

Charter Review Committee (CRC)

February 27, 2020

Members Present: Marie Bushey, Marty Danaher, Christine Elnistky, Sally Gillespie, Eric Preston, Marvel Richards, Patricia “Trish” Tudeen, Kirk Jones and Lisa Martin. Absent: Kenneth Bohannon. Facilitator, Marilyn Crotty and City Clerk, Kelly McQuillen were also present. Commissioners Jason McGuirk and Randy Hartman were in the audience.

Public Comment: Mayor Owen thanked the committee for the work and advised that the Facilitator has assured him the committee will have time to discuss items they may want to add to the Charter. He also advised that the City Attorney’s presence at these meetings is at her discretion, but she is available to committee members and facilitator to answer any legal questions.

The Facilitator thanked the Mayor and gave the Committee a time schedule:

- 1) Feb. 27 will cover Charter Chapters 5, 13 & 14
- 2) March 12 & 26 will cover Charter Chapter 15 & Model Charter
- 3) April 16 and April 30 will cover new items

The facilitator reviewed the recommendations agreed to at the Feb. 13 meeting. A long discussion was held regarding the Commissions power of investigation. The consensus was that the Commission would remain the investigating body but “may request an investigation” by another entity.

Chapter 4 Section 31 – Powers and Duties of City Manager. Much of the section remained unchanged with some items being moved to different places under Section 31 for continuity. The following were added to this section from the Model Charter:

- Prepare and submit the annual budget and capital program to the City Commission and implement the final budget approved by the Commission to achieve the goals of the city.
- Keep the City Commission fully advised as to the financial condition and future needs of the city.
- Assist the City Commission to develop long term goals for the City and strategies to implement these goals
- Promote partnerships among council, staff, and citizens in developing public policy and building a sense of community.

Deleted was “City Manager is the Purchasing Agent” for the City.

Chapter 5 – The consensus was that Chapters 4 and 5 be combined to place all Charter Officers (current charter separates City Manager in Chapter 4 and City Attorney and City Clerk in Chapter 5) in the same Chapter. Language was added to the City Attorney section that the City attorney must be a member of the Bar and experienced in Municipal Law. Language was added for the City Clerk, recommended by the Facilitator, that states that the City Clerk is the “custodian of records, minutes and City elections.”

The facilitator suggested that the City Manager have a letter on file naming a City employee to perform the City Manager's duties if he/she is on vacation, temporarily ill or, for any reason, has an unexpected absence. A very long discussion ensued. Some committee members thought this was a duty of the Assistant City Manager. It was pointed out that there may be a time when there is no Assistant City Manager and a letter on file would result in a seamless shift of duties. Another committee member felt it was the City Commission's duty to appoint someone during a City Manager's temporary absence. The Committee eventually agreed the Commission would appoint an acting City Manager, should the need arise.

Registration and Election. Chapter 13.

Sections 172 -180, and 183 were removed and replaced with "controlled by Florida State Law" as the City's rules and regulations are superseded by Florida State Law.

Section 170 was changed to add that the City Canvassing Board members must be two non-ballot commissioners and the City Clerk.

Section 181 changes: add "the top two vote getters in a primary move on to the General Election. If there is a tie the winner will be determined by drawing lots."

Section 184.1 changes: add State Law language stating 10% of people who voted in the previous election may petition for an election for Charter Review. Add Model Charter Sec. 6.04 to allow recall per State Law.

There being no other public participation Facilitator announced the next meeting would be a three-hour meeting on March 12 in City Hall Chambers.