



**ROSEBURG CITY CHARTER REVIEW COMMITTEE AGENDA
WEDNESDAY, JULY 27, 2022**

all

**4:00 P.M. Regular Meeting
Roseburg City Hall, Council Chambers
900 SE Douglas Avenue, Roseburg, OR
Public Access: Facebook Live at www.Facebook.com/CityofRoseburg**

NOTE: IT IS UP TO EACH OF YOU AS COMMITTEE MEMBERS TO CALL 541-492-6866 AND LET STAFF KNOW BEFORE THE DAY OF THE MEETING IF YOU WILL NOT BE ATTENDING. THANK YOU.

I. CALL TO ORDER

II. ROLL CALL:

Committee members:

Andrea Zielinski
Jeffrey Weller

Sheri Moothart
Mike Baker

Bob Cotterell
Sheila Cox

Amy Sowa, Assistant City Manager/Recorder
Jim Forrester, City Attorney

III. APPROVAL OF MINUTES

A. June 22, 2022 – Meeting Minutes

IV. DISCUSSION ITEMS

B. Charter Review:

- Section 2
- Section 3
- Section 4

V. NEXT MEETING DATE: Wednesday, August 24, 2022, Council Chambers

VI. ADJOURNMENT

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**MINUTES OF THE ROSEBURG
CHARTER REVIEW COMMITTEE MEETING
June 22, 2022**

A meeting of the Charter Review Committee was called to order by Assistant City Manager/Recorder Amy Sowa at 4:02 p.m. on Wednesday, June 22, 2022, 900 SE Douglas Avenue in the City Hall Council Chambers, Roseburg, Oregon.

ROLL CALL

Present: Committee Members Mike Baker, Bob Cotterell, Sheila Cox, Sheri Moothart, Jeffrey Weller and Andrea Zielinski.

Absent: None

Others Present: Assistant City Manager/Recorder Amy Sowa, City Attorney Jim Forrester, City Manager Nikki Messenger and Management Assistant Koree Tate.

WELCOME

Ms. Sowa thanked Committee Members for their participation with the Committee. Per discussion, members decided a Chair for the committee was not necessary and preferred Ms. Sowa remain the facilitator to keep on task. Members also agreed to accept emailed public comments.

CHARTER REVIEW PROCESS

Ms. Sowa explained the expectation for the Committee was to meet six times over a 6-7 month period. The current Roseburg City Charter was drafted and adopted by the electors of the City of Roseburg in 1982. Since that time, only one amendment had been made to reference the State of Oregon ethics laws under Section 98.6.8. The first Oregon Model Charter was published in 1947 by the Bureau of Governmental Research and Service at the University of Oregon, with revisions published in 1951, 1959, 1967, 1988 and 2004. The LOC published the 6th edition of the model charter in 2004, and the most recent edition in 2018. Ms. Sowa suggested working on changes that would be comfortable for citizens to accept and to avoid being too radical.

CHARTER FORMAT – CURRENT CITY CHARTER OR LEAGUE OF OREGON CITIES (LOC) MODEL CHARTER

Members Cotterell, Weller and Cox felt using the current City Charter was preferable as a starting point, rather than the LOC Model Charter. Member Baker said he had reviewed both and liked parts of each. In response to Member Zielinski, Ms. Sowa confirmed she had not heard about problems from other cities who updated their Charter. Ms. Sowa had provided a chart comparing the LOC model and City Charter. Member Cox suggested pointing out on the chart if something was not in the LOC and vice versa. It would also be beneficial for Attorney Forrester to help with statutes and look at things legally to determine if it needed to be in the Charter.

Discussion was held on several topics:

- Representation of Council members
- Mayor's veto power
- City Manager residency requirements
- Council President removal

Some ideas discussed for City Manager residency included: requiring they live within a five-mile radius, in Douglas County, in the Roseburg School District, or within the urban growth boundary (UGB). It did not make sense to have a City Manager living in Springfield or Eugene and commute each day. The majority of voters wanted to have a community person.

Member Baker suggested changing the Council President section by making it an ordinance rather than in the Charter. Attorney Forrester explained the Charter only explained how the position was appointed. If Council did not like the person appointed, they would not be elected the next year

Ms. Sowa said another subject was in regards to requirements for appointed members on Council, their term and when they would need to run for office. Other subjects for discussion included jurisdiction and authority with the justice of the peace/judge, updating pronouns in the Charter and City Manager authority to execute all contracts. Contracts were written very strict and at times, things were less than \$1,000, but would still go to the City Manager. It would be nice to have the ability to delegate when needed.

Member Weller asked about the state ethic law that was added in 1994. Member Cox explained there was no language previously related to Council being vendors with the City and it needed clarified. It was something that was a change in statute that did not need to go to the electors to be approved. Member Baker pointed out another item regarding the appointment of a City Manager and to have an indefinite or definite term.

