



# ST. GEORGE CHARTER COMMISSION MEETING 3

## MEETING MINUTES

### WELCOME & ROLL CALL

Councilman Ryan Heck, Commission Chairman, called the meeting of the St. George City Charter Commission to order at 5:33 p.m. on Wednesday, September 25, 2024.

John Snow initiated a roll call and attendance was recorded. Chairman Ryan Heck, Vice Chair Patty Cook, Norman Browning, Josh Hoffpauir, Chris Meyer, Erin Monroe, Kimberly Plant, Andrew Murrel, and Gerry Tarleton were present and voting members of the commission, with Jason DeCuir and Rubin Patel absent.

Chairman Heck called for and led the Pledge of Allegiance.

### APPROVAL OF MEETING 2 MINUTES

Tarleton moved to approve the minutes. Hoffpauir seconded the motion. With no opposition, the minutes were approved.

### OUTSTANDING ISSUES

Chairman Heck invited Mayor Dustin Yates to address the commission and share his opinion on the charter development process. Yates reminded the commission that the document does not need to be perfect and unchangeable but something that sets the city up for success going forward.

Yates also advocated for the city council to form a charter commission every ten years to review and potentially modify the charter as needed, with several commission members concurring.

Snow asked Heck and Cook if they would like to provide any comments for the commission. Heck expressed appreciation for the conversations the commission has had thus far. Cook emphasized the importance of giving the public a voice in their government.

Snow brought the conversation back to some outstanding issues from the second commission meeting, beginning with a conversation on the chief of public safety position.

Tarleton expressed interest in the position being elected with no term limits, explaining that the public should have a say in who fills the position.

Browning felt that the position should be appointed to emphasize the importance of the qualifications of whoever fills this position.

Meyer agreed that the position should be appointed and feared that an election would dilute the importance of the candidate's qualifications.

Murrell agreed that an appointment would provide a synergy to the position and highlighted a fear that the position, if elected, may elicit candidates who want to use it as a platform to grow their political careers.

Members of the commission expressed concern with the chief of public safety seeking to establish a police department if an elected position.

Tarleton refuted that opinion with the point that an appointed position may also attempt to create a police department.

Cook agreed with Tarleton that the position should be elected by the people.

Hoffpauir pointed out that the plan of government could include a clause that the position cannot create a paid police force.

The commission discussed the concept of attaching minimum qualifications to the role, if an elected position. The City Attorney for St. George, Sheri Morris, shared her opinion that the charter can include minimum qualifications for the role and confirmed that the individual occupying the position cannot place a tax proposition on the ballot if it is not first approved by the city council.

**Tarleton motioned for the chief of public safety position to be elected with explicit qualifications written in the charter. Plant seconded. Meyer, Heck, Browning, Murrell, and Monroe voted against the motion with Cook, Hoffpauir, Tarleton, and Plant voting to approve. The motion failed.**

The commission agreed to revisit the issue at the next meeting with more information.

Snow brought the conversation to the topic of a city attorney and asked if the commission wanted to consider a charter provision that requires a city attorney who exclusively works for St. George.

Tarleton expressed concern with having an exclusive attorney and the person not being the most qualified and experienced professional for the job.

Murrell expressed interest in having a firm with a designated attorney represent the city with the clause that if the city's designated attorney should leave their firm, then the city is allowed to exit their contract with the firm.

Heck requested Monroe's opinion, who shared her preference to have a nonexclusive firm or person act as legal representation for the city.

**Heck motioned that the city attorney may be a person or a firm appointed by the city council. Murrell seconded. With no opposition, the motion carried.**

Heck expressed an interest in reopening the conversation of the mayor and their responsibilities. Murrell suggested the mayor should be on the council and serve in an at-large position. Heck countered that the two existing at-large positions should remain as they are. Murrell motioned to open the conversation of the mayor being a voting member of the council. Tarleton seconded, with no opposition.

Heck motioned to leave the mayor position as someone who presides over the council and does not vote. Hoffpauir seconded. The motion passed with opposition from Murrell and Tarleton.

Snow introduced the conversation of revisiting the city clerk position. The commission discussed the title of this position being either council administrator or city clerk, reporting to the city council in either scenario. The commission discussed who would act as the tax collector and came to the consensus that the council administrator would be enumerated in the charter and also serve as the tax collector, with other duties defined via ordinance.

**Heck motioned for the position to be called council administrator, with the position also serving as the tax collector and reporting to the city council. Browning seconded. With no opposition, the motion carried.**

Snow provided time for the commission to ask any questions or discuss comments they had on the draft version of the charter.

Browning brought up a concern with the fiscal year not starting on the same date as other municipalities. Morris shared that most municipalities' fiscal years begin July 1 to align with the state fiscal year.

**Murrell motioned to update the fiscal calendar in the charter to begin July 1. Tarleton seconded. With no opposition, the motion carried.**

Browning asked the commission to consider the concept of staggering terms and its potential effectiveness in St. George. Murrell agreed and expressed concern with a full turnover of the council each election cycle.

**Murrell motioned to stagger the terms of council members. Tarleton seconded. The motion carried with opposition from Heck.**

Heck and other commission members the general desire to simplify and condense language in the charter. The commission also discussed establishing compensation for the next city council but agreed this should be the responsibility of the city council and/or transition district, not the charter commission.

## **LEGAL QUESTIONS**

Snow presented specific legal questions that have arisen that require additional legal input to resolve, including potentially requesting a formal opinion from the Attorney General for items lacking clear precedent or guidance in state law. Morris responded that she is working on a legal opinion outlining her research and opinion on various legal issues that have been brought up. She hopes to have this completed by the next commission meeting.

## **PUBLIC COMMENT**

Members of the public were repeatedly given the opportunity to ask questions and provide comments on various agenda items discussed by the commission throughout the meeting.

## **NEXT STEPS**

The commission agreed to adjust its meeting schedule, including holding the next charter commission meeting on Tuesday, October 1 at 5:30 p.m. and holding either a commission meeting or community meeting on Wednesday, October 9 at 5:30 p.m., to be clarified and decided at the next commission meeting.

## **ADJOURNMENT**

*Heck moved to adjourn. Cook seconded the motion. With no opposition, the motion carried.*