

CHARTER REVIEW COMMITTEE MEETING MINUTES

March 25, 2014

The Charter Review Committee meeting was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on March 25, 2014 at 6:00 p.m.

Members Present: George “Mackie” McCabe, Chair; Danielle Daugherty, Vice Chair; Steven Steve” W. Fussell, and Ray Lewis

Members Absent: Pam Washburn

Also Present: City Manager Gary La Venia, Mayor Chris Bell; Commissioners John Gunter and Sharon Kelly, Community Development Director Charlie Rector, and City Clerk Esther B. Coulson.

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 6:00 p.m. and the chair led in the Pledge of Allegiance to the flag.

2. ROLL CALL

Earlier in the meeting, the chair acknowledged that a quorum was present and noted that Ms. Pam Washburn was absent from this evening’s meeting.

3. PUBLIC COMMENTS

No one from the public appeared before the committee at this time.

4. APPROVAL OF MEETING MINUTES

On motion of Mr. Fussell, seconded by Mr. Lewis and unanimously carried, the committee approved the March 11, 2014 minutes as submitted.

5. CHARTER SECTIONS DISCUSSION AND DIRECTION

(a) Article VIII., Nominations and Elections

Subsection 8.03, Form of Ballots

The chair announced the likelihood of language changes in the charter as the committee reviews, considers, and make determinations.

The committee discussed, in response to a question posed by Mr. Rick Ranize, City of Fruitland Park resident, the ballot form from Lake County Supervisor of Elections (SOE) and the voting process for special elections and individuals with disabilities.

Subsection 8.04.(a), Elections, Multiple Candidates

Reference was made to the February 13, 2014 regular city commission meeting regarding the . . . “*run-off election*” to be held on the second Tuesday following the

date of the regular city election . . . and for the committee to review the recommendation to increase the period to hold the run-off election.

Subsection 8.04.(b), Single Candidates

After discussion, the chair addressed the intent to relay the question of pre-qualification requirements for write-in candidates to City Attorney Scott Gerken.

(b) Article IX., Initiative and Referendum

Subsection 9.03., Commencement of Proceedings

The chair referred to the March 21, 2014 email from Mr. Gerken regarding Initiative and Referendum; a copy of which is filed with the supplemental papers to the minutes of this meeting.

Subsection 9.09., Fee for Validation

An inquiry was posed on the fee for validation of any petition to compensate the city.

After extensive discussions ensued on the SOE's process for validating same, Mr. La Venia referred to the charge of 10 cents for each signature and Ms. Coulson's noted the process addressed in the statute statutes.

(c) Article X., Miscellaneous Provisions

Subsection 10.01.(b), Initiation by Petition

In relation to the Initiation by Petition, the chair referred to Mr. Gerken's previous clarification on the ten percent voting population requirement.

Following further discussion, the chair agreed that Ms. Coulson provide the current list of registered voters from the SOE to the committee.

Subsection 10.02., Standard of Ethics

In response to an inquiry regarding a code of ethics for the employees, reference was made to the standard of ethics language whereby Mr. Ranize expressed preference for Code of Ethics for City Commissioners Ordinance 2012-026 and the code for the employees be incorporated into the city charter.

Later in the meeting and after discussion, the chair requested that the respective ordinance be provided for review.

Subsection 10.03.(b), Penalties

Reference was made to the language on: *Any person who, by himself or with others, willfully violates any of the provisions of paragraphs (1) through (4) (under Subsection 10.03.(a), Activities Prohibited) shall be guilty of a misdemeanor; and, upon conviction thereof, shall be punishable by a fine of not more than three hundred (\$300.00) or by imprisonment for not more than ninety (90) days or both.* The committee addressed the need to revise the fine requirements; seek clarification

from Mr. Gerken on the provision relating to the fine, imprisonment, or both, and find out whether such penalties are enforceable by statute or code.

(d) Article XI., Transition Schedule

There was nothing to address under Article XI at this time.

6. STAFF COMMENTS

There were no staff comments to submit at this time.

7. PUBLIC COMMENTS

No one from the public appeared before the committee at this time.

8. NEW BUSINESS

The chair referred to the draft schedule for charter amendment for voting districts prepared by Mr. Greg Beliveau, LPG Urban and Regional Planners Inc.; indicated that he will appear before the committee at its next meeting to make a presentation similar to the one made on March 13, 2014 before the city commission, and the committee's preparedness to begin to work on the process. (A copy of the schedule was submitted for the record and filed with the supplemental papers to the minutes of this meeting.)

The chair outlined the following plan for future meetings:

- a. Before the Next Meeting
Reexamine the entire charter.
- b. April 8, 2014 Meeting
Have questions prepared for Mr. Gerken on the entire charter and review with Mr. Beliveau the timeframe for the redistricting procedure.
- c. April 22, 2014 Meeting
Propose recommended charter language and set an advertising date for a public hearing.
- d. First Meeting in May 2014
Hold a public hearing for public input on the committee's proposed language; make a determination on same, time permitting; otherwise at the second meeting in May 2014, present recommendations to the city commission for consideration.

Following considerable discussion, the committee agreed with Mr. La Venia's suggestion to wait until the presentation from Mr. Beliveau at the next meeting before making any suggestions.

After extensive deliberations, the chair directed staff to make arrangements for utility bill inserts prepared on colored yellow paper to reflect the notice date of the committee's public hearing.

9. UNFINISHED BUSINESS


There was no unfinished business to address at this time.

10. DATE OF NEXT MEETING

The chair announced that the date of the next meeting will be held on Tuesday, April 8, 2014 at 6:00 p.m.

11. ADJOURNMENT

There being no further business to come before the committee at this time, on motion made, seconded and unanimously carried, the meeting adjourned at 7:12 p.m.

Signed 

Esther B. Coulson, City Clerk

Signed 

George "Mackie" McCabe, Chair