



**City of Cedar Rapids  
CHARTER REVIEW COMMISSION**

**Notes from Public Forum  
Held June 2, 2011, 5:30-7:30 pm**

**Group 1-** Preamble; Article I (Powers of the City); Article II (City Council); Article VII (Charter Review and Amendment)

**Table A-** Nancy Bruner and Robin Tucker from Charter Review Commission; Liz Jacobi from city staff as facilitator/note-taker

NOTES OF DISCUSSION- \*organized below by topic, but not according to any other substance of statement or person making statement. Also note some remarks not directly related to Group 1 subject matter.

Council

Role is to set policies, which should not be role of City Manager.

Consider Carver model in which staff runs operations and Council members (like Directors) set policy, fires CM if staff isn't advancing policies

Would be nice to know *how* policies come into being – e.g. policy that council members not respond to people speaking at Council meetings; policy re: charges on J.P. Morgan issued credit cards. If council sets policies instead of City Manager, would better understand the policies.

Re: council members' terms:

possibility of having some 2 year spots, and some 4 year spots

Length of term – 4 years good

Would like to see more evenness in number of spots up for election at one time – 5 and 4 rather than 6 & 3

2 year terms = constant campaigning

Term limits: Is it a good idea to discuss/explore more? Mixed views.

Concerned that 2 year council terms might leave too little time for member to learn and accomplish anything. On other hand, hybrid of terms might allow for additional participation by more people in the community.

#### District Representation/mapping

Discussion re: how to draw on various demographic parts of City fairly while still seeking to have all people vote on most of council members.

Doesn't understand why we have districts at all, but if must have districts, then should at least have more people elected at large than by district; should review why we have majority of council members representing districts rather than at large.

#### Section 2.04(b) (terms):

Language is somewhat difficult – questions asked re: terms and clarified which parts were only for initial makeup of council.

#### Mayor and Mayor Pro Tem:

Sees Mayor as Chairman of Board and political figurehead

Question whether too many additions to Mayor's powers and duties beyond model charter which was starting point for initial

Absolutely doesn't think charter should change to strong mayor form

Discussion re: Mayor (i.e., not pro tem) being chosen from among elected council members – rather than by voters (like Iowa City) – pros and cons discussed

Likes idea of changing charter so that Mayor Pro-tem could rotate, which would even things out especially when we have a particularly strong or weak Mayor ; counterargument– only have mayor pro tem who has in fact already worked closely with Mayor so s/he's prepared to take over

Discussion re: whether Mayor Pro-Tem should/should not be selected from at large members

hard to counter argument that mayor should be someone who's been elected by all citizens, not just those with in certain district

Pro Tem "must" be from among at large memberships; otherwise, someone is serving as mayor who hasn't been elected by the city's electorate

Significant discussion re: fact that Charter is unclear whether Mayor Pro Tem can complete a term for a mayor, on one hand, or only fill in during unavailability. Problem with language in 2.06(c) versus language in 2.09, which recites city's obligation to fill vacancies in accordance with Iowa law. Significance of selection process for Mayor Pro Tem depends a lot on whether Mayor Pro Tem may serve remainder of term for Mayor who resigns, dies, etc. Also – what if Mayor dies/resigns but Mayor Pro Tem but has less time left in her/his term than remainder of Mayor's term?

2.06(c) Mayor Pro Tem should be corrected because not in accord with Iowa law – “if a vacancy occurs, shall become mayor for the remainder of the unexpired term.”

Idea -- might be good to at least articulate in Section 2.09 what Iowa law is at time Charter enacted/amended with citation to year of code at that time, so even if it changes, will be able to know what law provided at the time.

Mayor pro tem should “absolutely” be chosen by Council; don’t change

#### City Manager:

Envisioned city manager as someone well-versed in being open, efficient, smooth. Felt first CM was closed – e.g. setting policy on council members refusing to speak with those who address council at a meeting.

Evaluation of city personnel (esp. department heads) by CM – public could use more education/understanding of basis and process for evaluation

Bench strength could improve w/o ruining CM’s role. More people like Joe O’Hern so CM could focus on different level

Assistant City Managers as way to assist CM with load

#### Boards and Commissions:

Need better “variance” for Commission memberships – not all people thinking same.

