

COUNCIL STUDY SESSION MINUTES

November 16, 2010

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a study session at 5:30 p.m. in the Municipal Building Conference Room on the 16th day of November, 2010, and notice and agenda of the meeting were posted at 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.

PRESENT: Councilmembers Atkins, Butler, Cubberley, Dillingham, Griffith, Kovach, Quinn, Mayor Rosenthal

ABSENT: Councilmember Ezzell

DISCUSSION REGARDING AN OVERVIEW OF PROPOSED CHARTER AMENDMENTS.

Councilmember Dillingham said the City Council Oversight Committee had a great deal of discussion regarding Charter amendments with a lot of input from Staff. She said the Committee concluded that instead of bringing forward a comprehensive selection of massive Charter amendment possibilities, it would be better idea to form a Charter Review Commission (CRC) for a one year period to review the entire Charter. She said there was some basic cleanup language the Committee felt were not too controversial and recommended those amendments be submitted for approval prior to the formation of a CRC.

Ms. Rebecca Frazier, Assistant City Attorney, provided an overview of the proposed amendments the Oversight Committee felt could go forward for an election in March 2011, as follows:

- Article II, Section 2

- Change Council Seating Dates

- Change current language requiring swearing in and seating of Councilmembers from July to May to avoid transitional issues between outgoing and newly elected Councilmembers. The effective date of the amendment would be July 1, 2011, to allow Councilmembers elected in 2009 to finish a full two year term and clarify that Councilmembers elected in 2011 will begin in July 2011 but expire May 2013.

- Amend Qualification of Candidates

- Current language requires that candidates be registered to vote and reside in the City for one year before the general election, which is contrary to state law. The amendment will reduce residency and registered voting requirements to six months to mirror state law.

- Article VIII, Section 2 - Parkland

- In lieu of requiring the developer of a subdivision to dedicate parkland, the City may require the developer to pay a fee to provide for purchasing and/or developing parkland. Current language requires parkland fees be used for a park and/or open space located within the general area in which the subdivision is located. The amendment would allow parkland fees to be used in the nearest community and/or neighborhood park if no suitable parkland sites are available in the subdivision that generated the fees. There is approximately \$625,000 in parkland fees that is currently restricted from use in the general area subdivision where the fees were generated because no land is available for purchase.

▪ Article IX, Sections 2,3,4, and 5 - Hospital

Appointment of Administrator

Eliminating an antiquated process for removal of the hospital administrator, clarifying the administrator's role, and updating nomenclature.

Duties of the Administrator

Repealing the section regarding duties of administrator because they are now specified by contract between the administrator and the Hospital Board.

Use by Medical Staff

Updating a nomenclature and renumbering the section.

Financial Report and Budget

Amends the reporting requirements to allow Council more flexibility to request financial reports as needed from the hospital, calls for receipt of the hospitals' yearly adopted budget (current language signifies proposed budget) at Council's next regularly scheduled meeting after the hospital adopts the budget, deletes antiquated language that implies the City appropriates funds to the hospital, and updates a nomenclature.

Councilmember Dillingham said the Charter states that even numbered ward elected officials term will expire on the third Tuesday of May of the next even numbered year after their election and asked if voters elected a Councilmember to serve until July of 2012, would the terms of office changing to May affect that vote and shorten that term of office. Councilmember Cubberley said he did not think the new effective dates could be applied to seated Councilmembers, only prospective Councilmembers. Councilmember Dillingham asked that the language be tweaked to make that crystal clear. Mayor Rosenthal agreed with Councilmember Dillingham and said the proposed language makes it seem as if some officials would be seated in July and some in May.

Mayor Rosenthal said the transitional period is long and has been awkward, in the past, but reminded Council the reason for the change initially was to complete the budget process, which is a work task that Council spends the entire year on. She said if the City started seating officials in May, there would be a new Councilmember that would have to vote on the \$150 to \$160 million budget within two weeks of being seated and asked if that was a good idea. Councilmember Cubberley felt it would be impossible for a new Councilmember to have an informed opinion to vote and Council needed to decide if this was important. Councilmember Griffith said the transition period was great when he was elected as he received great information from every department including the budget process and he had a chance to gain knowledge before actually being a part of the voting process. He felt it would be challenging to be seated in May unless the candidate had a chance to study the budget months before being seated. Councilmember Kovach said at the time the Oversight Committee was reviewing the issue, he spoke with different Councilmembers and some of them had trepidation and concern that outgoing Councilmembers could be less than effective or even bitter during the transition period. Councilmember Cubberley agreed and said concerns have arisen from time to time about keeping people engaged in the process as a Councilmember, but felt it should not be changed. Councilmember Butler said there may have been some disengagement, but felt overall, most Councilmembers have stayed engaged and there is value in prior knowledge.

Mayor Rosenthal believed that the budget is the single most important decision made by Council and Councilmembers benefit from participation throughout the year and she was reluctant to bring this amendment forward at this time, but supported the other amendments. There was a consensus of Council to move forward with an election on all the amendments with the exception of the terms of office, which they felt a Charter Commission should review along with the rest of the Charter.

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Councilmember Kovach asked Mr. Jud Foster, Director of Parks and Recreation, to refresh Council's memory on where the subdivision was that had the parkland fees locked up. Mr. Foster said the largest piece of property was Smoking Oaks South near the Trails Golf Course, but there were 15 to 17 different locations that included parkland fees that added up to the \$625,000.

Mr. Steve Lewis, City Manager, said the Staff would prepare the election ordinances for First Reading on December 14, 2010.

Items submitted for the record

1. PowerPoint presentation entitled, "Proposed Charter Amendments, Potentially on the March 1, 2011, Election Date" dated November 16, 2010
2. Draft Ordinance No. O-1011-31
3. Draft legislatively notated Ordinance No. O-1011-31
4. Draft Ordinance No. O-1011-32

The meeting adjourned at 5:50 p.m.

ATTEST:

City Clerk

Mayor