

Home Rule Charter Revision Commission Minutes  
March 12, 2019  
5:30pm  
Council Chambers, City Hall

**Members Present:** Byron Callies, Kyle Lalim, Kristen Henderson, Chris Wilson, Mark Roby, Jason Buechler, Buffy Heesch, Carla Roby, Chris Carter, Roger Whittle, Tom Beadnell, Angie Reppe, Melanie Hodorff, Greg McDonald, and Deb Ernst

**Members Excused:** SaLena Engels, Nate Graf, Dan Gabriel, Nancy Turbak Berry, David Vanderweide, and Jeannie Vanderweide

Chairperson, Kyle Lalim, called the Home Rule Charter Revision Commission Meeting to order.

Motion was made by Roger Whittle and seconded by Tom Beadnell to approve the February 28, 2019 minutes as emailed. All voted in favor and motion carried.

Review of all proposed compiled changes to the Home Rule Charter

Chairperson, Kyle Lalim, sought to make sure all members of the commission agreed with the changes to 2.02. *Composition, eligibility, election and terms*. At the February 28<sup>th</sup> meeting there was a motion to change part of subsection “*d. Continuation in office*” under this section, a correction was made that “Council members elected from Wards A, C, and E shall be elected to an initial two-year term...” and “Council members elected from Wards B and D, as well as the at-large council member”.

Chairperson Kyle Lalim made it known that his brother, Adam Lalim, is a councilman in Ward B and while he believes that Mr. Roby was the one who adopted the ward staggering, but wanted to clarify that he was not responsible for the selection.

Byron Callies made a motion to randomly draw the staggering of wards for clarity of anonymity with the first three wards being drawn elected to an initial two-year term. Motion was seconded by Buffy Heesch. All voted in favor and motion carried.

The first ward drawn was Ward E, followed by Ward B, and third Ward C. Therefore, councilmembers from Ward A, Ward D along with the at-large councilmember and mayor will be elected to an initial four-year term, should the changes be voted upon.

The second change made at the last meeting was to *Section 2.05. Possibilities* subsection “*c. Interference with administration*” which reads: “Except for the purpose of inquiries and investigations under section 2.09, the council or its members shall deal with city officers and employees who are subject to the direction and supervision of the city manager solely through the city manager, and neither the council nor its members shall give orders to any officer or employee, either publicly or privately.” Chairperson Lalim did want to bring this up as comments were made at the last meeting by some of the council members. This section spells out who council members go to for inquiries when it comes to employees.

2.06 Subsection “c. Forfeiture of office.” 5. was changed to read “Fails to attend at least seventy percent (70%) of all regular and special meetings of the council during a fiscal year, or three consecutive regular meetings of the council, without being excused by the council.” where it previously read “50% unexcused absences”.

Buffy Heesch made a comment that with this change a council member could miss 7 out of 24 meetings plus 10-15 more a year considering the additional meeting requirements of council members, which is a lot of meetings to miss. She proceeded to make a motion that the threshold of unexcused absences be raised to eighty-five percent (85%). Motion was seconded. All voted in favor and motion carried.

2.08. *City finance officer.* Clarification was made that the City Finance Officer will be a direct report to, hired by, and has the oversight by the City Manager.

2.15 *Charter Revision Commission.* will read: “Beginning in 2027, the City Council shall establish a Charter Revision Commission every eight (8) years thereafter for the limited and exclusive purpose of determining which, if any, provisions of the Watertown Home Rule Charter should be amended. The rules governing the Home Rule Charter Revision Commission are contained in “*Chapter 7.19 Home Rule Charter Revision Commission,*” of the Revised Ordinances of the City of Watertown.

4.03 *City Attorney.* will read “There shall be a legal officer of the city appointed by the city manager. Both the appointment and removal of the legal officer by the city manager shall be subject to the advice of the council. The city attorney shall serve as the chief legal advisor to the council and all city departments, offices and agencies. The city attorney shall represent the city in all legal proceedings, or monitor all legal proceedings involving the city, and shall perform any other duties prescribed by state law, by this Charter, or by ordinance.”

4.04. *Planning.* Subsection 1. will read: “Designate the city manager to carry out the planning function and such decision-making responsibilities as may be specified by ordinance, utilizing departments, a department, agencies, or an agency, as the city manager deems necessary;”

Byron Callies made a motion to allow City Attorney, Matt Roby, the discretion to make any grammatical, spelling, or minor edits to the entire Home Rule Charter as long as they do not go contrary to the intent of the commission. Motion was seconded by Carla Roby. All voted in favor and motion carried.

#### Review/discussion of potential separation of election ballot items

Currently, the goal is to have one ballot initiate on the municipal election ballot for this change. There has been a discussion regarding the cause should it be defeated. Will it be because they did not want to change the form of government or that they did not want to reduce the council size? The City Attorney was asked to make a draft of the ballot with the “all or nothing recommendation” made at the last meeting. The revision would adopt council/manager form of government rather than the current mayor/council form of government. The ballot would include the shift of duties onto the City Manager versus the Mayor. The Mayor still has oversight

authority as does the Council for the overall operation and running of the city. The revision would reduce the size of City Council from 10 members to 6. A question arose as to whether the Mayor was a member of the council currently. City Attorney, Matt Roby, stated that this is debatable. She has no legislative veto power.

A member of the Commission stated that a summary explanation of the changes should be placed on the ballot.

A discussion was held regarding whether the ballot item should be split with the reduction of council members and the City Manager initiatives as separate items. The consensus was to leave it combined.

### Public Comment

Councilman Glen Vilhauer thanked the commission for the work they have completed.

Mayor Caron commented that it is incorrect thinking on a need for a larger council if the form of government was not changed. Other cities have many boards and a larger number of constituents than us and seem to get along with fewer council members. Expressing this concisely on the ballot may be a challenge and may be reason alone to simplify and address at a later commission revision meeting if a vote is not made to go with a City Manager. She feels it is unusual for a city of any size to have 10 council members; it is a large number. Council members are not required to go to every meeting for which they are assigned. Many do not attend any meetings and some go to every meeting. Regardless of whether we have a City manager, the council size could be reduced if wanted.

### Unfinished Business

None.

### New Business

If the initiative fails, the charter will meet in five years as scheduled.

A question was proposed regarding whose job it was to educate the public on what they are voting on. Matt Roby stated that anyone can rally for or against the initiative: members of the commission, city council, etc.

Chairperson, Kyle Lalim, expressed his gratitude to the commission for their commitment and passion to the community. He expressed that due diligence was utilized in the process in determining if a change in government was warranted. They encouraged input from the community and welcomed community members and residents to contribute to the process. The community will decide the change in government by their efforts in voting. He expressed the benefits of a Manager/Council form of government. He encouraged members of the commission to educate the public. The objective will be to educate as many service clubs, committees, and other community interest groups as possible between now and the general election in June.

Local radio stations have agreed to allow air time once a final recommendation is made to council on April 1, 2019.

Other Business

None.

Motion to adjourn was made by Roger Whittle and seconded by Jason Buechler. All voted in favor and motion carried.

MR/jm