

1 **MINUTES OF THE MEETING OF THE ORANGE CITY CHARTER REVIEW**
2 **COMMITTEE**, held on Monday, March 17, 2008 at 6:00 p.m. in Council Chambers, 201 N. Holly
3 Avenue, Orange City.

4
5 **CALL TO ORDER**

6
7 The Meeting was called to order at 6:00 p.m. by Chairman Rasch and roll call was taken.
8

9 **ROLL CALL**

10
11 **PRESENT:** John Crowther; Joelle DeVane; Bill DeVane; Paul Rasch, Chair; Evelyn Robinson; Bob
12 Storke, Vice Chair; Hugh Strickland; City Attorney William Reischmann; City Clerk
13 Deborah Renner
14

15 **1. Approval of March 3, 2008 Minutes**

16
17 **Mr. Crowther moved to adopt the minutes as presented, seconded by Ms.**
18 **Robinson and passed by unanimous voice vote.**
19

20 **2. Discuss method for controlling length of meetings**

21
22 Chairman Rasch noted that there appears to be more areas of the Charter which will require discussion
23 than first thought. He said that a concerted effort must be made to adhere to the agenda. Mr.
24 Crowther suggested that if the Committee is dedicated to hour-long meetings, perhaps the meetings
25 could be extended in fifteen-minute increments by motion when necessary. Mr. DeVane suggested
26 reviewing the lists of recommended changes tonight. Ms. DeVane said that she prefers the discussion
27 to proceed section by section. Chairman Rasch cautioned that sometimes changes can affect several
28 sections of the code which would necessitate a little “jumping around.”
29

30 **It was the consensus of the Committee that the length of the meetings**
31 **be limited to an hour and a half.**
32

33 **3. Discuss Agenda Format (Requested by H. Strickland)**

34
35 Ms. DeVane noted that there have been three charter reviews in the past ten years and she stated that it
36 is a document that should not require constant change.
37

38 In response to a question from Ms. Robinson, Ms. DeVane expressed her belief that there is an
39 “inconsistency” in the section of the Charter dealing with hiring relatives in that the Council has no
40 involvement in hiring. Ms. Robinson suggested that it could be construed as a form of nepotism. Mr.
41 DeVane disagreed and said that the City Council is the “Legislative Body” of the City while the
42 “Administrative Body” hires and fires.
43

44 Mr. Strickland suggested using a “process approach” for the charter review whereby items would be
45 discussed based on their relevance one to another.
46

1 Mr. Reischmann agreed with Mr. Strickland's suggestion. As an example, he referenced the issue of
2 "strong mayor" versus "city manager" form of government and said that the issue must first be talked
3 about as a concept and leading to discussion of which sections of the charter would be affected by
4 such a change.

5
6 Mr. Strickland referenced the sample agenda he submitted for consideration. Mr. Crowther suggested
7 that given the time constraints for the meeting, the time allotted for public input should be limited.
8 Mr. Storke suggested that public comment be allowed following the conclusion of discussion on each
9 section. Mr. Strickland clarified that the agenda would not always include all of the sections on his
10 sample. He said that he had received input from a number of people concerning the format and that he
11 received many good suggestions which he incorporated into the document. Mr. Crowther noted that
12 there were five opportunities to speak on a nine-item agenda and suggested that this could cause
13 progress by the committee to "bog down." Mr. Strickland responded that the agenda would not
14 always contain nine items.

15
16 Ms. DeVane again suggested reviewing the charter section by section. Ms. Robinson suggested
17 accepting public comment at the end of each section. Ms. DeVane clarified that she was suggesting
18 that input be allowed at the conclusion of each Article of the charter.

19
20 Mr. Storke said that he participates on a number of committees and that public input is usually
21 reserved for the end of the meeting, but that input would be allowed at the end of each item on the
22 agenda.

23
24 **It was the consensus of the Committee that public comments be**
25 **consistently offered on each item as it's discussed.**
26

27 Mr. DeVane expressed that he did not anticipate excessive attendance at the meetings. He asked
28 whether copies of the article being discussed could be made available to the public at each meeting.
29 Ms. Renner responded in the affirmative.

30
31 Chairman Rasch suggested eliminating the suggested "closing comments" from the agenda format.
32 Mr. Strickland said that when he had discussions with people they consistently said that this is
33 something they wanted. Mr. Strickland stated, "I don't think you can ever have too much public
34 comment." Mr. Crowther disagreed, clarifying that the committee members are serving as
35 representatives of the public and that it was not necessary for them to have input on everything
36 discussed. Chairman Rasch asked the audience to voice an opinion on the subject. Mr. Saylor agreed
37 with Mr. Crowther that as long as people have access to committee members to voice their opinions,
38 they did not necessarily need an opportunity to speak at the meeting. Mr. Reischmann cautioned that
39 care must be taken not to violate sunshine laws with these types of communications.

40
41 Mr. Reischmann referenced the communication from Mr. Strickland wherein he separated his
42 comments into categories and he urged the Committee to use care when making changes to identify
43 additional sections of the charter that could be affected by a change to one section. He suggested that
44 the Supervisor of Elections be brought to a meeting to consult with the Committee on the subject of
45 districts, and further suggested that this subject could take more than one meeting to resolve.

46

1 On the subject of agenda format, Mr. DeVane said that he could agree with Mr. Strickland's suggested
2 format if the public comment sections were deleted from Items 4 and 8 while offering time for
3 comments at the conclusion of discussion by the Committee of each section of the Charter. Chairman
4 Rasch and Ms. Robinson concurred.