Also, see Preamble – emphasizes citizen participation. This could be by means of Boards and Commissions with members that have subject matter expertise.

For example – should have used Commission to adopt new Chapter 29 so as to get input from sources with direct interests *other* than enforcement. Not a good idea to have enforcement agency write the ordinance by itself.

Ideas for additional boards or commissions

Financial – for oversight. For example: we’ve had 4-5 different people overseeing new convention center and has seen a lot of duplication. A financial oversight commission might have spotted this. Also, could do better job explaining financial matters to public in a more understandable way.

Discussion whether Boards and Commissions have been too politicized

Long-term Planning Commission should have 5 year term instead of 3

Contrast made between strong Boards/Commissions & Carver model (see prior notes under Council)

Given that so many say it’s been awful serving on a commission, thinks must not be doing well with Boards and Commissions overall (e.g. LOST Committee received poorly articulated expectations re: scope of its work)

#### Overall, general or miscellaneous remarks

“Love the preamble”

Maybe more autonomous *audit* functions, like other cities do

City has strayed from Charter’s requirements and intent--not giving enough power to people

Haven’t made enough effort to ensure public participation, maybe need more commissions (see below)

Overwhelmingly, city voted for this form “to increase participation” and haven’t had enough time to let it work – don’t tweak too much right now

Want it to be fun to serve so that we get better cross-section of people running – don’t want to frighten people from jumping in, and doesn’t think answer is tweaking charter. If we find over time that we don’t get a good cross-section of candidates, then we might look at whether charter is failing us.

Wants to see that City Council has time to make policy not just put out fires. Thinks only time will solve some of the issues that have arisen from transition and from flood.

Thinks charter has worked but we haven’t seen fruits of conversion, so now is not good time to tweak

Ideas like changing times for Council meetings are good ways to improve the council without changing charter.

Would like better explanation of city structure in Charter itself

*process* of reviewing Charter is good, but standard should be to change only biggest problems.

Possibly good idea to move to review every 5 years instead of 10

When reviewing Charter, should memorialize considerations so that those reviewing/considering history in years to come have benefit of those considerations without relying on individuals’ memories.

**Group 1-** Preamble; Article I (Powers of the City); Article II (City Council); Article VII (Charter Review and Amendment)

**Table B-** LaNisha Cassell and Carl Whiting from Charter Review Commission; Amy Stevenson from city staff as facilitator/note-taker

Preamble

- Likes preamble

## Article I – Powers of the City

## Article II – City Council

- Likes the districts and at-large seats – good division
- Rather have high quality city manager instead of strong mayor.
- Mayor Pro Tempore should rotate every year – newly elected council members should not serve as Mayor Pro Tempore right away.
- Compensation – laptops, parking – part of compensation package for Council or staff? Reason for change of government was to save money.
- Council doesn't answer phones or emails – lost that person to person contact.
- Prefers the previous form of government – felt there was a qualified person for each area – there is an advantage to that.
- Doesn't like the division of districts – go back to full-time mayor and four council members per quadrant – less of a division.
- Wanted change but now disappointed with current form of government – would go back to commission form.
- People are upset with this form of government – overextending ourselves now.
- Lost accountability to public – can't speak at council meetings and can't get a hold of council members.
- Nine council members too much – it's like herding cats!
- Not as much transparency – not all citizens have computers to look up information when directed there.
- Would prefer a seven member council.
- Why three at-large and five districts? Why not six districts and three at large (including mayor)? Why districts at all?
- Council hasn't been fairly compensated for doing special projects especially during the flood
- Doesn't support strong mayor.
- Mayor Pro Tempore should be chosen by council.
- Long Term Planning Commission should meet every five years – three years isn't long enough.

## Article VII – Charter Review and Amendments

- Current charter review cycle is good.

