

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

Thursday, November 1, 2018

7:00 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

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1. Call to Order

Chairperson Carlyle called the meeting to order at 7:00 p.m.

2. Roll Call

Staff in attendance:

Brian Head, City Attorney

Jina Bellamy, Recording Secretary

**Present:** 4 - Chairperson Trish Carlyle  
Councilmember Phyllis Edson  
Vice Chair Bob Johnson  
Councilmember Diane Forte

3. Approval of Agenda

Councilmember Forte approved the agenda as written. Councilmember Edson seconded the motion. Vote was 4-0. Motion passed.

4. Approval of Action Letter

A. [2018-2389](#) Action Letter for September 4, 2018 City Council Rules Committee Meeting.

Councilmember Forte moved to approve the Action letter from Sept 4, 2018. Councilmember Edson seconded the motion. Vote 4-0. Motion passed.

5. Public Comments

There was no public in attendance at the meeting.

6. Items for Discussion

A. [BILL NO.](#)  
[18-199](#) An Ordinance amending Section 2-60.22.- Rule 2.2 Public Comments. of the Code of Ordinances of the City of Lee's Summit, Missouri to clarify that members of the public wishing to address the City Council of the City of Lee's Summit, Missouri during City Council meetings must limit comments to topics on the agenda or general subjects related to the operations of the City of Lee's Summit and further providing for the manner. (Rules Committee 11/1/18)

City Attorney, Brian Head mentioned that this is an item that has been

discussed previously. Councilmember Johnson requested to see the final marked up version showing all the suggested changes of the ordinance, prior to voting on it. This limits the public comment section of the agenda to items that are either on the agenda or items that are directly related to the operations of the City of Lee's Summit.

There was general discussion regarding:

1. The types of items that would be considered "operations of the city" and how to monitor individuals who get off topic.

Staff expressed that ultimately the Chairperson has the authority to stop someone from speaking who heads in a direction that is not related to the operations of the City. There was a concern about how the public would know in advance about what happens when going off topic. Two suggestions would be 1. placing a note on the agenda under the "Public Comment" section , and 2. Add the information to the comment card.

2. The types of questions received in the past from the public regarding filling out comment cards, where they can obtain the cards and where information about comment cards should be published. Staff mentioned comment cards can be obtained from the City Clerk's office or outside of Chambers prior to the meeting.

**Councilmember Forte made a motion to direct staff to prepare item 2018-2264 to the full City Council. Chairperson Carlyle stated that she had a motion to direct staff to prepare item 2018-2264 to the full Council for discussion and approval. Staff asked for clarification of the motion. Chairperson Carlyle stated she asked for discussion and approval and asked Councilmember Forte if that was what she wanted. Councilmember Forte confirmed that was what she wanted. Councilmember Edson seconded the motion. Vote 4-0. Motion passed.**

**B. [BILL NO. 18-200](#)**

An Ordinance amending Article I. In General., of Chapter 12. Elections., of the Code of Ordinances of the City of Lee's Summit, Missouri, by enacting a new Section 12-4 Use of City Staff and resources prior to an election., to generally prohibit participation by staff, expenditure of City funds, and use of City resources related to any district specific forum from and after February 1 of any year in which a General Municipal Election is to be held. (Rules Committee 11/1/18)

Brian Head gave a brief summary regarding this subject and how and why a draft ordinance was created. He mentioned previous Rules Committee meetings where dicussion included creating an ordinance limiting district forums where City staff and City funds had been utilized during the later stages of City Council campaigns. It was prevoulsy discussed that Feb 1 was the date selected where there would be no City funds expended in District forums and staff would not be asked to attend district specific forums from Feb 1 until the election was held.

Councilmember Johnson wanted to discuss the last sentence of the draft ordinance that stated: "This section shall not apply when any such forum is requested by the City Manager and limted to educational information on any

ballot measures." Councilmember Johnson mentioned the "appearance" of election educational pieces that Staff sends out that are "four color and slick" - look like election propaganda and suggested maybe having staff do their educational pieces in black and white print.

Councilmember Forte reminded the Committee that the intent of requesting this ordinance was not to give an unfair advantage to a current councilmember that could ask for a District Forum who is running for office against a new candidate who wouldn't have that ability.

After general discussion, the Committee's consensus was to strike the sentence from the draft ordinance.

**Councilmember Edson made a motion to send Ordinance 2018-2267. an Ordinance amending Article I in General, of the Chapter 12 Elections of the Code of Ordinances of the City of Lee's Summit Missouri, By enacting a new section 12-4 Use of City Staff and resources prior to an election to generally prohibit participation by Staff, expenditure of City funds and use of City resources related to any District specific forum from and after February 1 of any year in which a General Municipal election is to be held as amended to the City Council for approval. Vote 4-0. Motion passed.**

**C. 2018-2388** Process of Filling Vacant City Council positions.

Brian Head provided a review of the item and our process to date, mentioning there is not a good rule that tells you how to select someone to fill a vacant Council seat.

Discussion ensued regarding:

1. Councilmember Johnson mentioned a change that needs to be made in the current "Application Review Process Conducted by the City Council on May 11, 2017" in the packet. Since Mayor is now considered a member of the Council and votes on items, a majority of Council would need to be changed from 4 to 5 in the last section.

2. Councilmember Forte would like to see better communication on how things are specifically done.

Brian suggested having the Council pass a Resolution stating how they wish to proceed in the future and will work on a draft Resolution to review at the next Rules Committee meeting.

**Staff was requested to draft a procedure and bring it back to the next Rules Committee for discussion.**

**7. Roundtable**

Staff mentioned an item from Councilmember Johnson that was previously requested regarding changing Council Districts. Staff will add that item to the next Rules Committee meeting.

Staff also mentioned that previously the Committee had inquired about the functions of an alternate Committee member. Council voted to have a temporary one-year rule change that would allow the alternate to be the 3 or 4th member of a Committee. That rule expired July 1, 2018, unless Council chooses to extend it.

Consensus from the Committee was to leave it reverted back to the original and should the Council desire or if an issue arises, they can bring it up at that time.

#### 8. Adjournment

**Chairperson Carlyle adjourned the meeting at 7:39 p.m.**

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