

Charter Review Committee  
Meeting Minutes  
July 16, 2020

7/16/2020 - Minutes

1. CALL TO ORDER & ROLL CALL

**Members Present:** Chevon Baccus, Andy Oguntola, Sara Jones, Jim Weaver

**Members Absent:** Keith Wadsworth

**Staff Present:** Jennifer Nanek, City Clerk

**Guests:** Commissioner Al Goldstein, Commissioner Terrye Howell, Deputy Mayor Robin Gibson, Jean Gibson.

A quorum was present. Chair Chevon Baccus called the meeting to order.

2. Minutes - June 24, 2020

The Minutes of the June 24, 2020 were reviewed. Andy Oguntola made a motion to approve the minutes. The motion was seconded and unanimously approved.

3. Review Of Charter Sections

The Chair recommended dividing the charter into sections for review for each meeting. These sections could be reviewed and discussed at a specific meeting. Ms. Baccus explained that member of the public could bring up other issues as they wish and can still be discussed. The committee members concurred with this plan.

Robin Gibson, Deputy Mayor, proposed that a mission statement be included in the Charter. A few other cities' charter, but not many, do. This should be a general concise statement of philosophy.

The draft he presented:

*§1.02A Mission*

*The mission of the City of Lake Wales is to serve its citizens, build on the City's existing small town values, and adopt the Bok ethic charging each of us to make where we live a "bit better and more beautiful" for our being here.*

Deputy Mayor Robin Gibson explained that this conveys the obligation we all have to make our city better and identifies our values to others.

The Chair asked why this should be in the charter as this makes it more permanent. Deputy Mayor Robin Gibson says that it can serve as a benchmark for the City as decisions are made and identifies our values to others. We are a corporate form of government and is what we as a corporation live by. Sara Jones asked if this mission statement is for the City, the Citizens or both. Deputy mayor Gibson said both. This conveys our values to new residents. Andy Oguntola expressed support for this as many organizations have one. This conveys who we are. Mr. Oguntola said he would like to see something about unity included. Jim Weaver liked how this makes us distinctive from other communities. Sara Jones agreed that it should be in the charter. The Chair asked if Bok should be further identified. After discussion there was consensus to just leave it as Bok.

Commissioner Goldstein expressed support for the mission statement and said this is a step to

strengthening our identity.

The Chair said they will publicize proposals for community input. There was discussion on rewording the statement itself. The Chair and others said they would try and edit it. The Chair said that we will bring this back for further discussion.

The Chair invited Deputy Mayor Robin Gibson to discuss the issue of the City Clerk. Deputy Mayor Robin Gibson presented his concern regarding the position of the City Clerk. He reviewed the current status and past problems of the position. He presented the two options of putting the City Clerk completely under the Commission or under the City Manager and the benefits of each. Jim Weaver expressed support for the change. Andy Oguntola said this change is a benefit to the future of the City. Sara Jones said the change makes more sense. Jim Weaver asked what the argument is for the City Clerk to be under the Commission. Deputy Mayor Robin Gibson said its a problem of serving two masters. The Chair said one problem could be obstruction of public records by the City Manager in which case the City Commission can address the issue with the City Commission. There was agreement to change the position of City Clerk to be completely under the City Manager. Sara Jones noted that there are still some City Clerks that are elected which is not a good choice for us. Commissioner Goldstein agreed with this. Deputy Mayor robin gibson said that he researched this and that 60-65% of City Clerks in Florida report to the City Manager and not the Commission

Commissioner Goldstein shared an issue with a recent problem with a Department that the Commission was aware of. He suggested a possible way for Department Heads to provide feedback to the Commission. He felt the Commissioners should be able to talk to employees. The Chair reviewed the section in the Charter about the Commission interfering with employees. Commissioner Goldstein said that employees, specifically department heads, should be able to talk to the Commission if there is a problem. Ms. Jones said nothing in the charter prevents employees from talking to Commissioners. Commissioner Goldstein said the staff is told not to talk to Commission members. Andy Oguntola said that is a matter for the Commission to address with the City Manager. Deputy Mayor Robin Gibson said he has experience with this issue on both sides and explained that a Commissioner cannot instruct staff. He recommended that the Commission direct the City Manager to have a way to share concerns. He talks to an administrator after consulting with the City Manager. Ms. Jones said it could be a slippery slope to allow communication between department heads and Commission members. The Chair said the Commission needs to keep the City Manager in the loop. The Chair said maybe a sentence detailing what is permissible could be added. Deputy Mayor Robin Gibson said that may be too much detail for the Charter. Sara Jones said this is a prohibitive section not a permissive one.

Andy Oguntola asked Commissioner Goldstein regarding his recommendation about the ethics policy. Commissioner Goldstein said he has concerns about Commissioners getting political on social media. Commissioners should be non-partisan but possibly the addition of a mission statement addresses some of these concerns. Chair reviewed restrictions on partisan activity in elections in the ordinances. Chair said she defends the 1st amendment. Robin Gibson said that the Charter should be restricted like the Constitution.

