

TOWN OF RICHMOND, RHODE ISLAND
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HOME RULE CHARTER REVIEW COMMISSION

Town Hall – Town Council Chambers

July 2, 2015

6:00 P.M.

MINUTES

A. Meeting was called to order at 6:07 P. M. by L. Valencia

B. Roll Call

Present: L. Valencia, E. Liese, C. Davis, M. Van Der Hooft, B. Reyburn, R. Millar, I. Lipton, and Clerk S. Rapose

C. Unfinished Business

01 Continued discussion of potential amendments to the Home Rule Charter

S. Rapose informed the Commission that she had researched the surrounding towns Financial Town Meetings. Charlestown holds their FTM on the first Monday in May at 7:45 P.M. Hopkinton holds theirs on the first Tuesday in May at 7:30 P. M. Exeter holds theirs on the second Tuesday in June.

K. Ellsworth supplied the Commission with a new draft of the Charter.

E. Liese apologized for not being at the last meeting. She noticed in the revised Charter that Article 2, Section 5 had been revised.

I. Lipton explained that it was voted on at the last meeting.

E. Liese recalled that it had already been voted on at the June 17th meeting.

I. Lipton explained that it was not voted on. It had been tabled at the June 17th meeting. It was voted on at the June 24th meeting and passed with a 3-1 vote.

L. Valencia added that it had been voted on previously. New votes were taken for all topics.

K. Ellsworth explained that the last meeting was the first meeting she had attended. Not knowing what had been voted on, but knowing the issues the Commission wanted to address, she drafted some language. The Commission had voted at the last meeting to adopt the language she had drafted, so it was a different vote, but the same topic.

- L. Valencia explained that as far as a Council vacancy, Karen had given them two choices. One making write in's ineligible, and the other to allow the Council to appoint a qualified elector.
- I. Lipton explained that they had chosen the second choice.
- L. Valencia feels that there is no reason not to revisit it if the Commission wants to.
- I. Lipton stated that according to Robert's Rules of Order, it would have to be revisited by someone who voted for it.
- K. Ellsworth informed the Commission that what they really want to do is reach a consensus.
- M. Van Der Hooft asked if they would keep voting on the same things.
- K. Ellsworth responded that you would keep voting on things until the Chair told you to stop.
- I. Lipton feels that there is no sense of them being there then.
- R. Millar added that Robert's Rules states that it would have to be a person who voted for something to open it back up for discussion.
- E. Liese believes that they had lengthy discussions on that topic to keep it the way it was. She doesn't want to revisit everything from last week, but wants to make the record known that she doesn't agree to the change.
- L. Valencia asked K. Ellsworth if they can revisit anything they have voted on.
- K. Ellsworth explained that the Commission has members requesting to follow Robert's Rules of Order. She feels that it should be up to the Commission as to how they are going to conduct their meetings.
- L. Valencia was under the impression that they were going to keep revising language until the end.
- I. Lipton feels that it would be revisited until it was the way the Chair wanted it.
- E. Liese recalls revisiting quite a few of I. Lipton's ideas.
- L. Valencia was under the impression that they were working on a draft and taking votes as they went along to develop a consensus. He didn't think they were setting everything in stone every time they took a vote.
- I. Lipton feels that at a meeting, if the Commission votes on an issue, that is it. According to Robert's Rules the only people that can ask to revisit it are the people who voted for it.
- L. Valencia stated that as K. Ellsworth mentioned, there is no stipulation to follow Robert's Rules.
- K. Ellsworth added that Robert's Rules was written for assemblies of large bodies. It wasn't written for Committees that are drafting. She is not sure if it is appropriate to use Robert's Rules.
- M. Van Der Hooft feels that should have been made clear from the beginning. They were given two choices. They chose option number 2. Why would they vote if they were just going to vote on it again? There was a quorum and a vote.
- L. Valencia asks if the discussions are over, then why not just close the meeting and end today?

I. Lipton doesn't feel the discussions are over.

L. Valencia questions what can be discussed if it has already been voted on.

I. Lipton has a bunch of things she would like to discuss.

M. Van Der Hooft thinks there are other things to discuss. However, on this particular topic, they were given two choices and voted on one. She was asked to make a choice. She didn't have to make a choice. They could have said this was just a draft. If the Commission is going to do things that way, it is not a Commission she would like to serve on. She misunderstood from the beginning what the intent was.

L. Valencia calls for a motion that they are going to consider all items until they are done deliberating.

E. Liese is willing to make that motion. She says that they have visited many items repeatedly until a decision is made.

B. Reyburn felt they should have not have been taking a vote about that particular issue on that day because they were missing two people they knew were opposed to changing it.

L. Valencia wasn't overly concerned with taking a vote because he thought they were in the process of deliberating everything.

I. Lipton feels that when you take a vote, that is the vote. They could have tabled it.

K. Ellsworth added that she has drafted a lot of long documents. When drafting a document, every part of that document has a relationship with another part. Sometimes when you are in the process of drafting you want to go back and change things. Her opinion is to have some flexibility through the process. You may end up with a better document in the end. She understands the concern that maybe a decision will be changed, but maybe it's a good idea to at least discuss a decision that has been made before, especially when you have a document that has different parts that need to work together.

M. Van Der Hooft explained that it was voted on last week with a quorum. If we revote, we know it will change the outcome. She will not continue. She doesn't like the game that's being played.

