

**CITY OF LAKE CITY
CHARTER REVIEW COMMITTEE
AGENDA**

April 12, 2010

6:00 P.M. at City Hall

1. Call to order (Board Chair, Ms. Skinner)
2. Roll call (City Clerk Audrey Sikes)
3. Approval of Minutes- March 30, 2010
4. Approval of Agenda
5. Read into Record Email and/or Mail Suggestions Received
6. Review Article V and Article VI of the Charter
7. Public Comments
8. Recommendation Review (City Clerk Audrey Sikes)
9. Next Meeting Date (April 22, 2010 at 6:00 PM)
10. Adjournment

The Charter Review Board as appointed by City Council Resolution No. 2010-013, for the City of Lake City, Florida met on Tuesday, March 30, 2010; beginning at 6:00 PM, in the City Council Chambers located at City Hall, 205 North Marion Avenue, Lake City, Florida 32055.

1. Call Meeting to Order (Board Chair, Ms. Skinner)
Ms. Skinner called the meeting to order at 6:00 P.M.
2. Roll Call (City Clerk Audrey Sikes)

Chair	Ann Douglass Skinner
Vice Chair	Mario Coppock
Board Members	Victoria Ellis
	Dwight Kamback
	Oliver J. "O.J." Lake
City Attorney	Herbert F. Darby
City Manager	Wendell Johnson
City Clerk	Audrey E. Sikes
3. Approval of Minutes - March 23, 2010
Mr. Kamback made a motion to approve the March 23, 2010 minutes as presented. Mr. Coppock seconded the motion. The motion carried on a voice vote.
4. Approval of Agenda
Members concurred to add for discussion some portions of Article III.
No formal motion made for approval of agenda. Members concurred by general consent on a voice vote.
5. Charter Review Comments/Recommendations from County Commission and County Manager

Commissioner Ron Williams, 440 Northwest Winfield Street, Lake City, Florida addressed members regarding the following:
 - A. Alcohol ordinance. Mr. Williams would like to see duplication of the County ordinance as it relates to alcohol sales. Mr. Johnson stated that this item could be addressed through the City Code via ordinance. Mr. Darby reported the City is in the process of mirroring the County ordinance however, if the Charter Review Board would like to enact provisions in the Charter this could be done as long as the Charter does not pre-empt the County ordinance.
 - B. Exemption of building permit fees on construction less than \$4,000. Mr. Williams stated the County waives these fees and would like to see the City do the same.

C. Single member districts. Mr. Williams would like to see the districts drawn by population instead of by registered voters. Mr. Williams stated the County utilizes this method with information obtained every ten (10) years from the census. The County is due to redistrict in 2011. Mr. Williams also discussed a Federal Order that provides the guidelines in which the county uses for district boundaries.

D. Revenue Disclosure. Mr. Williams would like to see a requirement mandating the City to disclose all revenues as line items in the budget.

6. Read into Record Email and/or Mail Suggestions Received
Ms. Skinner reported one email suggestion had been received from Stew Lilker and that it will be entered into the record. The email is attached to the minutes as "Exhibit A".

Ms. Skinner reported as of today no mail suggestions have been received.

7. Review Article III and Article IV (four) of the Charter

Article III Discussion

Section 301 (a) Composition, eligibility; districts; election and terms of office. On the topic of districts: Members discussed population districts versus registered voter districts. Mr. Darby stated if the Charter Review Board were to suggest utilizing population versus registered voters for districting purposes that this could greatly dilute the voting power of a district.

Article IV (four) Discussion

Section 401 Appointment, qualification; compensation
Mr. Coppock felt a minimum standard for a degree or certification should be identified for the City Manager position and for the City Clerk position. Members were reminded the City Council would be bound by any qualifications identified by the Charter. Members discussed at length the pro's and con's of having specific requirements identified in the Charter. Mr. Coppock reminded the Board needed to take the current individuals out of the process and consider what is in the best interest of the City. Members asked Ms. Sikes her thoughts. Ms. Sikes expressed concern over identifying a CMC (Certified Municipal Clerk) certification as a requirement in the Charter and stated this would not provide any avenue for promotion from within and cited the Deputy City Clerk as an example. The Deputy City Clerk serves as the City Clerk in the Clerks absence but does not have the CMC certification. Ms. Sikes reported the CMC designation is a career specific certification that takes a minimum of three (3) years to obtain. Ms. Sikes reminded it may take longer for an individual to obtain the certification due to budgetary constraints. Ms. Ellis

concluded that a CMC designation is not a common certification that a large pool of persons possess as opposed to a teaching degree. Ms. Sikes stated that she would not have been considered for the City Clerk position had there been a requirement identified in the Charter. In summation Ms. Sikes stated even though training and education is extremely important a qualified individual may not be afforded the opportunity if the Board implements specific requirements for the position in the Charter.

