

To: Waitsburg City Council

June 26, 2008

**Mayor's Veto of
Council Meeting Ordinance No. 2008 - 936
Statement of Objections**

I. Background of Ordinance 2008-937.

At the beginning of the May 21, 2008 regular Waitsburg City Council Meeting, Councilmember Larry Johnson requested two additional items on the agenda: Council Meetings and Council Committee Assignments. The Council agreed, placing Council Meetings under new business and Committee Assignments under old.

Councilmember Johnson stated it was his belief that there were too many meetings. He felt that workshops and special meetings in addition to the two regular council meetings were a hardship not only to his life but also to other members of the council. Councilmember Johnson proposed that the City, by ordinance, confine itself to the two Council meetings a month, making the first meeting a workshop where no decisions would be made and the second meeting of the month an action meeting. Discussion ensued by all the council members. There was some uneasiness but eventually all of the council was "willing to give it a try".

At that time, the Mayor cautioned the Council that it was not always able to get its work done in two action meetings a month and negative consequences would only follow from having just one meeting a month in which decisions could be made.

Nevertheless, on motion by Johnson with second by Clinton, the Council unanimously passed the ordinance limiting the Council to two meetings a month, with no official action to be taken at the first one. The City Clerk duly presented a proposed form of Waitsburg City Council Meeting Ordinance 2008-936 at the June 11, 2008 Council meeting. After a bit more discussion on the issue, the Council formally adopted it. The Mayor, again stating her reasons for doing so, vetoed Ordinance 2008-936

II. Procedure

Our Charter, Chapter XVII, section 128 (129), provides, “In case an ordinance is vetoed the clerk shall present the engrossed copy to the council at its next regular meeting and the mayor shall, at said meeting, submit his objections to said ordinance in writing, and the council shall cause the same to be entered in the journal, and shall proceed to reconsider the passage of said ordinance, and shall proceed to reconsider the passage of said ordinance, and if, after such reconsideration, four-fifths of the members of the council shall agree to pass the same, it shall become law, and the clerk shall note on the ordinance ‘veto not sustained’”.

III Discussion.

The Mayor’s objections to the subject ordinance are as follows:

(a) Veto taken in the best interests of Waitsburg and our Oaths of Office.

The Mayor and Council are elected annually to one year terms. For decades the Council served the best interests of Waitsburg through two regular meetings a month at which action could be taken by ordinance or resolution. That meant 24 action meetings during each term of office. Ordinance 2008-936 would have effectively cut our terms of office

in half. We were elected to make decisions and take action. We took oaths of Office to serve. The voters elected us with an expectation of 24 action meetings a year. Just as the sitting Council cannot change its compensation during its term, it should not change the effective nature of its term by one half by limiting action to 12 meetings a year.

This Council was elected to work for the best interests of the City and its varied inhabitants. We each took oaths of office to serve that purpose. The Council does its work through consideration and passage or rejection of ordinances and resolutions. An ordinance to limit that work by half is a disservice to the voters, contrary to our oaths and one that I, as Mayor, consequently had to veto.

(b) Service in public office is an honor and an accepted burden.

In running for office and being elected, we are honored by the electors and accept the weight and burden of serving. Government is time consuming and ever more complicated. Effective use of the Council's time is vital. Meetings and workshops beyond the two regular ones each month are sometimes necessary. Much has been accomplished through those sessions.

Please note the selfless efforts the 2007-08 Waitsburg City Council made in meeting each week over the summer of 2007 (approximately three months) honing, debating and working on Waitsburg's Building Codes and Design Standards. Waitsburg now has better protection from developers. That protection would not have happened with only one workshop meeting a month. Public service requires that a burden be accepted by each elected official on his or her time.

Another example of work accomplished comes from the Task Force assigned to review and recommend updates for the 750+ pages of the Waitsburg Municipal Code. That group included Councilmembers Larry Clinton and Leroy Cunningham. Also involved were former deputy clerk Lois Winchester, (then citizen and now new Councilmember) Ken Lenhart and City Clerk, Randy Hinchliffe. This Task Force worked diligently for many months. Thanks to their efforts and subsequent action by the Council, the Waitsburg Municipal Code has been reduced to a more usable document.

