

Charter Review Special Committee
Meeting Minutes
August 4, 2020
Council Chambers
1:00 p.m.

Chair McKnight called the meeting to order at 1:03 p.m.

Deputy City Manager Carisse LeJeune called the roll. Members present: Councilmember R. McKnight, Councilmember T. Bierbaum and Citizen Doyle Redwine. Also, in attendance: City Attorney Clay Adkinson, and City Manager Mell Smigielski.

Chair R. McKnight moved to minutes approval.

Councilmember Bierbaum made a motion to approve the meeting minutes for July 24, 2020. Citizen Redwine seconded. Motion carried 3-0.

Next, Councilmember Bierbaum made a motion to approve the meeting minutes for July 28, 2020. Citizen Redwine seconded. Motion carried 3-0.

Next, Chair R. McKnight asked for Citizens Comments. No one was present.

Chair R. McKnight then distributed a draft cover sheet for the August 10, 2020 City Council meeting for review by the committee. Councilmember Bierbaum and Citizen Redwine approved the cover sheet. Discussion then moved to the presentation to City Council. Councilmember Bierbaum suggested that Citizen Redwine could give the presentation and list the highlights of the draft Charter document. Attorney Atkinson suggested that the committee may be less likely to receive the type of feedback on the document that they are looking for and recommended that the presentation be given at a public workshop. He stated that a lot more questions may come from the public rather than the City Council. The City Council meeting on August 10th could be a brief discussion with the Council, with the opportunity to take a few questions from the public, announcing that there will be a public workshop in a week.

Mayor Campbell arrived at 1:20 p.m.

Discussion continued regarding the structure of the presentation to the City Council and the public workshop. Chair R. McKnight stated that they needed to explain the “why” and Attorney Atkinson mentioned that even the Grand Jury could not follow the City’s Charter language.

The Mayor inquired as to the date of the workshop, which is scheduled for August 17, 2020. The Mayor stated that he will not be able to attend because of a previously scheduled surgery and asked if everyone thought there would be a lot of questions at the City Council meeting. Attorney Atkinson stated that he believes there will be a small group of highly interested citizens

with questions and then additional questions from those that have not been involved in the process. He said hopefully the “why” will be deferred to the workshop.

Attorney Atkinson suggested that an announcement be made letting the citizens know that if they cannot be present at the public workshop then they can provide their questions directly to the City. Councilmember Bierbaum mentioned that there is no comment box available on the City website and asked for consensus that they will except comments from a specified email address. Chair R. McKnight suggested that Councilmember Bierbaum will be in charge of brief presentations to the City Council at the August 10, 2020 meeting, that they allow a brief Q&A, and highly advertise the workshop. He also suggested creating a list of Q&A’s for the workshop.

Chair R. McKnight discussed the transmittal letter as part of the agenda package for the City Council meeting on August 10, 2020. He will send the letter to the City Clerk with the goal that it will be ready for signature by the members of the Charter Review Committee.

City Manager Smigielski asked a question about the timeline. He stated he is adamant against the Mayor having the power to veto a resolution and asked if any changes are to be done, when would that happen. City Attorney Atkinson stated that right after the workshop a special meeting can be called to address changes, but once it is presented to City Council, it is out of the committee’s hands. Council can send it back, but it would not be appropriate for the Review Committee to take actions after a Special meeting scheduled after the workshop. Chair R. McKnight said that since the Council said hold a workshop and it has been noticed as a workshop, how do we make it a special meeting? City Attorney Atkinson said technically you do not have to call it a workshop or special meeting, but the that notice can be changed. City Manager Smigielski stated that the workshop is currently scheduled for August 17, 2020 in the City Hall Council Chambers.

Chair R. McKnight moved on to discuss the Charter Review packet. He stated that an index will precede the packet to give the reader an idea of what is in the document. He said the issue comes down to the final polishing and he has looked at the new draft and found eight (8) errors. Chair R. McKnight asked who takes feedback from City Council when the final document goes to first reading. Attorney Atkinson said that staff will do that.

