

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

Thursday, March 7, 2019

6:00 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 6:03 p.m.

2. Roll Call

Staff in Attendance:

Nancy Yendes

Steve Arbo

Jina Bellamy

Guests in Attendance:

Ms. Geraldine Amato

Present: 3 - Chairperson Trish Carlyle
Vice Chair Bob Johnson
Councilmember Diane Forte

Absent: 1 - Councilmember Phyllis Edson

3. Approval of Agenda

Councilmember Forte made a motion to approve the Agenda. Motion was seconded by Councilmember Johnson. Vote: 3-0. Motion passed.

4. Approval of Action Letter

A. [2019-2562](#) Action Letter for January 3, 2019 City Council Rules Committee Meeting

Councilmember Forte made a motion to approve the Action Letter for January 3, 2019. Motion was seconded by Councilmember Johnson. Vote: 3-0. Motion Passed

5. Public Comments

Ms. Geraldine Amato spoke regarding the following:

1. She would like the Council to consider adding the names of the Councilmembers at the top of Agendas for each of the Committees to assist audience members who aren't able to see the name plaques at the dais.

2. She requested having maintance leave the handicap function on for the City Hall doors when there are evening meetings to better assist the public.
3. She requested the Council to show respect to members of the public at Council meetings.

6. Items for Discussion

- A. [2018-2461](#) Discussion related to procedure for selecting a new Councilmember following a vacancy on the City Council.

Councilmember Forte brought this item forward for discussion. She would like to be more familiar with the process for replacing councilmembers when there is a vacancy. The last time a vacancy came open and the Council needed to make a decision on the replacement, direction on the process was unclear and the meeting was somewhat awkward as some of the councilmembers were not aware that discussion and vote would take place in the same meeting in a relatively short amount of time.

City Manager Steve Arbo suggested the possibility of advising the council in advance of the process instead of learning the process as it is occurring.

Councilmember Johnson mentioned the draft Resolution, in the packet, addressed his concern with the changes presented on item number 8 allowing the Council to continue voting until there is a majority vote. He is fine with waiting to adopt the Resolution until a time in the future where it may be needed.

Councilmember Carlyle stated that she felt this was a great outline and doesn't believe anything needs to go forward at this time.

After brief discussion regarding this topic, Staff mentioned that if this does become an issue in the future, we would research the topic and the prepared "draft" Resolution from this meeting would come up in the search and could be discussed at that time.

- B. [2018-2462](#) Discussion related to expanding the number of Council districts.

Councilmember Johnson brought this item before the Council Rules Committee in an effort to make it easier for citizens of all backgrounds and financial ability to be able to run for office. He originally suggested redistricting to 8 Districts with one Councilmember per District, however understands that some individuals are used to having two people representing their district. As such, he mentioned possibly going to 5 Districts with two Councilmembers per district. He is suggesting that any changes in redistricting would be made effective with the 2022 election and be divided by thoroughfares/major highways and not subdivisions.

After brief discussion, the consensus was to have Staff research numbers of districts and councilmembers comparable to Charter cities with 100,000 population in Missouri as well as in our Region and bringing the information back to the next Rules Committee meeting for discussion.

This Discussion Item was continued to the City Council Rules Committee due back on 4/4/2019.

C. 2019-2528

Discussion related to the possibility of creating an alternate process for determining the successful candidate in City elections.

Councilmember Johnson brought this item to the Committee at the January 3, Rules Committee meeting to determine if there is concern with Councilmembers being elected by a simple majority vote vs a majority vote and asked Staff to research different types of voting mechanisms.

Staff researched and provided the following information in the packet:

1. Information on Ranked Voting
2. City Charter Section 9.3 stating " the candidate receiving the highest number of votes for each office shall be declared elected and inducted into office at that time."
3. A bill currently filed in the Missouri legislature that would allow for ranked voting (HB27)

There was brief discussion about whether we have authority over the Jackson County Election Board and can request a change in our voting practices with how votes are counted. The answer was "no" and it may require a State law change for Jackson County Election Board to assist us.

City Manager Steve Arbo mentioned that if there is a real desire to change the way we vote, we could research this further regarding what Legislation would be.

Councilmember Forte mentioned that she is fine with the way we are currently doing elections. Councilmember Carlyle stated that it looks like everyone is ok with status quo. Councilmember Johnson mentioned he may research this further on his own.

There was no further action on this item.

This Discussion Item was read into the record.

7. Roundtable

First Item:

Councilmember Johnson suggested creating a rule regarding how the Council would handle certain situations involving decorum and debate. He presented the following suggested Rule:

"DECORUM AND DEBATE

Rule: _____

When a councilmember is about to speak, he or she should respectfully address himself or herself to Mr. Mayor or Madam Mayor, and wait until his or her name is announced, when he or she shall proceed. The Councilmember or Mayor shall confine himself or herself to the questions under debate and avoid derogatory personal comments."

Councilmember Forte spoke about a situation where she was involved in a difference of opinion with another member of the Council at a Council meeting and emphasized the importance of focusing on debating the issue and not the person.

In answer to a question about who police's the Council/Committee, Councilmember Carlyle mentioned that per the City's Charter, the BODY (Council/Committee) police's itself. She further suggested possibly having a training on decorum from "Roberts Rules of Order" at a future Work Session and/or summarizing decorum from Roberts Rules and place it in our Rules Book.

Councilmember Carlye also mentioned that the new Granicus software allowing you to push a button when you wish to speak addresses the first part of the suggested Rule. Councilmember Johnson pointed out that there is nothing in the Rules regarding the presiding Chair choosing NOT to allow someone to speak. He would like to have everyone have the right to speak "by Rule" and maybe changing the proposed rule adding that.

Councilmember Johnson stated if someone is out of order, all members of the "Body" should be allowed to state to the person(s) that they are out of order and why or "Call for the Question" to shut down the debate, which would require a vote of the Body.

Councilmember Johnson stated that he didn't bring this suggested rule due to any previous situations. He wants to make sure in the future that when one of the Council is speaking and a colleague wants to interject and take the floor away from the speaker, someone isn't shutoff in the middle of their comments.

Councilmember Carlyle asked if the Chair has the right to shut someone off and take the floor. Acting City Attorney Nancy Yendes mentioned that according to Roberts Rules of Order, as long as the person is talking about the topic and it is germane to the issue, the Chair isn't supposed to cut them off. However, Robert's Rules of Order can sometimes be challenging and suggested the City might like to create it's own rule.

Any Councilmember would have the right to call someone out of order but ultimately the Chair decides. The Committee asked for guidelines on points of

order occurring during debate when the debate is not on point or not relative to the issue. What may the body do? Councilmember Johnson would also like research on how to protect a speaker being able to complete what they want to say.

Staff was directed to research this further and bring it back to the next meeting.

Second Item:

The Committee would like a quick guide showing Rules on Motions added to the Rules Quick Reference Book and a laminated copy be placed in the Council Chambers.

8. Adjournment

Chairperson Carlyle announced that the next meeting would be held on April 4, 2019 at 6:00 p.m. and then adjourned the meeting at 6:58 p.m.

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