



BURLINGTON CITY COUNCIL CHARTER CHANGE COMMITTEE

1/15/2019

Charter Change Committee

Minutes

January 15, 2019

Committee Members Present: Joan Shannon (JS), Chair, Richard Deane (RD), Max Tracy (MT)

Staff Present: City Attorney Eileen Blackwood (EB)

Others present: none

JS called the meeting to order at 6 pm. The committee silently reviewed the minutes of the 11/13/18 city council work session discussion on the council rules.

1.01 Agenda—RD moved to adopt, MT seconded. Unanimous.

2.01 & 2.02 Minutes of 12/11/18 and 12/12/18-- RD moved to approve, MT seconded. Unanimous.

3.01 No public speakers.

4.01 Review of council rules: The committee noted time management, friendly amendments, imputing motives, technical corrections, telephone calls, public forum.

4 a and b should both say President appoints chair.

Discussed meeting time and committee unanimously agreed to keep meeting time as it stands.

Discussed time limits. RD suggested that language be added to say that it is the president's prerogative to apply rules or not. JS said that puts president in difficult position. She suggested that 5 minute rule could be extended with majority vote, instead of 2/3. Councilors had expressed concern about the proposed language stating that the president would ask which councilors want to speak in 5(b). The committee unanimously agreed to remove that language.

JS asked whether the president should be able to decide how long each councilor can speak, based on the time allotted and suggested changing the language to "the President may adjust the amount of time for which a councilor may speak, depending on the time allotted." RD agreed, but MT preferred to keep the language as proposed. Instead, the committee unanimously agreed to replace the proposed language with "Each councilor may speak for up to 5 min, and the amount of time may be adjusted by the president based on the time allotted for the agenda item."

Based on the feedback, MT is inclined not to include the two public forums idea. JS confirmed that council can suspend public forum under existing rules. She suggested putting in rules that can do so. MT is not in favor of any reference to suspension. RD feels 30 minutes is too restrictive, but once public forum has occurred for an hour, it seems to make more sense to be able to suspend. JS suggested public forum up to an hour and then it could be extended with a majority vote. All were in agreement that priority be given to those wishing to speak about agenda items. The committee decided not to move forward on the time limits, but to just leave the priority for agenda items. The City's public forum form should ask speakers to state what topic they wish to speak on, not the agenda item number, and it should say that the topic is required, as priority will be given to agenda items. The committee summarized that they want to keep the first two new sentences and then delete the rest of the paragraph about public forum.



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JS had a note that members who use profanity should be asked to stop speaking. RD and MT thought the proposed language in 7 allows the president to deal with a situation without cutting someone off. JS asked that an amendment be provided to the council to vote on separately that would say that the president will inform a speaker who uses profanity that their time has ended and move on to the next speaker.

JS thinks it's important that friendly amendments not be allowed—that a motion once made belongs to the body. The committee decided to leave the proposal on no friendly amendments.

JS asked about the "imputing improper motives" language in 7. MT asked what it means to "avoid personalities?" JS explained that it means focusing on the issue not what someone has always done or what their personality is like. MT asked if "personal attacks" could be added. RD suggested "shall refrain from impugning the character or motivations of a speaker." So the sentence would read, "The member shall confine discussion to the question before the council and shall refrain from impugning the character or motivations of any other member of the council, city staff, or any presenter, as the subject of debate is the action before the council, not that individual." The committee unanimously agreed to the change. JS noted that asking a question about the actions of another person is not impugning the character.

RD said SB asked that the rules be clear that if someone is on the phone, the roll will be taken if the vote is not unanimous. JS thought it should not be in the rules, as state law can change. JS asked whether the committee wants to say that a councilor can participate by phone but as per state law? The committee agreed unanimously.

RD moved, MT seconded to recommend the rules as amended above to the council for approval. Unanimous. This should go to a meeting in Feb. when the council has time to consider it.

5.01 Other business:

Next meeting: The committee has completed its business to date.

Meeting adjourned at 7:10 pm.