The 2007-08 Waitsburg City Council also attended numerous budget and employee salary/benefits workshops. But, after many months, and only in the first quarter of 2008, was it decided to ratify the findings of the salary and benefits expert, Carey Randow, who had been selected by the Council. (Debate and disagreement are part of government but decisions need to be made one way or the other.)

A year after the proposed Personnel Policy was first presented to the Council, it is still being discussed and has yet to be adopted.

The 2008 City of Waitsburg Budget had funds assigned for Animal Control, yet the decision to hire a dog catcher took the Council six months to make.

We just had an example of the result of one action meeting a month. Due to scheduling conflict with the City Clerk and the Mayor, it was decided to have just one meeting in June. The Agenda for the June 11, 2008 Waitsburg City Council meeting was long.

When 10:30 p.m. arrived, a motion and a second was presented to adjourn for the night; it passed unanimously. There remained agenda items that were not addressed.

Those of you on the Council for two, three or five terms chose to run for office again this year. As the Mayor and as a private citizen I thank all of you for your hard work for the City of Waitsburg. Experienced members are fully aware of the time and effort needed to perform the duties required of a Councilmember and to “do it right”.

Four of the five Council members are retired. You have worked your entire life to enjoy this time and every moment is surely a treasure, not to be squandered. However, you assumed the responsibilities and duties of a Councilmember when you took the Oath of Office. Your experience should enable you to make decisions efficiently and wisely. You knew what being on the Council entailed when you ran again this year.

It is hard to expend the time we do in meetings for the City. Yet we agreed to sacrifice personal time in order to serve the City in making the decisions the voters are entitled to have from their government. Your ordinance 936 left the regular council meetings at two a month but requires that no action be taken at one of them. The logic of that escapes the need to make good use of your time. I vetoed 936 because I believe it will obstruct the function of this government and is contrary to our oaths of office. We are elected to serve this community and its citizens by making decisions in a timely, effective manner, twice a month as the Council has always done. Insisting on a regular council meeting each month where no official action can be taken recants the reason we were elected.

III. The Mayor has a duty to the City.

Under our Charter, Chapter VI, section 38, “The mayor of the city of Waitsburg, in addition to his powers and duties as part of the body known as the ‘council of Waitsburg’, shall have power to veto all ordinances or resolutions passed by said council in the manner provided by this act.” That Chapter continues in section 40, as to the Mayor, stating, “He shall be chief executive officer of the City of Waitsburg.”

The Council knows that this Mayor means to fulfill the duties of that position by seeing that decisions are made by the Council in accepting or rejecting propositions that come before it and enacting ordinances or resolution as required by the business at hand. When the citizens elected me, I had 24 council meetings in my term in which to accomplish my goals. Flood control, law enforcement, land development, economic development, long term capital planning and ensuring a fair return in services and facilities to our taxpayers are major areas that will need this Council most considered attention and action in the coming months.

It is no secret that Mr. Johnson opposes me as Mayor. The electors saw it differently and reelected me. Instead of honoring that vote, Mr. Johnson objected to my committee assignments, which by law are made at the discretion of the Mayor. He attempted to suspend the rules of the Council in order to take away from the powers of the Mayor. And lastly, he persuaded the Council to adopt ordinance 936. The effect 936 being that even though I was elected to one more term, the Council can only act during half of the meetings of that term. As the chief executive officer of this city, I had to veto 936 if I am going to do the work I was elected to do. The same applies to you on the Council. You

were not elected to give up essentially one-half of your term by only having one action meeting a meeting a month.

IV Conclusion

The City of Waitsburg needs two action meetings a month if we are to move ahead with City business. Otherwise, we will end this term with an unwieldy tangle of unresolved issues, matters that needed and should have been acted on diligently by the Council but were not because of Ordinance 936—that except for my veto—prohibited the Mayor and Council from taking official action.

Discussion and informed disagreement are encouraged.

Adequate notice must be given for Council workshops and special meetings, unless it is an emergency or otherwise unavoidable.

The veto should stand so, as the Council and Mayor, we can do the job we were elected to do. We were elected to serve a full one year term. That means taking action during that time and not leaving the next administration a large back-log of items needing decisions because this Council voted to be effective for only half its term.

Thank you for your consideration. June 26, 2008

Markeeta Little Wolf
Mayor of Waitsburg