Section 404 Powers and duties of the city manager

The topic of budgeting was mentioned as an item not addressed in this section. Mr. Johnson stated that items (e) and (f) in this section of the Charter deal specifically with the budget. Mr. Johnson reported the Truth in Millage provides criteria on the format in which the budget is addressed and the City must comply with all those standards. Mr. Johnson also reported an annual audit is conducted by an outside auditor with an audit presentation provided to the City Council. Mr. Johnson stated the Annual Report is posted online on the City website (www.lcfla.com) and that a mid-year financial report will be disseminated at the next meeting. Mr. Johnson stated the City budgetary process is a very thorough and structured process. Mr. Johnson reported the General Fund and Enterprise Reserve Funds are governed by City Policy at 15%. Mr. Johnson also explained the Five Year Project Document that is utilized for planning purposes.

Section 404 (g) He shall make such other reports as the council may require concerning the operations of city department, offices and agencies subject to his direction and supervision. Mr. Johnson reported that he generates two reports and both are online. One is a weekly report which is a summation of the week's activities from each department. The second report is a monthly project and activity report that serves as a management tool.

Mr. Johnson stated that he is a member of ICMA and the language in the Charter is consistent with ICMA's model Charter.

8. Public Comments

Stew Lilker, 247 SW Lander Court, Ft. White, Florida discussed the following:

- Asked if anyone had a copy of the Federal Order as discussed by Mr. Williams. Mr. Lilker stated he did not believe there is any requirement in Federal Law that states a minority must be elected and asked the Charter Review Board to consider obtaining a legal explanation of what is required as it relates to racial bounds and redistricting.
- Term limits. Mr. Lilker stated he is in favor of term limits and would like to see no more than two (2) consecutive terms.

- Mr. Lilker stated he was incorrect when he stated there are no other municipalities that have a one (1) year residency requirement for potential candidates to reside in a district in order to be eligible for candidacy. He stated he did find one municipality.
- Stated he would like to see minimum requirements for certain City positions. He is favor of identifying educational requirements.
- Police Chief. Mr. Lilker stated maybe this position should be appointed by the City Council or have the City Council approve the position.
- Bill of Rights and Code of Ethics. Mr. Lilker would like to see both of these items considered for inclusion in the Charter.
- Mr. Lilker stated the Lake City reports are the most popular items on his website.
- Mr. Lilker stated the Charter Review Board can identify in the Charter a requirement for the City Manager to provide a quarterly legal state of the City financial report.

Mr. Lake stated he would like to see more information to the public to encourage public participation. Mr. Coppock requested for an open ended invitation to be sent to the Board of County Commission indicating the dates and times of the upcoming meetings.

9. Recommendation Review (City Clerk Audrey Sikes)

Ms. Sikes provided a summation of the key discussion items from the meeting. They are:

- A. Possible exemption of building permit fees
- B. Population versus registered voters for redistricting
- C. Minimum standards/qualifications for certification for City Manager and City Clerk positions
- D. Submit Board of County Commission open ended meeting invitation

10. Next Meeting Date (April 12, 2010 at 6:00 PM)

Members concurred to address Article V and VI at the April 12, 2010 meeting.

Mr. Coppock reported he would be late to April 12, 2010 meeting.

11. Adjournment

All matters having been handled, the meeting adjourned at 7:45 PM on a motion made by Mr. Kamback and seconded by Mr. Coppock.

Ann Douglass Skinner, Chair

Audrey E. Sikes, City Clerk

To: CRB

From: Stew Lilker

Date: 2010_0324

Subject: Raising the bar

Message: Dear Madam Chair et al.

Regarding last night's conversation - the graphic speaks for itself.

This Board can raise the bar, or at least present a higher bar to the community - in many areas besides this.

You can maintain the status quo - or - you know.

