

NORMAN ELECTION COMMISSION MINUTES

February 8, 2016

The Norman Election Commission of the City of Norman, Cleveland County, Oklahoma, met in the Municipal Building Conference Room at 201 West Gray on the 8th day of February, 2016, at 2:03 p.m. Notice and agenda of the meeting were posted at the Municipal Building 48 hours prior to the beginning of the meeting.

MEMBERS PRESENT:

Robin Allen  
Richard Hilbert  
Elizabeth Pierce  
Ty Hardiman, Chairman

MEMBERS TARDY:

Elizabeth Windes

OTHERS PRESENT:

Brenda Hall, City Clerk

**Item 2. Review of Statement of Organization Forms and Quarterly Campaign Contribution and Expenditure Reports from the following candidates and elected officials.**

NAME ON REPORT	STATEMENT OF ORGANIZATION	QUARTERLY CONTRIBUTION & EXPENDITURE REPORT	CONTRIBUTION & EXPENDITURE REPORT - FINAL
Friends of Cindy Rosenthal (2013)		X	
Greg Heiple for Ward 1 (2015)		X	
Clint Williams for Norman (2014)			X
Leal for Ward 2 (2014)			X
Aleisha Karjala for Ward 2 (2014)			X
Castleberry for Ward 3 (2015)		X	
Lynne Miller for Norman (2013)		X	
Friends of Jerry Lang (2014)		X	X
Holman for Norman (2015)		X	
Allison for Ward 8 (2014)		X	X
Lynne Miller for Mayor 2016	X		
Leal for Ward 2 2016	X		
Hickman for Ward 4 2016	X		
Friends of Jerry Lang (2016)	X		
Friends for Breea Clark (2016)	X		
Allison for Ward 8 2016	X		

***Friends of Cindy Rosenthal (2013)***

Member Hilbert moved that the Quarterly Municipal Campaign Contribution and Expenditure Report for Friends of Cindy Rosenthal (2013) be accepted, which motion was duly seconded by Member Allen;

Items submitted for the record

1. Quarterly Municipal Candidate Committee Contributions and Expenditures Report for Friends of Cindy Rosenthal dated January 28, 2016

***Friends of Cindy Rosenthal (2013), continued:***

and the question being upon accepting the Quarterly Municipal Campaign Contribution and Expenditure Report for Friends of Cindy Rosenthal (2013), a vote was taken with the following result:

YEAS: Members Allen, Hilbert, Pierce, and  
Chairman Hardiman

NAYES: None

The Chairman declared the motion carried and the Quarterly Municipal Campaign Contribution and Expenditure Report for Friends of Cindy Rosenthal (2013) was accepted.

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***Greg Heiple for Ward 1 (2015)***

Member Hilbert moved that the Quarterly Municipal Campaign Contribution and Expenditure Report for Greg Heiple for Ward 1 (2015) be accepted, which motion was duly seconded by Member Allen;

Items submitted for the record

1. Quarterly Municipal Candidate Committee Contributions and Expenditures Report for Greg Heiple for Ward 1 (2015) dated January 29, 2016

and the question being upon accepting the Quarterly Municipal Campaign Contribution and Expenditure Report for Greg Heiple for Ward 1 (2015), a vote was taken with the following result:

YEAS: Members Allen, Hilbert, Pierce, and  
Chairman Hardiman

NAYES: None

The Chairman declared the motion carried and the Quarterly Municipal Campaign Contribution and Expenditure Report for Greg Heiple for Ward 1 (2015) was accepted.

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***Clint Williams for Norman (2014)***

Member Hilbert moved that the Final Municipal Candidate Campaign Contribution and Expenditure Report for Clint Williams for Norman (2014) be accepted, which motion was duly seconded by Member Allen;

Items submitted for the record

1. Final Municipal Campaign Committee Contribution and Expenditure Report for Clint Williams for Norman (2014) dated January 28, 2016

***Clint Williams for Norman (2014), continued:***

and the question being upon accepting the Final Municipal Candidate Campaign Contribution and Expenditure Report for Clint Williams for Norman (2014), a vote was taken with the following result:

YEAS: Members Allen, Hilbert, Pierce, and  
Chairman Hardiman

NAYES: None

The Chairman declared the motion carried and the Final Municipal Candidate Campaign Contribution and Expenditure Report for Clint Williams for Norman (2014) was accepted.

