

**THURSDAY, AUGUST 19, 2021
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 (by phone)

Absent: Joanne Cox

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

Item #2. Rules for Public Participation

The Chair explained that the rules for public participation for all aspects of the meeting will be limited to two minutes per presentation, and using the one:two rule (i.e. one person can speak again after two others have had a chance to speak.

Everyone agreed they understood.

Item #3. Approval of minutes for the July 20th meeting.

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

On Vote:

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

Item #4. Discuss Resolution #2021-06-357 Sec. 4

Deputy Chair read the resolution in full.

Deputy Chair expressed an opinion that the Committee being subject to the Sunshine Law is a grey area. Attorney confirmed they are subject to the sunshine law.

Item #5. Discuss Article I in General.

Sec 1: Existing municipality abolished.

Ms. Parker queried if it should read City of Lynn Haven inc. throughout the Charter? Attorney confirmed not necessary.

Sec 2: Title to property reserved to new municipality

Ms. Parker - "Hereto" and the old style language should be removed/changed? Attorney agreed okay to remove antiquated language.

Sec 3: Contracts remain binding

Ms. Parker - doesn't have to say, "as the said City" should just say "as the City". Attorney agreed okay to remove antiquated language throughout the Charter.

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Sec 4: New municipality created

Ms. Mishler - “hereinafter” should be changed in “Hereafter”.

Mr. Walker - in the text the “right to sue corporation” - would that be to sue the City or the corporation? Attorney explained that every city is a municipal corporation. Doesn’t need to be in the name every time it is referred to.

Chair - so is it legal to have the city referred differently in the text? Attorney said yes.

Sec 5: Boundaries

Ms. Parker - where it says in parenthesis about clerk’s office the clerk should be taken out as there is no longer a clerk there? Attorney said yes.

Ms. Parker - Where it says, “The jurisdiction of City Lynn Haven should extend over all ... etc. outside of said Limits”, how is it possible for the City to have jurisdiction over property outside of its limits? Attorney explained the City can own property outside of the city limits. It is only part of the City limits once it has been annexed. We can lease properties outside of the city limits and use municipal powers over that land. It is a legislative arrangement as long as we don’t overlap with another City, we can exercise control over unincorporated land.

Sec 6: Powers vested in commission; designating manner of exercise; abandoned property; payment of ad valorem taxes.

Ms. Parker - the third sentence says “by ordinance or resolution” - should we add by referendum? Attorney said no, just an ordinance or resolution of the Commission as the residents votes in the Commission to decide regarding matters like the Charter.

Ms. Parker - Our ordinances need to be updated. City Manager explained that the ordinances are continuously being updated.

Sec 6A: Reserved

No changes.

Everyone agreeing they had no further changes to make to Article I, the Chair asked if there was a motion to accept the changes.

Motion by Mr. Frishkorn
Second to the motion

To approve the changes as discussed.
Ms. Parker

On Vote:

Frishkorn	Aye
Parker	Aye
Hines	aye
Mishler	aye

Motion passed: 4-0

Item #6. Public Commentary.

Mr. Walker - going back to discussion on resolutions and ordinances. Are all the changes to the Charter to be done by resolution or ordinance, not by referendum? City Manager confirmed yes. Once the recommendations are approved by the Commission by Ordinance, the Ordinance is then codified through the Supervisor of Elections by referendum.

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

Ms. Mishler - not sure what the forms of government are so did some research. Handed out a page explaining the structure.

Ms. Parker - I don’t mind going more than an hour because the next sections will require a lot of

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time. All agreed to change the next meeting to 1.5 hours.

Ms. Mishler shared a page she had found helpful about the Duties of Municipal Officials in Different Forms of Government with the rest of the Committee.

The Chair confirmed the next meeting is set for September 16th at 3.30pm.

Item #7. Adjourn.

Meeting adjourned at 4.01 P.M.

APPROVED THIS 16th DAY OF SEPTEMBER 2021.

Mr. Hines, Chairman

ATTEST:

Vickie Gainer, City Manager

prepared by Cicelia J Holliday