



**First Public Hearing on Charter**  
**Monday, January 5 · 6:30pm**  
**Video call link: <https://meet.google.com/cvf-hruv-eww>**  
**Or dial: (US) +1 513-909-4000 PIN: 627 511 108#**

Mayor Rick Ufford-Chase, President Kevin Charboneau, Council Members, Carter Finegan, John Monette and Andrew Touchette

1. Call the Meeting to Order
2. Public Hearing regarding Council's draft of Proposed Charter
3. Public Comment
4. Adjournment

# CHARTER PROPOSAL – DECEMBER 23, 2025 DRAFT

CHARTER PROPOSAL – DECEMBER 23, 2025 DRAFT	1
Subchapter 1: INCORPORATION AND POWERS OF THE CITY	2
§ 101. Corporate existence retained	2
§ 102. General powers; law	3
§ 103. Specific powers	3
§ 104. Reservation of powers	3
§ 105. Form of government	3
Subchapter 2: GOVERNANCE STRUCTURE	3
§ 201. Powers and duties of City Council	3
§ 202. Composition of City Council and terms of office	4
§ 203. Mayor	4
§ 204. Commencement of terms; Election of City Council President	5
§ 205. Vacancy in office	5
§ 206. Recall	6
§ 207. Compensation	6
§ 208. Conflict of interest; prohibitions	6
§ 209. Council meetings and procedure	7
§ 210. Appointments	7
§ 211. Harbor Commission	7
§ 212. Other boards, committees and task forces	7
§ 213. Obligation to Serve as Water and Sewer Commissioners	8
Subchapter 3: CITY MANAGER	8
§ 301. Manager; appointment and hiring	8
§ 302. Powers of Manager	8
§ 303. Manager; removal; hearing	10

§ 304. Vacancy in office of City Manager	10
Subchapter 4. City Clerk and Treasurer	11
§ 401. Completion of elected term	11
§ 402. Appointment	11
Subchapter 5: CITY MEETINGS	12
§ 501. City meetings and elections	12
Subchapter 6: ORDINANCES	12
§ 601. Adoption of ordinances	12
Subchapter 7: ADMINISTRATION	12
§ 701. Real estate assessor	12
§ 702. Officers' and employees' bonds	12
Subchapter 9: BUDGET PROCESS	13
§ 801. Fiscal year	13
§ 802. Annual City budget	13
§ 803. City Council action on budget	13
§ 804. Budget meeting; warning	14
§ 805. Appropriation and transfers	14
§ 806. Amount to be raised by taxation	15
Subchapter 9: GENERAL PROVISIONS	15
§ 901. Savings clause	15
§ 902. Severability	15

## **Subchapter 1: INCORPORATION AND POWERS OF THE CITY**

### **§ 101. Corporate existence retained**

Notwithstanding the provisions of any other municipal charter, the City of Newport, as constituted by 1917 Acts and Resolves No. 273, and as amended, continues to be a municipal corporation within the State of Vermont.

## **§ 102. General powers; law**

Except as modified by the provisions of this charter, or by any lawful regulation or ordinance of the City of Newport, all provisions of the laws of the State of Vermont applicable to municipal corporations shall apply to the City of Newport.

## **§ 103. Specific powers**

The City of Newport shall have all the powers granted to cities and municipal corporations by the Constitution and laws of the State of Vermont together with all the implied powers necessary to carry into execution all the powers granted, and it may enact ordinances not inconsistent with the Constitution and laws of the State of Vermont or with this charter.

## **§ 104. Reservation of powers**

Nothing in this charter shall be construed as in any way to limit the powers and functions conferred upon the City of Newport and the City Council by general or special enactments in force or effect or hereafter enacted, and the powers and functions conferred by this charter shall be cumulative and in addition to the provisions of such general or special enactments.