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***Leal for Ward 2 (2014)***

Member Hilbert moved that the Final Municipal Candidate Campaign Contribution and Expenditure Report for Leal for Ward 2 (2014) be accepted, which motion was duly seconded by Member Allen;

Items submitted for the record

1. Final Municipal Campaign Committee Contribution and Expenditure Report for Leal for Ward 2 (2014) dated January 28, 2016

and the question being upon accepting the Final Municipal Candidate Campaign Contribution and Expenditure Report for Leal for Ward 2 (2014), a vote was taken with the following result:

YEAS: Members Allen, Hilbert, Pierce, and  
Chairman Hardiman

NAYES: None

The Chairman declared the motion carried and the Final Municipal Candidate Campaign Contribution and Expenditure Report for Leal for Ward 2 (2014) was accepted.

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***Aleisha Karjala for Ward 2 (2014)***

Aleisha Karjala's report was listed on the agenda in anticipation that a report would be filed for the Commission to review at this meeting. Ms. Karjala is still working on closing out her 2014 campaign; therefore, the report will be reviewed at the next meeting.

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***Castleberry for Ward 3 (2015)***

Member Hilbert moved that the Quarterly Municipal Campaign Contribution and Expenditure Report for Castleberry for Ward 3 (2015) be accepted, which motion was duly seconded by Member Allen;

Items submitted for the record

1. Quarterly Municipal Campaign Committee Contribution and Expenditure Report for Castleberry for Ward 3 (2015) dated January 29, 2016

and the question being upon accepting the Quarterly Municipal Campaign Contribution and Expenditure Report for Castleberry for Ward 3 (2015), a vote was taken with the following result:

YEAS: Members Allen, Hilbert, Pierce, and  
Chairman Hardiman

NAYES: None

The Chairman declared the motion carried and the Quarterly Municipal Campaign Contribution and Expenditure Report for Castleberry for Ward 3 (2015) was accepted.

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***Lynne Miller for Norman City Council Ward 5 (2013)***

Member Hilbert moved that the Quarterly Municipal Campaign Contribution and Expenditure Report for Lynne Miller for Norman City Council Ward 5 (2013) be accepted, which motion was duly seconded by Member Allen;

Items submitted for the record

1. Quarterly Municipal Campaign Committee Contribution and Expenditure Report for Lynne Miller for Norman City Council Ward 5 (2013) dated February 1, 2016

and the question being upon accepting the Quarterly Municipal Campaign Contribution and Expenditure Report for Lynne Miller for Norman City Council Ward 5 (2013), a vote was taken with the following result:

YEAS: Members Allen, Hilbert, Pierce, and  
Chairman Hardiman

NAYES: None

The Chairman declared the motion carried and the Quarterly Municipal Campaign Contribution and Expenditure Report for Lynne Miller for Norman City Council Ward 5 (2013) was accepted.

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***Friends of Jerry Lang (2014)***

Member Hilbert moved that the Quarterly Municipal Campaign Contribution and Expenditure Report for Friends of Jerry Lang (2014) be accepted, which motion was duly seconded by Member Allen;

Items submitted for the record

1. Quarterly Municipal Campaign Committee Contribution and Expenditure Report for Friends of Jerry Lang (2014) dated January 28, 2016

and the question being upon accepting the Quarterly Municipal Campaign Contribution and Expenditure Report for Friends of Jerry Lang (2014), a vote was taken with the following result:

YEAS: Members Allen, Hilbert, Pierce, and  
Chairman Hardiman

NAYES: None

The Chairman declared the motion carried and the Quarterly Municipal Campaign Contribution and Expenditure Report for Friends of Jerry Lang (2014) was accepted.

