



City of Norman

201 West Gray  
Norman, OK 73069

Phone: 405.366.5396

Email: [action.center@normanok.gov](mailto:action.center@normanok.gov)

Web: [www.normanok.gov](http://www.normanok.gov)

# CITY OF NORMAN SPECIAL ELECTION APRIL 5, 2016

## CHARTER AMENDMENT ELECTION

On Tuesday, April 5, 2016, Norman residents will be asked to vote on seven City Charter Amendments. Norman became a Charter City in 1902. The City Charter defines the organization, powers and functions of city government. It is the fundamental legal document of the City. Amendments to the Charter require an affirmative vote of the citizens. In 2012, the Norman City Council appointed 13 citizens [Harold Heiple, Jane Abraham, Thad Balkman, Trey Bates, Doug Cubberley, Carol Dillingham, Hal Ezzell, Samantha Kahoe, Kenneth McBride, Kevin Pipes, Barry Roberts, Richard Stawicki, Bob P. Thompson] to the Charter Review Commission to conduct a review of certain sections of Normans' Charter and make recommendations to City Council. The Charter Review Commission met in public meetings 11 times, held three public hearings, and gave two updates to City Council between December 2012 and January 2014. In December 2015, City Council voted to forward seven recommendations from the Charter Review Commission to the voters for consideration. Each section of the Charter addressing a single subject is considered for amendment separately; therefore, there will be seven propositions on the ballot. The propositions are summarized below. Lined through words represents current language proposed to be deleted while underlined words represents language proposed to be added.

### Proposition I

Shall Section 1 of Article II of the Charter of the City Of Norman related to compensation of elected officers be amended to change the verbiage regarding payment of elected officers from "compensation" to "stipend", as more particularly described in Ordinance No. O-1516-25?

YES

NO

#### Proposed Charter language:

**Section 1. Elected Officers: Powers and duties; ~~compensation~~ stipend.**

The Mayor and each of the Councilmembers shall receive, ~~as compensation~~ a stipend for their services, fifty dollars per month, plus ten dollars for each regular or special meeting attended, provided, however, that no Councilmember shall receive more than one hundred dollars total ~~compensation~~ stipend for any given calendar month.

**Description:** Modifies language that refers to payment of Norman's elected officials from "compensation" to "stipend". The amount paid to Norman's elected officials for their service on City Council will not change with this amendment.

### Proposition II

Shall Section 1 of Article III of the Charter of the City of Norman be amended to require an affirmative vote of five (5) members to appoint the City Manager, to clarify the City Manager's employment status as an at-will employee, to provide a process for an interim City Manager to be appointed in case of the absence or disability of the City Manager, to provide a process for council members to request that the discussion and possible consideration of the removal or suspension of the City Manager be placed on the agenda for a regularly scheduled meeting, as more particularly described in Ordinance No. O-1516-25?

YES

NO

#### Proposed Charter language:

**Section 1. Council to appoint City Manager.**

Council shall by ~~a majority~~ an affirmative vote of five (5) members appoint a City Manager, who shall serve at the pleasure of the City Council as an at-will employee. He shall be chosen by the Council solely upon the basis of his executive and administrative qualification, without regard to age, race, color, religion, ancestry, national origin, sex or place of birth, and need not, when appointed, be a resident of the City or State. No member of the Council shall, during the time for which he is elected, be chosen City Manager, nor for two years after he ceases to be a member. In case of absence or disability of the City Manager, the Council may designate some qualified person

to perform the duties of the office during such absence or disability. The City Manager shall be removable may be removed or suspended at any time, upon an affirmative vote of a majority of five (5) members of the Council. Should at least four (4) Council members desire that a majority of Council discuss removal or suspension of the City Manager, then a notice of such a request shall be filed with the City Clerk, who shall then place an item for Executive Session for that purpose on the Agenda of the next regularly scheduled Council meeting or at a special meeting of the Council called for that purpose. Before the manager shall be removed, he shall, if he so demands, within three days after notification of an intended removal, be given a written statement of the reasons alleged for his removal and the right to be heard publicly thereon at the next regular meeting of the Council held not less than five days after such demand, prior to the final vote of the question of his removal. In the event Council should desire to suspend or remove the City Manager following the Executive Session, an additional item shall be included on the same Agenda of the meeting in which the Executive Session is to be held to consider immediate suspension or removal of the City Manager. If the Council suspends or removes the City Manager from office pending and during such hearing, the Council may suspend the City Manager from his office, and may provide for the temporary performance of the City Manager's duties. The action of the Council in suspending or removing the City Manager shall be final, it being the intention of this Charter to vest all authority and fix all responsibility for such suspension or removal in the Council. In case of absence or disability of the manager, the Council may designate some qualified person to perform the duties of the office during such absence or disability.

