

Milton Charter commission
Agenda summary/minutes
April 18, 2012

1. Meeting called to order at 6:10 p.m. with a quorum recognized. Following members were present: George Ragsdale, David Shannon, Robert Myers, Gordon Hunter and Ron Wallace. Also in attendance were City Manager Chris Lagerbloom, Administrative Assistance Christine Doss, and City Attorney (Secretary) Ken Jarrard.
2. **Announcements/Miscellaneous** – Chairman stated that work of the Charter Commissioner was wrapping up. Discussion ensued regarding final issues for wrap up.
3. **Approve April 11 minutes** – a motion by George Ragsdale and second by David Shannon to approve the April 11 minutes, with a clarification to replace “council” with the word “commission” in two places. Motion approved 5-0.
4. **Approve agenda** – a motion by George Ragsdale and second by David Shannon to approve the agenda. Motion approved 5-0.
5. Charter issues

Processing and Printing of Ordinances after adoption.

- a. Printing of Ordinances after adoption, section 3.16(b) – City Manager discussed the process for how approved ordinances are handled. A handout regarding this process was circulated. Present version of the charter provides: “After adoption of any ordinance, the clerk shall, as soon as possible, distribute a copy of the mayor and to each councilmember and shall file a reasonable number of copies in the office of the clerk at such other public places as the city council may designate.”
- b. Also implicated are 3.19(b) and 3.20(c).
- c. Discussion ensued regarding having the City attorney draft language consistent with what the Charter currently provides.

Motion by George Ragsdale and David Shannon to move forward with City Attorney to prepare proposed modification to section 3.16(b), 3.19(b) and 3.20(c) of the charter consistent with the bullet points handed out by the city manager. Motion approved 4-0 with Hunter absent.

Charter Housekeeping

A member walked the commission through housekeeping tweaks that are generally non-substantive, but are items it was believed should be changed in order to ensure the Charter is

current and up to date. The following sections were reviewed for possible housekeeping modifications:

- Page 8, section 1.2(b)(40), changing election to “referendum;”
- Page 10, section 2.10(b) regarding “contained in this subsection;”
- Page 10, section 2.10(c)(3) – a discussion ensued regarding whether this may need to be changed in the event that a change is made to term limit language;
- Page 11, section 2.11(b), (c), and (d), regarding consolidation of districts;
- Page 12, section 2.11(f), regarding special election language with no further application, plus a recommendation to remove “beginning in 2007” in section (f).
- Page 16, section 3.10(c), with a proposal to delete “and the executive aide to the mayor;”
- Page 17, section 3.11(a), a discussion ensued regarding whether a change would be appropriate to ensure there is no lag between a new council term, and the date by which those members are sworn in;
- Page 21, section 3.19(b), a recommendation that this provision be made to conform to potential changes regarding how adopted ordinance are processed;
- Page 23, section 3.22(b)(3), “have the power to administer and execute affidavits;”
- Page 27, section 3.29, provide that the mayor pro tempore for a 2 year term;
- Page 30, section 4.12, require the city attorney to have no less than 7 years of active practice in law;
- Page 34, section 6.11(b), change “election” to “referendum;”
- Page 38, section 6.28(a), strike reference to 3.17;
- Pages 47-51, sections 7.13 through 7.16, strike all as no longer pertinent;
- Page 52, section 7.17, strike as no longer pertinent;
- Page 61, Appendix B, reference was made to the “Redistricting Plan Components” and specifically changing the districts from 6 to 3. A reference was also made to changing the census date on page 62, but it was generally agreed that this was a better change for legislative counsel to make.

Subject to the few exceptions noted above, these modifications are identified in a Charter handout that had been assembled and presented by a commission member. The commission was going to consider further the above proposals and action would be taken on formal recommendations at the next Charter Commission meeting.

Defined Benefit Plan

A member handed out correspondence regarding possibly removing the defined benefit component of their employment benefit plan. Discussion ensued but the general consensus was that no action be taken on defined benefits within the Charter.

Term Limits

A discussion ensued regarding possible options for term limits. Section 2.10(c) is the pertinent section of the Milton Charter. Another member raised the issue that the commission might be considering the current makeup of the council as opposed to thinking about the issue at a more general level. The consensus appeared to be that a majority of the commission was in favor of recommending some sort of term limits.

A handout was circulated that contained proposed language.

- The discussion was divided that the mayor should have a limit on the number of terms as mayor, but there should be no prohibition on a former mayor running for council. Consensus was council service should be treated the same. That after serving a set number of terms in council, there should be no prohibition on running for mayor.

A motion was made by George Ragsdale and second by Gordon Hunter to strike section 2.10(c) in its entirety, and replace with the following:

1. The mayor shall be limited to serving two consecutive four-year terms of office. After serving two consecutive full terms of office, the mayor must take a break in service of at least one year following the expiration of the term before becoming eligible for election to the office of city council.
2. Councilmembers shall be limited to serving two consecutive four-year terms of office.
3. Councilmembers may run for the office of mayor at any time.
4. There is no lifetime limit on the number of years a city council member, including the mayor, can serve.
5. For the purposes of this section and in computing term limits: (i) a councilmember, who resigns or vacates office prior to the expiration of the term for which such person is elected, shall be deemed to have served a full term; (ii) a person elected to fill a vacancy on the council for an unexpired term shall be deemed to have served a full term if fifty percent or more of such term is remaining at the time of such election.

Motion approved 5-0.

Next meeting is May 2.

At the next meeting, it was proposed that the Charter Commission receive assembled books which will include all proposed changes (in redline) to include the recommendations regarding districts and language regarding unincorporated islands.

Motion by George Ragsdale and seconded by David Shannon to adjourn. Motion approved 5-0. Meeting adjourned at 9 p.m.

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