Member Hilbert moved that the Final Municipal Campaign Contribution Report for Friends of Jerry Lang (2014) be accepted, which motion was duly seconded by Member Allen;

Items submitted for the record

1. Final Municipal Campaign Committee Contribution and Expenditure Report for Friends of Jerry Lang (2014) dated January 28, 2016

and the question being upon accepting the Final Municipal Campaign Contribution Report for Friends of Jerry Lang (2014), a vote was taken with the following result:

YEAS: Members Allen, Hilbert, Pierce, and  
Chairman Hardiman

NAYES: None

The Chairman declared the motion carried and the Final Municipal Campaign Contribution Report for Friends of Jerry Lang (2014) was accepted.

\*

***Holman for Norman (2015)***

Member Hilbert moved that the Quarterly Municipal Candidate Campaign Contribution and Expenditure Report for Holman for Norman (2015) be accepted, which motion was duly seconded by Member Allen;

Items submitted for the record

1. Quarterly Municipal Candidate Committee Contributions and Expenditures Report for Holman for Norman (2015) dated January 28, 2016

***Holman for Norman (2015), continued:***

and the question being upon accepting the Quarterly Municipal Candidate Campaign Contribution and Expenditure Report for Holman for Norman (2015), a vote was taken with the following result:

YEAS: Members Allen, Hilbert, Pierce, and  
Chairman Hardiman

NAYES: None

The Chairman declared the motion carried and the Quarterly Municipal Candidate Campaign Contribution and Expenditure Report for Holman for Norman (2015) was accepted.

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***Allison for Ward 8 (2014)***

Member Hilbert moved that the Quarterly Municipal Campaign Contribution and Expenditure Report for Allison for Ward 8 (2014) be accepted, which motion was duly seconded by Member Allen;

Items submitted for the record

1. Quarterly Municipal Campaign Committee Contribution and Expenditure Report for Allison for Ward 8 (2014) dated December 31, 2015

and the question being upon accepting the Quarterly Municipal Campaign Contribution and Expenditure Report for Allison for Ward 8 (2014), a vote was taken with the following result:

YEAS: Members Allen, Hilbert, Pierce, and  
Chairman Hardiman

NAYES: None

The Chairman declared the motion carried and the Quarterly Municipal Campaign Contribution and Expenditure Report for Allison for Ward 8 (2014) was accepted.

Member Hilbert moved that the Final Municipal Campaign Contribution Report for Allison for Ward 8 (2014) be accepted, which motion was duly seconded by Member Allen;

Items submitted for the record

1. Final Municipal Campaign Committee Contribution and Expenditure Report for Allison for Ward 8 (2014) dated January 8, 2016

*Allison for Ward 8 (2014), continued:*

and the question being upon accepting the Final Municipal Campaign Contribution Report for Allison for Ward 8 (2014), a vote was taken with the following result:

YEAS: Members Allen, Hilbert, Pierce, and  
Chairman Hardiman

NAYES: None

The Chairman declared the motion carried and the Final Municipal Campaign Contribution Report for Allison for Ward 8 (2014) was accepted.

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Chairman Hardiman said there were six Statement of Organizations received for 2016:

Lynne Miller for Mayor 2016  
Leal for Ward 2 2016  
Hickman for Ward 4 2016  
Friends of Jerry Lang 2016  
Friends for Breea Clark 2016  
Allison for Ward 8 2016

Brenda Hall, City Clerk, said a candidate is not required to register their campaign committee until the \$1,000 threshold has been met and additional Statement Organization forms would be received.

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Member Windes arrived at 2:35 p.m.

**Item 3. Discussion regarding Senate Bill 438 related to the Municipal Campaign Finance and Financial Disclosure Act, which authorizes municipalities to enact comprehensive code of campaign finance and personal financial disclosure ordinances.**

Brenda Hall, City Clerk, said Council adopted Resolution R-1415-63 on December 9, 2014, which asked the State Legislature to allow cities to modify some part of the new rules relative to contribution limits. She said Senate Bill 438 (SB438) allows municipalities to opt out of the State Ethics Commission rules and allow municipalities to adopt their own ordinances regulating contributions and expenditures and financial disclosure. She said financial disclosure was never required under our local ordinance. She said additionally the enforcement provision has to be done by the municipality, which would entail submitting something to the State Ethics Commission stating that they are opting out and supplying evidence that laws are in place that would take the place of the state rules.