Ms. Sowa returned to the beginning of the Charter to begin the review. The year would be changed to 2023, and based on Member Cox's recommendation, the number '98' would be removed from each section. The Charter did not have a preamble and referenced a home rule Charter, meaning the City was able to decide on items for which the state was not in charge. That allowed the City to make a Charter and ordinances to govern ourselves. No changes were recommended for name and capacity. After discussion, the committee chose to use the LOC language for section 1.3 in the current charter.

Ms. Sowa moved to the section regarding powers and said all of the city was vested in Council. Attorney Forrester said he would take some time to review the wording for clarification and discussion at the next meeting. Discussion was held regarding the number of Councilors. Member Cox said when the Charter changed before, people liked having two representatives from each ward for four year terms with alternating term elections and suggested to keep it the same. Member Baker agreed wards were good but it was sometimes difficult finding people willing to apply or run for Council and wondered if it was worth looking into having some councilors at-large. Member Cotterell said constituents might disagree and based on emails received, they like knowing their

APPROVAL OF MINUTES

07/27/2022

representative was from their ward. Member Cox noted it would be an area to see if anyone in the public had an opinion on keeping it the same or changing it. Member Zielinski said she noticed that people identified with the area in which they lived. She cared about the whole city but was proud to represent her ward. Member Cox recommended leaving it two people per ward and felt it would be a red flag to voters if it was changed. Ms. Sowa agreed that they needed to be cognizant of how voters might react and to determine what was more palatable.

Member Weller asked for clarification as to the frequency of boundary determinations by the County. Ms. Sowa explained the ward boundaries could be changed after a census and reviewing calculations for the balance of population among the wards. Member Baker discussed the Council's elected term of four years and noted the argument about being appointed and when the Councilor would hold office. The LOC stated holding office at the first meeting of the year. It was important to have a full Council until one was replaced. Member Weller suggested a Councilor would stay until the new one was sworn in. Ms. Sowa agreed to review the language with Attorney Forrester.

NEXT MEETING DATE

Ms. Sowa said she would update the chart and asked Members to continue reviewing the rest of Sections 3 and 4 prior to the next meeting scheduled for Wednesday, July 27, 2022 in City Hall Council Chambers.

ADJOURNMENT

The meeting adjourned at 5:01 p.m.



Koree Tate
Management Assistant

ROSEBURG CITY CHARTER REVIEW COMMITTEE AGENDA ITEM SUMMARY



CHARTER REVIEW SECTIONS 2, 3 AND 4

Meeting Date: July 27, 2022
Department: Administration
www.cityofroseburg.org

Agenda Section: Discussion Items
Staff Contact: Amy Sowa, ACM/Recorder
Contact Telephone Number: 541-492-6866

ISSUE STATEMENT AND SUMMARY

The Roseburg City Charter Review Committee will be asked to review Sections 2, 3 and 4 of the Charter.

BACKGROUND

During the June 22, 2022, the City Charter Review Committee determined it would be best to use the current Roseburg Charter as a starting point to consider amendments. They also suggested removing the 98 in front of each section.

Discussion was held regarding Sections 1, 2 and parts of 3. The following decisions or comments were made for each of those sections:

- Section 1: Keep the current language in Section 1.1, but replace with the LOC Charter language in Sections 1.2 and 1.3
- Section 2: Have City Attorney Jim Forrester review Section 2. Mr. Forrester and Assistant City Manager/Recorder Amy Sowa reviewed this section and are making the following recommendations:
 - ✓ Use the LOC Charter language for Section 2.1(1), but remove the language “quasi-judicial authority by order” (the City does not use orders)
 - ✓ Use the City’s current language for Sections 2.1(2) and (3)
- Section 3: This section needs additional review by the committee. A couple of suggestions and comments from Mr. Forrester and Ms. Sowa include:
 - ✓ In Section 3.2, change the election years to match the continuation of current elected officials’ terms.
 - ✓ In Section 3.5, add the LOC Charter language that gives an example of how a vacancy effects a quorum.
 - ✓ In Section 3.8, clarify that the legal powers of the Council President when the Mayor is absent or unable to function as Mayor for 30 days, includes voting and veto powers.
 - ✓ Remove Section 3.10, as it is not enforceable or relevant.
 - ✓ Consider whether to add LOC Charter Section 3.7 to the current Charter. Currently, this is addressed in the Roseburg Municipal Code 2.34.060(C).

- Section 4: From the review of this section by Mr. Forrester and Ms. Sowa, they have the following comments:
 - ✓ The committee briefly discussed residency requirements of the City Manager which is included in Section 4.1.
 - ✓ Section 4.6 states that the City Manager has exclusive powers. This section does not provide flexibility for the City Manager to delegate duties such as execution of smaller contracts. Section 8.1(e)(11) of the LOC Charter gives the City Manager the ability to “delegate duties, but remain responsible for all subordinates”. The committee may want to consider replacing Section 4.6 with the LOC Charter language.