

**TUESDAY, JUNE 28, 2022**  
**CHARTER REVIEW COMMITTEE PRESENTATION – 4:30 P.M.**

**Present:** Jesse Nelson, Mayor  
Brandon Aldridge, Commissioner  
Pat Perno, Commissioner  
Jamie Warrick, Commissioner  
Judy Tinder, Commissioner  
Vickie Gainer, City Manager  
Chief Ricky Ramie, Sergeant at Arms  
Kevin Obos, City Legal Counsel  
George Hines Jr, Chairman - Charter Review Committee  
Gerri Parker, Deputy Chair - Charter Review Committee  
Linda Mishler, Charter Review Committee Member  
Jim Frishkorn, Charter Review Committee Member

**Absent:** Joanne Cox, Charter Review Committee Member

The Mayor called the Charter Review Committee Presentation to order at 4.30 P.M., explained the Charter review process, thanked the Committee members for their work, and turned the time over to the Chairman.

Mr. George Hines Jr., Chairman of the Charter Review Committee presented their findings from their monthly meetings over the past eleven months.

## **QUESTIONS:**

### **Referendum Question 1: Mandating Periodic Charter Review**

**Shall the City's Charter be reviewed every five (5) years by a Committee appointed by the City Commission. If passed, the amendment will require the City Commission to appoint a Charter Review Committee every five (5) years by Resolution.**

Commissioner Warrick asked if they understood that they opted for the 5<sup>th</sup> year because the 4th year is an election year and therefore avoiding it being on the ballot?

- Yes.

### **Referendum question 2: Adding Term Limits**

**Shall the term of office for any Commissioner not exceed a total of two four (4) year terms, not inclusive of any partial term, plus two four (4) year terms as Mayor. If passed, this amendment will create a term limit of two four (4) year terms for any Commissioner, not including partial terms, plus a term limit of two four (4) year terms as Mayor, not including any partial terms.**

Mayor asked if passed, when will it be enacted for current sitting commissioners?

- Attorney said the current term is effectively counted as a first term.

Mr. Scray – Commissioner Tinder is in her second term, so can she do an additional term?

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- Attorney said no, it will be retroactive. Commissioner Warrick said then effectively this is her last term if this is passed.

Mr. Walker – 50% Commissioner and 50% Mayor – *[Unintelligible]*

Commissioner Tinder – so when her second term is up, she can run for mayor for two terms?

- Yes.

Member of public – what thought process was put into potentially exhausting the pool of talent within Lynn Haven; and as these commissioners serve more and more terms, they get smarter and smarter, so if we add term limits are we losing that knowledge on that executive level? What is the committee's mitigation for that?

- Chairman explained that you lose the experience but gain new thinking. People move in and out of Lynn Haven so we will always have a pool for new leadership.
- City Manager said to remember that their terms are staggered so there will always be experienced representatives on the commission.

Further discussion ensued.

Commissioner Tinder said she remembers having representatives on the Commission for so long that they literally slept through meetings. She also feels that after 8 years someone is likely to become complacent and that Commissioners may be able to use it to their own personal benefit.

**Referendum Question 3: Fixing Compensation for the Mayor and Commissioners**

**Shall the City Charter be amended to remove the ability of the City Commission to set compensation for the Mayor and Commissioners by adopting an Ordinance approved by referendum and, in lieu thereof, establish Mayor and Commissioner compensation at a fixed amount in the Charter subject only to cost-of-living increases. If passed, this amendment shall fix the compensation for the Mayor at \$1,500.00 per month and the compensation for each Commissioner at \$1,250.00 per month subject to cost-of-living adjustments consistent with any such adjustments provided to the employees of the City as approved in the annual budget.**

Commissioner Aldridge – those numbers make sense right now but putting it in the charter will make it difficult to change.

- Chairman said that the charter is being reviewed every 5 years and that could be addressed then.

Mr. Scray – questioned if the employees are also getting merit increases?

- CM said no.

Member of public said they feel it is on the correct track, but you should mandate that this particular question be evaluated against the cost of living every 5 years.

**Referendum Question 4: Requiring Background Checks for the City Manager and all Department Heads**

**Shall the City require level 2 background screenings for the City Manager and all City Department Heads. If passed, this amendment will require that the City conduct level 2 background screenings, including sex offender registry checks and criminal background checks, on the City Manager and all Department Heads prior to appointment of hiring. This amendment provides for certain disqualifying offenses.**

Mayor asked what is included in a level 2 background check?

- Attorney clarified it is fingerprinting and then run through a criminal history.