## **§ 105. Form of government**

The municipal government provided by this charter shall be known as council-manager form of government. Pursuant to its provisions and subject only to the limitations imposed by the Vermont Constitution and by this charter, all powers of the City of Newport shall be vested in an elected City Council which shall include four Council Members and a Mayor, and which shall enact ordinances, codes, and regulations; adopt budgets; determine policies; and appoint the City Manager, who shall enforce the laws and ordinances and administer the government of the City. All powers of the City shall be exercised in the manner prescribed by this charter or prescribed by ordinance.

# **Subchapter 2: GOVERNANCE STRUCTURE**

## **§ 201. Powers and duties of City Council**

(a) The members of the City Council shall constitute the legislative body of the City of Newport for all purposes required by statute and, except as otherwise provided in this charter, shall have all the powers and authority given to and perform all duties required of municipal legislative bodies or City councils under the laws of the State of Vermont.

(b) Within the limitations of the foregoing, the City Council shall have the power to:

(1) Appoint, direct, supervise and remove the City Manager, City Clerk, City Attorney, and City Treasurer.

(2) Create, change, and abolish offices, commissions, or departments other than the offices, commissions, or departments established by this charter.

(3) Appoint the members of all boards, commissions, committees, or similar bodies unless specifically provided otherwise by this charter.

(4) Provide for an independent audit by a certified public accountant.

(5) Inquire into the conduct of any officer, commission, or department and investigate any and all municipal affairs.

(6) Authorize the sale or lease of any real estate or personal property belonging to the City.

(7) Exercise every other power that is not specifically set forth herein but that is granted to city councils or municipal legislative bodies by the laws of the State of Vermont.

## **§ 202. Composition of City Council and terms of office**

(a) There shall be a City Council consisting of five persons: a Mayor and four Council Members.

(b) All members of the City Council shall reside within the boundaries of the City of Newport and shall be elected by the qualified voters.

(c) The term of office of all persons on the City Council shall be two years. Terms shall be staggered, so that two members and the Mayor are elected in odd-numbered years, and the other two members are elected in even numbered years.

## **§ 203. Mayor**

(a) The Mayor shall be the head and chief executive officer of the City Government and shall have all powers and authority necessary or advisable therefor, except for the authority granted by the provisions in this Charter to the City Manager. The Mayor shall use the Mayor's best efforts to see that the laws and the City ordinances are enforced. The Mayor shall take care that

the finances of the City are properly managed and shall bring before the City Council public issues relevant to the affairs of the City. The Mayor shall preside at all City Council meetings with the powers of moderator, shall have a voice in City Council meetings in accordance with Council rules and procedures, and shall be entitled to a vote in the circumstances set forth in this charter.

(b) The Mayor may veto any action passed by the City Council, provided that documentation of the veto and an explanation of the reasons for it are provided to the Council in writing at least three days before the next regular Council meeting. Any veto by the Mayor can be overridden by a vote of three or more Council members at the next regular City Council meeting.

#### **§ 204. Commencement of terms; Election of City Council President**

The terms of elected officers shall commence as soon as new members are sworn into office by the City Clerk at a duly warned meeting immediately following the election at which the certification of votes shall be announced as the first order of business. At the first regular or special meeting following the annual City meeting, the Council shall, by majority vote of the entire Council, organize and appoint a President who shall assume the duties of the Mayor as requested or necessary when the Mayor is unable to carry out those duties.

#### **§ 205. Vacancy in office**

If the Mayor dies, resigns, is incapacitated, is recalled or ceases to be a resident of the City, the President of the Council shall serve as acting Mayor until either the next annual election or the date of a special city meeting called for by petition signed by 5% of the registered voters of the City for the purpose of an election to fill the position. Incapacity shall be determined by a vote of the Council. If a Council member other than the Mayor dies, resigns, is incapacitated, is recalled or ceases to be a resident of the City, the remaining members of the Council shall appoint a person to fill that position until either the next annual meeting or the date of a special city meeting called by petition signed by 5% of the registered voters of the City for the purpose of an election to fill the position. Incapacity shall be determined by a vote of the Council. Incapacity shall include the failure by any member of the Council to attend at least one half of the meetings of the Council in any calendar year. At the next annual or special City meeting, the vacancy shall be filled and the person so elected shall serve for the remainder of the term of office. If the Council is unable to agree upon an interim replacement, a special City meeting shall be held within sixty (60) days of the vacancy to fill the position.