5
6 Mr. Crowther asked whether a time limit would be set on public comments. Chairman Rasch
7 suggested setting the limit at three minutes, the same as it is for City Council meetings.

8
9 **It was the consensus of the Committee to use the suggested**
10 **agenda format submitted by Mr. Strickland with the changes**
11 **suggested by Mr. DeVane.**

12
13 **4. Discuss Timeline (Requested by H. Strickland)**

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15 Mr. Strickland said that his timeline was based on the submittal of five basic areas to present to the
16 voters, clarifying that that number was subject to change as the proceedings move forward.

17
18 Ms. DeVane questioned the necessity of weekly meetings. Mr. Strickland responded that could be
19 adjusted as talks progress. Chairman Rasch concurred.

20
21 Chairman Rasch requested that the Supervisor of Elections be invited to the March 31st meeting. Ms.
22 Renner said that she would call her. Mr. Strickland suggested that it may be necessary for Ms. McFall
23 to attend more than one meeting. He said that it was his understanding that the Supervisor of
24 Elections can produce district maps. He said there are different ways of structuring the districts and
25 that they could be divided into zones or the County Council model could be used which would provide
26 for five districts and two "at-large" seats. Mr. Storke suggested a structure of four districts and a
27 Mayor could be used.

28
29 Ms. DeVane noted that if Mr. Storke's suggestion were used, it would require an election of the entire
30 Council. Mr. Strickland said that enclaves must be considered in talks of structuring the districts since
31 discussions are currently under way to eliminate the enclaves which could increase the City's
32 population by 1,000 or more voters. Ms. Robinson noted that during her service as a poll worker,
33 many people who believe they are in the City limits, but are not, must be turned away. Mr. Crowther
34 said that he proposed in his suggested changes to allow people who don't live in the City to vote.

35
36 Mr. Reischmann advised that the Development Services department has been working to eliminate the
37 enclaves for some time. He noted that the number of annexations has decreased dramatically which
38 indicates that the people who were easily convinced to annex have already done so. Mr. DeVane said
39 that the only areas left for annexation are to the west and some small areas to the south. Mr.
40 Reischmann noted that there are a lot of problem areas to the west that the City may want to consider
41 strongly before initiating annexations there.

42
43 **5. Presentation of recommended changes by Committee Members**

44
45 Mr. Storke asked that Item 8 on the list he submitted be stricken.

46

1 It was decided that the recommendations be compiled before discussing them.

2
3 Mr. Reischmann suggested that the Model Charter could be a good resource for the Committee.

4
5 Mr. Crowther suggested that due to the early hour, the review begin tonight with Article I of the
6 charter.

7
8 Mr. Storke brought up the issue of whether a preamble should be included in the charter such as the
9 one in the model charter. Mr. Reischmann said that he brought copies of the charters for all of the
10 cities represented by his firm and that none of them includes a preamble. Ms. Robinson said that she
11 had a copy of the DeLand charter and it did contain a paragraph on the purpose of the charter. Mr.
12 Crowther said that he did not think a preamble was needed.

13
14 Discussion on Article I

15
16 Chairman Rasch said that there was only one change identified in Section 1.05 which must be
17 rewritten to account for Districts. Mr. Storke again raised the issue that the reference to the City
18 boundaries is based on the Charter filed in 1977. Mr. Reischmann explained that the 1977 date
19 represents a baseline and that the language in this section includes all annexations since that time. He
20 said that to change this reference would require that a survey and new legal description be prepared
21 which could be very costly. Mr. Crowther recalled that at this time, the City's boundaries were "nice
22 and square" and that the first annexation since 1933 had just occurred.

23
24 Mr. Reischmann suggested that Section 1.03 merits discussion as it affects many other Sections
25 throughout the charter. He said that based on comments made so far, it may be wise to have a general,
26 philosophical discussion on the "form of government" issue.

27
28 Mr. Crowther recalled that in 1975, the City had a "strong council" form of government. There were
29 five Council Members, each having a different area of responsibility in the operations of the City. He
30 said that the Council was both administrative and legislative while the Mayor was a figurehead with
31 no authority. He said that he did not want to change from the City Manager form of government
32 because "intelligence does not end at the City limits of Orange City."

33
34 Chairman Rasch said he does not want to change the form of government, however, he did see the
35 need for changes in how the City Manager and Council work together.

36
37 Mr. DeVane expressed that the City has grown to the point where it requires a professional to manage
38 it.

39
40 Mr. Reischmann noted that discussion related to the City Manager can be found in the Model Charter
41 in Article III. He said that most cities in the state use the City Manager form of government.

42
43 Ms. Robinson questioned whether the citizens or the Council understand what the City Manager form
44 of government means. Mr. Reischmann responded that information on those roles and responsibilities
45 can be found in the Charter and in the contract between the City Council and the City Manager. He
46 noted that the City currently has three Charter Officers: the City Manager, City Clerk and City

1 Attorney.

2

3

It was the consensus of the Committee to leave Article I as written.

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5 Council Member Donald Sandford remarked from the audience that the vast majority of cities in the
6 State have the City Manager form of government.

7

8 There were no further requests to speak.

9

10 **6. Set date for next meeting**

11

12 The next meeting was set for Monday, March 24th at 6:00 p.m.

13

14 **7. Adjourn**

15

16 There being no further business, the meeting was adjourned at 7:12 p.m.

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18 Respectfully Submitted

Approved on

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20 _____
Deborah J. Renner, CMC, City Clerk