



CITY COUNCIL OPERATIONS

AGENDA

Monday, January 11, 2021 – 5:00 PM | Council Chambers, City Hall

1. Call Meeting to order
2. Approval of Minutes
 - a. November 9th, and December 14th, 2020
3. Public Comment – limit to three minutes per person
4. Old Business (Public Comment period prior to each topic)
 - a. Chief Administrative Officer
 - i. Hiring Progress – Mayor Solle
 - b. Codification Progress – Cyndi Thompson
 - c. Tablet Update / Deployment Schedule – Mayor Solle / Cyndi Thompson
 - d. Title 11 References Review – Rob Kersch
5. New Business (Public Comment period prior to each topic)
 - a. Committee Bylaws Update – Rob Kersch
6. Staff or Committee Member Concerns/Comments
7. Announcement of the Next Meeting
 - a. February 8th at 5:00 PM.
8. Adjournment

City Council Operations Committee

City Code | Council Bylaws and Policy

Members

Rob Kersch (Chairperson) | Mary Hathaway | Dick Bauman

City Council Operations

MINUTES

Monday, December 14th, 2020 | Council Chambers, City Hall

Members Present: Dick Bauman, Mary Hathaway, & Rob Kersch

Members Absent: None

Staff: None

Mayor: Diana Solle

Public: None

1. Call Meeting to Order: Chairperson Kersch called the meeting to order at 5PM

2. Approval of Minutes:

a. November 9, 2020

3. Public Comment - Limit to three minutes per person.

a. None.

4. New Business (Public Comment period prior to each topic)

a. Chief Administrative Officer

i. Duties and Responsibilities – Chairperson Kersch read over the CAO Job Description to the Council. (discussion only)

ii. Hiring Progress – Mayor Solle stated West Staff a contract service will be doing the posting, initial Prescreening of applicants. Chairperson Kersch suggested having West Staff sit in on the Prescreening and Interview process at City Hall. Mayor Solle to reach out to West Staff to confirm. Prescreening will consist of Mayor Solle, West Staff, Trent Freeman, Rob Kersch, Dick Bauman, and Mary Hathaway. Interview process will consist of Mayor Solle, West Staff, Judi Whitney, Rob Kersch and possibly Dick Bauman and Mary Hathaway.

b. Codification Progress – Mayor Solle put this up for discussion. Chairperson Kersch suggested that he will work on this. Where we are at now, and where we need to be moving forward.

- c. City Website Progress – Cyndi Thompson – Absent
- d. Ward 1 Council Person Vacancy Update – Mayor Solle stated the position is still vacant. No promising inquiries.
- e. Tablet Update / Deployment Schedule – Mayor Solle / Cyndi Thompson – Cyndi was absent. Projected date of January 4th to disburse the tablets to the Council.

5. Old Business (Public Comment period prior to each topic)

- a. Title 11 Review (inter-title and external-title references updates). **Discussion Only**

6. Staff or Committee Comments/Concerns:

Chairperson Kersch would like to remind Council the rules Council Bylaws

Section Four: Council Rules and Discipline

- B. As members of the Legislative branch, City Council Members shall not direct city employees, who are members of the Executive branch in the performance of their duties.*

Chairperson Kersch suggested this be placed on the Council Agenda for January 4th

7. Announcement of Next Meeting:

Monday, January 11th at 5 PM – Confirmed.

8. Adjournment:

- a. The meeting was adjourned at 6:22 PM by consensus

Prepared by: Cyndi Thompson, City Clerk

Rob Kersch, Chairperson

Date

**City Council Operations Committee
Members**

Rob Kersch (Chair) | Dick Bauman | Mary Hathaway

CITY OF DEER LODGE

City Council Operations

MINUTES

Monday, November 9, 2020 | Council Chambers, City Hall

Members Present: Dick Bauman, Mary Hathaway, & Rob Kersch

Members Absent: None

Staff: Brian Bender, & Cyndi Thompson

Mayor: Diana Solle

Public: None

1. Call Meeting to Order: Chairperson Kersch called the meeting to order at 5PM

2. Approval of Minutes:

a. September 9, 2020

Member Bauman motioned to approve the minutes. Chairperson Kersch seconded the motion, and the minutes were approved unanimously.

3. Public Comment - Limit to three minutes per person.

a. None.

