

**Minutes from the Charter Review Committee meeting on January 20, 2022 at 3:30 P.M.**

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**THURSDAY, JANUARY 20, 2022  
CHARTER REVIEW COMMITTEE MEETING – 3:30 P.M.**

**Present:** George Hines, Chair  
Gerri Parker, Deputy Chair  
Linda Mishler  
Jim Frishkorn  
Vickie Gainer, City Manager  
Kevin Obos, City Attorney

**Apologies:** Joanne Cox

**Item #1. Call to Order.** The Chairman called the meeting to order at 3:32 P.M.

**Item #2. Approval of minutes for the November 18th meeting.**

The Chair asked if there were any queries regarding the previous minutes.

There were none.

Motion by Ms. Mishler:	To approve the previous minutes.
Second to the motion	Mr. Frishkorn

On Vote:

Mishler	aye	
Frishkorn	aye	
Parker	aye	
Hines	aye	Motion passed: 4-0

Chair reminded everyone of the public's need to wait to be recognized before speaking.

**Item #3. Charter Review Article II (Sec 14A) and Article III (Sec 29 - Sec 30) and Article IV (Sec 31 - Sec 32)**

**Article II Sec. 14A (tabled from previous meeting)**

Attorney was asked about what he discovered about background checks in regard to Sec 14 in general. The Attorney advised he had done an extensive search of other cities in the County, and it appears there is no background check done for candidates. He feels this may be because if someone is not part of the County, they cannot register to vote so that takes care of it by default because if you cannot register to vote you cannot register as a candidate.

Mark said background checks can be put in the process but if we did who will be screening them, because it won't be him.

Chair asked if it is his recommendation not to put background checks in the charter for candidates. Kevin said not necessary because they're already disqualified if they have a felony.

The Chair said that being the case a new Sec. 14A will not be added to the Charter.

**Article III Sec. 29-30**

**Sec 29: Same Qualifications.**

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Motion by Mr. Frishkorn: Section 29 to stand as is.  
Second to the motion Ms. Parker

On Vote:

Frishkorn	aye	
Parker	aye	
Mishler	aye	
Hines	aye	Motion passed: 4-0

**Sec 30: City Treasurer and Collector.**

Capitalization and comma after collector and Mayor in the first line.

Mr. Frishkorn sought clarity about the second line about whether both those positions would need to sign the checks or just the City Manager? The City Manager confirmed it would be the Mayor and the City Manager who would sign. Ms. Parker asked if there is a City Treasurer. City Manager said no, in the past the Mayor has been that designated person as the Treasurer. Ms. Mishler said that in the previous attempted update this whole section was deleted, so do they just want to delete this entire section or to try to rewrite it, or is it covered somewhere else in the charter?

Everyone confirmed it is not covered elsewhere.

Attorney said they previously added this language to Sec 18 in previously proposed charter and remove this section entirely. Ms. Mishler then asked if we added this in Section 18 this time when we reviewed section 18?

Attorney suggested removing this section and adding to sec 18 after the sentence ending in "... and for all ceremonial purposes", and shall countersign all checks and vouchers prepared by the City Manager."

Motion by Ms. Parker: To add to sec 18, after the sentence ending in "... and for all ceremonial purposes", **and shall countersign all checks and vouchers prepared by the City Manager.**  
Second to the motion Ms. Mishler

On Vote:

Parker	aye	
Mishler	aye	
Frishkorn	aye	
Hines	aye	Motion passed: 4-0

Motion by Ms. Mishler: to remove Sec 30 all together  
Second to the motion Ms. Parker

On Vote:

Mishler	aye	
Parker	aye	
Frishkorn	aye	
Hines	aye	Motion passed: 4-0

**Article IV Sec. 31-32**

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**Sec 31: Qualification and Elections of City Commission Candidates.**

Capitalize title words. Change pronouns to gender neutral.

Discussion ensued about the Florida Statute about municipalities having Charter or Ordinance addressing what should happen if a candidate running for office withdraws or is removed from office. Everyone agreed it should be added at the end of this section.

Discussion ensued about the question of a candidate winning by majority rather than by the highest number of votes.

Motion by Ms. Parker: To change it from a majority vote to the candidate with the highest votes.

There being no second to the motion, the motion dies on the floor.

Motion by Ms. Mishler To approve with changes.  
Second to motion Mr. Frishkorn

On Vote:

Mishler	aye	
Frishkorn	aye	
Parker	nay	
Hines	aye	Motion passed: 3-1

**Ms. Mishler suggested adding the below words to the end of Section 31:**

If any candidate for office withdraws or is removed from the ballot following the end of the qualifying period, which leaves fewer than two candidates for office, the remaining candidate shall be deemed elected unopposed.

Motion by Mr. Frishkorn add the sentence "If any candidate for office withdraws or is removed from the ballot following the end of the qualifying period, which leaves fewer than two candidates for office, the remaining candidate shall be deemed elected unopposed" to the end of this section.

Second to motion Ms. Mishler

On Vote:

Frishkorn	aye	
Mishler	aye	
Parker	aye	
Hines	aye	Motion passed: 4-0

**Sec 32: Canvass of returns.**

Capitalize returns and clerk and inspectors, and results (not result).

3<sup>rd</sup> line - after "... by the Canvassing Board", change "... at a meeting to be held at 12 noon on the day following the election ..." to "at the next regular scheduled commission meeting or a special meeting, whichever one occurs first."

Motion by Mr. Frishkorn To approve with changes.  
Second to motion Ms. Parker

On Vote:

Frishkorn	aye	
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Parker	aye	
Mishler	aye	
Hines	aye	Motion passed: 4-0

**Final remarks**

Secretary to send the redline version to Kevin for review.

The Committee will receive a final revised, red-lined copy and review at another meeting before presenting it to the commission.

Mishler - as a committee need to decide how the ballot, they present to the Commission will look.

Chair would like to schedule this meeting for Thursday, March 17<sup>th</sup> to review the fully revised Charter 3.30pm.

Secretary to email the red-lined version to each committee member by March 3<sup>rd</sup> to review.

**Item #4. Public Commentary.**

There was none.

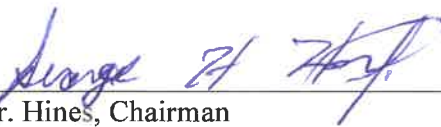
**The Chair asked if there was anything else for the good of the order:**

There was not.

**Item #5. Adjourn.**

There being no further business the meeting adjourned at 4.20 P.M.

APPROVED THIS 17 DAY OF MAR 2022.

  
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Mr. Hines, Chairman

**ATTEST:**  
  
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Vickie Gainer, City Manager

prepared by Cicelia J Holliday