Chairman Hardiman said this act came about as a result of a resolution that came from the Norman City Council acting on a recommendation of the Norman Election Commission (NEC). He said the act is co-authored by Senator John Sparks and State Representative Emily Virgin, both representing portions of Cleveland County that include Norman. He said this Bill gives the City an option, to pursue or not to pursue our own regulations. He said NEC has previously discussed some of implementation technicalities of going back to the original system versus going with the State system.

Ms. Hall said since SB438 was approved some citizens have reached out to the Mayor and Councilmembers asking why the City has not changed back to local election regulations and have asked if the NEC was going to recommend changes to Council.

**Item 3, continued:**

Chairman Hardiman said he stated in the minutes of November 9th that the Commission should make a decision on this in 2016 so it will be in effect for the 2017 Election cycle. He said the next step would be to prepare a draft showing the pros and cons of enacting new laws and placing it on the next agenda for further discussion.

Member Hilbert said this suggestion was initiated by citizens of Norman who contacted their Councilmembers who then in turn adopted a Resolution that was acted upon by Senator Sparks and State Representative Virgin and the citizens should not be ignored.

Member Allen asked if changes are made, will they have to be changed every time the State makes change. Chairman Hardiman said no, the City would stop following all State rules regarding municipal contributions and adopt a City ordinance to regulate any monies taken in for campaigns. Ms. Hall said the only way this would change is if the State were to repeal this law.

Member Pierce asked how the NEC dealt with enforcement prior to the State pre-empting cities from local regulations. Ms. Hall said NEC developed a complaint form several years ago that allowed citizens to register a formal complaint with NEC of potential campaign violations and the NEC would conduct an investigation to determine whether a violation of the City's ordinance had occurred. If it was felt a violation had occurred, the Commission would make a recommendation to the City Attorney to consider formal charges against the violator. She said the Legal Department looks at the totality of each issue and whether or not there was willful intent to violate the ordinance and ultimately be the one to determine whether or not charges would be filed. She said if compliance is met, then most likely charges would not be filed.

Member Hilbert said the Director of the State Ethics Commission decided that the best way to get compliance is through education not through negative sanctions. He said citizens disagreed with the Director and his philosophy. He said if the City opts out, the ordinance would require some enforcement procedures that would have negative sanctions.

Ms. Hall said the State has a blackout period where they do not accept complaints until after the campaign cycle because they do not want to be used in political posturing. She said another concern raised by local citizens about the new state regulations was that contributions limits were too high.

Ms. Hall said the comments from the Council meeting where the concerns were first raised have been transcribed and she would forward those comments to the Commission. She agreed with Member Hilbert that there are citizens that want repercussions for not following the rules and a representative from the Legal Department will need to discuss these issues with the Commission while working through the process.

Member Hilbert said citizens make the assumption that a threatened punishment will deter candidates from violating the rules. He suggested changing a few rules in the existing system, not changing the whole system.

Member Allen asked how many people want these changes, 10 people or 1,000 people. Chairman Hardiman said there is a group of people who feel it is important to follow the path of the money and they are petitioning on behalf of all voters of Norman.

Chairman Hardiman proposed that the agenda for the meeting contain an item to continue the discussion and the Commission and City staff will bring back some information to discuss. He said one thing to consider is what aspects of State law would be improved if this ordinance is changed. He suggested a list should be compiled of what State law could do better than a local ordinance; for example, the legal penalty might be higher if State law was violated and visa versa. He said on the other hand, the Commission might create a better system by taking out



the blackout period and campaign contribution limits could be lowered to a level that would be more satisfactory to the citizens.

Ms. Hall said her only concern is changing the laws again creating confusion for the candidates. Member Hilbert agreed and said these would be very few changes and they would be very simple.

Chairman Hardiman said NEC will continue this discussion at the next meeting.

**Item 4. Miscellaneous Discussion.**

The next meeting will be held on March 30, 2016, to review the pre-election reports.

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**Item 5. Adjournment.**

Chairman Hardiman declared the meeting be adjourned at 3:20 p.m.