

Minutes from the Charter Review Committee meeting on March 17, 2022 at 3:30 P.M.

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THURSDAY, MARCH 17, 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

**Absent:** Joanne Cox

**Item #1. Call to Order.** The Chairman called the meeting to order at 3:30 P.M.

**Item #2. Approval of minutes for the January 20th meeting.**

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

There were none.

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

On Vote:

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

**Item #3. Discuss Red-lined version of amended Charter**

The Committee reviewed each change together.

Sections 1 through 10 changes were all agreed upon and accepted.

Section 11 - The Committee requested that the final sentence should read “No Commissioner shall serve more than eight (8) years in office, plus eight (8) years as Mayor, not inclusive of any partial terms.”

Motion by Ms. Mishler:	To make changes to Section 11 as recommended.
Second to the motion	Mr. Frishkorn

On Vote:

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

Sections 11A Through 14 changes were all agreed upon and accepted.

It was decided to add Section 14A as discussed in the minutes dated November 18<sup>th</sup> 2021 to the Charter, per below:

**Section 14A: Background checks for City Manager and Department Heads.**

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The City of Lynn Haven shall conduct a Level 2 background check, including but not limited to sex offender registry checks, and criminal background checks, on the City Manager, and every Department Head. The convictions not acceptable for employment with the City of Lynn Haven shall include but not be limited to violent crimes, drug sales, sex offense charges, and/or crimes of moral turpitude including but not limited to, theft, embezzlement, rape, forgery, and solicitation of prostitutes, and pornography.

Motion by Ms. Mishler: To add Section 14A as recommended.  
Second to the motion Ms. Parker

On Vote:

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

Sections 15 through 17 changes were all agreed upon and accepted.

Section 18 - It was decided to change the second last sentence of the section to read “Annually at the first Commission meeting in May the members of the City Commission shall appoint a Mayor Pro Tem to serve in the Mayor’s absence.”

Motion by Ms. Mishler: To amend Section 18 as recommended.  
Second to the motion Ms. Parker

On Vote:

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

Sections 19 through 20 changes were all agreed upon and accepted. It was noted that Section 19 was placed under Article III in error instead of Article II and should be moved back up into Article II.

Section 21 - It was decided to change the wording “...Commission, or upon their failure to do so, the ...” to read “...Commission, or upon the City Manager’s failure to do so, the...”

Motion by Mr. Frishkorn: To change Section 21 as recommended.  
Second to the motion Ms. Parker

On Vote:

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

Ellyn Fields would like to see the word changed from “failure” to “in the absence of”.

After discussion the Committee recommended changing the wording from “...Commission, or upon the City Manager’s failure to do so, the Mayor...” to read “...Commission. In the absence of an appointment by the City Manager, the Mayor...”

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Amended Motion by Ms. Parker: To amend the changed motion for Section 21 to read ~ "...Commission, or upon the City Manager's failure to do so, the Mayor..." to read "...Commission. In the absence of an appointment by the City Manager, the Mayor..."

Second to the amended motion Ms. Mishler

On Vote:

Parker	aye
Mishler	aye
Frishkorn	aye
Hines	aye

Motion passed: 4-0

Sections 22 through 32 changes were all agreed upon and accepted.

The Chair called to have the Committee meet again on the 3<sup>rd</sup> Thursday, May 19<sup>th</sup> at 3.30pm to go over the final changes and review the recommended ballot questions to present to Commission in June.

The Chair instructed Attorney Kevin Obos to draft the ballot questions, to bring back to next meeting for this committee to review.

The Committee discussed decided the Charter ballot questions should comprise the following:

- Ballot 1 - Language, administrative, and grammar changes.
- Ballot 2 - Establishing charter review every 5 years.
- Ballot 3 - Term limits
- Ballot 4 - Compensation - MAKE THIS ONE CLEAR to clarify that the decision about their own compensation is simply being taken away from the Commission, so they cannot set their own compensation.
- Ballot 5 - Background checks
- Ballot 6 - Section 15A: unexcused absences
- Ballot 7 - Mayor Pro Tem appointment

The reviewed document and ballot questions are to be sent out to the Committee for review in the first week of May as part of the agenda for the meeting on May 19th.

**Item #4. Public Commentary.**

Ellyn Fields wanted to go back to Item # 3 dealing with Sec 21. The Committee agreed to go back and review Sec 21.

Jodi Moore - said that as someone who has attended every meeting, she would like to say something. Even though she is not a resident of Lynn Haven and will not qualify to vote on the Charter changes, she has an overall impression that a good job was done. She would however have liked to see the Police Chief appointment be changed to election. She also feels that the use of the generic terms their/his/her is unhelpful and needs to be more specific and avoid confusion.

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

Ms. Parker said that she was very disappointed that there was not better attendance and input from the public.

The Mayor thanked everyone on the Committee for their hard work.

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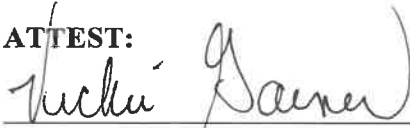
The Chair - thanked everyone for their time and attention.

**Item #5. Adjourn.**

There being no further business the meeting adjourned at 4.21 P.M.

APPROVED THIS 19<sup>th</sup> DAY OF May 2022.

  
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Mr. Hines, Chairman

ATTEST:  
  
\_\_\_\_\_  
Vickie Gainer, City Manager

prepared by Cicelia J Holliday