## **§ 206. Recall**

Any elected officer of the City may be recalled from office as follows:

(a) A petition signed by not less than fifteen percent of the registered voters of the City shall be filed with the City Clerk requesting a vote on whether the elected officer shall be removed from office.

(b) The City Council shall call a special City meeting to be held within 60 days of receiving the petition to vote on whether the elected officer shall be removed.

(c) The official shall be removed only if at least as many registered voters of the City vote as voted in the election wherein the officer was elected and a majority of that number vote for removal.

(d) If the City votes for removal of an elected officer, the office shall thereupon become vacant and the City Council shall follow the procedure in Section 205, above.

## **§ 207. Compensation**

(a) Compensation paid to the Council members shall be set by the voters at the annual meeting, with a minimum of \$1,500.00 a year each. Council members' compensation must be set forth as a separate item in the budget presented to the annual meeting. Council members may choose to forgo the compensation or a portion of the compensation.

(b) The City Council shall fix the compensation of all appointees and the City Manager. The Council shall review, approve, and ratify any collective bargaining agreements, which may be negotiated or fixed by the City Manager or their designee.

## **§ 208. Conflict of interest; prohibitions**

(a) No Council member shall hold any other compensated City position or employment during the term for which they were elected to the Council, unless allowed by the laws of the State of Vermont. A Council member may be appointed to represent the City on other boards, except as limited by the laws of the State of Vermont.

(b) Neither the Council nor any of its members shall in any manner dictate the appointment, supervision or removal of any City administrative officers or employees whom the City Manager or any of the Manager's subordinates are empowered to appoint. The Council may discuss with the Manager the appointment, evaluation, and removal of such officers and

employees in executive session.

(c) Except for the purpose of inquiries and investigations under Section 201(b)(5) of this Charter, the Council and its individual members shall deal with the municipal officers and employees who are subject to the direction and supervision of the Manager solely through the Manager, and neither the Council nor any of its members shall give orders to any such officer or employee, either publicly or privately.

## **§ 209. Council meetings and procedure**

(a) As soon as possible after the election of the Mayor and Council, the Council shall fix the time and place of its regular meetings, and such meetings shall be held at least once a month.

(b) The Council shall determine its own rules and order of business. The Mayor shall set the agenda for Council meetings with advice from Council Members, the City Manager, the Clerk, and the Treasurer.

(c) The Mayor shall vote only in the instances where the Mayor's presence is necessary to attain the quorum or in those instances where it is necessary to break a tie vote among Council members.

## **§ 210. Appointments**

The Council shall appoint the members of all boards, commissions, committees, or similar bodies unless specifically provided otherwise by this charter. The terms of all appointments shall commence on the day after the day of appointment unless the appointment is to fill a vacancy in an office, in which case the term shall commence at the time of appointment and continue until the original term of the vacant position expires.

## **§ 211. Harbor Commission**

There shall be a Harbor Commission, and its powers, obligations and operation shall be under and in accordance with the laws of the State of Vermont, as amended. Members will be appointed by the City Council for three-year terms pursuant to the process set forth in existing ordinances, as the same may be subsequently amended from time to time.

## **§ 212. Other boards, committees and task forces**

The Council may from time to time establish, modify the charge and terminate other boards, committees and task forces, as may be necessary or beneficial for the

administration of the affairs of the City. The composition of such boards, committees and task forces shall be established by the Council upon creation of the same. Unless authority is expressly conferred by State law, all such boards, committees and task forces shall be advisory only.

### **§ 213. Obligation to Serve as Water and Sewer Commissioners**

The City Council shall serve as the Board of Water and Sewer Commissioners. The Board of Water and Sewer Commissioners shall meet at least once per calendar year to review the prior year's audit, approve the coming year's budget, and to alter rates as necessary or desirable. Other than this mandatory annual meeting, the Board of Water and Sewer Commissioners shall be subject to the terms and provisions of 24 V.S.A. Chapter 89, 95, 101 and such other general enactments as may be applicable thereto.

