

## Charter Review Committee (CRC)

November 7, 2019

Members Present: Marie Bushey, Terry Dallas, Marty Danaher, Christine Elnitsky, Sally Gillespie, Lisa Martin, Eric Preston, Marvel Richards, Patricia "Trish" Tudeen Facilitator: Marilyn Crotty.  
Absent: Kenneth Bohannon, Kirk Jones

The meeting was attended by the entire NSB City Commission. Mayor Russ Owen spoke to welcome and thank the committee for helping in this upcoming project.

### I. Welcome and Introductions:

Marilyn Crotty, the facilitator, retired a year ago from the University of Central Florida where she worked for 29 years as the Director of the Institute of Government. Prior to that, she worked for eight years at Valencia College as the Director of the Institute of Government. Her area of expertise has focused on charter review. Cities she has facilitated charter reviews for include the Cities of Winter Park, Plantation, Tampa and Sanibel.

Members of the Committee:

- **Marie Bushey** has resided in New Smyrna Beach since 2002. She actively attends City Commission meetings, is active in her Homeowner's Association, and travels for a living as a National Health Director. She has previously been a member of the NSB P & Z Board.
- **Terry Dallas** has resided in New Smyrna Beach for a year and a half. This is her first experience participating in government. She worked with Russ Owen at Embry Riddle Aeronautical University as the Executive Director of IT Services.
- **Marty Danaher** is the director of New Smyrna Beach Citizens for Smart Growth.
- **Christine Elnitsky** has lived in New Smyrna Beach for three years. She has a Ph.D. and her career has focused on urban services, city and state government and the Veterans Administration.
- **Sally Gillespie** has resided in New Smyrna Beach her entire adult life. She is an activist for the City and a preservationist. She has been on the Board of Daytona State College and is currently on the Board at Stetson University. Her goal is to pass on what we enjoy to the next generation.
- **Lisa Martin** has resided in New Smyrna Beach for ten years. She was on the City's Neighborhood Council and resigned to join the Charter Review Committee.
- **Eric Preston** grew up in New Smyrna Beach. He left the area to attend college and returned four years ago after law school.
- **Marvel Richards** has resided in New Smyrna Beach for four plus years. She was a member of the City's Neighborhood Council and the Hospital Foundation.
- **Trish Tudeen** is a lifelong resident of New Smyrna Beach.

### II. Overview of Sunshine Laws:

In regards to Public Meetings:

- The public has the right to attend meetings of boards and commissioners;
- the law, in essence, is applicable to any gathering, whether formal or casual, of two or more members of the same board or commission to discuss some matter on which foreseeable action will be taken by the public board or commission, which means no conversation, phone calls, or email messages or even passing a note to each other at a regular meeting;
- city has to give notice of when meetings will be held and minutes taken (action minutes only for this meeting)
- members cannot abstain from any vote unless he/she may have a conflict of interest;
- citizens have a right to speak at meetings following the committee's guidelines.

Regarding Public Records:

- The public has access to all public records of governmental bodies; therefore, any communication or written document cannot be destroyed. Send all to City Clerk.
- Any person in Florida can request public documents and the purpose doesn't have to be stated.

**III. Municipal Charters:**

A city charter must be compliant with Federal and State Law. It may exceed these laws but cannot contradict them.

**IV. Model Charter — National Civic League:**

The Committee was provided the model charter as written by the League of Women Voters which will be the guiding document.

**V. Charter Review Process:**

The anticipated time to complete the charter review is six months. This timeline will enable a review by the City Commission in time to be placed on the November 2020 ballot. The City Commission can accept the results of this Committee as a whole or any portion of it.

**VII. Establishment of Guidelines:**

- Start and end on time
- Meeting will have a set time of two hours: 5:30-7:30
- Facilitated Process; No Chair
- Consensus Decision: Support of at least 8 members
- Public Comment: Allow 10 minutes at the beginning and end of each meeting for public participation giving 3 minutes per speaker
- Issues may be brought back at any time for consideration

**VIII. Meeting Schedule:**

Future meetings will be held at the Brannon Center. They will begin at 5:30 PM and end at 7:30 PM. The meetings will be held on the following dates:

December 19, 2019	February 6, 2020	March 19, 2020
January 9, 2020	February 20, 2020	April 2, 2020
January 23, 2020	March 5, 2020	April 16, 2020

**IX. Charter Issue:**

The facilitator emphasized that the Charter provides the structure and function of the Government. A charter is unique to each city. It should be readable, acceptable and compact and should not contain language to tie the hands of the City Commission. The Charter should be updated periodically.

**X. Public Comment:**

There was no formal public participation. One observer asked that the setting be modified to allow for better visual and audio for the attending public. The facilitator said she would address these concerns in preparation of the next meeting.

Further information and to download a copy of the City's current Charter:

[New Smyrna Beach City Charter \(2014\)](#)