City Clerk
Jan 13, 2010 4:54 PM

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City Clerk
City of Dunedin, FL
Salary Range: \$52,121 - \$75,577 (Negotiable)

(Pop 37,500) Manages and supervises the activities of the Department of the City Clerk, ensuring compliance with Florida state statutes, the City Charter, the City's Code of Ordinances and budget guidelines. Position is a Charter Official. Reports to the City Commission.

Requires certification as a Municipal Clerk and a Bachelor's Degree in Business Administration or related field supplemented by a minimum of 5 years of municipal experience, 2 of which have been in a supervisory capacity. An equivalent combination of education, training and experience that provides the required knowledge, skills and abilities may be considered. Must possess a valid Florida driver's license within 30 days of employment. Must be available to attend night-time meetings. Must become a Dunedin City resident no later than 2 years from date of hire.

Accepting applications/resumes until position is filled.

City of Dunedin
750 Milwaukee Ave.
Dunedin, FL 34698
Phone (727) 298-3040
Fax (727) 298-3052

For job description and employment application go to
<http://dunedingov.com/home.aspx?page=employment&title=Employment>

EOE m/f/d/v Drug/Smoke Free Workplace

Good luck in your deliberations.

The first sale is to your fellow CRB members, the next sale is to the public.

While it doesn't seem that anyone is watching what you do, on Election Day, thousands will be.

Whew

Good luck

Stew Lilker

Exhibit "A"

Attn: Ann Skinner,
City Charter Review Board,
Lake City, FL.

Dear Mrs. Skinner,

The city charter review board is appointed by city council do not make sense at all, it is kind of conflict of interest, it should be independent of council, like group of tax payers not related to council members in any way.

- ② Council can't pass an ordinance w/o tax payer's approval. Tax-Payers need to know it's implications; it's direct/indirect effect on tax payers (financially) all in advance. The approval/disapprovals by tax payers shall be by ballots & counted by voters.
- ③ Repeal of an ordinance shall be immediate not 90 days after.
- ④ One "No" vote ~~is~~ will kill the ordinance.
- ⑤ No study of any kind made with tax payers money but a in house study allowed & it's implementation shall be by ballots of tax payers.
- ⑥ Elimination of Racism from hiring/firing/promotion. so much is evident for long.
- ⑦ Dissolve DAR & CRA, It is nothing but waste of tax dollars.
- ⑧ Increase productivity through strict supervision & tight rules, not business as usual.
- ⑨ The salaries decided upon performances for a year till it has to be 50% of current scales including benefits. Salaries not to compare with big cities or other cities, we can't afford 100,000% salaries period.
- ⑩ Eliminate fire assessment it is too much 35-40% of total ptax. Fire protection from general funds only & strictly to extinguish fires. No run to Fendall/Bendall accidents. a city of 18 sq. miles has a budget of \$3 millions plus of which more than 1/2 is in payroll, it is ridiculous & do not make sense.
- ⑪ City need to get out of utility business, it is too expensive almost double or more compared to private co's rates.
- ⑫ Council can't spend tax payers money with a collusive decision, like in Blanch Hotel studies & buying, council gaining to make somebody rich @ tax payers expense.
- ⑬ A built in mechanism to stop council making unanimous/behind door/decisions & ordinances and unilaterally thrust upon tax payers.
- ⑭ Limiting a 4 years term for Elected/appointed officials no re-run or appointments.
- ⑮ 115 vehicles excluding police/fire is too ~~much~~ many for a size of 11 sq. mile city. (if the numbers are right in the LCR.)

(OVER)

- ①⑥ Garbage pick up to be OPTIONAL & not medatory. Tax payers can have an option to dispose of ^{or} dump by themselves. it is another tax unilaterally thrust upon tax payers.
- ①⑦ we tax payers have been pushed against the wall & have nothing left, but to revolt, if Elected/appointed officers do not heed tax payers feeling.
- ①⑧ Govt. has become arrogant; a nuisance; totalitarian; authoritarian to an extent that may result in a REVOLT.

If these suggestions are beyond the scope of a ^{current} charter, please incorporate them this time, so we do not have to wait 10 long years for next charter review.

Thank on behalf of Taxpayers
of city of Lakecity.

Mrs. Ann Skinner
City Charter Review Board,
City of Lakecity, FL 32055

04-05-10A06:06 RCVD

TO,

- (i) He shall perform such other duties as are specified in this Charter or as may be required by the council.

