

CITY COUNCIL WORK SESSION

Cedar Falls Council Chambers

October 19, 2020

The City Council held a special work session at City Hall via teleconference at 5:30 p.m. on October 19, 2020, with the following persons in attendance: Mayor Robert M. Green, Frank Darrah, Susan deBuhr, Kelly Dunn, Simon Harding, Mark Miller, and Dave Sires. Absent: Daryl Kruse. Staff members attended from all City Departments. Amie Rivers from the *Waterloo Courier* attended, as well as members of the community.

Mayor Green introduced the only item on the agenda, City Council Organizational Effectiveness.

Attorney Kristine Stone and Attorney Michael Galloway of Ahlers & Cooney, P.C. conducted the presentation. Attorney Stone introduced the first topic to be covered: The Big Picture & the Role of the City Council. Upon completion of the first topic Attorney Stone asked for questions and there were no questions.

Attorney Stone introduced the second topic to be covered: Best Practices & Options. Upon completion Attorney Stone asked for questions. Attorney Galloway added councilmembers need to keep a few items in mind before they switch from Committee of a Whole (COW) to Council Committees. If you have committees they have to be treated as regular open meetings (Agenda, minutes, recordings) the same as a Council Meeting or COW. This will not move away from any transparency and we will be replicating what we are doing now for Council and COW. Attorney Galloway also stated if you adopted a committee with committee chairs there's a misunderstanding that the chair has more direction over department heads or the direction a department is going. This chair has no more authority than any other councilmember. The committee structure is to have information and make recommendations back to the councilmembers. Specific direction can't be given to the department heads from this chair. The City Administrator, Mayor or Council (as a whole) gives direction to department heads. The ordinance must be outlined on what the duties the committee and the committee chair would be and be held accountable if they are not following the process. The committee process is not any less bureaucratic and will be just as transparent as what we are doing now. There's no authority from the individual committee members or chairperson of individual committees to provide any specific direction to the department heads or departments that they would be overseeing. These committee meetings are an information gathering arm of the council and they report back to the council. Councilmember Darrah discussed the success of task forces that he's been on. Attorney Galloway stated stakeholders enjoy these taskforces since citizens get to give input. Councilmember Darrah stated the final decision is still decided by the council. Councilmember Harding verified we have the following committees in our ordinance: Public Works, Administration and Community Relations and Planning and they have all 7 councilmembers on them. City Administrator Gaines stated it's probably been 5-6 years since any of these committees, other than Administration, have met. The council elected to go to a COW structure a number of years ago because the Mayor was chairing it; otherwise each one of the committee

meetings left the Mayor out of any of that decision making. All council members were attending these committee meetings anyway. If we go back 10-12 years we had these same committees but they were more informal and held in the Mayor's conference room. Attorney Rogers stated that COW structure was approved in the council rules and was approved by council. Councilmember Harding stated we should have a more in-depth conversation about COW and committees in the future. Attorney Stone recommends updating the city code and adopting rules for the specific committees so everyone understands what the rules and responsibilities are and they can be effective and productive meetings.

Attorney Stone introduced the third topic to be covered: Open Meetings. Councilmember deBuhr confirmed that if a citizen has a Public Works issue that it should be brought to the City Administrator's attention or should the councilmember advise Public Works. Attorney Stone recommends working through the City Administrator to solve issues. Councilmember deBuhr asked if council could try different things with committees since it takes so long to change the code? Attorney Stone recommends following the code that the city has in place. Attorney Galloway agreed that we need the authority of the code. Mayor Green asked about the committees we are using like Planning and Zoning, Bike & Pedestrian and Human Rights Commission but some are not listed in city code. Should all of our committees and commissions be inside the code or is it okay to have additional committees or groups that are not as formal? Attorney Stone stated it's not uncommon to have particular committees that are not defined by city code. Committees included in city code are the ones that council is perhaps designating tasks or authority to. Planning & Zoning and Board of Adjustment are defined by state codes. There's nothing official on how we establish our Parks & Rec Commission and other advisory groups in our code. Typically more formal committees who meet more regularly are included in the city code. How long term and formal are these groups and how flexible do you want them be and do you need the membership to fluctuate. Attorney Rogers added when it's established in the code of ordinances there's a certain accountability that Mayor and Council can require.

Attorney Stone completed the presentation and Attorney Galloway added the importance of the council having this refresher presentation.

There being no further discussion, Mayor Green adjourned the meeting at 6:25 p.m.

Minutes by Kim Kerr, Administrative Supervisor