

CITY COMMISSION WORKSHOP
MINUTES
July 9, 2012

Vice Mayor Barnas called the workshop to order at 6:30 P.M.

Invocation by Mayor Dean Davis

Pledge of Allegiance

Roll Call: Mayor Dean Davis – Present
Vice Mayor Bob Barnas - Present
Commissioner Sue Weller – Present
Commissioner Linda Clark Gestrin – Present
Commissioner Scott Jamison – Present

Staff Present: Jeri Langman, City Manager
Jenny L. Parham, City Clerk
Steve Holley, Police Chief

Mayor Davis opened the floor for input from the Commission on proposed charter amendments.

Commissioner Jamison states he would comment later.

Commissioner Gestrin states she will comment later also.

Commissioner Weller states she is not in favor of changing the current form of government. She then outlined the previous charter changes. States she has not heard the details of other amendments and she will comment when she does.

Vice Mayor Barnas states the charter is functional but feels the previous changes eroded the powers of the Commission such as who runs and controls the City. States he would like to propose a charter amendment to limiting the debt borrowing of funds to \$1,000,000 without voter's approval except for an emergency, and second would be wording the duties of the city manager.

Mayor Davis suggested an amendment would like the hiring or firing of any employee should be brought to the Commission and any employee fired should be able to have the right to appeal to the Committee.

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City Manager Powers and Duties Article 3.04 states the City Manager shall appoint, suspend, demote, or dismiss any City employee under his/her jurisdiction in accordance with law and the personnel rules, and may authorize any Department Head to exercise these powers with respect to subordinates in that department. Mayor Davis would like to change this to: Shall make recommendations of the commission for appointment, suspension, demotion or dismissal of any city employee and shall obtain commission approval prior to any appointment, suspension, demotion or dismissal of any city employee under his/her direction. In event of emergency the city manager can call an emergency meeting.

Number 2 says direct and supervise the administration of all departments of the City except the Offices of City Clerk and City Attorney. Would like to have this changed to direct all departments of the City. Number 4 reads ensure that all laws, Charter Provisions, ordinances, resolutions, and other acts of the Commission subject to enforcement and/or administration by him/her or by officers or employees subject to his/her direction and supervision are faithfully executed. Number 6 states keep the Commission fully advised of administrative activities relating to the City, as to the financial condition of the City, and of the future needs of the City, and make such recommendations to the Commission concerning the affairs of the City as he/she deems desirable. Take he/she deems desirable out. Mayor Davis read #7 of Section 3.04 and wishes it changed to "shall submit monthly reports at the first meeting of each month. Concerning the operations of city departments offices advisory boards and agencies. Mayor Davis read #8 and wants changed to prior to signing.

In summary:

Keep commission fully advised.

Shall submit monthly reports.

Change signing documents after commission approval.

Any expenditure over \$1,000 require Commission approval.

Any contract must be approved by majority of commission.

Change terms from 3 to 4 years.

Vendors go before commission.

Delete powers to charter officers.

Remove charter officer section deleted.

City Manager change to City Administrator/Clerk.

Delete department head to fire/hire.

Make city administrator over all employees, including charter officers.

Mayor Davis read charter 4.06. and added "shall contain a list of votes not allowed".

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6.05 Effective date.

166.031 of the state statute states we can do this and the governing body shall place the proposed amendment.

Commissioner Jamison states he is for the City Manager form of government. States from what he has heard the problem is not with the charter but with personality conflicts. It deals with getting along; if you don't like City Manager, fire them.

Commissioner Gestrin feels the current system has an imbalance of power, no accountability, and loss of representation. Take a look at what is causing it.

Mrs. Langman stated that some of the commissions continually state that the employees are not responsible; the employees, the employees, the employees. Some go out and buy their own supplies. Either the Mayor or Vice Mayor has to sign the checks or all purchase orders must be signed. Every employee works long and hard. She only does what the commission votes for as a whole not as one commissioner says to do. She feels the employees work hard but are continually berated by the commission.

Commissioner Gestrin left the meeting at 7:20 and returned at 7:22.

Commissioner Weller pointed out the form of commission-City Manager form of government was adopted in 2001. She also pointed out the decision made were voted on by the city commission.

Leonard Withey, former City Manager, stated there was a city manager form of government but was changed when the City Manager didn't do what the commission wanted done. I was hired as city clerk in 1980, was then made city administrator which gave him authority over employees. Around 1992 made city manager in title only for retirement.

General discussion on problems with the charter.

Commissioner Gestrin stated we need representation when counting votes.

*****AUDIO ENDED HERE*****

Mrs. Langman recommended placing it in the charter to not amend the budget when funds are not available.

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John Hill stated he voted for the city manager form of government in 2001, let the city manager know what you expect from him. Read what was done in 2001 and see if there are any changes. Feels the present system could work with the right City Manager.

Bobby Summers states there is a problem with personality conflicts. He was appalled at the City Manager having a press conference requesting her boss to step down. States if there is a conflict doesn't particularly like city manager form of government.

Tim Linkous – have commission back off.

Vice Mayor Barnas stated the commission in the past voted on items based on information received from the city manager.

Mrs. Langman left the meeting at 7:51

Mr. Withey suggested to get the negativity out of city hall.

Charter Amendments suggested:

Commissioner Jamison – nothing.

Commissioner Gestrin – wants extra person on canvassing board.

Commissioner Weller no amendments.

Vice Mayor Barnas wants amends charter to establish debt limitations to \$1,000,000 with emergency clause to requiring a unanimous vote to override.

Mayor Davis change City Manager to City Administrator/City Clerk.

Ray Ivey said this is a significant change to the charter and doesn't feel there is sufficient time to prepare an ordinance.

Mayor Davis withdrew his suggestion and he would appoint a charter review committee.

Mr. Hill asked if the city attorney position was eliminated. He was not in favor of removing as charter position. Explained the reason for the charter was changed to City Manager form of government in 2001.

Ron Langman commended Mayor Davis for recommending a charter review committee.

Workshop adjourned at 8:28