

CHARTER REVIEW COMMISSION MINUTES

August 1, 2013

The Charter Review Commission met at 5:35 p.m. in the Municipal Building Conference Room on the 1st day of August, 2013, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

Item 1, being:

CALL TO ORDER AND ROLL CALL.

PRESENT:

Ms. Jane Abraham  
Mr. Thad Balkman  
Mr. Trey Bates  
Mr. Harold Heiple, Chairman  
Mr. Kevin Pipes  
Mr. Barry Roberts  
Mr. Richard Stawicki

ABSENT:

Mr. Doug Cubberley  
Ms. Carol Dillingham  
Mr. Hal Ezzell  
Ms. Samantha Kahoe  
Mr. Ken McBride  
Mr. Bob Thompson

STAFF PRESENT:

Mr. Jeff Bryant, City Attorney  
Ms. Joyce Green, GIS Services Manager  
Ms. Brenda Hall, City Clerk  
Ms. Kathryn Walker, Assistant City Attorney

Item 2, being:

CONSIDERATION OF APPROVAL OF THE CHARTER REVIEW COMMISSION MINUTES OF JUNE 6, 2013, AND THE PUBLIC HEARING MINUTES OF JUNE 27, 2013.

Member Pipes moved that the minutes be approved and the filing thereof be directed, which motion was duly seconded by Member Stawicki;

Items submitted for the record

1. Charter Revision Commission minutes of June 6, 2013
2. Charter Revision Commission Public Hearing minutes of June 27, 2013.

and the question being upon approval of the minutes and upon the subsequent directive, a vote was taken with the following result:

YEAS:

Members Abraham, Balkman, Bates, McBride, Pipes, Stawicki, and Chairman Heiple

NAYES:

None

Chairman Heiple declared the motion carried and the minutes approved; and the filing thereof was directed.

Item 3, being:

CONTINUED DISCUSSION OF ARTICLE XVI, SECTION 2, TO CONSIDER WHETHER THE CITY COUNCIL SHOULD BE EMPOWERED TO INCREASE UTILITY RATES NOT MORE THAN THREE PERCENT (3%) ANNUALLY WITHOUT REQUIRING A CITY WIDE VOTE AND POSSIBLE ACTION.

Chairman Heiple said in May and June, the Charter Review Commission (CRC) discussed the Charter requirement that utility rates could only be increased by a vote of the people. He said the CRC had the choice of leaving the provision in, removing the provision completely, or suggesting an alternative. He said in May, CRC members requested additional information regarding historical utility rates in Norman and a comparison of rates to other benchmark communities. In its June meeting, CRC members voted to approve a recommendation that Council submit to the voters the question of removing Article XVI, Section 2, from the Charter in its entirety. He said Staff has drafted changes to Article XVI, Section 2, for CRC's review. The CRC reviewed the language and concurred it complied with the Committee's prior recommendation.

Items submitted for the record

1. Memorandum dated July 29, 2013, from Kathryn L. Walker, Assistant City Attorney, through Jeff H. Bryant, City Attorney, to Members of the Charter Review Commission
2. Charter Review Committee minutes of June 27, 2013

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Item 4, being:

BEGIN REVIEW OF ARTICLE XX TO CONSIDER AMENDING OR UPDATING THE REAPPORTIONMENT COMMISSION PROCESS OR PROCEDURE.

Chairman Heiple said Article XX of the Charter currently states the Reapportionment Commission must meet every year to review ward boundaries to determine if population has changed such that the ward boundaries need to be adjusted. The Charter also states a specific time and date when the Commission must meet. He said there are many years in which the Reapportionment Commission makes no recommendation so it was suggested the Commission meet when the decennial census is held every ten years.

Member Balkman asked what occurs at the annual meetings and Ms. Joyce Green, Geographical Information Systems (GIS) Services Manager, said the GIS Division looks at areas of new construction and uses census numbers to estimate population to provide the Reapportionment Commission with information based on those population changes in each ward. She said the Reapportionment Commission also elects presiding officers at their annual meetings.