## **Subchapter 3: CITY MANAGER**

### **§ 301. Manager; appointment and hiring**

The Council shall appoint a City Manager under and in accordance with the laws of the State of Vermont.

### **§ 302. Powers of Manager**

(a) The Manager shall be the chief administrative officer of the City of Newport. The Manager shall be responsible to the Council for the administration of all City affairs placed in the Manager's charge by or under this Charter. The Manager shall have the following powers and duties in addition to those powers and duties delegated to municipal managers under the laws of the State of Vermont.

(b) With the exception of the positions of City Clerk and City Treasurer who shall be appointed by City Council, the Manager shall appoint and, when the Manager deems it necessary for the good of the City, suspend or remove all City of Newport employees and other employees provided for by or under this Charter under the Manager's supervision. The City Manager shall consult with Council in executive session of a duly-warned Council meeting before exercising the Manager's sole authority to suspend or remove any staff member under the City Manager's Supervision at the level of department head or director. The Manager may authorize any employee who is subject to the Manager's direction and supervision to exercise these powers with respect to subordinates in that employee's department, office, or agency. There shall be no discrimination in employment, in accordance with applicable State and federal laws, including 21 V.S.A. § 495. Subject to the terms of any applicable collective bargaining unit contract,

appointments, lay-offs, suspensions, promotions, demotions, and removals shall be made primarily on the basis of training, experience, fitness, and performance of duties, in such manner as to ensure that the responsible administrative officer may secure efficient service.

(c) The Manager shall direct and supervise the administration of all departments, offices, and agencies of the City of Newport except as otherwise provided by this Charter or by law.

(d) The City Manager and the City Council shall share the authority to contract with and direct the City Attorney. The City Council shall reserve the authority to approve contracts with the City Attorney and to retain additional legal counsel as needed. The City Manager shall have the authority to work with the Attorneys to carry out the business of the City as needed.

(e) The Manager or a staff member designated by the Manager shall attend all Council meetings and shall have the right to take part in discussion and make recommendations but may not vote. The Council may meet in executive session without the Manager for discussion or evaluation of the Manager's performance or if the Manager is the subject of an investigation pursuant to Section 201(b)(5) of this Charter.

(f) The Manager shall see that all laws, provisions of this Charter, and acts of the Council, subject to enforcement by the Manager or by officers subject to the Manager's direction and supervision, are faithfully executed.

(g) The Manager shall prepare and submit the annual budget and capital program to the Council.

(h) The Manager shall submit to the Council and make available to the public a complete report on the finances and administrative activities of the City of Newport as of the end of each fiscal year and at such other times as the City Council may require.

(i) The Manager shall make such other reports as the Council may require concerning the operations of the City of Newport's departments, offices, and agencies subject to the Manager's direction and supervision.

(j) The Manager shall keep the Council fully advised as to the financial condition and future needs of the City of Newport and make such recommendations to the Council concerning the affairs of the City of Newport as the Manager deems desirable.

(k) The Manager shall be responsible for the enforcement of all City of Newport ordinances and laws.

(l) When advisable or proper, the Manager may delegate to appropriate officers and

employees of the City of Newport any duties conferred upon the Manager by this Charter, the Vermont statutes, or the Council.

(m) The Manager shall perform such other duties as are specified in this Charter, in State law or as may be required by the Council.

(n) Except as otherwise provided in this Charter or in any applicable collective bargaining unit contract, the Manager shall fix the compensation of City employees.

(o) The Manager may recommend specific candidates to the Council's consideration in their appointment of the City Clerk and Treasurer to three-year terms.

(p) The Manager shall serve as delinquent tax collector.

### **§ 303. Manager; removal; hearing**

The Council may remove the Manager from office for cause in accordance with the following procedures:

(a) The Council shall adopt by affirmative vote of a majority of all its members a preliminary resolution that must state the reasons for removal and may suspend the Manager from duty for a period not to exceed 45 days. Within three days after the vote, a copy of the resolution shall be delivered to the Manager.