## Miscellaneous comments

- Prefers part-time rather than full-time, paid council members.
- This form of government had a slow start then flood happened
- There is a lack of subcommittee and assignment structure.
- Don't want to make change to Charter so only people without jobs or retirees run

## Group 2 – Article 4 (City Manager), Article 5 (Departments, officers, and agencies)

**Table C** – Jim Craig, Scott Overland from Charter Review Commission; Brad Larson from city staff as facilitator/note-taker

- Regarding Mayor Pro-temp at-large - No strong opinion
- Just hitting stride in form of government – confident in form of government
- Full time mayor will attract the wrong people
- Likes the district system
- New system hasn't had time to prove itself due to the flood
- City Manager has enough power
- Balance the elections – change to 5-4 instead of 6-3
- Disappointed in new form
- City Manager should be about his employees and have broad knowledge of departments
- Charter should include financial oversight
- 6-3 staggers is odd
- Pro-temp's powers could be expanded on (in the charter)
  - Should citizens have the ability to elect?
- Against having a full-time mayor
- Commission is bad because department head changes too much
- Not enough time to evaluate
- City Council should be policy
- Not enough time to evaluate
- Council should be compensated for all the additional work related to the flood
- Community is still getting used to form of council
- Reviewing districts to distribute correctly?
- Mayor pro-temp structure in not a concern right now
- Too many council members – seven seems more appropriate; 4 quadrants, 2 at-large, and full time mayor
- Should go back to the commission form of government
- Plenty of time to evaluate

**Group 3-** Article 3 (Nominations and Elections), Article 6 (Conflicts of Interest: Board of Ethics, Article 7 (Transition)

**Table D** – Mary Nelson, Tricia Miller, and Nancy Welsh from Charter Review Commission; Alissa Kaiser from city staff as facilitator/note-taker

Article III – Nomination and Elections

- Do we have the right balance with staggering the districts? This deserves discussion.
- Requirement of at least two percent of those who voted to fill the same office at the last regular city election seems reasonable.

Article VI – Conflicts of Interest; Board of Ethics

- Board of Ethics is a good idea – full disclosure by Council members is always important

- Scope of the Board of Ethics is too narrow – only covers primarily financial conflicts of interest.
- Appearance of a conflict of interest is too narrowly defined.
- Other conflict of interest areas not taken into account – needs to be toughened up.
- Mandate needs to be broadened to other conflicts of interest.
- Is Board of Ethics necessary?
- Cedar Rapids is the only city in Iowa that has a Board of Ethics; all other cities utilize the Iowa Ethics and Campaign Disclosure Board – can Cedar Rapids do the same? Not sure there is an advantage to having a local board.
- At the State level there may be more assurance that board members are fully removed from issues that are brought before the Board of Ethics.
- Not comfortable with Board of Ethics – people say Board of Ethics needs an oversight board in case there are conflicts.
- Not comfortable with Council appointing members to the Board of Ethics – could be conflicts.
- Could implement an appeals process for the Board of Ethics – parties could appeal to the State if they are not satisfied with the local Board's ruling.

#### Article VIII – Transition

- Determined to be obsolete – may not need this section in revised Charter since it is specific to the change in form of government.

#### Miscellaneous comments

- Council is not getting enough feedback from the public prior to passing controversial ordinances. For example, chapter 29.
- Need to create citizen committees to provide feedback prior to Council approval of ordinances; especially from groups that are affected by decisions.
- Terms should have been staggered more when the Charter was first developed – suggests this could possibly be changed now.
- The way terms were staggered in the Charter doesn't make sense – three seats up for election at one time and six seats up at one time. There should be a better balance – four seats up at one time and five seats up at one time which should include two at-large seats each time.
- Pleased with current form of government – much more accessible.
- Prefers this form of government to the previous form.
- Strongly encourage only minor tweaks to Charter – need to give this form of government a chance.
- Haven't seen this form of government in action yet – when it began in 2006 council members were becoming acclimated to new roles and then the flood happened. Need to give this form of government more time to work like it should and can.
- Having a city manager is important.
- Current form of government doesn't work as good as it could – the first city manager was too controlling
- Likes district concept – broader base of representation.
- City is in need of change management.

- Doing business in Cedar Rapids is more difficult than in surrounding cities for developers.
- Resented re-organization process in 2007 – laid off too many good employees.
- City isn't as good as it could be – out of control.
- Two council meetings per month is not enough.
- Five council members are enough – don't need nine.
- Part time council seems to be full time right now but only because of the flood – time requirements may decrease in the future.
- Boards/commissions/committees need more authority – it's a waste of citizens' time because the Council doesn't let them make decisions.
- Conflict for Council to appoint members to boards and commissions sometimes.