

**CITY OF BLUE SPRINGS, MISSOURI  
MINUTES OF CHARTER REVIEW COMMISSION  
SEPTEMBER 27, 2018**

A meeting of the Charter Review Commission was held on Thursday, September 27, 2018, 6:00 p.m. in the Parks Administration Conference Room of the Blue Springs Fieldhouse, 425 NE Mock Avenue, Blue Springs, MO.

|                           |                  |                             |
|---------------------------|------------------|-----------------------------|
| <b>COMMISSION MEMBERS</b> | Jeanie Lauer     | James Wallace               |
|                           | Kelli Montgomery | Jason Bonney (left at 7:05) |
|                           | Bryan Pratt      | Kynette Campbell            |
|                           | Maureen Johnson  | Traci Via (arrived at 6:05) |
|                           | Becky Nace       |                             |

Also present were Assistant City Administrator Christine Cates, City Attorney Jacqueline Sommer, and City Clerk Sheryl Morgan. Councilmen Culpepper, Kaylor and Carter were present, as well as Planning Commission member Scott Casey.

**CALL MEETING  
TO ORDER**

Co-Chairs Pratt and Lauer called the meeting to order at 6:00 p.m. Co-Chair Lauer reminded the Commissioners that all items can be re-addressed in future meetings. Co-Chair Lauer also stated some items may be important but not appropriate in the Charter, such as performance evaluation and term limits, and she suggested that a separate recommendation be given to the Mayor and Council for a Task Force for consideration. City Clerk Sheryl Morgan distributed packets to the Commissioners with research, documents and proposed verbiage requested during the September 13, 2018 meeting.

**COMMISSION  
RECOMMENDATIONS  
FOR COUNCIL TASK  
FORCE**

- Performance appraisals
- Organizational chart reflecting what should be happening on a daily basis
- Four-year terms for Council and Mayor to save on election expenses
- Consistency with voting Councilmember on each board and commission
- Section 110.150 of the Code in relation to Section 3.12.H

**APPROVAL OF MINUTES**

Co-Chair Lauer moved to approve the Minutes of the September 13, 2018 Charter Review Commission meeting. Motion seconded by Commissioner Nace and was approved unanimously.

**COMMISSIONER VIA  
ARRIVED AT 6:05**

**ARTICLE III – CITY  
COUNCIL (Continued  
Discussion)**

**Sections 3.14 and 3.15** – The Commission discussed amendments to include the Council's consent of the appointments, as well as removal of the appointee by 5/7 vote of the City Council.

**Section 3.16** – The Commission reviewed verbiage distributed by City Attorney outlining how a replacement of a Municipal Judge is

appointed if a Judge is absent, sick or disqualified from acting. Ms. Sommer stated that even if the voters vote down the proposed verbiage, the change would go into effect because the amendments are State law. The Charter current provisions were adopted before the City had a Presiding Municipal Judge. The Commission requested the ballot language make it clear this amendment is proposed in order to be consistent with State law.

**Section 3.17** – No changes were recommended.

**Section 3.18** – No changes were recommended.

**Section 3.19** – The Commission recommended amending this section to reflect the current status and practice of codifying ordinances.

**AMENDMENTS AND REVIEW**

The Commission reviewed Articles I, II, and III previously discussed at the September 13, 2018 meeting and agreed to the following:

**ARTICLE I – INCORPORATION, NAMES AND BOUNDARIES**

The Commission unanimously agreed that no changes were recommended.

**ARTICLE II – POWERS**

The Commission unanimously agreed that no changes were recommended.

**GLOBAL CODE CHANGE RELATING TO GENDER**

City Attorney Jackie Sommer presented proposed verbiage regarding gender references throughout the Charter. The Commission directed staff to do a global replacement of gender references throughout the Charter, replacing Councilman with Councilmember, Councilmen with Councilmembers, he/him/his with they/their. City Attorney Sommer will determine if this results in any substantive changes to the Charter or Code.

**ARTICLE III – CITY COUNCIL**

**Section 3.1** – The Commission unanimously agreed that no changes were recommended.

**Section 3.2** – The Commission unanimously agreed that no changes were recommended.

**Section 3.3** – The Commission unanimously agreed to add “nor be a registered sex offender” to the second paragraph of Section 3.3.

**Section 3.4** – The Commission discussed terms and reviewed the estimated election expense comparison with a four-year term for both Mayor and Councilmembers.

Commissioner Nace made a motion to change the term of Councilmembers from three to four-year terms. There was no second to the motion, and the motion failed.

**Section 3.5** – The Commission unanimously agreed that no changes were recommended.

**Section 3.6** – The Commission unanimously agreed that no changes were recommended.

**Section 3.7** – The Commission unanimously agreed that no changes were recommended. The Commission would like to make Section 4.4.F consistent with Section 3.7.C.

