

MINUTES

ORDINANCE AND RULES COMMITTEE MEETING

6:00 P. M., OCTOBER 3, 2022

THE MEETING WAS HELD IN PERSON IN THE AV ROOM #308 IN CITY HALL.

Chad Robinson, Chairperson, called the meeting of the Charleston City Council Committee on Ordinance and Rules to order at 6:00 p.m., OCTOBER 19, 2022.

Committee Members Present:

Chad Robinson, Chair
Bobby Reishman, Vice Chair
Ben Adams (arrived 6:06)
Becky Ceperley
Adam Knauff
Emmett Pepper

Absent:

Keeley Steele

Councilmembers also Present:

Bruce King
Bobby Brown

1. Approval of Previous Minutes –

Councilmember Reishman motioned to approve the previous minutes from 9-19-2022. Councilmember Ceperley seconded the motion. Councilmember Knauff motioned to amend the minutes to correct those members listed incorrectly as not present. With those being present having voted unanimously in the affirmative*, the Chair declared the minutes as approved with the stated correction.

*Adams had not yet arrived.

2. Bill No. 7941 – A BILL to amend the Municipal Code by adding a new Division relating to requiring City Council to adopt a resolution setting the date for youth Trick-or-Treat activities and providing exceptions.

Councilmember Knauff added that the bill is a formality or clean up as to how the City should determine the Trick-or-Treat date, adding that it had been done three different ways for the past three years. The bill is consistent to what has historically been done.

Councilmember Ceperley asked if the bill would impede the City from cooperating with other entities (such as the County), which is what is commonly done. Councilmember Knauff replied there is nothing in the bill that would prevent that, going by the due date of the end August. Councilmember Ceperley asked what if the other Counties and cities had not yet decided on their dates. Councilmember Knauff replied that it would be worked out by the end of August.

Councilmember Pepper asked what problem the bill was seeking to address. Councilmember Knauff replied that the City had determined the date three different ways over the past three years, adding that Council had not approved the date for this year as it was only announced by the City. It was voted on in August in 2021 and in October of 2020 via communication. Before that, it would go before Council in August. There should be consistency.

Councilmember Robinson added that he perceived the bill as creating bigger government, and brought City Council into a decision that had always been worked out between municipalities and the County. August 31 seemed like an early deadline. He added that it should be the discretion of the Mayor to set that date with those other entities. Councilmember Knauff replied that no Councilmember had a problem voting on it in previous years. The issue is that they didn't vote on it this year.

Councilmember Pepper asked if the current Council was able to bind future Council to certain actions. City Attorney, Kevin Baker, replied that the Council could adopt such a resolution any time before the bill passes. He added that the bill is silent as to what would happen if Council did not approve a date after August 31. Councilmember Pepper asked if someone could file a mandamus suit against the City if Council failed to adopt a date by the stated time. Baker replied that they could, since the bill creates a clear duty, although he wasn't sure how successful it would be. Councilmember Knauff added that a date wasn't set until the second meeting of October, 2020. Councilmember Robinson added that 2020 was the height of the pandemic.

Councilmember Reishman added that he didn't think there was an issued that needed to be addressed. Councilmember Knauff asked why, then, had Council not approved the date this year. Councilmember Reishman added that he didn't care that Council didn't vote on the date.

From the audience, Councilmember King asked if Council had to approve the date.

Councilmember Knauff motioned to adopt the bill. With those being present having voted in the majority in the negative, the Chair declared Bill No. 7971 as not approved.

Yeas: Knauff

Nays: Robinson, Reishman, Adams, Ceperley, Pepper

Councilmember Reishman motioned to adjourn the meeting. Meeting adjourned.