



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

Monday, October 24, 2016

5:00 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

1. CALL TO ORDER
2. ROLL CALL

Present: 4 - Chairperson Diane Seif
Vice Chair Dave Mosby
Councilmember Rob Binney
Councilmember Trish Carlyle

GUESTS AND STAFF IN ATTENDANCE

Guests in attendance:

Bob Johnson

Staff in attendance:

Jina Bellamy

Brian Head

Steve Arbo

3. APPROVAL OF ACTION LETTER

This was approved .

- A. [2016-0592](#) Action Letter for September 26, 2016 City Council Rules Committee

On motion of Councilmember Binney and Seconded by Councilmember Carlyle, the Action letter for September 26, 2016 was unanimously approved by the Committee.

4. PUBLIC COMMENTS

Bob Johnson, 1000 NE Remington Court, Lee's Summit had a question on Ordinance 7240 that was signed by the Mayor on September 20, 2012 regarding the Conduct of Council Committees. He wanted to confirm the intent of the ordinance under Rule 1.5 where it allows the public to be heard on any of the items listed on the agenda.

Chairperson Seif stated that was correct.

5. ITEMS FOR DISCUSSION

- A. [2016-0554](#) Process of referring items to Council Committees (continued from September 26, 2016).

City Attorney Brian Head gave a brief summary about Agenda Items 5A and 5B relating to proposed changes to Section 1. Section 2-58 - Time in Committee (below).

SECTION 1. That Section 2-58. Rule 1.8 - Time in committee of the Code of Ordinances of the City of Lee's Summit, Missouri be amended to read as follows:

"Sec. 2-58. - Rule 1.8-Assignment to Committee-Procedure-Time in committee.

A. *Assignment to Committee, Generally.* The City Council may assign any item or issue to the appropriate Committee at any time upon consensus of the Council or a vote of a majority of the entire Council. The Mayor Pro Tempore may, upon the request of any Councilmember, or any time he or she feels that an issue of significant importance has arisen, assign such item to the appropriate Council Committee for consideration. In addition, the Chair of any Committee may assign such an issue to his or her own committee provided that the subject matter is appropriate for his or her committee.

B. *Procedure to Require Assignment to Committee.*

Any Councilmember may request, during "Council Comments" at any Council meeting, that the Mayor Pro Tempore assign an item or issue to a Committee for discussion and/or action. The Mayor Pro Tempore shall, within fourteen (14) days after the request is made at the City Council meeting, either assign the item or issue as requested or shall affirmatively decline, in writing filed with the City Clerk. In the event that the Mayor Pro Tempore shall fail to act in the time specified or shall decline to assign the item or issue, he or she shall assign any item or issue to a Committee upon receipt of a written petition containing the signatures of at least three (3) Councilmembers. Any such petition shall be filed with the City Clerk not later than fourteen (14) days after the Mayor Pro Tempore shall decline to assign the issue or item; or, twenty-eight (28) days after the initial request is made during "Council Comments" at a

Council meeting, whichever is less.

Any item or issue so assigned shall remain with its respective standing committee or a special standing committee of the Council, until sixty (60) calendar days have expired after referral to the committee by the Mayor Pro Tempore. Three (3) members of the Council shall have the power to call up any item to the full Council after that time. Such power may be exercised by filing a petition to that effect with the City Clerk **at any time prior to 30 days after the expiration of time in committee** such form as the City Clerk may require. Upon receipt of said petition containing the signatures of at least three (3) Councilmembers, the City Clerk shall provide said petition to the full Council for further determination as to how to proceed with the bill or proposed ordinance.

An item, bill or proposed ordinance shall not be subject to the petition process upon the expiration of sixty (60) calendar days after the first date the item is subject to the petition process described herein.”

City Attorney Head mentioned that there were two points in question from the previous Rules Committee meeting:

1. Chairperson's authority to bring an issue/topic on their own to a Committee without a referral from either the Mayor Pro Tempore or directly from council or upon request of council. The draft proposed language confirms that the Chairperson can bring forward an issue to his/her Committee provided that the subject matter is appropriate for their Committee.
2. There was a need to add clarifying language to the process used when bringing an item forward to be considered for a Committee.

City Attorney Head wanted to add a third point:

3. Establishing a deadline/time limit for when something that hasn't been addressed in Committee can be brought back within a certain time frame.

Staff was assigned to modify the ordinance, making the third paragraph - Section C. "Procedure to Remove and Item from Committee" and then adding language stipulating that once the item has been referred to a Committee, and two meetings of that Committee have transpired, a clock starts for 30 days. Once those conditions have been met, the item expires/dies.

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This matter was continued to the City Council Rules Committee for 11/28/2016

- B.** [2016-0645](#) Chairpersons authority regarding referring items to Council Committees

This item was combined with item 5A. 2016-0554 - Process of referring items to Council Committees (cont. from Sept 26, 2016).

This matter was read into the record

- C.** [2016-0556](#) Guests attending City Council Closed Session meetings (continued from September 26, 2016).

Discussion:

Chairperson Seif inquired on how we have keep records for Closed Sessions. In response, City Attorney Brian Head stated that he keeps the records for Closed Sessions and records the names of those in attendance on a form. He also makes a note of when someone arrives to a meeting.

Concerns were mentioned about having individuals and special interest groups in the meeting when their item(s) is not being discussed and they need to be asked to leave when that is the case.

It was mentioned to have staff and council make a note to vet those that are coming into Closed Session ensuring that they belong there. City Attorney Head stated that he will make a concerted effort to think about guests in the meetings. He mentioned you can bring anyone in that you need to that has information to share in Closed Session and realizes that as there is dicussion there may be additional questions for the guests. However, it is important to make sure they are not in the room when votes are taken and asked to leave once they are not pertinent to the discussion.

City Attorney Head stated that he would be more diligent in ensuring in future meetings that only those required for specific topics be in the meeting and then asked to leave once done.

The Committee felt that was a good solution.

This matter was read into the record

- D.** [2016-0637](#) Limitations on public comments during City Council meetings

Councilmember Mosby needed to leave the meeting early for another committment.

Discussion:

There was discussion about the Public Comments section on the agenda

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and if the public should be limited on how long they speak and if they should only speak on items on the agenda.

It was mentioned that the Council shouldn't place a limit on individuals due to specific topics on the agenda.

City Manager Steve Arbo mentioned past practices where the public was aware of the ten minute time limit as it was printed on the card they fill out and give to the Mayor to be allowed to speak. The time limit is also printed on the agenda to remind guests of the time limit. Mr. Arbo was not aware of a formalized process.

There was no further discussion on this item.

This matter was read into the record

- E. [2017-0867](#) Creating a formal ethics policy for the City Council - Cont. from 9-26-16.

Discussion:

It was a consensus of the Rules Committee to table this discussion until after the Charter ballot issue has gone to the voters.

This matter was continued to the City Council Rules Committee to a date uncertain to follow Charter Ballot/election.

6. ROUNDTABLE

There were no comments during Roundtable.

7. ADJOURNMENT

On motion of Councilmember Binney, Seconded by Councilmember Carlyle, the meeting was adjourned at 6:03 p.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".