**Section 3.8** – The Commission unanimously agreed that no changes were recommended.

**Section 3.9** – The Commission unanimously agreed that no changes were recommended.

**Section 3.10** – City Attorney Jackie Sommer referred to two options she drafted regarding the filling of a Councilmember vacancy. Co-Chair Pratt said he would work with Ms. Sommer to craft language stating the vacancy would be filled at the next municipal election and would be to complete the term of the vacated seat. This language will be presented to the Commission at the next meeting for consideration. Ms. Sommer will research whether removing the last sentence relating to Missouri election laws would in any way affect the Commission's desire to not hold a special election, but adhere to the City's normal municipal election schedule.

**COMMISSIONER  
BONNEY LEFT AT 7:05**

**Section 3.11** – The Commission unanimously agreed to amend the section to remove the words "on demand" relating to the timing of a public hearing and replace with the words "within 30 days."

**Sections 3.12.A, B, C, E, F, H, I, and K** – The Commission unanimously agreed that no changes were recommended.

**Section 3.12.D** – At the request of Mayor Ross, City Attorney Jackie Sommer provided a document outlining how current votes are taken at Council meetings, which is inconsistent with the Charter. The Commission stated their preference to stay with the Charter verbiage as is. Ms. Sommer will determine Mayor's intent and reason for request to change the voting procedure.

**Section 3.12.G** – The Commission unanimously agreed to recommend repealing this Section, as it is covered under Section 4.4.D (Mayor's Powers and Duties – Execution of Documents).

**Section 3.13** – The Commission unanimously recommended removing "Mayor and" in the first sentence consenting to the appointment of the City Clerk.

**Sections 3.14 and 3.15** – The Commission unanimously recommended amending the first paragraph of both Sections 3.14 and 3.15: "shall be appointed by the Mayor with the advice and consent of a majority of the entire City Council, and may be removed by the Mayor with the consent of a majority of the entire City Council, or by five-sevenths (5/7) majority of the City Council."

**Section 3.16** – The Commission unanimously recommended amending the first paragraph to read as follows: "If a Municipal Judge is absent, sick, or disqualified from acting, the Presiding Municipal Judge ~~Mayor~~ may request the Presiding Judge of the Circuit Court to designate some competent, eligible person to act as Special Municipal Judge until such absence or disqualification shall cease; provided, however, that should a Municipal Judge resign from office, that vacancy shall be filled by an appointment

in the same manner as a Municipal Judge is appointed, with a consent of the majority of the entire City Council. The Presiding Municipal Judge may, by written directive, designate a written procedure delegating authority by which the Municipal Court Administrator or the Municipal Court Clerk is authorized to notify and request the Presiding Judge of the Circuit Court to designate a Special Municipal Judge.

**Section 3.17** – The Commission unanimously agreed that no changes were recommended.

**Section 3.18** – The Commission unanimously agreed that no changes were recommended.

**Section 3.19** – The Commission unanimously agreed to recommend deleting the first paragraph of Section 3.19, and to amend the second paragraph deleting the words “thereafter” and “subsequent.”

**DISCUSSION - ARTICLE IV - MAYOR**

**Section 4.1** – No recommended changes.

**Section 4.2** – Add “nor be a registered sex offender” to be consistent with Section 3.3 Qualifications for Councilmember.

**VOTE TO CHANGE MINIMUM AGE TO SERVE AS COUNCILMEMBER**

Co-Chair Lauer moved to amend Section 3.3 changing the minimum age to serve as a Councilmember to 25. Motion seconded by Commissioner Via and carried unanimously.

The Commission directed staff to compare the qualifications for Councilmembers to the Mayor and identify any inconsistencies.

**CONTINUED DISCUSSION – ARTICLE IV - MAYOR**

**Section 4.3** – No recommended changes.

**Section 4.4.A, B, C, E, F, G, H and I** – The Commission unanimously agreed that no changes were recommended.

**Section 4.4.D** – Add “or their designee” shall sign on behalf of the City all instruments, contracts...

**Section 4.5** - No recommended changes.

**Section 4.6** - No recommended changes.

**Section 4.7** - No recommended changes.

**Section 4.8** - No recommended changes.

**REDLINED CHARTER**

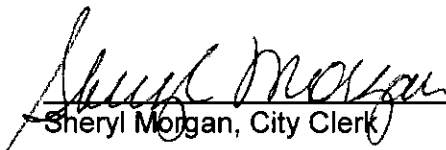
A copy of the Charter with all proposed changes redlined are attached to these Minutes and incorporated herein.

**ADJOURNMENT**

At 7:47 p.m., there was no further business to come before the Council, Co-Chair Pratt adjourned the meeting.

CHARTER REVIEW COMMISSION

  
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Jeanie Lauer, Co-Chairman

  
\_\_\_\_\_  
Sheryl Morgan, City Clerk