

April 30, 2024 City of Toledo Charter Review Committee Meeting

Meeting minutes

Call to Order

The meeting of the City of Toledo Charter Review Committee was called to order at 9:02 AM on Tuesday, April 30, 2024, by Chair David Robinson.

Committee members present included: David Robinson, Rod Cross, Jackie Burns, Frank Silvia, Lisa Watson, Anne Edmondson, and Eric Ericson. Also in attendance were Mike Adams, City Attorney (via Zoom), and Lisa Figueroa, City Recorder. City Manager Doug Wiggins joined the meeting later.

Approve the minutes from the meeting held April 4, 2024

A committee member noted there was an echo in the minutes and that Eric Ericson's first name was misspelled.

Motion to approve the minutes from the previous meeting. Moved by Lisa Watson, seconded by unidentified committee member. Motion passed unanimously.

Review Toledo City Charter

Compare Toledo City Charter with League of Oregon Cities model Charter

Chair Robinson opened the discussion by asking about a draft of suggested changes that was expected for this meeting. It was clarified that while City Attorney Mike Adams had started working on a draft, it wasn't completed due to budget priorities. The committee discussed how to proceed with reviewing the charter.

Anne Edmondson suggested collecting everyone's suggestions by the end of the meeting, sending them to Lisa, and compiling them before the next meeting. Several committee members noted they had already prepared notes comparing the city's charter with the model charter.

Lisa Figueroa offered to pull up Mike Adams' draft to review, starting with sections 1 and 2, so the committee could see his initial work.

Document Format Discussion The committee discussed using Google Docs as a collaborative tool for the charter revision process. Chair Robinson explained how Google Docs allows multiple editors with different colors and initials to track changes. The committee agreed to use Google Docs moving forward. Anne Edmondson expressed concern about her familiarity with Google Docs, and Lisa Watson offered to help her learn the platform.

Preamble Review The committee compared the current charter's one-sentence preamble with the more extensive National Civic League model charter preamble. After discussion, the committee reached consensus to use the simpler League of Oregon Cities (LOC) preamble language and add the city's mission statement as a second sentence.

Names and Boundaries Section The committee reviewed Section 2 (Names and Boundaries) and discussed the changes suggested by Mike Adams, which included updating language from "enactment" to "charter" and clarifying the continuity of the city's existence.

Powers Section The committee discussed the Powers section, particularly language about "self-liquidating revenue bonds or notes" that Mike Adams had included as an option from Bay City. After discussion about what

self-liquidating bonds are and concerns about potential debt risks, the committee reached consensus not to include this option in Toledo's charter.

The committee agreed to replace current charter sections 4 and 5 with the League of Oregon Cities model language in sections 2.1, 2.2, and 2.3.

Form of Government The committee reviewed and discussed the council-manager form of government section. They agreed to change the terminology from "council manager plan" to "council manager form of government" for clarity.

The committee discussed the need to reorganize sections about vacancies, which currently appear in multiple places throughout the charter. They agreed that vacancies should be consolidated either under the council section or the elections section.

Council Compensation Discussion Rod Cross brought up the issue of council compensation (Section 11), noting that the difficulty in recruiting council members is partly due to the lack of compensation. The committee agreed to discuss this topic in more detail at a future meeting, with a recommendation that any changes to council compensation would not take effect until after current members are up for reelection.

Appointive Officers The committee discussed Section 10 regarding "other officers" that the council may appoint. They clarified that this typically refers to the city manager, city attorney, and municipal court judge, but also provides flexibility for other appointments if needed. Examples mentioned included an interim city manager and a community coordinator for the Main Street program.

Qualifications and Vacancies The committee discussed qualifications for elected officials and noted the current charter language is confusing. Frank Silvia suggested creating a definitions section to clarify terms used throughout the document. The committee agreed vacancies in office should be consolidated in one section.

The committee also discussed Section 28-2-b regarding the 75% absence rule for automatic vacancy, suggesting it might be revised to 50% given the availability of remote meeting options, with possible exceptions for medical emergencies or excused absences.

Quorum Requirements The committee discussed the quorum requirements, with Frank Silvia expressing concern that the current definition could allow business to be conducted with just two people. The committee agreed a quorum should be based on the full governing body regardless of vacancies, which would require four members.

The committee discussed the League of Oregon Cities model language regarding reduced quorum solely for making appointments to fill vacancies, which they viewed as a good provision.

Vote Requirements The committee discussed the language around "express approval" for council decisions and what happens with abstentions. Mike Adams noted that at common law, abstaining was concurring with the decision, which surprised some committee members who viewed abstentions as non-votes.

Adjournment

The meeting was adjourned at 10:30 AM.

APPROVED:

ATTEST:

Mayor Pro-Tem Tracy Mix

City Recorder Paul Johnson