



Home Rule Charter Committee Agenda

6:00 p.m. Regular Meeting

Monday, June 22, 2020

Virtual Only Meeting

<https://usd.zoom.us/j/93615998256>

1. Roll Call

2. Adoption of the Agenda

- Motion to approve agenda or listing of new items

3. Approval of Minutes

- June 8, 2020. Recording and transcript can be found at <https://tinyurl.com/ybrqqk3f>

4. Visitors to be Heard

Join Committee's Zoom Meeting at: <https://usd.zoom.us/j/93615998256>

5. Old Business

A. Review of items that are present in similar home rule charters, but we have not included in our review of the 2003 Draft Vermillion Charter

- Should the Charter contain a scheduled, systematic Charter review process or leave as is (citizen initiative and/or Council creates charter review committee by ordinance)?
- Should the Charter create or authorize the Council to create a board of ethics or a specific conflict of interest policy, or leave these matters to council action (current state) and take no action on this matter?
- Should the Charter include a provision authorizing the Council to require campaign contribution disclosures, or leave state election law to govern (current situation, take no action)?
- Should the charter contain provisions for a redistricting committee, council sets election districts/wards, or create a redistricting committee to do by ordinance?
- Has Article VII appropriately handled requests from Mayor and council members for civil rights protections?

B. How should we handle references to statutes?

- Those that may be amended by subsequent legislatures?
- Should the references to sections of SDCL also note "as may be amended from time to time"

C. Do we by citing a statute, agree to be limited by that statute?

D. Home rule allows the Charter to enact more stringent standards than statute because statutes establish minimum standards, Are there areas where we believe the Charter should authorize the Council to go above and beyond state statutes?

6. New Business

- Home Rule Charter information, public "listening" sessions

7. Adjourn

Access the Home Rule Charter Committee Agenda on the web – www.vermillion.us

Addressing the Committee: Persons addressing the Commission shall be recognized. Please "raise your hand" in Zoom to be recognized and state your name and address, or if the meeting is virtual, type your name and address into the chat.

a. Items Not on the Agenda Members of the public may speak under Visitors to Be Heard on any topic NOT on the agenda. Remarks are limited to 5 minutes and no decision will be made on those items at this time.

b. Agenda Items: Public testimony will be taken at the beginning of each agenda item, after the subject has been announced by the Chairperson and explained by staff. Any citizen who wishes may speak one time for 5 minutes on each agenda item. Public testimony will then be closed and the topic will be given to the governing body for possible action. At this point, only commission members and staff may discuss the current agenda item unless a commission member moves to allow another person to speak and there is unanimous consent from the commission. Questions from Committee members, however, may be directed to the public through the presiding officer at any time.

Meeting Assistance: The City of Vermillion fully subscribes to the provisions of the Americans with Disabilities Act of 1990. If you desire to attend this public meeting and are in need of special accommodations, please notify the City Manager's Office at 677-7050 at least 3 working days prior to the meeting so appropriate auxiliary aids and services can be made available.

As a courtesy to others, we ask that cellular phones and pagers be turned off during the meeting. It is best if you keep your camera on during the meeting to allow people to speak to each other and to be able to see physical reactions, given that we are Midwesterners, we may not reveal our preferences.



Unapproved Minutes
Home Rule Charter Committee
Monday June 8, 2020 at 6:00 p.m.

The regular meeting of the City's Home Rule Charter Committee was called to order via remote video conference on June 8, 2020 at 6:00 p.m.

- 1) Roll Call
 - a) Present: Michael Card, AJ Franken (6:05), Stacy Larson, Travis Letellier, Matt Fairholm, Steve Ward
 - b) Absent: None
 - c) Staff Present: John Prescott (City Manager), James Purdy (Assistant City Manager), Mike Carlson (Finance Officer)
- 2) Approval of the Minutes
 - a) Ward motioned to approve the minutes for the May 26 meeting, seconded by Letellier, motion carried 5-0.
- 3) Adoption of Agenda
Moved by Ward to adopt the agenda as printed, seconded by Fairholm. Motion carried 5-0.
- 4) Visitors to be Heard
No comments given.
- 5) Old Business
None
- 6) New Business
 - a) Review and discussion of Articles VI-IX

Article VI: Elections

6.01 Deleted reference to fraud and recount which is governed by state statute.

Article VII: General Provisions

7.01 (Conflicts of Interest): Clarified how the Charter defines conflicts with respect to both appointed officials as well as Council members. Discussed whether the City currently has a Conflict of Interest ordinance on the books.

7.02 (a) (1) (Prohibition of Discrimination): Committee discussed language barring discrimination in employment, along with how to include flexible language that will allow for future protections of expanded protected classes.

7.02 (a) (5) (Prohibition of Campaign Contributions): Added this new section to prohibit City employees from engaging in certain partisan activities, while also respecting their right to free speech and engaging in the political process.

7.02 (b) (Penalties): Committee discussed whether to strike this section, adopt Model Charter language, or leave it as a personnel issue. Ultimately, the Committee decided to leave the paragraph, with the addition of "reprimand" as a possible penalty.

Article VIII: Charter Amendments

No major revisions

Article IX: Transition / Severability Provision

9.05 (Effective Date): Made language consistent with other areas of the Charter. Simplified language in order to make it clearer.

7) Adjourn

a) Moved by Letellier to adjourn, seconded by Ward. Meeting adjourned at 8:07 p.m.

The next meeting will be held June 22, 2020 at 6:00, to discuss some final items such as the Charter review process, campaign contributions, redistricting, and the citing of state statutes among others.