

CRESTVIEW CHARTER REVIEW COMMITTEE

Meeting Agenda

Thursday, July 13, 2017

6:00 p.m. to 7:30 pm

- Call to order.
- Approval of Minutes from June 29, 2017.
- Guest Speaker – Paul Lux, Supervisor of Elections.
- Interactive Committee Discussion.
 - Current Charter.
 - Municipal Government.
- Supply/Receive any Information, Data or Research Request.
- Confirm next Meeting date.
- Public opportunity to speak.
- Adjourn meeting.

Upcoming speaker: Dr. David Goetsch will speak at the August 3rd Meeting.

Note: Information concerning the Charter Review Committee and the current Charter document may be found on the city's web site at: <http://www.cityofcrestview.org/340/Charter-Review-Committee>

Note: The City of Crestview, Florida does not discriminate upon the basis of any individual's disability status. Anyone requiring reasonable accommodation as provided for in the American With Disabilities Act to insure access to and participation in the meeting should contact the Office of the City Clerk at (850)682-1560 prior to the meeting to make appropriate arrangements.

- **Approval of Minutes from June 29, 2017.**

This action will require a motion for approval, a second and a vote by the Committee.

A typical motion:

“I move to approve the meeting minutes of June 29, 2017.”

The Chairman will call for a second.

*Typically: “**I second**” is sufficient.*

The Chairman will call for a vote by the Committee.

We shall accomplish that by a show of hands.

Charter Review Committee Minutes – June 29, 2017

Charter Review Committee Board

Members Present	Staff	Visitors
Ellis Conner	Growth Management Director	Doug Faircloth
Adrienne McKinnie	Planning Coordinator	Jack Dorman
Andrew Rencich		Stephen Storm
Gene Strickland		Kevin Hall
Michelle Simmons	Members Absent	Mr. & Mrs. Blair
Joshua Molyneux	Warren Robinson	

The data reflected within these proceedings constitute an extrapolation of information elicited from notes, observations, recording tapes and photographs. Comments reflected herein are sometimes paraphrased, condensed and have been edited to reflect essential subject matter covered during the meeting. Parties interested in receiving a verbatim account of the proceedings are responsible for coordinating with the City Clerk's office and providing their own representative and equipment to produce a verbatim account of the proceedings pursuant to Crestview Policy 91 1, Duplication of Public Records, Chapters 119 and 283, Florida Statutes and Attorney General opinions in force at time of enactment of Policy 91 1.

CONVENE - The Charter Review Committee meeting was called to order at 6:00 p.m. on Tuesday, June 29, 2017, in the City Hall Council Chambers.

The Chairman, Mr. Ellis Conner, asked Committee member Joshua Molyneux to introduce himself as he was absent at the June 13, 2017 meeting.

A motion was made by Mr. Andrew Rencich to approve the June 13, 2017 minutes and asked for clarity as to the statement Ben Holley made regarding the Sunshine Law, seconded by Ms. Michelle Simmons.

Ms. Teresa Gaillard, Administrative Assistant to the City Council, presented and explained the Mission Statement and the Committee's scope of duties to the Committee members. The Board is tasked with reviewing the Charter, examining all other forms of government which may meet the needs of the City. (This was attached to the meeting packet)

Ms. Gaillard, read a statement pertaining to the Sunshine Law that was prepared by City Attorney, Ben Holley, which read as follows; Members may not communicate outside the meetings with each other or council members and they may not use an individual as a go between. Members cannot use a go between or any other means of communication such as text message or social media to communicate. If any member violates the Sunshine Law and the City Council, being unaware of said Sunshine Law violation, approves the Committee's recommendations, and it is found out later that a violation was committed, any action taken by the City Council after the violation, shall be null and void. The concern is the conduit, the public. If an opinion of a Committee member is conveyed to a member of the public and that person then speaks to or posts that information and another member of the Committee receives that information, then it is a violation of the Sunshine Law. Mr. Rencich spoke up and stated he had reached out to legal counsel to gain further clarification as it is his understanding that he can give his opinion to the public. Ms. Gaillard advised that legally the best course of action was to invite the member of the public to a public meeting as this is completely "within the sunshine".

Mr. Jack Dorman, of J. E. Dorman and Associates Inc., provided a brief personal background, as well as his professional experience as a former City Manager for the City of Destin and his current role as a Consultant to the City of Crestview for the Comprehensive Plan. Mr. Dorman addressed the Board in regards to the

different forms of government that he has experience with. He suggested additional information can be found with International City Manager Association, ICMA.