Chair R. McKnight then went on to review the current draft document with his revisions and stated that there is an error where he marked a black dot on the draft. The committee preceded to review the errors and make corrections to the draft document as follows:

- Top of page 2 a word is missing on the top line, “within the boundaries...” City Attorney Atkinson added “set forth in this Charter.”
- 1.1.a, page 2: Walton County Charter does not exist. Delete 2nd sentence in sub-section a.
- Page 5: This section having to do with a tie vote and drawing lots. There is no mention about how a tie vote should be resolved in the Mayoral or City Marshall elections. City Attorney Atkinson suggested that the language be backed out and refer to a tie in general of a special election shall be resolved by the drawing of lots.

- Page 7 seemed to be confusing and Councilmember Bierbaum stated this where “h” was collapsed from a previous section, to section “b” where vacancies were conformed to all elected officials.
- Page 10, compensation of all elected officials, should be somewhere else rather than under City Council section 6.03. It was agreed to move section 6.03 to the end of section 3 and make it section 3.06.
- Under section 8.02 the question of how many calendar days was asked. Chair R. McKnight stated that he was happy with 2 days. Councilmember Bierbaum suggested that it be left at 2 days and add, “unless stated in the resolution”. The Mayor stated that is 14 days for an ordinance, so 2 days for a resolution is fine. City Manager Smigielski stated that the language does not need to be in the Charter.
- Under section 12.04 Chair R. McKnight discussed a deadline for hiring or advertising for a City Manager. The Mayor stated that now the City has a Deputy City Manager that meets the qualifications of a City Manager. City Attorney Atkinson suggested 12 months. Discussion. Chair McKnight suggested 9 months with a 3-month extension provided that the process is ongoing. All agreed.

At 2:34 pm Chair R. McKnight suggested that they take a break and return back at 2:40 pm.

Discussion returned to the Mayor having a voice in the returning of resolutions to the City Council. Chair R. McKnight stated that they needed something tangible to say that they are giving the Mayor additional powers. City Attorney Atkinson suggested that instead of giving the Mayor the right to veto an expression of the Council, allow the Mayor the power to issue a proclamation whenever he wants. This is a positive rather than negative power he can do without the Council. The Mayor would have the same authority to issue a proclamation without the City Council being able to overturn it. The Mayor stated that he feels this is a good swap. City Manager Smigielski mentions that the Mayor is also being given the ability to talk to the individuals Councilmembers. Everyone agreed to the change.

Chair R. McKnight stated that the rest of the errors were grammatical errors and the committee reviewed and corrected the errors. He then stated that he will prepare the transmittal letter for City Council and give to the City Clerk tomorrow for printing and collecting signatures by 1:00 pm. He also stated that they might be asked to hold another meeting. Since the workshop is scheduled for August 17, 2020, then maybe the committee can hold another meeting on the 11th or 12th. The Charter can be posted on the web. Discussion.

The next meeting will be at 11:00 am on the 12th of August and a Special Meeting will be scheduled for August 17, 2020.

There were no public comments.

Chair R. McKnight adjourned the meeting at 3:15 pm.

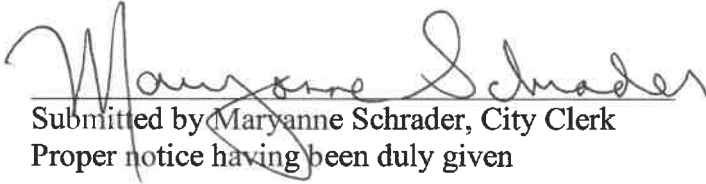
Approved:



Robert McKnight, Chair



Notes taken by: Carisse LeJeune, Deputy City Manager



Submitted by Maryanne Schrader, City Clerk
Proper notice having been duly given