L. Valencia doesn't feel that anyone is playing games.

M. Van Der Hooft disagrees.

(M. Van Der Hooft leaves at 6:28 P. M.)

R. Millar feels that they don't have a ton of things to change in the document. He would hate to see the Commission bogged down on this one issue. He is in favor of following Robert's Rules of Order. It gives the meetings structure and uniformity. Every organization he has ever been a part of has followed Robert's Rules of Order.

E. Liese agrees with having structure, but that is not how it has been brought forward. She has brought it up for discussion as they had many other topics at previous meetings. A few meetings ago when things were discussed and voted on, they had moved on from the issue. Then they had readdressed those issues out of the courtesy of a board member. She is just asking for the same courtesy.

L. Valencia doesn't feel that there is going to be any courtesy extended. Regardless of what they decide, it still has to go before the Town Council and the voters. He asked for a motion. What he wants from that motion is what he thought the Commission was up against. They were working on a document and trying to come to a consensus. He asks for a motion to keep everything open until the end. If that motion doesn't carry, others are welcome to make a motion to enforce Robert's Rules of Order.

I. Lipton feels that if that is the way that L. Valencia is going to run the meeting, then she will leave as well. She feels that things are being revisited until L. Valencia gets what he wants.

R. Millar stated that he will leave as well.

MOTION made by E. Liese, second by C. Davis that the document is a working document, and they are going to work on the document until it is completed.

Ayes- E. Liese

C. Davis

B. Reyburn

Nays – I. Lipton

R. Millar

Abstain – L. Valencia

MOTION PASSES

K. Ellsworth would like to know what I. Lipton's questions are.

I. Lipton asked if it would make a difference.

L. Valencia stated that they have listened to every idea that I. Lipton has had. He does not appreciate her behavior.

I. Lipton does not believe she has behaved inappropriately.

E. Liese has never seen a board direct in a manner towards the chair as the mannerisms that have occurred here.

I. Lipton has never seen a leader of a Committee act the way the Chair is acting.

E. Liese stated that L. Valencia has asked I. Lipton to stay and continue discussion.

I. Lipton asked if the Commission wanted to hear her questions.

L. Valencia stated that the floor is hers.

I. Lipton asked K. Ellsworth to explain the changes to Article 2, Section 1.

K. Ellsworth explained that at the last meeting the Commission was looking to adopt the Ethics Commission regulation language. She looked at it, and the change is what she is suggesting. It is just a suggestion. It has not been voted on.

I. Lipton feels that the Council should have two meetings per month all year round.

C. Davis agrees.

I. Lipton would like to add that the Elder Affairs Commission may sponsor informational and educational programs as stated in the ordinance.

K. Ellsworth recommends not changing that. The Charter is supposed to be the basic framework. That makes it too specific. That is the reason you have the ordinances.

D. New Business

01 Discussion relative to adding a Social Activities Committee to the Home Rule Charter

R. Millar asked K. Ellsworth why the Senior Activities Committee has not been added to the proposed Charter.

K. Ellsworth explained that when the original Charter Commission was discussing the recreation department, they knew that eventually the department would be larger. The Social Activities should fall under the Recreation department. It would be a mistake to be too specific in the Charter.

I. Lipton agrees with K. Ellsworth. She knows that the Town Administrator is beginning to look at the Senior Center. She added that people often ask her why they have a Senior Activities Committee and an Elder Affairs Commission.

K. Ellsworth responded that they do separate things.

I. Lipton says that H. Oppenheimer explained to her that Elder Affairs represents every senior in Richmond, and the Senior Center only represents the members.

R. Millar explained that the Town Council passed a Resolution recognizing the Senior Activities Committee.

K. Ellsworth explained that just because the Town Council passes a resolution, that does not mean that it should be in the Charter.

R. Millar feels that not being recognized in the Charter puts the Senior Activities Committee at a disadvantage.

K. Ellsworth stated that the Senior Activities Committee has been recognized by the Town.

E. Liese asked if the Dog Park Committee was in the Charter.

K. Ellsworth answered no.

R. Millar stated that the Senior Activities Committee hasn't cost the town anything.

K. Ellsworth advises to not put it in the Charter, however, if the Commission votes to put it in, she will include it in the draft.

L. Valencia recommends that they don't take any votes. He would like the opportunity to ask M. Van Der Hooft to return.

E. Liese asked K. Ellsworth about Article 3, Section 4, paragraph C. She is concerned with singling the Town Clerk out. She feels that the Town Clerk should fall under the department heads.

K. Ellsworth replied that it can be done either way. It could be considered a department. The Town Sergeant gets a small stipend, but the Moderator is not paid at all. She will change that section, as well as Article 5, Section 4,

paragraph B-1 to delete Town Clerk and add that the Town Council can appoint and remove all Town Employees including department heads, a Town Moderator, and a Town Sergeant.

I. Lipton would like to thank K. Ellsworth. She has been very helpful.

L. Valencia also appreciates K. Ellsworth's help.

02 Approval of amended Home Rule Charter draft dated June 29, 2015 as submitted by the Town Solicitor

K. Ellsworth will have a new draft and cheat sheet for the next meeting.

L. Valencia asks the Commission members to look over the revised Charter thoroughly.

E. **Public Forum**

F. **MOTION made by I. Lipton, second by B. Reyburn to adjourn at 7:09 P. M.**

Minutes approved as written July 9, 2015

Sarah S. Rapose
Deputy Town Clerk