



Charter Review Form

Date: July 6, 2020 **Filling Vacancies on the City Council**

Issue Page: 1

Charter Provision:

Article II, Section 6. Vacancies. (2nd paragraph). When there is a vacancy on the Council, the Council shall have sixty (60) days from the date of that vacancy to appoint a qualified person as outlined in Article II, Section 2 to fill that vacancy until the next general municipal election. All appointments shall be approved by the majority vote of the entire Council as then constituted. If the Council fails to fill the vacancy, an election shall be held within 120 days of the date of the vacancy.

Objective:

1. Change the term of the appointed Council member to the remaining term of the vacated seat.
2. Change the election requirement to be the next November election unless the vacant seat is sooner filled by the City Council.
3. Change the time for the Council to appoint someone to fill the vacant Council seat so that the Council can extend the time by resolution for an additional 30 days.
4. Mandating that the Council appoint someone to fill the vacancy by giving the Mayor the deciding vote in a tie situation.

PROS:

By changing the term to be the remaining term of the vacated seat, we will keep the correct balance of terms to be filled each election.

By eliminating the calling of special elections, we put more pressure on the Council to appoint someone to fill the seat and prevent the cost and tasks involved in holding special elections.

CONS:

By eliminating the calling of special elections, there may be a longer time with a vacant seat on the Council.

Proposed Change:

Article II, Section 6. Vacancies. (In part) When there is a vacancy on the Council, the Council shall have sixty (60) days from the date of the vacancy to appoint a qualified person as outlined in the Article II, Section 2 to fill that vacancy ~~until the next general municipal election~~ **for the remainder of the term for that seat. The Council by resolution may extend the deadline to have an additional thirty (30) days.** All appointments shall be approved by the majority vote of the entire Council as then constituted, **except that in a tie vote in the situation of appointment of someone to fill a Council vacancy, the Mayor may cast a deciding vote.** If the Council fails to fill the vacancy ~~an election shall be held within 120 days of the date of the vacancy,~~ **the vacant seat shall be open for election to fill the remainder of the term at the next November election.**



Charter Review Form

Date: May 11, 2020 **Departments Created and Abolished**

Issue Page: 2

Charter Provision:

Article III, Section 2. Departments Created. The Council may create and abolish such departments, by ordinance, as it deems necessary to the proper functioning of the City. The following services may be provided by the City: Police, Municipal Public Utilities, Finance, Public Works, Administration and Parks and Recreation.

Objective:

1. To require approval by the voters at an election before the Council can abolish or cease operating a City department, such as the police department.
2. Consider a definition of "abolish" and whether it includes providing such services through a contract or transfer to another government agency.
3. Would this apply to all departments or just some in particular? All
4. Should the charter limit creation of new departments? No

PROS:

Political or personal motivation by Council allow fundamental change to the organization.
Abolishing a department could create high costs of reentry in the future if deemed necessary.
Voters are less likely to make an emotional decision about abolishing a department.
Community involvement in large, organizational decisions is favored

CONS:

Sounds management practices should allow for expansion and contraction as necessary.
Representative government puts the difficult decisions on the elected representatives.
Voters may make a decision based on limited information concerning the management of the City

Proposed Change:

Article III, Section 2. Departments Created **or Abolished**. ~~The Council may create and abolish such departments, by ordinance, as it deems necessary to the proper functioning of the City.~~ **No department of the city shall be created or abolished except by an amendment to this Charter.** The following services may be provided by the City: Police, Municipal Public Utilities, Finance, Public Works, Administration and Parks and Recreation. **All departments that currently exist shall remain unless abolished by future action of the registered electors in an election.**



Charter Review Form

Date: 5/11/2020 City Manager Residence Requirements

Issue Page: 3

Charter Provision:

Article III, Section 1. City Manager. (In part) The City Manager shall be a resident of the City of Craig.

Objective:

Provide flexibility for the City Council to hire a City Manager who is or may be a resident of the City of Craig or in Moffat County within a reasonable distance of the city limits.

PROS:

As long as the distance is reasonable, a manager may prefer to live in Moffat County due to horses, 4H etc.

With increased connectivity a manager can handle an emergency more readily without necessarily always being present.

Other city employees do not have to live in city limits.

CONS:

A city manager should reside in town to be one of us.

Physical presence is necessary especially in the case of an emergency or to manage a crisis.

City Council members must live within city limits.

Proposed Change:

Article III, Section 1. City Manager. (In part) The City Manager shall be a resident of the City of Craig **or within Moffat County not more than ten miles of the city limits. A new City Manager shall meet this requirement within six months of the beginning of his employment.**



Charter Review Form

Date: 5/11/2020 Residency requirements for Municipal Court Judge/City Atty

Issue Page: 4

Charter Provision:

Article VI, Section 1. City Judge. (In part) The Judge of the Court *shall be a resident of the City or the County* and a licensed attorney in the State of Colorado.

Article V, Section 2. City Attorney. Qualifications. (In part) The City Attorney shall be selected on the basis of legal qualifications and experience, but must have been a licensed attorney in the State of Colorado for at least three consecutive years *and must be a resident of the City or County*.

Objective:

Eliminate local residence requirements for the Municipal Court Judge and City Attorney.

Provide flexibility for the City Council to hire a City Judge and/or City Attorney who is not a resident of the Moffat County, but who is a resident of the State of Colorado.

PROS:

Changing demographics may make residence requirements for the Municipal Court Judge and City Attorney unworkable in the near future.
Many small communities with a part-time Judge and City Attorney receive excellent services from experienced attorneys or law firms outside of locality.
City Council may still appoint qualified candidates that live within the City or Moffat County when possible.

CONS:

A local resident is preferable to a candidate who lives outside of the area.

Proposed Change:

Eliminate the local residency requirements for the City Judge and City Attorney by amending the following sections of the Craig Municipal Charter, in part, as follows:

Article VI, Section 1. Municipal Court. The Judge of the Court shall be ~~a resident of the City or County~~ and a licensed attorney in the State of Colorado.

Article V, Section 2. City Attorney. Qualifications. The City Attorney shall be selected on the basis of legal qualifications and experience, but must have been a licensed attorney in the State of Colorado for at least three consecutive years ~~and must be a resident of the City or County~~.