

MAYOR
Hal J. Rose

DEPUTY MAYOR
Pat Bentley

COUNCIL MEMBERS
Daniel Batchelder
John Dittmore
Adam Gaffney
Barbara A. Smith
Andrea Young



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CHARTER REVIEW COMMITTEE

MINUTES

September 12, 2019

1. CALL TO ORDER

Chair Stephen Phrampus called the meeting to order at 6:30 p.m.

2. PLEDGE OF ALLEGIANCE

Chair Phrampus led the pledge of allegiance.

3. ROLL CALL

Present: Chair Stephen Phrampus, Vice-Chair Michele Rutledge, Committee Members Bill Mettrick, Chris Gibbs, Sandra Carbon, Matthew Brothers, and Sandra Michelson.

4. APPROVAL OF MINUTES

Committee Member Mettrick moved to approve the minutes of July 11, 2019. Vice-Chair Rutledge seconded the motion, which passed unanimously.

5. MAJORITY VERSUS SUPER MAJORITY

Chair Phrampus asked the Committee if motions should be approved by a majority vote (4) or super-majority vote (5) on the recommendations for the ballot amendments to City Council.

Committee Member Mettrick moved to require a majority vote for each charter amendment and then a super-majority vote for the final recommendations to be forwarded to City Council for consideration. Committee Member Carbon seconded the motion, which passed unanimously.

6. RESPONSE TO QUESTIONS

Committee Members reviewed information provided in response to the questions that were raised at the last meeting. City Clerk Cynthia reviewed the memo provided by City Attorney Morris Richardson that addressed questions on bundling amendments, remote participation, and state law requirements for retirement of elected officials.

City Clerk Hanscom also distributed the Council's Meeting Rules and Order, which was referenced in the City Attorney's memo. She added that there may be some issues or concerns of the Charter Review Committee that are covered in this document.

The Committee discussed remote participation and whether or not this would be something that should be part of the charter and if the charter should be amended based on what has occurred in the past.

7. REVIEW OF CHARTER

The Committee then continued their review of the Charter.

ARTICLE III. - CITY COUNCIL AND MAYOR

Section 7. - Compensation for mayor and council members.

City Clerk Hanscom provided a memo on suggested changes to this section in regards to compensation for the mayor and council members. She explained that, given the discrepancies in the definition of the word "remuneration," it was suggested that the word be removed with a reference to only "salary." The language would be specific only to salaries and would be moot on the issue of benefits and/or other compensation. She cautioned that by not listing other forms of compensation, it would open the door for Council to elect to provide additional benefits. The Committee discussed the fact that this would not change what Council could do in regards to benefits, but would clarify that the language in the Charter would apply to only the salary of Council.

City Clerk Hanscom also provided a second proposed change that would remove the word "remuneration" and then added a section that listed those benefits that could be provided to City Council, namely health benefits and retirement.

Harry Stapor, Manor Place, cautioned against trying to have an exhaustive list of salary and ordinary expenses. He indicated that they should know that there is an additional cost to the City in the form of social security taxes that are paid by the City. He suggested that, rather than having a salary, the language could state that the City's budget could cover a certain dollar amount and then the elected official could select how to apply that amount, which would encompass the total cost borne by the City. He added that the City has no money to give to the Council Members that is not taken from residents and businesses in the form of taxes.

Mayor Rose noted that the Florida Retirement System is paid according to a percentage and it is not a lot of money. There are several other cities that have pensions for the elected officials. He noted that the Council does receive reimbursement for some expenses but they spend their own money on things such as home electronics and travel within the County.

Chair Phrampus commented that he did not see a problem with Council receiving health care. He stated he would prefer to see the first proposal.

The committee asked about health care and the cost to provide coverage for the family. City Clerk Hanscom reviewed the cost to the employee for providing health care for spouse, children and/or family. The Committee discussed building the cost of the health care for family into the charter. Given the cost of the health care versus the salary, the amount would almost negate the ability of a Council Member to receive family coverage.

Chair Phrampus asked about the health care being provided at cost to the City for family members for the City Manager, Police Chief and City Attorney. City Clerk Hanscom noted that those positions were contract positions and the provisions were negotiated between Council Members and the employees.

Vice-Chair Rutledge noted that she had wanted more transparency in government which is why she had suggested that the benefits be listed. She agreed that Council Members should be eligible for health insurance.

Committee Members reviewed a previous document that compared Council salaries from other cities and considered increasing the Council salary to \$600 for Council and \$650 for the Mayor. This would allow Council Members to select family health coverage.

Committee Member Mettrick moved to remove the word "remuneration" from the language and replace it with "salary" and increase the monthly salary of Council Members to \$600 and the monthly salary of the Mayor to \$650 per month, which could then be adjusted according the CPI. Committee Member Michelson seconded the motion, which passed unanimously.

Section 8. - Prohibitions for council members and the mayor.

Committee Members had no changes for Section 8.

Section 9. - Forfeiture of office.

Mr. Stapor commented that there are four items listed for forfeiture of office. He suggested that an item be added indicating that the elected official would forfeit the office if attending remotely more than three times in a year. He noted that when the charter was written, there was only one way for an elected official to attend, which was physically present concurrent to the meeting.

Mayor Rose spoke saying that it was difficult to not excuse a member. Therefore, he did not see an issue of attendance remotely. He suggested that there could be a limit on the number of times for remote participation.

Committee Members reviewed the opinion of the City Attorney that was provided with the agenda.

Committee Members also discussed that the prohibition should not apply for consecutive meetings.

Committee Member Mettrick commented that he could see a reason for needing to attend remotely. He had done so a few times while he was on Council.

Vice-Chair Rutledge commented that she would not want to run the risk of removing a qualified individual. Committee Member Brothers stated he would agree with setting a limit on the number of times that an elected official could attend remotely.

City Clerk Hanscom suggested that a restriction on attendance remotely could be accomplished under Section 8, which listed prohibitions.

Committee Members agreed to consider language under Section 8 to restrict attendance remotely to three times per year. It was also suggested that this language could be placed in the Meeting Rules and Order. City Clerk Hanscom indicated she would prepare language for consideration at the next meeting.

8. PUBLIC COMMENTS

Mr. Stapor spoke on the approval of the minutes of the July meeting and noted that the language indicated that a Deputy Mayor would be selected following the certification of the election. However, he noted that the City Council does not certify the election. That was done by the Supervisor of Elections. City Clerk Hanscom stated she would get a revision for consideration at the next meeting.

9. ADJOURNMENT

Committee Member Mettrick moved to adjourn the meeting at 8:07 p.m. Chair Phrampus seconded the motion, which passed 7-0.