

**CHARTER REVIEW ADVISORY BOARD  
MINUTES OF REGULAR MEETING  
THURSDAY, MARCH 16, 2017**

**PRESENT:** David Samuel, Chair; Pete Pedersen, Vice-Chair; Eileen Murphy; Valerie LaBoy; Robert Smith; and Cory Hutchinson; City Attorney Mark Moriarty; City Clerk Patsy Adkins; and Recording Secretary Hale.

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The Regular Meeting of the Charter Review Advisory Board was called to order in the Training Room 244 at 4:01 p.m. by Chair David Samuel.

The Pledge of Allegiance was led by the Board.

**3. PUBLIC COMMENT**

There was no public comment.

**4. NEW BUSINESS**

Chair David Samuel requested that the Board discuss an item prior to Agenda Item 4.A.

***Chair David Samuel moved to have experts or an expert, along with the City Commission, do a complete revision of the City Charter. Reactivate the Charter Review Advisory Board once the revision is completed and approved by the Commission; seconded by Eileen Murphy-Bartolotta.***

Discussion ensued: (1) it is essential that a revision of the City Charter, as the City's Constitution, be done correctly; (2) the Commission requested that the Board do a task that was beyond the scope and energy level of the Board Members; (3) there is no rush to finish this project; (4) City Charter, Article X, Section 10.-1(b) was cited: "The Charter Review Advisory Board may recommend a proposed amendment." The Board is chosen and appointed by the Commission to give advice regarding revisions to the Charter. The Commission either accepts or rejects our recommendations; (5) it was difficult to decipher all of the Commission's suggestions and to know which to incorporate and which to leave out; (6) the Charter document is a constitution and does not warrant this much change; (7) the Board spent 18 months making changes and the Commission's expectation is to integrate all their changes in just a few weeks; (8) it was stated that the National League of Cities has professional staff or could recommend individuals who could help; (9) the cost for expert help is unknown; (10) the Charter Review Advisory Board should be invited to that joint meeting between the Commission and professionals; (11) following a question, City Attorney Moriarty stated that he would be present during the discussion and the Board's original approach was to work with the existing document and revise it. If a consultant recommends a prototype and the Commission accepts that route, the consultant cost may be reasonable. If the Commission wants to work in more detail, the consultant will cost more; (12) Chair Samuel's motion stated the word "reactivated" and it was suggested that "reconvened" is a better word; (13) in their revisions, the Board worked with a Model City Charter; (14) a concern was expressed that hiring a consultant could be costly; (15) it was suggested not to hire a consultant and that the Commission provide the Board with a one-piece version of the Charter, not three separate recommendations.

Valerie LaBoy arrived at 4:28 p.m.

## **DRAFT**

Discussion continued: (16) it was articulated that the Commission rejected all the Board's recommendations; (17) City Attorney Moriarty suggested some considerations regarding professional guidance: [a] any action by the Board or the Commission must be approved by the people; [b] if there is a consultant from the outset to guide the process, it will instill confidence in the final document; [c] the City Attorney's Office is competent to make the changes, however, if the "political" perception were to grow there would be no way to stifle once the question goes to referendum; (18) an expert will also show that politics is not involved; (19) it was stated that only three Commissioners provided input and soon there will be a full five-member Commission; (20) outsourcing the Charter revision assures that: [a] a professional speaks with authority; [b] a professional has liability insurance and if an issue arises that they should have known, the City has recourse for them to pay the legal fees because a faulty document was provided; (21) City Attorney Moriarty will research the city where a re-write Charter was proposed to the citizens with one brief referendum question; (22) the mail-in ballot process was explained; (23) Pete Pedersen disagreed with spending funds to hire a professional and will not support a motion to that end; (24) the Board's task was to examine the document and come up with ways that it fits the needs of today's community; (25) concerns were expressed that the Commission did not provide a unified view of what they want from the Board, and by turning the task of revising the Charter back to the Commission: [a] it will be put on the back burner; [b] it will incur a lot of money to hire a professional; [c] it completely undermines the intent and purpose of the Advisory Board.

Subsequently, the motion and second were withdrawn.

***Eileen Murphy-Bartolotta moved that the Charter Review Advisory Board turn back the revised Charter that the Board put together; let the Commission come up with one complete revised document how they would like to see it, and then send the one version back to the Charter Review Advisory Board for review; seconded by Valerie LaBoy. The motion carried unanimously.***

It was stated that the project needs to be a three or four step process.

- A. Comparing and combining the Commissioners' recommended City Charter revisions and the Board's recommended revisions to prepare a draft document to present at the Commission Special Meeting scheduled for Monday, April 3, 2017 at 9:00 a.m.

Due to the action of the Board. This item was not discussed.

### **5. SCHEDULE NEXT MEETING**

Chair Samuel stated that the Board should wait until after the April 3, 2017 Commission Special Meeting to schedule another Board meeting.

City Clerk Adkins requested clarification regarding the Charter Review Advisory Board meeting scheduled for April 21, 2017. Thereafter, Chair Samuel officially cancelled that meeting.

### **6. NEXT MEETING AGENDA**

Nothing scheduled at this time.

### **7. ADJOURNMENT**

**DRAFT**

***Robert Smith moved to adjourn the Charter Review Advisory Board Regular Meeting; seconded by Eileen Murphy-Bartolotta. The motion carried unanimously.***

The Charter Review Advisory Board Regular meeting adjourned at 5:00 p.m.

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DAVID SAMUEL, CHAIR

Minutes approved this \_\_\_\_\_ day of \_\_\_\_\_ 2017.