4. New Business (Public Comment period prior to each topic)

a. MLCT 2020 Conference Overview: Mary Hathaway: Member Hathaway spoke of the online conference. Member Hathaway went on stating she learned from the conference how we need to create and maintain the public trust.

b. City website progress update: Cyndi Thompson presented to the Committee the progress and update to the City Website.

c. Codification Project update: CAO Bender stated the Agreement was signed by the Mayor to move forward with the Codification. CAO Bender will be the project manager and the main point of contact with American Legal.

d. Purchase of Tablets: Chairperson Kersch presented an option for the Board and Committee members to each have a tablet for business use. The tablet suggested would

be a Samsung Galaxy 10.4, 64GB with 64GB SD card. This would be to purchase 16-17 tablets at roughly \$180 each, Tablet Covers approx. \$20 each, and screen protectors approx. \$8.00. Mary motioned to present this to Council, with Member Bauman seconding the motion. The vote was unanimous.

5. Old Business (Public Comment period prior to each topic)

- a. Accept the Codification RFP responses (American Legal & Municode): Brian Bender. Mr. Bender presented the two Codification RFP responses (American Legal & Municode). He continued by saying he spoke with both companies and had a great feeling from them both and their abilities to complete the process of Codification as we need it.

- b. Establish a selection process and schedule: Chairperson Kersch. Chairperson Kersch led the discussion and outlined the comparison of the two companies, the cost associated between the two companies, all the features, guidelines, and support, each company provided.

The Committee discussed the merits of both vendors and the services they would provide to the City

After careful review of American Legal and Municode, the Committee was all in favor using American Legal. This decision was based on American Legal support, cost, and experience.

Member Hathaway motioned with Chairperson Kersch seconding to recommend American Legal. The full motion contains the following: *The recommendation will first go to the Finance Committee at their October 5th meeting as the Budget does not have enough allocation to support the project. The Finance Committee will forward the recommendation to the City Council later that same day.* The Committee approved the motion through a vote of three to zero.

6. Staff or Committee Comments/Concerns:

Chairperson Kersch discussed Council behavior, and suggest we bring this to Council to discuss Committee/Council protocol.

7. Announcement of Next Meeting:

Monday, December 14th at 5 PM – Confirmed.

8. Adjournment:

- a. The meeting was adjourned at 6:20 PM by consensus

Prepared by: Cyndi Thompson, City Clerk

Rob Kersch, Chairperson

Date

**City Council Operations Committee
Members**

Rob Kersch (Chair) | Dick Bauman | Mary Hathaway

ByLaws

City Council Operations Committee

ARTICLE I - NAME

Section One. Name

- A. The official name of the organization shall be "City Council Operations Committee" hereinafter referred to as "The Committee."

Section Two. Purpose

- A. The Committee defines City Council Bylaws, General City Code, and Council Function; and provides instruction of new and existing City Council Members concerning Council Operations.

ARTICLE II - MEMBERSHIP

Section One. Membership

A. Members

1. The Committee shall exclusively consist of a minimum of three council members, one of which is the City Council President.
2. Members are appointed by the Council President at or after the second meeting in January following a municipal general election.

B. Officers

1. The Committee shall have one elected officer consisting of a Chairperson.

C. Secretary of the Committee

1. Deer Lodge's City Clerk shall serve as Secretary to the Committee.

Section Two. Election of the Chairperson

- A. Election of the Chairperson shall be made at the first Committee meeting of the year.
- B. The Chairperson must be a member of the Committee.
- C. If the members cannot reach consensus on the election, then a nominee receiving a majority vote of those present at the meeting shall be declared the Chairperson.
1. In the event that a Committee Chairperson cannot be selected by the Committee, the Council President shall appoint a Committee Chairperson.

Section Three. Terms of the Chairperson

- A. The Chairperson shall assume the responsibility immediately upon appointment and shall serve for a term of one year.

Section Four. Vacancy of the Chairperson

- A. Vacancy in the term shall be filled immediately by the procedure described in Article II, Section Two for the un-expired portion of the term.

Section Five. Duties of Officers

A. Chairperson

1. The Chairperson shall preside at all meetings of the Committee.
2. The Chairperson shall sign the minutes of meetings, and all documents involving the authority of the Committee.
3. The Chairperson shall compose meeting agendas after seeking input from the Chief Administrative Officer and Committee members.
4. The Chairperson has the responsibility to advise the Mayor and the City Council of items discussed by the Committee.
5. The Chairperson shall have all the duties normally conferred by parliamentary rules on such officers and shall perform such other duties as may be ordered by the Committee except as otherwise provided in these rules, in other Committee resolutions, or in City resolutions.

B. Absence of the Chairperson

1. In the absence of the Chairperson, the Committee may elect a temporary Chairperson by a majority vote of those present at a called meeting, who shall assume the duties of the Chairperson.

Section Six. Duties of the Secretary

- A. Deer Lodge's City Clerk shall perform the duties of the secretary for the Committee.
- B. The Secretary shall keep the minutes of all meetings and materials allied with the Committee.
- C. The Committee has the responsibility of approving such minutes.
- D. The Secretary shall post agendas according to practices agreed upon by the City Council.
- E. The Secretary shall maintain a file of all studies, plans, reports, recommendations and official records of the Committee and perform such other duties as the Committee may determine.

