

CHARTER REVIEW COMMISSION PUBLIC HEARING MINUTES

October 12, 2020

The Charter Review Commission held a video conference (virtual meeting) at 6:00 p.m. hosted in the Municipal Building Council Chambers on the 12th day of October, 2020, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray 48 hours prior to the beginning of the meeting.

CALL TO ORDER AND ROLL CALL.

PRESENT:

Ms. Aisha Ali
Mr. Trey Bates
Mr. Doug Cubberley, Vice-Chairman
Ms. Carol Dillingham
Mr. Tom Hackelman
Mr. Kevin Pipes
Mr. Richard Stawicki
Mr. Bryan Vinyard
Ms. Shon Williamson-Jennings
Mr. Bob Thompson, Chairman

ABSENT:

Mr. Jim Eller
Mr. Jim Griffith
Mr. Greg Jungman
Mr. Kenneth McBride

STAFF PRESENT:

Ms. Kathryn Walker, City Attorney
Ms. Brenda Hall, City Clerk

City Council in its meeting of July 23, 2019, adopted Resolution R-1819-66 creating a Charter Review Commission to complete a targeted review of the City of Norman Charter. Ms. Kathryn Walker, City Attorney, highlighted those items and current recommendations from the Charter Review Commission as follows:

- Consider adding language to the Charter related to the appointment and removal of a City Auditor that would be a full time employee of the City of Norman and appointed and subject to removal by the City Council.
 - CRC Recommendation: No changes or additions to current Charter recommended.
- Review of Article VII, Section 2, to consider whether the City Attorney should be appointed and subject to removal by the City Council.
 - CRC Recommendation: Model City Attorney appointment after the City Manager appointment language in the Charter - position would become an at-will position appointed by a majority of Council and could be removed with 5 votes of Council.

- Consider adding language to the Charter that would establish consequences should the provisions of Section 2-103 of the City's Code be violated.
 - CRC Recommendation: No changes or additions to current Charter recommended.
- Review of Article II, Section 1, to consider increasing the monthly stipend provided for the Mayor and Councilmembers.
 - CRC Recommendation: The Mayor shall receive an annual stipend of [\$8,100 - \$11,700] for his or her service per annum, payable monthly beginning with the mayoral term that begins in 2022. Each of the Councilmembers shall receive an annual stipend of [\$5,400-\$7,800] per annum, payable monthly, beginning with the terms that begin in 2022. The Mayor, with the consent of Council, shall appoint a five member Compensation Commission to determine and set the appropriate monthly stipend for the Mayor and each of the Councilmembers based on the consumer price index, the City's overall budget, and other relevant factors every three years thereafter. Said Compensation Commission shall be appointed every three years and any monthly stipend increases approved by the Commission shall not become effective until the following Council or Mayoral (as applicable) term.
- Consider adding language to Article II, Section 1, of the Charter adding reimbursement for cell phone expenses as additional compensation received by City Councilmembers.
 - CRC Recommendation: No changes recommended. CRC felt this was more appropriately characterized as a policy change and did not require a change to the Charter.
- Review of Article II, Sections 2, 5, 6 and 14 to consider whether the term of office for Councilmembers should be changed from two to three years and whether the term of office for Mayor be changed from three to four years.
 - CRC Recommendation: Beginning with the 2023 elections, elections for Councilmembers shall occur every three years, with the odd-numbered ward elections occurring in 2023 and every three years thereafter, the even-numbered ward elections occurring in 2024 and every three years thereafter. The terms of Councilmembers chosen to represent Council wards two (2), four (4), six (6), and eight (8) shall begin on the first Tuesday of July of the next even numbered year after their election. Beginning in 2024 and every third year thereafter, the terms of Councilmembers chosen to represent such wards shall begin at six-thirty in the evening (6:30pm) on the first Tuesday following certification of the election results by the election board secretary.

The term of Councilmembers chosen to represent Council wards one (1), three (3), five (5), and seven (7) shall begin on the first Tuesday of July of the next odd numbered year after their election. Beginning in 2023 and every third year thereafter, the terms of Councilmembers chosen to represent such wards shall begin at six-thirty in the evening (6:30pm) on the first Tuesday following certification of the election results by the election board secretary.

Elections for Mayor shall be occur every three (3) years. The term of the Mayor shall begin on the first Tuesday of July and every three (3) years thereafter. Beginning with the 2025 election, and every third year thereafter, the term of the Mayor shall begin at six-thirty in the evening (6:30pm) on the first Tuesday following certification of the election results by the election board secretary.

