

H.883: An act relating to approval of amendments to the charter of the City of Winooski

This bill makes numerous changes to the charter of the City of Winooski. Some amendments are for clarification, others are substantive, and others are reorganization. In walking through this bill, I will refer to the section numbers within the charter.

- Section 101 — eliminates language regarding the process to change the form of government of the City. This process would follow State law as opposed to this charter.
- Section 203 — moves the language relating to special meetings into the section titled special meetings.
- Sections 301 and 303 — changes language regarding when City Councilors and the Mayor leave office from when the successor “is chosen” to when the successor “takes office”.
- Additionally, section 303 allows the Mayor to take action that has been approved by the City Council and removes the requirement to hold a special election in the event there is a vacancy in the Office of Mayor. Instead, the Deputy Mayor shall serve until the next annual meeting at which point a new Mayor would be elected.
- Section 304:
 - (b)(1) — allows the City Council to recommend a bond to voters by a majority rather than a two-thirds vote and allows the City Council to transfer surplus funds from the sale, rental, or lease of lands and buildings into the general fund after debts have been paid.
 - (b)(6) — allows the Council to adopt policies as long as the policy is not required to be adopted by ordinance.
 - (b)(10) — states that the following positions are at the will of the Council, and removes the three-year appointment of the City Treasurer. The City is authorized to appoint a Treasurer, City Attorney, Auditor, and Health Officer.
 - (b)(12) — removes the Personnel Board.
- Section 307 — requires that when a decision is made on whether a Councilor has forfeited his or her office, it shall be made by a two-thirds vote.

- Section 308 — allows the City to designate someone other than the City Clerk as the Clerk of the Council.
- Section 309 — clarification language requiring a vote of the entire Council to remove someone from a position.
- Section 311:
 - Allows a special meeting to be called by two Councilors instead of three;
 - requires votes to be by voice unless the margin of difference is one member or if a member calls for a roll call vote, in which case, voting shall be by roll call; and
 - clarifies that action of the Council is only binding upon a vote of the majority of a quorum of the Council.
- Sections 401 through 416 — mainly a reorganization of the articles by moving language from article 8 into the new sections in article 4. There is a substantive change with the reorganization. Instead of requiring an initiative or referendum to be done by a Petitioner's Committee made up of at least five voters, the new language would allow for any qualified voter to commence an initiative or referendum proceeding.
- Section 503 — makes two changes to the procedure for removing the City Manager. The changes require the preliminary resolution to state just cause for removal and only allow the cessation of salary upon a judicial finding of criminal behavior or gross negligence.
- Section 504 — requires the City Manager to submit financial reports to the Treasurer, as well as the Council, and allows the manager to act as the Emergency Management Director.
- Section 506 — is mainly clean up language but states that Officers of the City serve at the will of the City Manager and allows the City Manager to appoint an Emergency Management Coordinator. Additionally, if the Collector of Taxes is a City employee, that person would not be able to collect a commission on the amount of taxes collected.
- Section 601 — moves language from section 602(a) into this section.
- Subsection 602(c) — adds language requiring the City Council to approve of any charter or bylaw specifying the powers, duties, organization, and procedure of each board, committee, commission, and agency of the City.
- Sections 603 and 604 — technical amendments repealing the Personnel Board and requiring that personnel rules provide for collective bargaining.

- Section 605 — requires the City to pay the premiums on any surety bond required by City officers and employees.
- Section 702 — changes the date that the Manager must submit a budget to the Council from 90 days prior to the annual meeting to 60 days.
- Section 704 — clarifies that the general fund budget shall not include enterprise or special revenue funds and that those budgets shall be presented to the Council separately.
- Section 705 — similar to the change in section 702, this allows the Manager to submit the five-year capital improvement program 60 days prior to the final submission of the budget, as opposed to the current 90 days.
- Section 708 — allows the Council to move unencumbered funds to the Capital Reserve Fund.
- Sections 709 through 715 — technical amendments regarding City finances that mainly clarify language or delete language no longer used.
- Sec. 3 of the bill repeals article 8 within the charter. This is the language that was moved into article 4 and is no longer necessary here.
- Finally, this bill takes effect on passage.

The required public notices were posted and public hearings held in accordance with state statute.

The changes were voted on March 1, 2016.

The Committee heard from .

The Committee vote was .