Commissioner Goldstein would like more information on Board member Applicants. Chair reviewed the segment on board members under the duties of the Mayor. Sara Jones would like to not get too specific in the Charter as to put in too many restrictions. Chair noted that Goldstein can ask more questions on board members. Commissioner Goldstein said that he is new to the Commission and learning a lot. He didn't realize he could be more vocal about the process. The Chair noted that more questions could be asked at the workshops now. Deputy Mayor Robin Gibson said that appointment process was a way to elevate the position of Mayor.(1:03)

Chair shared Commissioner Howell's recommendation for 3 years of residency for candidates to run for office. Commissioner Howell said three years gives new residents time to get to know more people around the City than just their small group of friends. Deputy Mayor Robin Gibson agreed with this idea as did Commissioner Goldstein. Andy Oguntola and Sara Jones agreed. Jim Weaver said 3 years may be too long he would not want someone well qualified to not be able to run. Chair said we can bring this issue back. Sara Jones said that if a new resident wishes to get involved in City Government there are several boards they could sit on that would serve as a good introduction to City Government.

Chair brought up a question about sitting Commissioners moving out of their district. Andy Oguntola asked if that is fair to the district if a Commissioner moves. Sara Jones said maybe this should be contingent on how much time is left in the term. Jim Weaver said he was fine with the way it reads. The Chair said we can think on this one some more.

### Article I. In General

The Chair reviewed the sections on incorporation and general powers. No one had any changes to those portions. Under Ethics Section Sara Jones said that this would be a good place for the Mission Statement if approved.

### Article II. Corporate Limits

The Chair reviewed the section on Incorporation. No one had changes.

### Article III. Legislative

The residency requirements for candidates seeking election were discussed. Commissioner Howell had made a suggestion to require proof of residency not just ownership of property. The Chair recommended this go into an ordinance rather than put into the Charter. Commissioner Howell said she was fine with that. The Chair said we need to find out that potential candidates are eligible. Commissioner Howell expressed concern that background checks are not required for candidates. The Chair said the Ordinance could be modified to address this. Jim Weaver said a Drivers License and a utility bill might be required from candidates.

The section on compensation was discussed. The Chair said the Interim City Manager is working on an Ordinance to increase compensation for commissioners for next year.

There were no recommendations in the Election of Mayor Section.

The Chair recommended putting into the Charter the Duties of the Commission into the Charter. The Mayor's duties are listed but nothing about the Commission as a body. Commissioner Goldstein said these should be listed somewhere. Sara Jones said these would be appropriate for the Charter. A draft of a possible list was distributed and the Chair encouraged the members to review it. Jim Weaver agreed they should go somewhere. Commissioner Howell said having the duties listed would help Commission members do their jobs better. The duties of Mayor and City Manager are listed so those of the Commission should also be listed. Commissioner Goldstein said new commissioners need to know what they are supposed to be doing. Andy Oguntola said new Commissioners need an orientation process. Commissioner Goldstein said some things are covered in training by the Florida League of Cities but some orientation in the first 2 days should be done explaining what they can do or not.

Under the section on Prohibitions the Chair asked about the segment about a former elected City official not allowed to hold another office for a year. There was a question from Commissioner Curtis Gibson if this only means Lake Wales or any City. Sara Jones said she thinks it means Lake Wales. The Chair said she presumed that as well. This could be modified with a few words. This will be reviewed further.

Andy Oguntola asked Commissioner Howell about her concern about paragraph a regarding Appointments and Removals. Commissioner Howell said this should be modified so that appointments to positions after a budget is passed. Sara Jones said this is an important issue to address. Let's see if it fits somewhere such as Finance. The Chair said there are some ordinances that have not been followed. Commissioner Howell said the list of positions and pay ranges needs to be reviewed. The Chair said this issue can be reviewed.

Commissioner Goldstein said some of these issues need to be brought up at a future Commission workshop. Commissioner Howell agreed.

The Filling of Vacancies was discussed. The Chair said it needs to be clarified. Does it mean the full term or just one year? Commissioner Goldstein said it should be clarified. He's not sure an appointed person should be in a term for three years. Jennifer Nanek, City Clerk, said this issue came up a few years ago when no one qualified for Seat 3 and Commissioner Howell was appointed. Sara Jones said she takes it to mean the rest of the term but it is ambiguous and should be changed.

3.09 Procedure and 3.10 were reviewed with no comment or recommended changes.

#### Elections VIII

The Chair asked that everyone review this as well as the Ordinance and see if there are any changes. Jim Weaver recommended discussing this section in more detail at another meeting. The Chair agreed.

#### 4. AROUND THE ROOM

#### 5. COMMUNICATIONS AND PETITIONS

#### 6. Future Meeting Schedule

The next meeting will be at 7pm on July 30 due to a conflict with MainStreet's Park Avenue meeting.

The Chair reviewed a draft of a schedule of meetings and topics for the next few meetings.

#### 7. ADJOURN

The meeting was adjourned