:00 p.m. on the day before the meeting date.
3. A member of public who makes a timely request to speak at a public hearing by videoconference will receive an access code and password to participate in the videoconference platform as a speaker. The access code and password will apply only to the designated meeting and should be treated as confidential information. The City Clerk's office and City staff shall coordinate to administer this provision.
4. The speaker must use their actual name on the videoconference platform, and cannot participate anonymously. Anyone who attempts to participate anonymously will be dismissed from the videoconference platform by the host.
5. The member of the public that participates in the public hearing must have audio and video turned on to swear to the oath when the swearing-in oath is given for the public hearing.
6. When a member of the public is not speaking, audio and video must be turned off. If a participant fails to follow this rule, the chair may direct that the person be removed from the videoconference platform.
7. When a member of the public is called by the chair of the body to speak, the person should turn on their audio and video and address the body. If a member of the public fails to respond when

it is their turn to speak, the chair may direct that that person shall be removed from the videoconference platform by the host.

8. If the speaker has any questions, those questions should be stated during their comments but an answer will only be provided after the speaker has finished all comments. The chair of the body will call upon the appropriate person to answer any questions raised by the speaker.

9. When the agenda item is finished, the member of the public should leave the videoconference platform. Such persons can continue watching the meeting as a member of the public through LSTV broadcast or other publicly available means. Besides City staff and the body itself, the videoconference platform is limited to applicants and public speakers only during their specific agenda item.

10. The time allotted each participant to speak and the total time for the public to testify shall be as described herein above for public hearings.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage, adoption, and approval by the Mayor.

SECTION 4. Should any section, sentence, or clause of this Ordinance be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining sections, sentences or clauses.

PASSED by the City Council of the City of Lee's Summit, Missouri, this ___day of _____ _____, 2026.

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Mayor *William A. Baird*

ATTEST:

_____
City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this _____ day of _____, 2026.

_____
Mayor *William A. Baird*

ATTEST:

_____
City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

_____
City Attorney *Brian W. Head*