Mr. Rencich asked for his opinion as to the cons of a City Manager form. Mr. Dorman's stated a background check. All forms of government can be abused, but it is important to ensure that a City Manager is in fact who you think he is from the interview. That person is responsible for a multitude of decisions and parts of the City functions. Another con, is someone that is willing to make political decisions instead of what would be in the best interests of the City. This applies to hiring a City Manager based on politics and not qualifications and what is best for the community. As to a City Commission form of government, it is not much different from the City Council form, except that each member oversees a department and the Commissioner may not be qualified for that department. The Commissioner obtained that position by votes, not qualifications.

Mr. Molyneux asked about efficiency of a City Manager. Mr. Dorman stated that the City Council are policy makers, not managers, for example they would be ill equipped to handle personnel managers such as hiring or firing. Also, the economic benefit as a manager would have an effect of saving money across multiple areas.

Ms. Simmons asked about the time line when Mr. Dorman was the City Manager for Destin, when Destin experienced its growth and his relationship with that growth. Mr. Dorman gave a brief history of the beginning of Destin's growth. Among other things, a pro-business Comp Plan, pro-growth focus was key.

Mr. Strickland commented that his concern is that as a democracy the people should remain in control.

Mr. Molyneux asked which form was the most efficient in regards to whom the Department Heads report to. Mr. Dorman's answer was City Manager.

Mr. Rencich asked, if moving to a City Manager form of government would that allow for Crestview to have a better visibility with the State to fix infrastructure and traffic issues. Mr. Dorman said his impression was that the State would prefer a Manager so that the State would have a point of contact. It could be beneficial.

Mr. Connor turned the discussion to a review of the current charter with Ms. Gaillard. Ms. Gaillard proceeded to review the version obtained from Municode. She discussed how the Mayor interacts with the Fire & Police Chiefs, the City Council's responsibilities and the departments they oversee, and what the City Clerk is responsible for per the charter. She continued to discuss current state of charter, such as some items that are needed are missing or not possible to be followed in day to day operations as the charter has not been revamped in many years, some areas are very outdated.

Mr. Strickland asked when is the Charter reviewed and what starts that process.

Mr. Connor said it could be a result of the Committee to suggest that review and update to the Council. It was the suggestion of the previous Committee that the charter be updated. Mr. Connor mentioned that it did not make it through the process last time and if further information was needed they may contact the media as to what transpired.

Mr. Rencich suggested that the previous issue be reviewed to ensure that the same mistakes are not made this time.

Mr. Molyneux asked if Ms. Gaillard had 5 supervisors. She said essentially yes, she does and that the Growth Management Department also has the strangest organizational structure of all departments. Discussion of duties for the Growth Management Director and the department responsibilities ensued. Mr. Molyneux stated that we have been blessed by good employees over the years and asked if there is a mechanism for employee feedback. Ms. Gaillard stated yes, through department meetings etc. Many improvements have been made over the years using that mechanism and it is used to assist the needs of the public and employees. Mr. Molyneux asked if this is across the board for the City, does someone provide that to the department heads. Ms. Gaillard stated that each department does their own reporting.

Mr. Strickland clarified that it is not an existing written protocol. Ms. Gaillard stated that there is a shortage of written procedures.

Mr. Rencich asked for examples of those deficiencies. Ms. Gaillard responded that there should be an HR person for example, along with other written and updated policies.

Ms. McKinnie then asked who evaluates Ms. Gaillard. Ms. Gaillard responded that it was the President of the City Council. She has worked with several of them over the years and noted that each has had different requirements, different evaluation processes, different desires and expectations for their work.

Mr. Connor commented that the recent BOCC has acknowledged some responsibility for Highway 85 congestion. The current Board is looking at the issue and are pushing towards determining some relief. Ms. Gaillard stated that FDOT did come and discuss some of the issues with Growth Management and Public Works and it shows FDOT does recognize the need and that is a good sign.

Ms. Gaillard briefly discussed the different forms of government: City Council – Weak Mayor, City Council – Strong Mayor, Commission, City Council – Manager.

Mr. Connor opened the floor for discussion:

Ms. Gaillard stated that if anyone wanted any information, had questions or comments, they were to email her and she would ensure that it is on the next agenda, but that she would not be responding to the email as it is subject to the Sunshine Law.

Mr. Rencich clarified that his intention was for agenda development based on limited timeline.

Mr. Connor stated that he is expecting to start asking questions and moving forward with conversations such as what is wrong with the current form of government and to identify how to move forward with a fix.

