

## CITY COUNCIL WORK SESSION

### Charter Revision

March 1, 2010 – 6:15 p.m.

Eileen Dondero Foley Council Chambers

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City Council Present: Mayor Ferrini, Assistant Mayor Novelline Clayburgh, Councilors Lister, Hejtmanek, Spear, Coviello, Kennedy and Smith

City Council Absent: Councilor Dwyer

Staff Present: John P. Bohenko, City Manager; Robert P. Sullivan, City Attorney; and Kelli L. Barnaby, City Clerk

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Mayor Ferrini called the work session to order at 6:15 p.m. He said this matter was briefly discussed during the City Council retreat.

City Attorney Sullivan informed the City Council that he wrote the current Charter which is the constitution of the City and lays out how the government operates. In the late 1980's the City Council made the decision to seriously look at the Charter. The Charter Commission undertook an analysis of the government and now there is a single document that makes up the Charter. Every decade the City Council needs to decide to amend, revise or leave the Charter as it presently appears at its first meeting of the new decade.

City Attorney Sullivan spoke to the options available to the City Council and explained the difference between an amendment and a revision. He informed the Council that an amendment is the simplest form available to the Council. An amendment is a minor change to the Charter whereby a revision would be a major change. He outlined the various requirements of the process for either an amendment or a revision. City Attorney Sullivan discussed placing a question on the ballot. He informed the Council that in 2000 the City Council at that time determined not to propose an amendment or revision but to create a Charter Committee. The purpose was to avoid the structured process to allow for a more informal process.

Assistant Mayor Novelline Clayburgh asked what the time frame for that would be. City Attorney Sullivan said a Charter Commission could not be created in less than one year. He spoke to the advantages and disadvantages between the revision and amendment process. He advised the City Council that through the revision process the City Council has very little control of changes. It would be a poor vehicle and a lengthy time expansive process that would require three City Council elections and take up to two years to complete. Amendments are speedy, simple, and perfectly suited for surgical changes in the Charter.

Councilor Smith asked if a Charter Committee requested a change that would be a revision and not an amendment what would happen. City Attorney Sullivan responded that the City Council would have no choice but to begin the Charter Commission process.

Mayor Ferrini said if people were to look at the abolishment of the Fire and/or Police Commissions would that be an amendment or a revision. City Attorney Sullivan said that would be an amendment.

Councilor Spear said there are so many different facets that we would look at for the amendment process similar to what was done in 2000.

Mayor Ferrini said that a work session with the City Council could be conducted and, he would like to move forward with the amendment process.

Councilor Kennedy asked if the Council could bring this up after the 10 year cycle if we chose to do nothing at this point. City Attorney Sullivan responded yes.

Councilor Kennedy said right now the Council has a great deal on their plate and she would like to put this issue on the back burner.

Councilor Hejtmanek said we need to address this and have a committee come back at the end of June. Assistant Mayor Novelline Clayburgh and Councilor Coviello said they agree with Councilor Hejtmanek.

Councilor Smith said that he agrees with Councilor Kennedy that we have a great deal of issues on our plate at this time.

Mayor Ferrini asked if the report came back to the City Council they could table the issues to not appear on the ballot. City Attorney Sullivan said that is correct. Mayor Ferrini said we should bring back a simple charge for the committee. City Attorney Sullivan informed the Council that former Mayor Sirrell in 2000 came back with recommended names for the committee and it was a simple vote of the Council.

Councilor Coviello would like to make sure that people who want to serve on the Committee are given the opportunity to make themselves known.

At 6:55 p.m., Mayor Ferrini closed the meeting.

Respectfully submitted by:

Kelli L. Barnaby, CMC/CNHMC  
City Clerk