**Description:** Clarifies the City Council's relationship with the City Manager, including how the City Manager is appointed, how to appoint an interim City Manager if necessary, how to the remove or suspend the City Manager, and ensures the process conforms to the Oklahoma Open Meetings Act.

### Proposition III

Shall Section 6 of Article III of the Charter of the City of Norman be amended to allow the City Council to adopt a resolution inquiring into the conduct of any office, department or agency of the City, investigate municipal affairs, and direct the City Manager or an outside agency to investigate such affairs, as more particularly described in Ordinance No. O-1516-25?

YES

NO

#### Proposed Charter language:

**Section 6. Council not to interfere in appointments, removals or administration.**

Neither the Council nor any of its committees or members shall direct or request the appointment of any person to, or his removal from office by the City Manager or any of his subordinates, or in any manner take part in the appointment or removal of officers and employees in the administrative services of the City, except that the Council may direct the City Manager, by resolution, to investigate charges of misconduct or incompetence against any City employee and to report the result thereof. Provided, the Council may, by resolution, inquire into the conduct of any office, department or agency of the City, investigate municipal affairs, and direct the City Manager to investigate such affairs, or if necessary, authorize and provide for such inquiries through an outside agency. The City Councilmembers shall deal with the administrative services

solely through the City Manager, and neither the Councilmembers nor any of them thereof shall give orders to any subordinate of the City Manager either publicly or privately. Violation of any of the provisions of this section by the Councilmembers or any of them shall constitute grounds for removal.

**Description:** Adds language consistent with Title 11, Section 10-106 of the Oklahoma Statutes and clarifies the process by which the City Council may formally inquire into the conduct of any office or department of the City, investigate municipal affairs, and direct the City Manager or others to investigate such affairs.

### Proposition IV

Shall Section 7 of Article III of the Charter of the City of Norman be amended to require City employees seeking elective office to take a leave of absence as set forth in the Norman Code of Ordinances and/or the City Personnel Manual and consistent with applicable laws, as more particularly described in Ordinance No. O-1516-25?

YES

NO

#### Proposed Charter language:

**Section 7. Political activity prohibited.**

Any employee of the City may actively engage in political activities. Provided, the political activity in which the employee participates shall be exercised only during off-duty hours and while not in uniform. Any employee seeking elected office may be required to take a leave of absence as prescribed by the Norman Code of Ordinances and/or the City Personnel Manual. Such requirements shall be consistent with applicable state and federal laws. Any federal statutes restricting political activities of City employees shall supersede the provisions of this section as to such employees. The City does hereby reserve the right to establish employment requirements requiring City employees to refrain from filing as a candidate for City office while employed by the City.

**Description:** Requires City employees seeking elective office to take a leave of absence from the employment with the City while doing so.

### Proposition V

Shall Section 2 of Article XVII of the Charter of the City of Norman relating to Miscellaneous Provisions be amended to add "benefits and compensation package" to state that "all employees are prohibited from receiving compensation from the City other than the salary, benefits and compensation package attached to his or her position", as more particularly described in Ordinance No. O-1516-25?

YES

NO

#### Proposed Charter language:

**Section 2. Extra compensation prohibited.**

No ~~full time elective or appointive officer or~~ employee shall receive any compensation from the City other than as specified in the salary, benefits and compensation package attached to his/her position. No full-time ~~person~~ employee shall be permitted under any circumstances to draw more than one salary from the City for any and all purposes.

**Description:** Clarifies that existing language prohibiting employees from receiving compensation from the City other than the salary attached to his/her position also includes the benefits and compensation package attached to his/her position.