Ms. Gaillard read from an email item that has been submitted;

1. Open discussion, 5 minutes per speaker for each person's personal beliefs and why. Item
2. A short synopsis of why the previous charter change failed.
3. To reach out to ISP and other charter professionals from various sources that may be willing to present topics.
4. Hear from Okaloosa County EDC.
5. Would like to hear from a retired Police Chief outside of the community that works for a City Manager form.
6. Need to know legal requirements for a Town Hall meeting and to hear from the public and business owners.

Mr. Connor and Mr. Rencich discussed the intention of emailed subjects for discussion. Mr. Connor called for a show of hands of members that would like to have time to discuss the next meeting. All members agreed.

Mr. Connor suggested that Mr. Rencich would need to discuss what happened to the previous Committee and why the charter failed with Mr. Cal Zethmyer. Mr. Rencich stated that his intent was to make sure that the Committee did not make the same mistakes. Ms. Gaillard stated that the issue was not with the Committee and that the previous minutes from the Committee and the Council would be available.

Ms. Simmons requested a copy of the previous Council and Charter Review Committee minutes pertaining to the issue with the last Charter review and information regarding Mr. Studer's visit with the Council.

Mr. Rencich requested a census for each precinct.

Mr. Connor discussed with Mr. Zethmyer about having public input at meetings.

Mr. Zethmyer spoke to the Board and stated that an ordinance has to have two readings. In 2011 the media was advised that the Council members were sending emails to each other. Mr. Zethmyer took the information to the State Attorney's office and five Council members were charged with violating the Sunshine Law. The Council President was upset and removed the Charter Ordinance from the Agenda. Further discussion on how the mistake was made and what transpired to null the vote.

Mr. Conner requested for comments from the audience to be added to the Agenda.

Mr. Conner called for a motion to adjourn.

The Motion was made by **Strickland**; seconded by **Rencich**.

The meeting adjourned at 7:34 P.M.

Secretary

Chairman/Vice Chairman

- **Guest Speaker – Paul Lux, Supervisor of Elections.**

(Questions from the Board at conclusion of presentation)

Meet the Supervisor



Paul Lux has been an Okaloosa County resident since 1997. He came to the elections office in 1999, serving in various capacities until he was elected Supervisor of Elections in 2008.

During his time with the office, Paul helped keep Okaloosa County on the leading edge of the elections community, participating in equipment certification testing, voting equipment upgrades, and election audits and recounts in other counties. He worked with the Federal Voting Assistance Program on the Voting over the Internet project (VOI) in 2000 and the Secure Electronic Registration and Voting Experiment (SERVE) in 2004. Paul worked in 2008 on the Okaloosa Distance Balloting Pilot project, a kiosk-based Internet voting initiative carried out only for Okaloosa County voters.

During his time with the office, Paul helped keep Okaloosa County on the Paul currently leads a 34-county consortium under the EASE-I and –II grant programs to provide online access to blank ballots for Florida’s absent military and overseas voters. He serves on the Technology Committee for the Council of State Governments’ grant to study ways to better serve the military and will be testing a new ballot-tracking process to overseas voters with them as well. Paul was recently appointed to serve on the State of Florida’s Military and Overseas Voting Assistance Task Force.

Paul, an Army veteran, is married to Niccole, a retired Army Intelligence specialist. They have one daughter, Foster, who attends the University of Alabama. He enjoys reading, playing games with his family, and going to the movies when time allows.

Education:

- B.A. in Government and Politics from the University of Maryland (European Division)
- Graduate work at Bowie State University
- Nationally Certified Elections/Registration Administrator (CERA) through the Elections Center

Professional Affiliations:

- Florida Association of Supervisors of Elections (Vice President, Rules Committee Chair, Legislative Committee District Representative)
- Member of The Election Center (Postal Task Force)
- Participated in the Facilitating UOCAVA Voting Conference for the Election Assistance Commission (EAC), served on the Board of Advisors for the Voting System Risk Assessment Task Force.

Civic and Community:

- Member Crestview Area Chamber of Commerce
- Member Greater Fort Walton Beach Chamber of Commerce
- Member of the Knights of Columbus, Council 7968
- Member NAACP Okaloosa County, Branch 5633

Excerpt from the <http://www.govote-okaloosa.com/Helpful-Links/Meet-the-Supervisor>

- **Interactive Committee Discussion.**
 - Current Charter. (previously distributed)
 - Municipal Government. (Exhibit previously distributed)

This should be an interactive period of discussion involving the membership of the Board. Staff will be available if needed.

- **Supply/Receive any Information, Data or Research Request.**

Request shall be taken by Staff

- **Confirm next Meeting date.**

The next scheduled meeting date shall be: August 17, 2017.

Dr. David Goetsch will speak at the meeting.

- **Public opportunity to speak.**

- **Adjourn meeting.**