- Review of Article II, Section 2, to consider whether the term of office for Councilmembers and Mayor should expire on the last Tuesday of the month in which a runoff election is held or scheduled to be held.
 - CRC Recommendation: Beginning in 2023, move to three year terms for Council members and beginning in 2024, terms will begin on the first Tuesday following certification of the election results
- Consider adding language to Article II, Section 10, of the Charter that would require a sitting Councilmember to resign their position at the time he or she files for another City, State or Federal elected office.
 - CRC Recommendation: No changes or additions to current Charter recommended.
- Consider adding language to Article II, Section 10, of the Charter that would require a candidate for City Council to reside in the Ward in which he or she seeks election for a minimum of six months prior to filing for said office.
 - CRC Recommendation: No changes or additions to current Charter recommended.
- Consider adding language to Article XVI, Section 2, of the Charter requiring the City Council to consider a resolution calling for a vote of the electorate to increase City utility rates under certain conditions, i.e. upon a finding of financial need after a review of the utility funds and their monetary sources by the Finance Director or upon the recommendation of an independent elected utilities board.
 - CRC Recommendation: On an annual basis, Staff shall prepare and submit to the City Council a rate study for each of its utilities. Upon receipt of such rate studies, Council shall submit a rate increase for one or more of the utilities to the voters at the next election at which ward representatives or the Mayor will appear on the ballot. Should an unexpected need for an additional rate increase for any utility arise prior to the regular election on which such an increase would normally be scheduled as provided herein, then a special election may be called for such purpose.
- Consider adding language to the Charter to establish a Resident or Community Bill of Rights
 - CRC Recommendation: No changes or additions to current Charter recommended.
- Consider adding language to require a vote of the electorate for any TIF > \$5 million
 - CRC Recommendation: After robust debate, there was a tie vote on language that would require a vote of the electorate for any TIF supported by sales tax revenue and created by the City.

- Review of Article II, Section 22 to consider allowing the outgoing Councilmember creating the vacancy to appoint his or her successor, unless such vacancy has been created due to removal from office as a result of proceedings by a Court of competent jurisdiction, or whether to delete language allowing Council to appoint a successor and instead require a special election to be called for the purpose of filling such vacancy.
 - CRC Recommendation: Vacancies in office are filled by a majority vote of the remaining members of Council after appointment and recommendation of one candidate from a Selection Committee made up of five residents of the ward for this vacancy has or will occur. If a vacancy is not filled within 60 days, Council shall call a special election to fill the vacancy for the unexpired term. (underlined portion new language)
- Review Article II, Section 11, to consider whether to allow partisan elections for municipal office.
 - CRC Recommendation: No changes or additions to current Charter recommended.
- Review potential loopholes used to skirt the Open Meeting Act
 - CRC requested additional clarification from the requesting Councilmember.
- Review executive session restrictions and provide recommendation on appropriate limits of use versus overly expansive such that it provides cover to skirt the Open Meeting Act
 - CRC requested additional clarification from the requesting Councilmember.
- Article VI, Section 1 – increasing number of members of the Norman Regional Hospital Authority from 9 to 11 and revisit relationship between NRH and the City for equitability of benefit versus burden to the respective parties.
 - CRC Recommendation: Increase from nine (9) to eleven (11) board members; at least nine (9) must be Norman residents; no more than two (2) may be appointed from other communities with a NRH facility. No other changes recommended.
- Examine the ward boundary creation process
 - CRC Recommendation: Consideration postponed; the CRC requested additional clarification from the requesting Councilmember.

Chairman Thompson opened the floor to public comments.

Robert Castleberry - vote of the electorate for any TIF > \$5 million – was concerning about taking a tool away from Council that could be used to create economic development

Vote on utility rates – supports current language because it creates more transparency

Ethics Ordinance – if there are not any consequences to violations of the ordinance then do away with it.

City Auditor – supports an internal auditor that reports to Council

City Attorney – does not support City Attorney reporting to Council

Council terms – if terms are increased there needs to be lesser requirements for a recall petition

Council cell phones – should be handled by a policy not needed in the Charter

Stipend increase for Council – likes that the recommendation was a range so the people can decide how much it should be

Chairman Thompson - encouraged people to attend the Charter Commission meetings and felt they could benefit from hearing the discussion and debate amongst the Commission when making their recommendations.

Items submitted for the record

1. PowerPoint presentation entitled, "Charter Review Commission – Bob Thompson, Chair"

The public meeting adjourned at 7:20 p.m.