

# KETCHIKAN CHARTER COMMISSION

## AGENDA STATEMENT

NO     H-5    

MEETING OF July 7, 2004

ITEM TITLE Amend Section 4.01 - Municipal Manager: Appointment, Term, Qualifications, Removal (Second Reading) SUBMITTED BY Harriett Edwards, Borough Clerk
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### SUMMARY STATEMENT

At the last regular meeting, the following language change in the Charter was adopted by the five members present. In keeping with past practice of the Charter Commission, the item is brought back for a second reading.

Article IV, Section 4.01 currently reads:

There shall be a municipal manager appointed by the Assembly who shall serve at the pleasure of the Assembly. At the time of appointment, the manager need not be a resident of the municipality, but during the manager's tenure of office, the manager shall reside within the municipality. Neither the mayor nor any assemblymember may be appointed manager during the term for which the member was elected. The Assembly may suspend or remove the manager at any time by a vote of a \*\* majority of the assemblymembers.\*\*

Clerk Edwards suggested that the last sentence should be amended to read: **“The Assembly may suspend or remove the manager at any time by vote of the Assembly.”**

It was explained that the current wording is redundant in that any vote requires a majority to pass.

It was moved & seconded to change the wording to the amendment to read, “ The Assembly may suspend or remove the manager at any time by a two-thirds (2/3) vote of the Assembly.” This amendment to the amendment was clearly not the intent of the first amendment, to remove redundant wording, and was ruled out of order.

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### MOTION ADOPTED AT THE 6/25/04 MEETING:

“I move to amend Article IV, Section 4.01 by changing the last sentence to read, **“The Assembly may suspend or remove the manager at any time by vote of the Assembly.”**

NEW MOTION:

“I move to amend, in second reading, Article IV, Section 4.01 by changing the last sentence to read, **“The Assembly may suspend or remove the manager at any time by vote of the Assembly.”**

SUMMARY STATEMENT (CONTINUED)

It was clear at the June 18, 2004 meeting that the Commissioners need to make a decision as to whether a simple majority or a super majority (2/3) vote would be required to remove the

manager. At the June 25, 2004 meeting, the five Commissioners present adopted the suggested change to Article IV.

This original amendment and the motion on the table can be passed. If the amendment is voted down, a new amendment to this section could be brought forward to require a super majority vote for removal of the manager.

Clerk Edwards had also brought up the fact that the Attorney and Clerk positions were also positions serving at the pleasure of the Assembly and it would only seem fair that whatever action is taken on this section should also apply to the Charter sections addressing employment of the Attorney and the Clerk.