



Belton Charter Review Commission Meeting
City Hall Annex – 520 Main Street
May 16, 2018
6:00 p.m.

- I. Call to Order
- II. Approval of minutes from the May 9, 2018, Meeting
- III. Public Comments
Please identify yourself for the record and keep comments to a maximum of five minutes.
- IV. Review of the Final Report
- V. Other
- VI. Adjourn



**Minutes of the
Belton Charter Review Commission Meeting
May 9, 2018
City Hall Annex – 520 Main Street**

Chairman Mallory called the meeting to order at 6:00 P.M.

Commission members present: Tom MacPherson, Heather Shelton, Gary Skidmore, Elmer Larkey, Russell Sullivan, Terry Ward, Gary Mallory, Diane Huckshorn, Mike Miller, and Matthew Mills. Commission members absent: Scott Von Behren and Kara Anderson. Also present: Alexa Barton, City Manager; Megan McGuire, City Attorney; Patti Ledford, City Clerk; and Andrea Cunningham, Executive Secretary.

Commissioner Skidmore moved to approve the minutes of the April 25, 2018, Belton Charter Review Commission Meeting. Commissioner Miller seconded. All present voted in favor. Commissioners Von Behren and Anderson absent. Minutes approved.

Chairman Mallory asked James Person, Police Chief, to talk about the elected vs. appointed police chief position. Chief Person said his first day with the Belton Police Department was January 1, 1980. In June 1988, he was appointed to fulfill the term of the elected police chief who had stepped down. The following year he ran for police chief and was elected by the citizens. He is aware there is concern regarding police chief qualifications. Qualified candidates are out there. An elected police chief creates continuity of corporate knowledge for the position. Turnover for appointed police chiefs can be high as they serve at the pleasure of the City Manager.

Commissioner Miller asked what the turnover rate is for appointed police chiefs. Chief Person said it used to be higher. There is a state statute in place now that an appointed police chief can only be removed "for cause." An elected police chief doesn't have the daily worry if he will continue to be employed.

Commissioner Shelton said her concern is of accountability, not qualifications. An elected police chief is only accountable to the citizens; just like the councilmen. There is potential for a lack of ability to enforce the accountability. Chief Person said he is also accountable to the City Council for the budget and day-to-day operations of the office.

Commissioner Mills said a qualification for police chief is residency of a couple of years. How does this help the City? It creates a smaller pool to draw candidates from. Chief Person said it goes back to the old times of someone who's just here to run for the job.

Commissioner Huckshorn asked Chief Person what his opinion was on why he frequently runs unopposed. Chief Person said, like any position, people have to weigh their chances. Commissioner Huckshorn said longevity can be a deterrent for people to run against you. If the position is changed to an appointed position, would we still face a shortage of interested people?

Chief Person said no. There are qualified candidates who would apply. Commissioner Huckshorn asked Chief Person what his opinion was on which way is best for the future of police chief. Chief Person said there's a lot to be said for "community." If you have leadership from within the community there is a greater likelihood they will stay in the community.

Commissioner Sullivan asked, if an elected police chief is the best option, why do over 90% of Missouri cities have an appointed police chief? Chief Person said, in his opinion, an elected police chief is historical. It began as an elected city marshal. There is a belief an elected person may not be as qualified as an appointed person. In an attempt to professionalize their cities and to get qualified people to take leadership roles, cities have changed the position to appointed.

Chairman Mallory asked Megan McGuire, City Attorney, to address Article IX, Section 9.2(c) from the April 25 meeting. Ms. McGuire said the way it was written was the intent of the paragraph. The City Council can veto a Park Board recommendation to acquire property. This has happened in the past. Acquiring property is a collaboration of the City and the Park Board. This section is being presented tonight as written on April 25. Commissioner Ward said this is what the City is already doing. Ms. McGuire said yes, this just makes it clearer. **Commissioner Shelton moved to approve the proposed amendment to Article IX, as written.** Commissioner Skidmore seconded. Vote on the motion was recorded with all present voting in favor. Commissioners Von Behren and Anderson absent. Motion carried.

Chairman Mallory presented Article XVI with amendments. Ms. McGuire said there are things in this article that are no longer applicable. Section 16.1 was removed as it was specific to when the City transitioned from a 4th Class City to a Charter City. The rest of Article XVI still has value as we make amendments to the Charter. **Commissioner Shelton moved to approve the amendment to Article XVI.** Commissioner Sullivan seconded. Vote on the motion was recorded with all present voting in favor. Commissioners Von Behren and Anderson absent. Motion carried.

Chairman Mallory presented Article XVII with amendments. Ms. McGuire said there are things in this article that are no longer applicable. When the City transitioned from a 4th Class City to a Charter City there was specific transitional language needed. The rest of Article XVII still has value as we make amendments to the Charter. **Commissioner Mills moved to approve the amendment to Article XVII.** Commissioner Skidmore seconded. Vote on the motion was recorded with all present voting in favor. Commissioners Von Behren and Anderson absent. Motion carried.

Chairman Mallory presented the draft Final Report. Please look over it and we'll discuss it at the May 16 meeting. This is the report that will be presented to the City Council on June 5.

Commissioner Sullivan asked, since Chief Person spoke tonight, should we consider revisiting Article VIII? Chief Person asked the Commission not to do anything tonight.

Commissioner Shelton said Lee's Summit added language to their Charter about violating the Charter. Commissioner Shelton will send this language to the Commission for consideration at the May 16 meeting.

Commissioner Shelton also brought up that our Charter does not address the school district. She would like to see something that connects the school to the City. Commissioner Shelton will send this language to the Commission for consideration at the May 16 meeting.

Alexa Barton, City Manager, added the City has very open communications with the school district. Everyone has come to the table to discuss, in particular, the new school building. We are very pro-active with the school district. We have the same vision for the growth of the school district. Commissioner MacPherson also added the Planning Commission meetings are open meetings. He's never seen a school board member at a public hearing.

Commissioner Skidmore thanked the City staff for their help with the Charter review process.

Commissioner Ward said he would like to move up the "Public Comments" section on the agenda.

Chairman Mallory opened the meeting up for public comments. Dave Daniels, Park Board member, addressed the Commission. He said the police chief would only be accountable to one person – the citizens. Mr. Daniels asked if the Commission expects the police chief to be accountable, then why not the City Council too. Commissioner Shelton said we do. Accountability is what we need to address overall. Commissioner Sullivan said an elected department head is different than an elected mayor or councilman. An elected department head basically becomes untouchable.

The next meeting is May 16, 2018, 6:00 P.M. Please be prepared to discuss the draft Final Report.

Being no further input, Chairman Mallory moved to adjourn at 7:15 P.M. Commissioner Shelton seconded. All present voted in favor. Commissioners Von Behren and Anderson absent. Meeting adjourned.

Andrea Cunningham, Executive Secretary