Member Pipes said he has never understood why the Reapportionment Commission would need to meet every year and asked about the history of the requirement. Ms. Brenda Hall, City Clerk, said language was added to the Charter in 1975 when the City created the ward system. The Reapportionment Commission was initially charged with setting the ward boundaries, holding public hearings for input on those boundaries, and submitting the boundaries to Council for approval. Ms. Kathryn Walker, Assistant City Attorney, said there are reasons for the Commission to meet more often than just the census years such as if the City annexed property or there was a large shift of population in an area. She said the Reapportionment Commission's main duty is to make sure each ward has as much of an equal distribution of population as possible.

Chairman Heiple suggested eliminating the annual meetings and schedule meetings 180 days before each census or such other times where the City may have annexed property, de-annexed property, or at Council's request. Member Balkman asked how long after Hall Park was annexed did the Reapportionment Committee meet and Ms. Hall said at their next regularly scheduled meeting at which time they made recommendations to Council to redistribute the boundaries.

Member Roberts asked if anyone on the Charter Revision Commission has attended a Reapportionment Commission meeting and Ms. Green said she attends the meetings. Member Roberts asked Ms. Green if the Reapportionment Commission conducts any business during their annual meeting that contributes to the efficiency of their meeting that follows the ten year census and Ms. Greene said typically the Commission reviews updated population statistics prepared by staff. The data could be prepared by staff regardless of whether the Commission meets or not.

Member Roberts asked if it would be practical or advisable to place a requirement in the Charter that some type of organizational meeting of the Reapportionment Commission be held at a certain period of time, such as 120 days, before the census results. He said that way the Reapportionment Commission can elect officers and decide what type of work needs to be done to prepare for the post-census meeting where the actual work of reviewing the redistribution of boundaries is accomplished. Chairman Heiple felt that would be worth discussing if the annual meeting requirement is removed.

Member Pipes asked if Reapportionment Commission members would be upset over these changes and Ms. Walker said she did not know, but there are some long standing members on the Committee. Chairman Heiple said if meetings were changed to every ten years with a required organizational meeting 120 days prior to the census results, City Council could appoint members in the last half of the calendar year prior to census results. Ms. Walker suggested adding language to allow for appointments if property is annexed or de-annexed as well. Member Stawicki asked if this would make the Reapportionment Commission an Ad-hoc Committee and Chairman Heiple said yes.

Member Pipes asked when the City receives census data to begin gathering information for the Reapportionment Commission and Ms. Green said data is received around March or April. She said the Cleveland County Election Board receives the data at the same time as the City. She said the State has to reconfigure their boundaries, then the County reconfigures their boundaries to realign precincts so until all of that is completed, the City cannot begin to realign ward boundaries. Chairman Heiple suggested the Reapportionment Commission not begin their work until the legislature and County have drawn their lines. Ms. Green said the County did not finish drawing their lines from the last census until December and if that happens again the City may not be able to realign boundaries in time for the Council filing deadline in January. Member Abraham suggested language state meetings will be held "as soon as practicable after information is available." She said that way the Reapportionment Commission members could be appointed and begin their work without changes until information from the County has been received. Chairman Heiple felt that language would not be sufficient. Member Stawicki asked what would happen if boundaries were changed during the election and Ms. Hall said that has not happened; however, Wards have changed during a Councilmember's tenure and that Councilmember continued to serve that area for the remainder of their term. The Committee agreed at the conclusion of the census every ten years, there will be a lot of work to be done by the Reapportionment Commission, but meeting annually is not working or aligning with what is happening with the legislature.

Chairman Heiple reiterated changes for clarification to Staff. He said the CRC wants to eliminate a fixed committee that meets annually and go to an Ad-hoc Committee; the Committee would meet every ten years prior to the census unless property is annexed or de-annexed or at Council's request; members will consist of nine citizens appointed from each Ward; the Committee will be required to meet 180 days prior to the issuance of census results; and the committee will be appointed six months prior to the census year. Chairman Heiple asked Staff to draft amended language and e-mail it to members for input prior to review at the next meeting.

Charter Review Commission Minutes

August 1, 2013

Page 4 of 4

Item 5, being:

DISCUSSION REGARDING THE CHARTER REVIEW COMMISSION'S QUARTERLY REPORT TO COUNCIL ON AUGUST 6, 2013.

Chairman Heiple said he would give Council a quarterly report update on Tuesday, August 6, 2013.

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Item 6, being:

ADJOURNMENT.

Chairman Heiple declared the meeting adjourned at 6:15 p.m.