



City of Dallas Citizen Charter Committee

Wednesday, March 12, 2014

4:30 p.m.

Dallas City Hall
187 SE Court St.
Dallas, OR 97338

Members

David Shein
Chair

Mike Bollman

Fred Avera

LuAnn Meyer

Gene Henshaw

Nancy Moen

Kathy Voves

Debra Nord

Paul Trahan

1. Call to Order
2. Approval of Minutes of February 12, 2014 Meeting
3. Comments From Audience
This time is provided for audience members to comment on agenda items or other issues pertaining to the charter. The chair may impose time restrictions on comments.
4. Administrative Issues
5. Guest Speakers
 - Councilor Jim Brown
6. Discussion of Specific Charter Issues
7. Staff Comments
8. Member Comments
9. Other Business
10. Adjournment

Staff

Brian Dalton
Mayor

Ron Foggin
City Manager

Lane Shetterly
City Attorney

Jeremy Teal
Recording Secretary

Citizen Charter Revision Committee
Wednesday, February 12, 2014

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Members Present: Chair David Shein, Mike Bollman, Gene Henshaw, LuAnn Meyer, Nancy Moen, Debra Nord, Kathy Voves, and Fred Avera via phone. Absent: Paul Trahan.

Also Present: City Manager Ron Foggin, Mayor Brian Dalton, City Attorney Lane Shetterly, and Recording Secretary Jeremy Teal.

Chair Shein called the meeting to order at 4:30 p.m.

APPROVAL OF MINUTES OF JANUARY 8, 2014, MEETING

The minutes of the January 8, 2014, meeting were approved as presented.

COMMENTS FROM AUDIENCE

There were none.

ADMINISTRATIVE ISSUES

There were none.

GUEST SPEAKER

Councilor Ken Woods, Jr. reviewed an outline regarding some issues of concern, a copy of which is attached to these minutes and incorporated herein.

DISCUSSION OF SPECIFIC CHARTER ISSUES

There was discussion of specific policy issues regarding the Charter, a list of which is attached to these minutes and incorporated herein.

There was discussion regarding the role of the Mayor. It was decided by the Committee to leave the description unchanged as a nonvoting tiebreaker with a veto.

There was discussion regarding the number of Councilor members on the Council. It was decided by the committee to leave the number of Councilors at nine members.

There was discussion regarding the term length for the Mayor. It was decided by the Committee to leave the term length at two years.

There was discussion regarding the term length for the Councilors. It was decided by the Committee to leave the term length at four years.

There was discussion regarding the election of Councilors by district or at large. It was decided by the Committee to leave the description unchanged and elect Councilors at large.

There was discussion regarding the City remaining nonpartisan. It was decided by the Committee to leave the description unchanged.

1 There was discussion regarding the election of a Council President. It was decided by the Committee to
2 leave the description unchanged and elect the President every two years.

3 There was discussion regarding the residency requirements as a qualification for office and whether it
4 should be applied to election as well as appointment. Chair Shein reviewed that a person must be a
5 resident of the City 12 months prior to the election and/or appointment to a vacancy and Council will be
6 the final judge of qualifications. Mr. Shetterly suggested removing the language stating, "subject to review
7 by a court of competent jurisdiction". It was decided by the Committee to discuss this issue further at the
8 next committee meeting.

9 There was discussion regarding a person being a candidate for more than one office at an election. It was
10 decided by the committee to leave the description unchanged and Mr. Shetterly would review state law
11 regarding this issue.

12 Mr. Henshaw left at 5:20 p.m.

13 There was discussion regarding the requirements for eligibility for the Council. It was decided by the
14 committee to leave the description unchanged.

15 There was discussion regarding special meetings being called by the Mayor or three Councilors. It was
16 decided by the committee to leave the description unchanged.

17 There was discussion regarding having a quorum present to make decisions. It was decided by the
18 Committee to leave the description unchanged and the quorum would remain at five.

19 There was discussion regarding how abstention would be treated. It was decided by the Committee to table
20 abstention and revisit it along with the issue of filling vacancies.

21 There was discussion regarding the signing of checks by the Mayor, or if it was more suited to be required
22 as an Ordinance. It was decided by the Committee to solicit more information before a decision could be
23 made.

24 There was discussion regarding the nepotism clause. It was decided by the Committee to leave the
25 description unchanged.

26 There was discussion regarding the enumerated powers of the Municipal Judge. It was decided by the
27 committee to solicit more information before a decision could be made.

28 **STAFF COMMENTS**

29 **MEMBER COMMENTS**

30 **OTHER**

31 Chair Shein announced the next meeting would be March 12, 2014, at 4:30 p.m.

32 **ADJOURNMENT**

33 There was no other business and the meeting adjourned at 6:00 p.m.

TALKING POINTS
DALLAS CHARTER REVIEW COMMITTEE
02/12/2014

- The Charter is primarily for staff and not so much for the City Council.
- The Charter is needed to be vague enough to last another 50 years. The council rules can be amended as necessary over the years.
- The City Council hires two people, the City Manager and the Municipal Judge. (section 10) The City Manager hires everyone else and manages the City. (section 21)
- The City Council sets the policy of the City, and the City Manager uses that policy and manages the City.
- The councilor and Mayor must be a qualified elector and has resided continuously in the city the twelve months immediately preceding the election. (section 12)
- The role of the Mayor is to preside over its meetings. Mayor is a celebratory position who cuts ribbons and attends functions. The Mayor and the City Council do not participate in the management of the City. (section 17)
- The role of the council President is to preside over the council meetings in the absence of the Mayor, and act as the Mayor in the Mayor's absence. (section 18)
- Nine councilors. (section 7 & 8)
- Filling vacancies (section 32 & 33)
- No term limitation
- Abstaining from voting is not deemed to be a no vote.
- Conflicts of interest, potential vs. actual.
- Don't understand section 44.

Dallas City Charter

Key Decisions

1. Role of the Mayor (nonvoting tiebreaker with veto v. full voting member)

If the Mayor has a veto, how may it be overridden?

which ties should the Mayor be allowed to break, and which not?

2. Number of councilors
3. What should be the Mayor's term (2 years or 4)
4. What should be a council term (2 years or 4)
5. Should councilors be elected at large or by district?
6. Will the city offices remain nonpartisan as at present?
7. How often shall the Council elect its president?

Every 2 years (current charter) or every year (LOC charter)
8. What should be the residency requirement as a qualification for office? It is currently 12 months immediately preceding the election. Should this apply to *both* election *and* appointment to office?
9. Can a person be a candidate for more than one city office at one election?
10. How often should the Council be required to meet? (present charter: at least once a month)
11. Should the Mayor or at the request of three (or other number of) council members, be able to call a special meeting of the Council? (Should this requirement be in the charter as it is now or in the council rules as suggested by the LOC model?)

12. Is a simple majority of a quorum present sufficient to decide any question before the Council? Or is the concurrence of a majority of the whole number of the Council required as is spelled out in the current charter? Under the present charter, all questions require the approval of five councilors. As an example, in this instance, five of our current nine Councilors would constitute a quorum, but the approval of all five would be required to decide any question.
13. How is an abstention treated? (typically treated as a "NO" for purposes of determining the result of a vote)
14. Should the Mayor be required by charter to countersign *all* checks regardless of amount or purpose, or would this be more suited to a directive by ordinance?
15. The current city Charter contains a nepotism clause. The LOC model charter does not.
16. What should be the enumerated powers of the municipal judge? (The specific powers enumerated in the LOC model charters seem to be more definitive than those listed in our current charter)