(Ord. No. 2002-957, § 1(d), 7-15-2002)

ARTICLE V. REGISTRATION AND ELECTIONS

Section 501. County registration books adopted; qualified electors.

City of Lake City, in every municipal election, including referendum, special, primary and general elections does hereby adopt and shall use the registration books and records authorized by law to be used in the general elections of Columbia County and State of Florida, as the official registration books and records of the City of Lake City. An elector to vote in any city election shall register in the registration books and records of Columbia County, Florida, in the manner and at such times and places as provided by law for registering of electors to vote in state and county elections.

Section 502. Designation of polling places.

The city council, by resolution, shall have the right to establish, locate and relocate polling place or places within each separate *election* district to be designated as voting places for the holding of any and all municipal elections. In designating such polling place or places, the council shall consider only such places as are convenient to the majority of the people residing in each respective district and all such places must otherwise comply with all of the requirements of this Charter and the election laws of Florida.

(Ord. No. A-496, § 1, 8-16-82)

Section 503. City clerk to represent city in matters relating to registration.

The city clerk of the City of Lake City shall be [the] official representative of the city and the city council in all transactions with the supervisor of elections of Columbia County, Florida, in relation to matters pertaining to the use of registration books and records herein mentioned for holding such municipal elections.

Section 504. No additional power granted county.

Nothing contained in this article shall be construed to confer any jurisdiction, power or authority on the board of county commissioners of Columbia County, Florida, over the holding and conducting of any municipal election of the City of Lake City, Florida.

Section 505. Absentee voting.

Absentee voting shall be permitted in all municipal elections in the same manner as now or hereafter provided for in The Florida Election Code (F.S. ch. 97 et seq.).

(Ord. No. A-444, § 1, 2-18-80)

Section 506. General laws to apply.

All general laws of the State of Florida relating to elections and registration of persons qualified to vote therein which are not inconsistent or in conflict with the provisions Hereof or the ordinances of the city, shall be applicable to the City of Lake City.

Section 507. City elections, date and nonpartisan.

Regular elections. The regular city election shall be held on the same day established by the State of Florida for the first state primary election beginning with the year 1978. All city elections shall be nonpartisan.

(Ord. No. A-389, § i(C), 5-15-78; Ord. No. A-390, § 2, 5-15-78)

Section 508. Qualifications.

In addition to those qualifications listed in Article III, Section 301(b), any person seeking to qualify as a candidate for election to a seat on the city council shall qualify for his or her respective seat by filing a written notice of his or her candidacy with the city clerk at any time ~~after noon on the first day of qualifying for nomination or election to the respective council seat~~ which he or she seeks, which shall be the 50th day prior to the day established by the laws of Florida for the first primary of state and county elections, but not later than noon on the 46th day prior to the date of the first primary. Except as otherwise provided for herein, each candidate shall, at the time of filing notice of his or her candidacy, pay to the city clerk a qualifying fee equal to six percent of the annual salary of the council seat sought. Alternatively, in lieu of paying any qualifying fee, a person seeking to qualify as a candidate for nomination or election for any of the designated seats of the city council to be filled, including the office of mayor-councilmember, may qualify to have his or her name placed on the ballot by means of a petitioning process which would require a candidate for election to the respective council seat in the district that he or she seeks to obtain signatures on a petition of at least five percent of the total number of registered voters residing in such district, or with respect to a candidate for election to the office of mayor-councilmember, to obtain the signatures on a petition of at least five percent of the total number of registered voters in the city, as shown by the records of the supervisor of elections of Columbia County for the last preceding city election. The requirements and procedures of the petitioning process shall be established by ordinance enacted by the city council.

(Ord. No. A-389, § 1(D), 5-15-78; Ord. No. 92-716, § 1, 7-6-92; Ord. No. 2002-957, § 1(e), 7-15-2002)

Section 509. Elections.