To view the current City Charter online:

[www.normanok.gov](http://www.normanok.gov)

Quick Links tab/City Charter

**Proposition VI**

Shall Section 9 of Article XVII of the Charter of the City of Norman relating to Miscellaneous Provisions be amended to provide for a periodic charter review every ten years beginning no later than 2024 and providing that Council shall consider whether a Charter Review Committee shall be appointed for such review, as more particularly described in Ordinance No. O-1516-25?

YES

NO

**Proposed Change:**

**Section 9. Reserved Periodic Charter Review.**

At least once every ten years beginning no later than 2024 and occurring no more than every 10 years thereafter, City Council shall consider whether a Charter Review Committee shall be appointed for the purpose of reviewing the Charter.

**Description:** Adds a new provision to the Charter that requires the Council to consider whether to review the Charter at least every ten years beginning no later than 2024.

**Proposition VII**

Shall the following sections of Article XX of the Charter of the City of Norman relating to reapportionment be amended: Sections 1, 2, 3, 4, 5, and 6 removing references to the Reapportionment Commission and replacing them with the Reapportionment Ad Hoc Committee; Section 2 requiring the Reapportionment Ad Hoc Committee to review and make recommendations on ward boundaries in cases of proposed annexation or de-annexation, during the Federal Decennial Census process, or upon unanimous recommendation of City Council, and striking language related to the terms of Committee members; Section 3 to adjust the deadline for the Committee to make a recommendation to City Council to provide adequate time for review of the Federal Decennial Census; Section 5 to give City Council the options of adopting, rejecting or adopting with some modification(s) the recommendation(s) of the Reapportionment Ad Hoc Committee and providing that any adopted changes to ward boundaries must also be adopted by ordinance and codified in the Code of Norman, as more particularly described in Ordinance No. O-1516-25?

YES

NO

**Proposed Charter language:**

**Section 1. Reapportionment ~~Commission~~ Ad Hoc Committee.**

There shall be a Reapportionment ~~Commission~~ Ad Hoc Committee, which shall consist of nine voting members appointed by the Council on nomination by the Mayor. All members of the Reapportionment ~~Commission~~ Ad Hoc Committee shall be registered voters of the City and shall hold no other office or position of employment in the City government.

**Section 2. ~~Commission~~ Appointment and Meetings of the Reapportionment ~~Commission~~ Ad Hoc Committee.**

The Reapportionment Ad Hoc Committee shall meet to review and make recommendations on ward boundaries as follows:

(a) When the City proposes to annex or de-annex property; or

(b) During the last quarter of the calendar year prior to the release of the Federal Decennial Census and continuing through the release of the final Census; or

(c) Upon the unanimous recommendation of City Council.

In the case of proposed annexation or de-annexation, members of the Reapportionment Ad Hoc Committee shall be appointed within ninety (90) days of adoption of any such proposal. For purposes of reviewing the Federal Decennial Census, members of the Reapportionment Committee shall be appointed six (6) months prior to the year of the issuance of such census. The Reapportionment ~~Ad Hoc Commission's~~ Committee's members shall be residents and registered voters of the City's wards, (one at-large and one from each ward).

The terms of all ~~nine (9) voting members~~ shall be five (5) years, beginning on July 1. The members so appointed shall, at a regular meeting July of each year subsequent to July 1, 1977, meet and elect a presiding officer and such other officers as the Commission may deem necessary to its proper function. Vacancies shall be filled by the City Council in the manner set out hereinafter for the unexpired terms.

**Section 3. Criteria for Ward Boundaries.**

Subsequent to the issuance of each Federal Decennial Census and within ninety (90) No later than one hundred and eighty (180) days after the appointment of the Reapportionment Ad Hoc Committee pursuant to Section 2(a) or 2(c) herein, or after the issuance of the Federal Decennial Census when the Committee is appointed pursuant to Section 2(b) herein, the ~~Commission~~ Committee shall pass and refer to the City Council a resolution to ~~establish and retain or~~ readjust the wards and their boundaries to comply with the ~~requirements~~ standards set out herein. Wards ~~shall~~ should be formed so as to equalize, as nearly as practicable, the population of the several wards. In addition, each ward ~~shall~~ should be formed of compact, contiguous territory with boundaries drawn to reflect and respond to communities of common interest, ethnic background, and physical boundaries, to the extent reasonably possible. Ward lines shall not create artificial corridors which in effect separates voters from the ward to which they most naturally belong.

