



CITY OF OAK HILL

SPECIAL JOINT MEETING

CITY COMMISSION CHARTER REVIEW COMMITTEE

6:00 P.M. – COMMISSION CHAMBERS - CITY HALL

JULY 16, 2014

Minutes

A. Opening

B. Roll Call

Roll Call City Commission: Mayor Gibson, present; Vice Mayor Bracy, present; Commissioners Livingston, Bittle and Engele, Present.

Roll Call Charter Review Committee: Chair Smothers, present; Members Lyn Seward, B.G. Scott, Jupp Norhausen; present.

C. Charter Review

The Mayor stated this proposed Charter in his opinion should go to the voters.

Commissioner Engele stated he is confident in the ability of the Charter Review Committee and he doesn't feel anything should change in the proposed Charter they have presented.

Commissioner Engele asked the City Attorney how many times he has suggested the current Charter be updated.

City Attorney Scott Simpson stated since he has been working for the City there are two things he suggested be done; one was the Comp Plan certification and the second was the Charter Amendment. He went on to explain there are items in the current Charter that are repetitive or inconsistent with state law; and these should be cleared up. He also stated moving to the City Administrator form of government is how the City seems to be shifting.

Commissioner Livingston stated he feels this Charter should wait till the 2016 election.

Commissioner Bittle does not agree to change to a City Administration type of government.

Member Jupp Norhausen stated he feels the Committee worked hard and presented a Charter that is beneficial to the City and we all should put personal issues aside and send this to the voters.

Commissioner Livingston made a motion to postpone the Charter Amendment until 2016 Ballot and it was seconded by Vice Mayor Bracy.

The Mayor opened the floor for discussion.

Derwin Smothers, Charter Committee Chair, stated he felt that a special meeting is not the proper venue for a motion of that nature. He believes this should be stated at a properly noticed public hearing.

Vice Mayor stated he has spoken to citizens who are against a City Manager form of government. Therefore he requested a Special Meeting to postpone the Charter Amendment to 2016, as he feels this deserves more time.

Lyn Seaward, Charter Review member, stated if the Commission decides to postpone this they should take the time to review the legal aspects of a Charter. She continued to state the Charter Review Committee worked very hard along with the City Attorney to create the proposed Charter.

The Vice Mayor stated the Commission agreed when the review began that if time was running short they would wait.

B. G. Scott, Charter Review Committee member, stated this committee has met numerous times and he feels they have done their job.

The Vice Mayor stated he agreed the Charter Review Committee has done their job and now it is the Commission's turn to do their job.

Richard Brice, Marsh Landing Loop, stated that he has heard no complaints about the proposed Charter, only suggestions about language. He then went on to show a copy of the personnel manual and stated he had worked on the personnel manual in 2006 and it is a whole book about hiring and firing in the City. He also stated that everyone to whom he has spoken is in favor of putting the proposed Charter on the ballot.

Mayor Gibson stated he feels it would be a waste of taxpayer money that has been spent in creating the proposed Charter if it is postponed to the 2016 Election.

Roll Call Vote: Mayor Gibson, No; Vice Mayor Bracy, Yes; Commissioner Livingston, Yes; Commissioner Bittle, No; Commissioner Engele, No. Motion Failed 3-2.

The Mayor suggested we continue with the public's suggestions from the last meeting.

The first suggestion was for Section 4.02, in regards to the Mayor having a voice and a vote. The Commission agreed to include the verbiage "The mayor shall preside at all meetings of the city commission and perform such other duties consistent with that office; and shall have a voice and vote in the proceedings of the city commission, but no veto power."

After discussion the Commission agreed to strike the following verbiage from Section 4.02; "may appoint (with the advice and consent of the commission) members of citizen advisory boards and committees", and "may appoint the members and officers of committees, assign (subject to the consent of the commission) agenda items to committees".

After discussion the Commission agreed to remove the following verbiage in Section 6.03; "by a vote of not less than three-fifths (3/5ths) of its members. The City Administrator shall have fifteen days in which to reply thereto in writing, and upon request, shall be afforded a public hearing, which shall occur not earlier than ten days or later than fifteen days after such hearing is requested. After the public hearing if one is requested, and after full consideration, the city commission by a majority vote of its total membership may adopt a final resolution of removal. The City Administrator shall receive full salary until the effective date of a final resolution of removal."

Commissioner Livingston questioned the removal of the Section on the budget, and the City Attorney stated that is governed by state law.

The City Attorney suggested adding verbiage to Section 6.02 to state the City Administrator would also complete the duties of the City Clerk. The Commission agreed.

After a short discussion the Commission decided to add the following verbiage to Section 4.07; "Mayor shall appoint a qualified elector among the nominated candidates to the vacant seat."

The Commission agreed to remove the following verbiage in Section 5.02; "During the implementation of this change, the commission members in office as of November 2007 prior to the date of election shall serve a full term and newly elected commission members shall take office at the first regularly scheduled meeting after the election. Therefore, existing commission members and newly elected commission members may serve overlapping terms." They also agreed to add wording stating the newly elected officials would commence their turn at the first meeting after the "general" election.

The City Attorney stated there will be two readings of the Ordinance to place the Charter Change on the ballot and there can be changes made up to the final reading. He also

stated the Commission should pay close attention to the wording of the Ballot question and the Ballot Summary.

The Mayor thanked everyone for their time and efforts.

D. Adjournment - 8:00PM

Pursuant to Florida Statute 166.041 (3) (A) including 286.0105, if an individual decides to appeal any decision made with respect to any matter considered at a meeting or hearing, that individual will need a record of the proceedings and will need to ensure that a verbatim record of the proceedings is made.



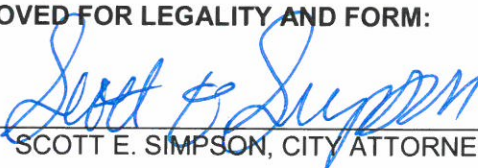
DOUGLAS GIBSON, MAYOR

ATTEST:



KOHN EVANS, CITY CLERK/ADMINISTRATOR

APPROVED FOR LEGALITY AND FORM:



SCOTT E. SIMPSON, CITY ATTORNEY