



## **COUNCIL AGENDA ITEM COVER SHEET**

**Meeting Type:** Council - Regular

**Meeting Date:** February 20, 2025

**Agenda Item Type:** Old Business

**Staff Contact:** Brandon Perkins, Town Manager

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### **STAFF REPORT**

#### **AGENDA ITEM:**

Consideration to adopt a Town Charter Amendment of Article II, Chapter 2 regarding Quorum and Voting.

#### **BACKGROUND:**

The Town's current charter (Sec. 2.204) establishes that "The mayor and three councilmembers shall constitute a quorum and shall be authorized to transact business of the council. Voting on the adoption of ordinances shall be taken by voice vote and the ayes and nays shall be recorded in the journal, but any member of the council shall have the right to request a roll-call vote. A minimum of three votes shall be required for the adoption of any ordinance, resolution, or motion. The mayor shall vote only in the event of a tie vote."

These provisions have prevented us from holding meetings and/or moving items forward in the past when members of council have been unable to attend meetings. Other problems arise under the current provisions when council members feel the need to recuse themselves from a vote as the three vote requirement may not be met – especially if more than one member of council felt the need to recuse themselves. While rare, this scenario is not out of the question given the size of the Town. Conversely, if one council members is absent a single contrary vote carries the item as the mayor may only vote to break ties.

All of this could result in a multitude of legal issues and it is detrimental to the Town's operations.

Given these noted issues, Mayor Dial asked Mr. Davenport to review the charter and provide us with a proposed solution. His recommendation was that "the Mayor and Council reduce its quorum requirement to be the presence of three (3) elected officials, with a majority vote of those present being sufficient to pass a motion."

#### **FUNDING:**

None.

#### **STAFF RECOMMENDATION:**

Staff recommends updating the Town's charter to reduce its quorum requirement to be the presence of three (3) elected officials, with a majority vote of those present being sufficient to pass a motion.

**ATTACHMENTS:**

-Charter Sec. 2.204 – redline version showing proposed new language.

**PREVIOUS DISCUSSIONS:**

This was presented to Council on February 6, 2025, but was tabled to the February 20, 2025 meeting.