(b) Within five days after a copy of the resolution is delivered to the Manager, the Manager may file with the Council a written request for a hearing; the hearing shall be in a public or executive session by choice of the Manager. This hearing shall be held at a special Council meeting not earlier than 15 days nor later than 30 days after the request is filed. The Manager may file with the Council a written reply not later than five days before the hearing.

(c) The Council may adopt a final resolution of removal, which may be made effective immediately, by affirmative vote of a majority of all its members at any time after five days from the date when a copy of the preliminary resolution was delivered to the Manager, if the Manager has not requested a public hearing, or at any time after the public hearing, if the Manager has requested one.

### **§ 304. Vacancy in office of City Manager**

The Council shall make appropriate arrangements to carry out the City Manager's responsibilities if the Manager's position is vacant. For periods up to one continuous month of

absence for any reason, the Manager may appoint appropriate staff member to perform the Manager's duties. If the City Manager is absent for longer than one month, Council approval will be required to assign the City Manager's responsibilities appropriately. If the Manager fails to make such designations, the Council may by resolution appoint an officer or employee of the City to perform the duties of the Manager until the Manager is able to return to duty.

## **Subchapter 4. City Clerk and Treasurer**

### **§ 401. Completion of elected term**

The incumbent elected City Clerk and City Treasurer shall continue to serve in those capacities through the expiration of the terms of office on March 7, 2028. In the event that the currently serving Clerk/Treasurer either chooses to or must leave office prior to completion of his term of office on March 8, 2028, the Council shall appoint a City Clerk and a City Treasurer to serve out the remainder of the respective terms of office.

### **§ 402. Appointment**

(a) The City Clerk and the City Treasurer shall be appointed by the City Council with advice from the City Manager with a term commencing on March 8, 2028. The City Clerk and City Treasurer shall serve as an officer and employee of the City, but under the City Council's supervision and administrative control.

(b) The same person may be appointed to both City Clerk and City Treasurer positions if the Council so chooses. The positions of City Clerk and City Treasurer shall be compensated at a level of compensation to be determined by the City Council with the advice from the City Manager.

(c) The City Clerk and City Treasurer shall be supervised by the City Council, which will set the terms of the job descriptions, taking into account all requirements of and duties imposed by the laws of the State of Vermont on municipal clerks and treasurers. The City Council's authority hereunder includes evaluation of the performance of said duties, and removal from office with notice and a hearing, if requested, at an appropriately warned meeting of City Council. The requested hearing may be held in open session or in executive session at the election of the Clerk or Treasurer.

## **Subchapter 5: CITY MEETINGS**

### **§ 501. City meetings and elections**

(a) The annual City meeting shall be held on the first Tuesday in the month of March, at which time the voters shall vote for the election of officers, the voting on the City budget, and any other business included in the warnings for the meetings. The agenda and all ballot items for the annual meeting shall be warned no later than January 31 of the same calendar year.

(b) Special City meetings shall be called in the manner provided by the laws of the State of Vermont.

(c) The election of officers and the voting on all questions at annual and special meetings shall be by Australian ballot system. The City Clerk and Board of Civil Authority shall conduct elections in accordance with laws of the State of Vermont.

## **Subchapter 6: ORDINANCES**

### **§ 601. Adoption of ordinances**

Ordinances shall be adopted in accordance with State law pursuant to 24 V.S.A. §§ 1972–1976, as amended.

## **Subchapter 7: ADMINISTRATION**

### **§ 701. Real estate assessor**

In lieu of the election of listers, there shall be either a real estate assessor who is a certified real estate appraiser or an independent appraisal firm, headed by a certified real estate appraiser, appointed by the City Manager that shall carry out the duties of assessor in the same manner, shall be subject to all of the same liabilities prescribed for listers under the laws of the State of Vermont in assessing property within the City of Newport, and shall establish the grand list thereof and shall return such list to the City Clerk within the time required by Vermont law.

