

## **Charter Review Committee (CRC)**

### **January 9, 2019**

Members Present: ALL - Marie Bushey, Terry Dallas, Marty Danaher, Christine Elnitsky, Sally Gillespie, Lisa Martin, Eric Preston, Marvel Richards, Patricia "Trish" Tudeen, Kenneth Bohannon. Kirk Jones sent his regrets. Facilitator: Marilyn Crotty. City Clerk Kelly McQuillen. The City Attorney, Carrie Avallone, was present for the first part of the meeting. City Commissioners Sachs and Kolody were also in attendance.

#### **Public Comment:**

A question was asked about how the Committee was accepting input from the Public. Are the members of the Committee known? The City Clerk said she would ensure that the committee members' names and email contact information were posted on the City Website and the consensus from the members of the Committee was that they had received individual comments and suggestions from the community and will welcome them throughout the process.

It was pointed out that the link to the agenda packet did not work for this meeting. The City Clerk said she would investigate and correct. City Information Officer, Philop Veski, is posting meeting times and places on social media. Electronic agendas are now available at City Hall. The webmaster for the NSB Residents' Coalition will also try to inform the public on the process through their website and periodic announcements.

The next meeting, scheduled for January 23, will include one full hour for public comment.

#### **V. Charter Discussion**

City Attorney, Carrie Avallone reported on annexation rules, as requested at the December meeting. Florida Statute 171.044 speaks to Voluntary Annexation. Many statutes in Chapter 171, Part 4 relate to the annexation process. Any language in the City Charter pertaining to annexation is superseded by language found at the State and County levels.

Sally Gillespie spoke to the lack of notification to abutters when large tracts are being annexed. She feels we need specific language addressing at least that issue. Several of the other committee members supported Sally's recommendation. The consensus was that better notification procedures are needed in the case of involuntary annexation.

Florida Statute 171, Part 1 addresses Interlocal Service Boundary Agreements (ISBA). Discussion on whether to leave in specific language relating to annexation ensued. The facilitator suggested changing the word "supervisor" to "County Appraiser" because the role of supervisor was unclear in the instance of annexation. The decision made by the group was to leave specific language covering annexation in the Charter, changing "supervisor" to County Appraiser".

Attorney Avallone also spoke to a reference made at the last meeting concerning the removal of language addressing building height restrictions and building density in past City Charter reviews. She gave a chronological accounting of changes made to the Charter addressing both items, summarizing the research that had been done by her department on the two issues.

#### **Preamble:**

Sample Preambles submitted by several committee members were reviewed and one chosen and amended. It will be submitted for approval at the next meeting.

**Establishment of Powers:**

Ms. Crothy briefly summarized the changes made to Articles 1 and 2 at the December meeting and the discussion of term limits and length of term for the Mayor was discussed. Currently, the mayor serves a 2-year term and each Commissioner four years. Also, the current Charter does NOT include term limits.

Lisa Martin again suggested that the committee consider changing the word "citizen" to the word "resident" and increasing the number of "zones" (and hence, Commissioners) from four to six. Also discussed was changing the word "zones" to "districts" to describe the areas of the city being represented by each of the four Commissioners.

After discussion on term limits and the length of term for the mayor, it was decided to keep them the same. Also, the committee decided to retain the word citizen and keep the number of representative zones within the city at four. The consensus seemed to be that it would be a good idea to change the word "zone", but since it has been in use for so long, that might lead to confusion on the part of the public.

**Public Comment:**

The first speaker supports the notion of changing the word "zone" to "district", supports a 2-year term for the mayor and liked the idea of term limits (three concurrent terms for each Commissioner and six concurrent terms for the mayor).

The second speaker likes the idea of term limits and supports keeping the 2-year term for mayor.

Speaker 3 suggested extending term limits to City Board members and encouraged the members of the Committee to take this rare opportunity to make "REAL" changes to the City charter that will challenge County and State guidelines.

One speaker suggested changing the Commissioners' terms to 2 years, while another said he was concerned that shorter terms place an undue financial burden on those running for office.

The last speaker encouraged the writing of minority opinions by committee members to raise public awareness on the issues being discussed.

**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
- Dissenting Opinions may be written on any issue and are encouraged so they can be shared with the City Commission and public
- 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

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

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