

December 9, 2019

Town of Lake Santeetlah

Workshop/Public Comment Session:

Mayor Jim Hager explained the deadline to hold a Public Hearing after passing a Resolution is 45 days. The resolution to amend the charter was passed on October 22, 2019 meaning the 45 day window been exceeded by three days. Councilmember Roger Carlton made a motion to amend the agenda from a Public Hearing to only a public comment session. Councilmember Craig Keith seconded. All approved, the motion carried.

Public Comment:

Jack Gross asked, was the Resolution put on the agenda prior to being passed? According to Gross the resolution does not qualify as material to be discussed in a Closed Session meeting. There were no documents posted to allow the public to review the details of what would be discussed at the Public Hearing. Gross stated if the Town Attorney was present and allowed the discussion of charter amendments at the Closed Meeting it should be a concern to the Town Council.

OH Yarberry: Acknowledged he was in favor with the proposed charter amendment.

Roger Carlton clarified that the purpose for discussion of changing the charter from three to five board members was due to the difficulty of having adequate citizens willing to be on the Town Council as well as serve on the numerous boards and committees. Carlton identified if the Council chose to change to three members the Mayor must vote. Other amendments to be considered are: staggered terms for board members and moving the date of the election to coincide with statewide municipal elections. Carlton stated that it would be helpful for those citizens with valuable information (such as the 45 day deadline) to share with the Town Council in order to avoid situations such as today's cancelled Public Hearing. Carlton said the proposed changes could save money for elections and could also help with transitions.

Jack Gross disagreed that there were not a sufficient amount of citizens to fill the positions. The most recent election had only four candidates but other write-ins. Gross acknowledged that he would have pointed out the 45 day deadline if the public was allowed to speak at the end of the Council meeting, but due to the restrictions he was not able to the share the information. Gross pointed out that if the terms are staggered no election costs would be saved. Changing the charter cannot be a "special election" therefore it couldn't be placed on a ballot prior to the 2021 election (according to Gross).

Connie Gross asked if the detail discussed at today's session would have counted as the Public Hearing if the 45 day deadline had not been passed.

Jack Gross: explained that the charter change could be on the ballot in 2021 and if approved it would not be effective until that Council serves their full term (2023).

Councilmember Carlton asked Mr. and Mrs. Gross if they were in favor of the three member council, staggered terms, and changing the election date.

Glenn Barnett asked for clarification of the process, after the public hearing, what happens? Who will make the final decision after the public comment is heard.

Councilmember Carlton stated that the Council would make the decision to put it on the ballot and the voters would decide from that point.

Clarification is needed: If the charter change is put on the ballot, when can it go in effect? Immediately or at the end of that term?

The agenda will be amended tomorrow to continue the discussion of charter amendments. Town Attorney Justus will be present to answer questions. Can we set the date for the next public hearing tomorrow or will a new resolution need to be approved in January and Public Hearing scheduled for February. What does "Special Election" mean? Can we put the change on any ballot prior to the 2021 election?

The proposed agenda (when prepared) will be on the agenda. An agenda cannot be amended to add a Resolution according to Mr. Gross.

Glenn Barnett ask if the other amendments were added would the vote be together or separated (three or five member board, staggered terms, voting dates).

Carlton explained the votes would be separated. If the staggered terms were approved there are options of how to implement the change. There would be a transition period with this change that would cause some members to serve longer terms.

Glenn Barnett asked if the amendment could be worded in a way that would allow the Town Council to have either a three or five member board depending on the number of interested candidates.

Carlton pointed out an additional charter change that would be necessary if the three member council was approved. The Mayor would not be appointed but would be the candidate with the highest number of votes.

Jack Gross acknowledged the discussion held today was positive and productive. He looks forward to planning and workshop meetings to allow the public to provide input without such restrictions. The schedule of meetings will be discussed at tomorrow's Council meeting. Gross asked the Council to consider changing the public comment time during the Council meetings to the end of the meeting or after each agenda item.

Gross asked the Council to consider sending staff members to training to allow better understanding and education of rules and procedures.

Councilman Carlton made a motion to adjourn the meeting. Councilmember Craig Keith seconded. All others approved. The motion carried. The meeting was adjourned at 10:53AM.

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Jim Hager, Mayor

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Emily Hooper, Town Clerk

