

MINUTES
Charter Review Workshop
Monday, February 6, 2012
5:30 p.m.

The Workshop Meeting of the Crestview City Council was called to order at 5:30 PM. Members present were: President Charles Baugh, Vice-President Tim Grandberry, Robyn Helt and Phillip Berezo. Also present were Mayor David Cadle, City Clerk Elizabeth Roy, City Attorney Ben Holley, department heads and members of the press. Ben Iannucci was absent.

The data reflected within these proceedings constitutes an extrapolation of information elicited from notes, observations, recording tapes, photograph(s) and VCR tapes. Comments reflected herein are sometime paraphrased, condensed and have been edited to reflect essential subject matter covered during the meeting. Background data of individual cases heard before the council are on file with the Clerk's office. Parties interested in receiving a verbatim account of the proceedings are responsible for coordinating with the City Clerk Department pursuant to Crestview Policy 91-1, Duplication of Public records, Chapter 119 and 283, Florida Statutes and Attorney General Opinions in force at time of enactment of Policy 91-1. This meeting was advertised through all sources pursuant to F.S. 286.011, et. Seq.

1. Charter Review.

Mr. Wing gave an overview of the changes that were asked to be made to the proposed charter, to include such things as the veto power of the Mayor, a mechanism the Council would use for removal of a Mayor, along with criteria and filing fees for someone to run for office.

Mr. Wing stated that Mr. Holley had questions about the filing fees and that he went and spoke with the Supervisor of Elections office and confirmed that the numbers were correct.

Mr. Holley stated, "I want to get with Mr. Lux before we finalize this. He has made some changes and they are the ones that run our elections. One thing the state statutes don't have; they have a filing fee and what they call an assessment for municipal candidates, but their qualifying statutes about how you qualify doesn't apply to municipal candidates, and we have to get something in here about the time frame for qualifying because there is nothing in the state statutes that I can find, and that's what I wanted to talk to Mr. Lux about. We have an Ordinance that is probably obsolete, because we have an Ordinance that provides for our qualifying fee which is inconsistent with what the state statute says. Chapter 26 of our Ordinances says the qualifying fee for candidates for City office as required by the charter shall be as follows: Members of the City Council \$10.00, for the Mayor it is \$25.00 and for the City Clerk \$50.00. That was adopted in 1983 and I think the state statute supersedes that and we may want to at some point to repeal that. That is an Ordinance and we can do that."

Mr. Holley stated that he was concerned about the part of the charter referencing the period required by general law for qualifications of candidates for election to City office. Mr. Holley stated that he did not think that general law requires a period of qualification, and he feels that

that is something that needs to be addressed in the charter, and would like to speak with Mr. Lux about it.

Mr. Wing stated that the entire section of the proposed charter is highlighted because he and Mr. Holley need to meet with Mr. Lux for clarification of this section.

Ms. Helt stated, "I feel like when we come into these meetings we come into the meetings knowing something that we have to go and find out. If we know prior to the meeting we need to go and find it out, it would be more prudent and beneficial to have found it out prior to the meeting, thus not delaying the process further. Right now time is of the essence if we are looking to try and get this on a ballot. I want to make sure that all the items that we know beforehand that need to be addressed are addressed before this Council convenes to have a workshop on the subject. Here we are with a delay when we should have been able to come in here tonight and go over a couple of housekeeping things and say it looks good give it our blessing and move forward. Now we have to go and have a meeting with the Supervisor of Elections."

Mr. Holley stated, "After researching the election statutes and finding out that there is a different filing fee in that Ordinance, then it is no longer controlling, but it probably does need to be in there. You can lay the blame on me. This weekend I went through this thing with a fine tooth comb and most of these things he is talking to you about are things that I caught."

Ms. Helt stated that she appreciated that Mr. Holley caught these things and she was not trying to place blame on anyone, but this process has been going on a long time and we need to get with it.

Mr. Wing stated that he would bring the charter back with a revision to the section of the proposed charter referencing filing and filing fees.

Mr. Wing continued with his overview of changes to the proposed charter.

The Mayor inquired about the section of the charter referencing the commencement of the term of office indicating that the elected official is sworn in at 12:00 noon on the first Monday in April. The Mayor stated that the swearing in ceremonies have historically taken place in the evening.

It was the consensus of the Council to have this section state the elected official shall be sworn in the third day after the election is certified and not have any specific time.

Mr. Helt expressed her feelings of urgency in getting this charter approved and publicized as soon as possible.

Mr. Holley stated, "You have to realize that you need to approve the final draft of the charter, and then there will have to be an Ordinance adopted by the Council setting forth the wording on the ballot title. The Ordinance would have to be read on the first reading, and advertised 10 days prior to the second reading and adoption."

Discussion ensued.

It was the consensus of the Council to schedule a workshop for February 13, 2012 at 5:00 to review the proposed charter with the changes discussed at this workshop and to allow Mr. Wing and Mr. Holley to meet with the Supervisor of Elections. This item will then be placed on the February 13, 2012 Council meeting for approval. The Council directed staff to lean forward in preparing an Ordinance setting forth the wording on the ballot title.

Ms. Helt suggested, "Once Mr. Holley and Mr. Wing meet with Mr. Lux and clarify the issues discussed, that Mr. Wing redraft the charter and get it back to Mr. Holley to review so that all of that is done prior to getting the information to the Council before the Council meeting so that there are no further delays."

Motion by Ms. Helt to adjourn. Seconded by Mr. Berezo. Vote – 4 yeas and 0 nays.
Meeting adjourned at 6:17 p.m.

Elizabeth M. Roy
City Clerk

Charles E. Baugh
Council President

Minutes approve this _____ day of _____, 2011.