Section Seven. Order of Meetings

- A. The following is the order that meetings will follow:
 1. Call Meeting to Order
 2. Approval of Minutes
 3. Public Comment
 4. New Business
 5. Old Business
 6. Staff or Committee Member Concerns/Comments
 7. Announcement of the Next Meeting
 8. Adjournment
- B. The Chairperson may allow deviations from the described Order of Meetings to accommodate special circumstances or events.

Section Eight. Discussion Procedures

- A. Chairperson introduces the topic with all supporting materials.
 1. Committee members have the opportunity to ask any questions or contribute any items of information.
- B. The Committee may ask staff and/or consultants to provide technical analysis, review considerations and basic policies, offer possible alternatives, and make recommendations, if any.
 1. Other interested parties are allowed to comment briefly or make inquiries.
- C. Proponents and or opponents in the audience are given opportunity to speak in favor of or against application. Information submitted should be factual, relevant and not merely duplication of previous presentation.
 1. A reasonable time shall be allowed.
 2. Each person speaking shall give name, address and nature of interest in matter.
- D. Brief rebuttal for proponents and opponents heard separately and consecutively, with presentation limited to their spokesperson.
- E. The Committee will take the opportunity to deliberate before rendering a recommendation for the benefit of the Mayor and the City Council.

Section Nine. Quorum

- A. A majority of the members of the Committee shall constitute a quorum for the transaction of business and the taking of official action.

Section Ten. Motions

- A. Motions shall be restated by the Chairperson before a vote is taken.
- B. The name of the members making and seconding a motion shall be recorded in the minutes of the meeting.

Section Eleven. Voting

- A. The concurring vote of two members of the Committee shall be necessary to reverse any order, requirement, decision, or determination of any such administrative official; to decide in favor of the applicant on any matter upon which it is required to pass under any such resolution; or to effect any variation in such resolution.

Section Twelve. Reports

- A. On all matters considered by the Committee, the reports, findings and recommendations, if any, are presented to the Committee and shall be recorded in the minutes of the meeting.

Section Thirteen. Parliamentary Procedure

- A. Except as otherwise prescribed by these rules, the Committee meetings shall be guided by Robert's Rules of Order (the most recent edition).
- B. At the Chairperson's discretion or at the discretion of two members, the Committee may modify the proceedings after consultation with the City Attorney.
- C. If any questions arise as to procedure, the ruling of the Chairperson shall be final unless reversed by a vote of at least two members.

Section Fourteen. Public Nature of Meetings and Records

- A. All meetings, hearings, records, findings, and accounts shall be open to the public.

ARTICLE III - MEETINGS

Section One. Meetings: Time and Place

- A. A regular monthly meeting shall be held on the **Second Monday** of the Month at **5:00 PM** in the Council Chambers, unless a different time and/or place is posted at the City Hall at least forty-eight (48) hours prior to the meeting.
- B. Members shall receive meeting materials via email at least two (2) days, forty-eight (48) hours prior to the meeting.
 - 1. Alternatively, members may request to receive a hard copy of the materials.
- C. Meetings should be kept to an hour and a half or shorter, if possible.
 - 1. If a lengthy topic is anticipated, the agenda should be kept at a minimum.
- D. If a lengthy topic is to be discussed, a work session should be considered.

Section Two. Recessed Meetings

- A. Any regular or special meeting may be recessed to a definite time and place by a majority vote of the members present at the meeting.

ARTICLE IV – SUB COMMITTEES

Section One. Purpose of Sub Committees

- A. Sub Committee purpose shall be clearly defined.
- B. Sub Committees may be established to facilitate complex topics that would be better handled outside of the normal Committee.

Section Two. Establishment of Sub Committees

- A. Sub Committees are:
 - 1. Short Term
 - 2. One Topic
 - 3. May only provide recommendations to the Committee
- B. Sub Committee membership should include at least one committee member, and any additional council members or members of the public as necessary for the task.
- C. Sub Committees must be established by majority vote of the Committee.

ARTICLE V – COUNCIL APPROVAL AND AMENDMENTS

Section One. Council Approval

- A. These bylaws must be approved by a majority vote of the Committee Council.

Section One. Amendments

- A. These bylaws may be amended at a regular noticed meeting of the Committee by the affirmative majority vote of the members present, provided that the proposed amendments have been submitted in writing at a previous meeting.

Section One. ByLaws Approval

A. Approved by the City Council Operations Committee:

_____ Date

Committee Chairperson

B. Approved by the City Council by Resolution _____:

_____ Date

Mayor