(a) *Multiple candidates.* When two (2) or more persons qualify as candidates for any of the designated seats of the city council to be filled; including the officer of mayor-council member, the candidates' names who so qualified shall appear on the ballot and be voted upon at a regular city election to be held on the same day established by the State of Florida for the first state primary election. Should only two (2) persons have qualified for said regular election, then the person receiving the highest number of votes cast for the designated seat shall be

declared elected to that seat. Should three (3) or more persons have so qualified, the candidate receiving a majority of the votes cast for said seat shall be declared elected to that seat; providing, however, that if no candidate receives a majority of the votes cast, then the two (2) candidates receiving the highest number of votes cast for the designated seat on the city council shall be declared candidates for each of such designated seats and shall be voted upon at a runoff city election to be held either:

- (i) On the same day established by the State of Florida for the second state primary election; or
- (ii) If there be no second state primary election, then on the same day established by the State of Florida for the state general election.

The person receiving the highest number of votes cast at such runoff city election shall be declared elected. Candidates elected at either the regular or runoff election to the designated seats shall assume office at noon following the day of the regular or runoff election and upon taking the proper oath of office.

(b) *Single candidates.* In the event not more than one person qualifies as a candidate for a designated seat on the city council or mayor-council member to be filled at an election, that seat shall not be listed on the election ballot. Each unopposed candidate shall be deemed to have voted for himself.

(Ord. No. A-389, § 1(E), 5-15-78; Ord. No. A-390, § 3, 5-15-78; Ord. No. 92-716, § 1, 7-6-92; Ord. No. 2002-957, § 1(f), 7-15-2002)

Section 510. Calling an election by resolution.

All elections shall be called by resolution of the city council, adopted not less than thirty (30) days before such election, and shall be conducted, unless otherwise specifically provided for herein, under the provisions of the general election laws of the state, when not inconsistent with this Charter.

*

Section 511. Elections; how arranged for; inspectors and clerks.

The city council shall make all necessary arrangements for holding of all city elections, and shall declare the result thereof. The city council shall appoint not less than three (3) inspectors and a clerk to each election board, all of whom shall be qualified city electors. The city council shall state in the resolution calling each election where the same shall be held, the names of inspectors and clerks appointed, and the names of the different offices to be filled or questions to be decided, and shall cause notice of said election to be published once at least ten (10) days before any election in a newspaper of general circulation in the city.

Section 512. Canvass of return.

On the day succeeding the election, at twelve o'clock noon the mayor shall call the councilmembers *together* and they shall receive such returns of election and publicly shall proceed to canvass the votes of the election. They shall compile the votes of the election entirely

from the returns of inspectors as signed and filed with the mayor and the city auditor and clerk, and in no case shall they change or vary in any manner the number of votes cast for the candidates, as shown by the returns of the inspectors, and the city council shall publicly declare the result.

Section 513. Oath of office.

Every officer of the city shall, before entering upon the duties of his office, take and subscribe to an oath or affirmation to be filed and kept in the office of the city auditor and clerk; which oath shall be in the form prescribed for state officers by the Constitution of the state.

ARTICLE VI. GENERAL PROVISIONS

Section 601. Organization of boards and commissions.

Boards and commissions created in accordance with this Charter shall elect their officers from the appointed or elected members and shall determine their rules of procedure subject to the provisions of this Charter that apply. Any vacancy on an elected board or commission shall be filled by appointment by a majority vote of the council.

Section 602. Effect of partial invalidity.

A determination that any part of this Charter is invalid shall not invalidate or impair the force or effect of any other part thereof, except to the extent that such other part is wholly dependent for its operation upon the part declared invalid.

Section 603. City attorney.

The council shall appoint a city attorney and such assistant city attorneys as it deems necessary who shall act as legal advisors to the city and all of its officers in matters relating to their official duties. The city attorney shall approve all contracts of the municipality before the same shall become effective, which approval shall appear on every city contract signed by the city attorney.

Section 604. State laws as amended.

All references to specific state law shall be construed to mean such state laws as amended.

Section 605. Charter review.

In November 2000, and at least every ten (10) years thereafter, the council shall appoint a charter review board consisting of five (5) electors of the city holding no other office, appointment or employment in the government of the City of Lake City except on advisory bodies of the city. Such board shall review the Charter, and within ninety (90) days after such appointment, recommend to the council such alterations, revisions, and amendments, if any, to this Charter, as in its judgment are desirable. All amendments proposed by the Charter review board must be presented by the city council to the electorate at the next general or

special election unless submitted to the council within sixty (60) days of said election. The term of a member's appointment to the Charter review board shall expire thirty (30) days after the Charter is presented to the electorate. The members • appointed to said board shall serve without compensation.

(Ord. No. 92-716, § 1, 7-6-92).