**Referendum Question 5: Providing a Penalty for Unexcused Absences by Members of the City Commission**

**Shall the City Charter be amended to provide for a penalty for unexcused absences by a member of the City Commission. If passed, this amendment shall cause any member of the City Commission to vacate office if absent from three consecutive regular Commission meetings unless the absence is excused by the City Commission.**

Mayor asked the difference between having it stay in the ordinance and placing it in the charter.

- Attorney said as an ordinance the Commission can change it, as part of the charter they cannot as it must go through referendum for changes.

Commissioner Tinder agrees with this referendum.

**Referendum Question 6: Approving Charter Updates Assigning Duties in the Absence of the Mayor or City Manager**

**Shall the City Charter be amended to provide for the appointment of a Mayor Pro Tem to serve in the Mayor's absence; to allow the City Manager to serve as a Department Head where no Deputy Department Head is available; and to allow the City Commission to appoint an interim City Manager when no Deputy City Manager is available. If passed, this amendment clarifies and provides for the appointment by the City Commission of a Mayor Pro Tem annually in May to serve in the Mayor's absence and that no Commissioner may serve more than once during a four (4) year term. This amendment also clarifies and provides for the City Commission to appoint an interim City Manager in the absence of a Deputy City Manager. Finally, this amendment allows the City Manager to serve as a Department Head or appoint a Deputy Department Head in the event of the vacancy of a Department Head with the approval of the City Commission.**

Attorney explained it is being moved from a resolution to being placed in the charter.

Mayor asked for clarity around the language about the City Manager and Deputy City Manager. Chair explained that if the City Manager doesn't have a Deputy it allows the Commission to appoint a Deputy.

Mr. Scray – concerned there is a lot to follow – would recommend sending out voter education showing what is current and what is new.

- Mayor said that is exactly what the plan is already. Mayor said once the Commission decides what will be on the ballot then there will be workshops to inform the public.

Commissioner Aldridge asked if they discussed having an assistant City Manager included in the Charter?

- Ms. Parker said yes but it wasn't voted on.

**Referendum Question 7: Clarifying Election Procedures and Canvass of Returns**

**Shall the City Charter be amended to allow for the unopposed election of a candidate for office when another candidate or candidates withdraw or are removed from the ballot following the end of the qualifying period leaving only one candidate remaining on the ballot; and shall the results of the canvass of returns be reported to the City Commission at the next regularly scheduled Commission meeting. If passed, this amendment clarifies that when only one candidate remains on the ballot due to any reason, said candidate shall be deemed elected unopposed; and further amends the City Charter to provide for the results of the election to be reported to the City Commission at the next regularly scheduled Commission meeting as opposed to the day following the election.**

Attorney explained the referendum.

Mr. Scray – this won't change the actual election date?

- Correct.

**Referendum Question 8: Approving Miscellaneous Charter Updates Correcting Formatting and Grammar, Combining Duties of the City Attorney into one Section of the Charter and Removing Obsolete Language and Offices**

**Shall the City Charter be amended to update matters relating to formatting and grammar, deleting obsolete language and terminology, and combining the duties of the City Attorney into one Section of the Charter, and other amendments all as specifically set forth in Ordinance XXXX unanimously adopted by the City Commission on [insert date].**

Jodi Moore – [*Unintelligible*].

Commissioner Warrick – did you talk about the election process?

- No

Commissioner Warrick – approximately how many residents showed up over the weeks during this Charter Review process?

- Chair confirmed about 4 altogether.

Mr. Scray – speaking on behalf of himself, Thursdays at 3pm doesn't suit his life commitments, but he still kept up with it anyway.

- Commissioner Warrick – said he had zero people come to him and ask him to arrange the meeting at a different time.
- Mayor – let's be clear for the record that the Commission did not determine that day and time. The resident committee members determined that.

Commissioner Warrick asked if the committee spoke about runoff elections.

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- Yes, but these referendum questions are the only items that they decided to vote to change.

City Manager – in terms of advertising – those meetings were advertised well, minutes posted, table talk and at commissioner independent meetings were spoken about. Regarding getting the word out about the elections the city decided to let the commission direct the staff to perform advertising and marketing to ensure everybody understands.

Jodi Moore – number of candidates that will run shouldn't be an issue, but if it is then perhaps the charter review committee will address that in the future. She went on to say there were various reasons residents chose not to attend those meetings.

Attorney explained the process going forward regarding having an ordinance arranged for the commission to vote on.

Commissioner Aldridge said he wanted to thank the entire board for the work they have done and their service.

Adjourned at 5.16 P.M.