

Charter Change Committee  
November 10, 2010  
(Approved 11/16/10)

Committee Members Present:

Councilor Paul Decelles, Chair  
Councilor Mary Kehoe  
Councilor Joan Shannon

Also Present: Susan Leonard/HR Director, Larry Kupferman/CEDO Director, Brian Searles/BIA Director, Doreen Kraft/Arts Director, Bill Keogh/City Council President, Kurt Wright/City Councilor, Karen Paul, City Councilor

Call to order at 5:30 p.m.

1. Agenda & Minutes of 9/8 and 9/29

Agenda: Revise agenda: Agreement to switch #2 and #3.  
Minutes: Hold on Minutes until later in meeting.

2. Review of Proposal re Mayoral Appointment, Reappointment and Removal of Department Heads

Susan Leonard: Presented and described survey of department heads. 100% of respondents oppose proposed changes. One respondent would support if it required multiple councilors to initiate removal.

Joan Shannon: Balance of Mayor and City Council authority relevant. Perception of strong mayor form of government is not be accurate.

Brian Searles: Down the line, proposal will affect ability to recruit best people for positions.

Joan Shannon: Agree with goal of having best people. Concern about annual appointment process. Proposal is trying to strike a balance. Exchange elimination of annual appointment process for City Council authority to initiate removal process. Isn't the exchange worth it? Better the way it is now?

Susan Leonard: Yes, better the way it is now because removal process could happen at any time.

Larry Kupferman: Many department head hirings are not political proceedings. More like traditional process for hiring at will employees. Not an even trade in proposal.

Paul Decelles: Is it good to have mayor be able to remove department head at will?

Doreen Kraft: Can't think of circumstance where a problem has occurred and hasn't been addressed informally. Concern that would have 14 new bosses.

Susan Leonard: Process not clear. Can make decision and 2 weeks later confronted with public process in front of city council with no confidentiality.

Joan Shannon: City Council role in appointment/reappointment process involved here. Won't give up annual vote if don't get something in return. Councilors take vote seriously.

Doreen Kraft: Saw vote as indication of perception on department head's performance.

Larry Kupferman: Question about process for removal; include opportunity to defend in executive session?

Joan Shannon: Wouldn't object to executive session at discretion of employee.

Mary Kehoe: Concern she heard was why didn't council vote against department head result in dismissal? It was difficult to answer. If council doesn't have a role, better to have charter say that and refer complaints to mayor. Coming around to that point of view, based on comments from department heads and concerns about legal exposure. Consider taking up in future.

Kurt Wright: Will of council to put something before voters. Difficult to explain to voters that council action a farce. Generally supports mayoral appointments, unless egregious circumstances. Want help to put some charter changes before voters.

Brian Searles: Appointee typically also has authority to remove. To complicate makes it more difficult. Legislative body typically in consultative role.

Larry Kupferman: Inappropriate to mix roles of mayor (appointment) and council (removal).

Paul: Never meant to be a political action.

Susan Leonard: Why need to go to ballot in March if not about current situation?

Joan Shannon: Would like to bring this process to conclusion. We have been working on this issue for a full year.

Kurt Wright: Consider changing mayor's term back to two years.

Committee will consider again at next meeting.

### 3. Review of Audit Task Force Report

Joan Shannon: Review recommendations to create Audit Committee.

Ken Schatz: Council can create Audit Committee subject to charter provisions; e.g. Finance Board as Board of Audit. Executive sessions only for reasons stated in statute.

Discussion of each of Task Force's recommendations.

Joan Shannon: Agreement that committee of professionals.

How many?

What professions/credentials?

All Burlington residents?

Karen Paul: Need to be a C.P.A. whose field is auditing.

Joan Shannon: 5 member committee, at least 3 CPAs whose field is auditing.

Paul Decelles: Would a bank president or CEO add something to committee?

Joan Shannon: Desire for Burlington residents.

Karen Paul: Believes we could find CPA/auditors who are Burlington residents.

Bill Keogh: Could require live or work in Burlington.

Karen Paul: Is it okay for member to be a retired auditor?

Joan Shannon: Would prefer at least two Burlington residents. A bank president or CEO could add something helpful to committee even if not CPA/auditor.

Bill Keogh & Karen Paul: Disagree – all members should be CPA/auditors.

Paul Decelles: Doesn't care where members live, need auditors.

Joan: Believes we could specify background of two non-auditor members. Different background might be helpful – financial background required.

Audit Advisory Committee as described in Task Force Report in following areas:

Scope of work.

Engage when contract up

Education process

Governance issues

Address management letters

Audit adjustment disclosure

City Council approve committee of 5

CPA background described on P. 3; at least 3 be auditors.

At least 2 Burlington residents

Terms – 3 years – staggered terms to start

Joan Shannon: Motion to approve.

Mary Kehoe: Seconds

Unanimous approval

Ken Schatz to draft resolution

Staff?

Next Meeting: Tues.. 11/16 at 5:30 p.m.

Meeting adjourned at 7:40 p.m.

