



MEMORANDUM

DATE: December 21, 2023

TO: **Independence City Council**

FROM: Jacqueline Sommer, Independence Charter Review Commission Chair

SUBJECT: **Recommendations to City Council**

The Independence Charter Review Commission has finished its review of the City Charter. Before we began our review, we made the decision to keep track of topics that we did not include in our Charter amendment recommendations, but that we felt were worthy of separate recommendations to the City Council for consideration.

The following is a list of those recommendations, in no particular order. Note that all Charter section references in this Memorandum are from the current Charter. “City code” refers to the Independence Code of Ordinances.

1. Remove the “prior history” portion of the Charter. We believe that the prior history is available in City records, may be confusing, and makes the Charter longer than necessary.
2. Look at the current City Council District boundaries. We recommend moving the center point of the boundaries to a street intersection nearer to the center of the population.
3. The Commission is providing a copy of the letter sent by Jason White concerning adding additional City Councilpersons. The Commission does not recommend any changes to the Charter to add Councilpersons at this time.
4. We recommend adding Section 2.10 Council Powers, to the City code.

5. We recommend Section 2.16 Council: Rules of Procedure be put in the City code or separate Rules of Procedure.
6. We recommend Section 3.2.1 Coordinator of emergency preparedness be added to the City code to more easily allow for changes to staff and department organization.
7. We recommend “Department of Law”, Sections 3.5 through 3.7, be put in City code.
 - a. We recommend remove or modify this language in the City code: “The City counselor shall direct and supervise the revision of the City’s ordinances as herein provided, and thereafter he shall direct and supervise future codifications of such ordinances. The City counselor shall supervise preparation of complaints in the municipal court, which complaints shall be verified by oath or affirmation; and is authorized to prosecute such complaints without filing an information.”
 - b. Allow for City Counselor to be by contract. Review whether, if it is a contracted position, can the City Counselor engage in private practice? Can a contract City Counselor supervise a City employee, such as Prosecutor or paralegal?
 - c. Look at specifying a separate City Prosecutor position. Prosecute cases with an Information and Complaint, if Missouri law requires.
 - d. Move codification of City ordinances from City Counselor to City Clerk.
8. We recommend that City Department descriptions and requirements that are removed from the Charter be moved to the City code.
9. We recommend creating a Public Utility Advisory Board that is a separate, non-political decision-making body, and which will oversee and operate public utilities. We provide a copy of a letter received from Mark Randall, former Assistant City Manager. We recommend that the Council look at the City of Springfield, Missouri for an example.
10. We recommend that the Public Works Department funding sources pertaining to municipal utilities be kept separately by provision in the City code.
11. We recommend that pertaining to Section 6.6 Nominations for election to be made by petitions, the Council should consider adding that unresolved Code violations be considered along with tax delinquencies, prohibited for candidates.
12. We recommend that when the amendments of this Charter review go to public vote, the removal of primary elections be in a separate ballot issue.

13. We recommend that as to Section 8.3 Budget: Comparison of anticipated revenues and proposed expenditures with prior years, the annual budget and its Ordinance include a more detailed breakdown.
14. We recommend that 12.6 Board of Adjustments be put in the City code.