**Section 4. Public hearing on proposed boundaries; votes required for passage.**

At least ten (10) days before voting on the resolution, the Reapportionment ~~Ad Hoc Commission~~ Committee shall hold a public hearing thereon. At least five (5) votes shall be required for passage of the resolution, and the vote on passage shall be by roll call and shall be entered in the minutes of the ~~Commission~~ Committee. A map showing the wards and their boundaries shall be appended to the resolution.

**Section 5. Council shall have final authority.**

The resolution shall then be referred to the ~~City Council~~ which shall, within thirty (30) days, conduct a public hearing on the proposed resolution and adopt the resolution without modification, reject the resolution, or adopt the resolution with such modification as the Council deems necessary, the resolutions as an ordinance of the city. If any changes in ward boundaries are adopted by City Council, such changes shall also be adopted by ordinance and codified in the Code of the City of Norman. In any alteration or amendment of the resolution as proposed by the Reapportionment ~~Ad Hoc Commission~~ Committee, the City Council shall use the same criteria for ward boundaries as hereinabove adopted for the use of the Reapportionment ~~Ad Hoc Commission~~ Committee.

Thereupon, the new wards and boundaries shall supersede the previous wards and boundaries for purposes of the next primary and general election, and for all other purposes on the day on which the terms of the Councilmembers elected that



**City of Norman**  
 P.O. Box 370  
 201 West Gray  
 Norman, OK 73070

PRSRT STD  
 US POSTAGE  
 PAID  
 Permit # 295  
 Norman OK

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Phone: 405.366.5396

Email: [action.center@normanok.gov](mailto:action.center@normanok.gov)

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## Special Election—CHARTER AMENDMENTS—Tuesday, April 5, 2016



### Your Vote Matters

Polls are open from 7:00 am to 7:00 pm

**Special Election**  
**Tuesday, April 5, 2016**

**Early Voting:** If you are a registered voter in Norman, you can vote prior to the election at the Cleveland County Election Board from 8:00 am to 6:00 pm on Thursday, March 31, and Friday, April 1. The Cleveland County Election Board is located at 641 E. Robinson Street, Suite 200. Absentee ballot applications can be obtained by contacting the Cleveland County Election Board by phone at 405-366-0210 during business hours or downloading the form from the website at [www.clevelandcountyelectionboard.com](http://www.clevelandcountyelectionboard.com).

year begin.

**Section 6. Annexed territory; reapportionment between census report.**

When territory is annexed to the City, the Reapportionment ~~Ad Hoc Commission~~ Committee, by resolution in the manner provided hereinabove, shall incorporate it into the adjacent ward or wards or shall readjust the wards and boundaries in the manner provided hereinabove, as it deems appropriate. ~~Further the Commission may, at other periods than those set out above, in the manner and upon the basis stated and provided for herein, alter the boundaries of the wards when an increase, decrease, or shift in residence of the population of the City, or other substantial change in the criteria set out above.~~

**Description:** The Reapportionment Commission would be renamed the Reapportionment Ad Hoc Committee and would only meet, discuss, and make recommendations on Council ward boundaries when the City proposes to annex or de-annex property, during the Federal Decennial Census process, or upon unanimous recommendation of City Council. The timing of the Committee's reports to Council after the Census would also be changed to ensure the Committee has adequate time to review Census data before making a recommendation. Once the Reapportionment Ad Hoc Committee makes its recommendation in the form of a resolution to City Council, the proposed amendment would require that City Council conduct a public hearing on the recommendation within 30 days and either adopt the resolution without any changes, reject the resolution, or adopt the resolution with modification. Changes in ward boundaries will continue to require adoption by City Ordinance.

**FOR ADDITIONAL INFORMATION,**

contact the City of Norman Action Center at 366-5396  
 or [Action.Center@NormanOK.gov](mailto:Action.Center@NormanOK.gov)  
 Or visit the City's website at [www.normanok.gov](http://www.normanok.gov).