

**CITY OF RICHWOOD
CHARTER REVIEW COMMISSION 2024**

MEMBERS:

Lauren LaCount – Chair
Matthew Yarborough - Member
Mike Johnson – Member
Bob Page – Member
Lindsie Yearsin - Member

Staff Liaisons: Kirsten Garcia, City Secretary

General Comments:

The 2024 Charter Review Commission was appointed in October 2024. They met as available in three separate meetings beginning October 23, 2024, through November 18, 2024. The Commission was supported by administrative staff.

Recommendations:

Section 3.01. - Number, selection and term.

The legislative and governing body of the City shall consist of a Mayor and five council members and shall be known as the "City Council of the City of Richwood."

(1) The Mayor shall be elected from the City at large. The election of members of the City Council shall be by position from the City at large, designating council positions as position one through position five, inclusive, authorizing qualified voters to vote on a candidate for each council position and providing for interim determination of council positions by lot.

(2) The Mayor shall be the presiding officer of the City Council and shall be recognized as the head of the City government for all ceremonial purposes and by the governor for purposes of military law, but shall have no regular administrative duties. The Mayor shall be entitled to vote only in the event it becomes necessary to break a tie vote.

(3) In each odd-numbered year two council members and a Mayor shall be elected, and in each even-numbered year three council members shall be elected.

(4) The Mayor and each council member shall hold office for a period of two years and until his/her successor is elected and qualified. No person shall serve as Mayor or council member for more than three (3) consecutive terms in any position. One must be removed from City Council for a period of one (1) year to reapply. **However, should a position or vacancy go unfilled, termed out individuals may apply for an appointment within one (1) year.** All elections shall be held in the manner provided in [article 5](#) of this Charter.

(5) All members of the City Council shall be subject to removal from office under the terms and conditions of the recall provisions of this Charter.

Rationale

The proposed amendment allows individuals who have termed out of an elected position to apply for a vacancy appointment should there be no other applications for appointment.

Section 3.06. - Vacancies.

When a vacancy occurs in the City Council, the remaining members of the council, shall, within thirty (30) days (except within sixty (60) days of a regular City election or during a run-off election period), appoint a qualified person to fill the unexpired term. However, the City Council shall not appoint more than two council members in any twelve (12) month period, and in case a vacancy has been filled by the City Council within the twelve (12) month period prior to the subsequent vacancy, or if more than two (2) vacancies occur at the same time or before a prior vacancy has been filled, the City Council shall call a special election within thirty (30) days from the date the last vacancy occurred, to be held within fifty (50) days thereafter, for the purpose of electing the successor or successors to the office or offices vacated. **When a vacancy occurs in the Mayor's position, the Mayor Pro Tem will serve as Mayor for the remainder of the term and the City Council will follow the provision of this section to fill the vacancy left by Mayor Pro Tem.**

Rationale

The proposed amendment requires the Mayor Pro Tem to move into the position of Mayor in the instance of a vacancy and Council to appoint a replacement for the Council Member moving to the Mayors position.

Section 3.12. - Investigation by the City Council.

The City Council shall have the power to inquire into the conduct of any office, department, agency, officer, employee, **or elected/appointed officials** of the City and to make investigations as to municipal affairs, and for that purpose may subpoena witnesses, administer oaths and compel the production of books, papers, and other evidence. Failure to obey such subpoena or to produce books, papers or other evidence as ordered under the provisions of this section shall constitute a misdemeanor and shall be punishable by fine not to exceed \$500.00.

Rationale

The proposed amendment allows council members to inquire into the conduct of other elected or appointed officials.

This report and recommendation are hereby presented to the City Council on December 9, 2024.

Lauren LaCount, Chair

Matthew Yarborough

Mike Johnson

Bob Page