### **§ 702. Officers' and employees' bonds**

On an annual basis, all officers and employees from whom bonds are required by law shall give bonds to the City, to the satisfaction of the Council, for the faithful discharge of their

respective trusts. Such bond shall be given before the officer or employee concerned enters upon his or her duties. If the Council requires a bond with a fidelity company as surety, the City shall pay the expense thereof. The City Manager may contract for one blanket bond to cover all City officers and employees required to furnish bonds.

## **Subchapter 9: BUDGET PROCESS**

### **§ 801. Fiscal year**

The fiscal year of the City shall begin on the first day of July and end on the last day of June of each calendar year. The fiscal year shall constitute the budget and accounting year as used in this charter.

### **§ 802. Annual City budget**

With support from the finance department, the Manager shall submit to the Council a budget for review before the annual City Meeting or at such previous time as may be directed by the Council. The budget shall contain:

- (a) an estimate of the financial condition of the City as of the end of the fiscal year;
- (b) an itemized statement of appropriations recommended for current expenses, and for capital improvements, during the next fiscal year, with comparative statements of appropriations and estimated expenditures for the current fiscal year and actual appropriations and expenditures for the immediate preceding fiscal year;
- (c) an itemized statement of estimated revenues from all sources, other than taxation, for the next fiscal year and comparative figures of tax and other sources of revenue for the current and immediate preceding fiscal years;
- (d) a capital budget for not fewer than the next five fiscal years, showing anticipated capital expenditures, financing, and tax requirements; and
- (e) such other information as may be required by the Council.

### **§ 803. City Council action on budget**

The Council shall review and approve the recommended budget with or without change. The budget shall be published not later than two weeks after its preliminary adoption by the Council. The Council shall fix the time and place for holding a public hearing for the budget

and shall give public notice of the hearing.

#### **§ 804. Budget meeting; warning**

(a) The Council shall hold at least one public hearing at least 30 days prior to the Annual Meeting to present and explain its proposed budget and shall give a public notice of such hearing.

(b) The Manager shall, not less than 30 days prior to the Annual Meeting, make available the Council's recommended budget and the final warning of the pending Annual Meeting.

(c) The annual City report shall be made available to the legal voters of the City not later than 10 days prior to the Annual Meeting.

#### **§ 805. Appropriation and transfers**

(a) An annual budget shall be adopted at the City's Annual Meeting by the vote of a majority of eligible voters by Australian ballot in accordance with section 501 of this Charter. If, after the total budget has been appropriated, the Council finds additional appropriations necessary, the appropriations shall be made and reported at the next City Meeting as a specific item. The appropriations shall only be made in special circumstances or situations of an emergency nature. In special circumstances or situations of an emergency nature, any office, department, or agency may increase their spending over the office's, department's, or agency's allocated budget amount by not more than five percent (5%) upon written approval of the City Manager.

(b) From the effective date of the budget, the amounts stated therein, as approved by the voters, become appropriated to the several offices, departments or agencies and for the purposes therein named.

(c) The Manager may at any time transfer an unencumbered appropriation balance or portion thereof between general classifications of expenditures within an office, department, or agency. At the request of the Manager, the Council may, by resolution, transfer any unencumbered appropriation balance or portion thereof within the Council budget from one department, office, or agency to another.

(d) Notwithstanding the above, no unexpended balance in any appropriation not included in the Council budget shall be transferred or used for any other purpose without approval of the City Council.

## **§ 806. Amount to be raised by taxation**

Upon passage of the budget by the voters, the amounts stated therein as the amount to be raised by taxes shall constitute a determination of the amount of the levy for the purposes of the City in the corresponding tax year, and the Council shall levy such taxes on the grand list as prepared by the assessor for the corresponding tax year.

## **Subchapter 9: GENERAL PROVISIONS**

### **§ 901. Savings clause**

The enactment, modification or subsequent repeal of this charter shall not affect the validity of a previously enacted ordinance, resolution, or bylaw.

### **§ 902. Severability**

The provisions of this charter are declared to be severable. If any provision of this charter is found to be invalid for any reason, such invalidity shall not affect the remaining provisions, which can be given effect without the invalid provision.