

MINUTES
CHARTER REVIEW COMMITTEE
February 27, 2008
2990 S. Atlantic Ave. Daytona Beach Shores, FL 32118

CALL TO ORDER: The meeting was called to order at 1:32 p.m. by Sandra Ambrose, City Attorney. Committee members present: John Ersland, Bill Dryer, Marilyn Wheeler, Marian Fasick and Anne DiGaetano. Staff present: Michael Booker, and Cheri Schwab.

The chairman announced the scheduled meeting dates and the purpose of the committee for the record.

Public comments were encouraged and the following citizens spoke:

Molly Zurheide had several questions regarding term limits and the charter review committee. The City Attorney stated that this was a time for comments not questions. Those types of questions should be asked of staff at a later time. She stated that she would not want to see term limits changed in the charter.

Marion Kyser inquired if the posting of public notices should be included in the charter. It was explained that public notices are not a charter matter. She next inquired if, in Section 2.06 extraordinary vacancies, would be more appropriate to list the Volusia County Council instead of the Governor. On a clerical note, the words City Hall should be deleted before council chambers now that the buildings are separate.

Ed Kavanaugh stated that he had attended the council meeting when the Supervisor of Elections spoke on the proposed date changes. He was upset to hear that term limits would also be discussed not just the election dates.

Chairman John Ersland read into the record correspondence that he had received from Paul deMange and Kay Schwarz. Mr. deMange noted several items that could be discussed by the committee. Ms. Schwarz stated that she would like term limits to remain in place.

The committee began reviewing the Charter one section at a time.

Article 1 was reviewed. It was determined that in Section 1.01 the form of government should read council/manager not city manager form of government. **Ms. DiGaetano moved, seconded by Ms. Fasick to strike the word city and add the word council to the second sentence of Article 1 Section 1.01. The motion passed unanimously by a roll call vote.**

There were no other changes to Article 1.

Article II. Legislative: City Council

Section 2.01 Composition.

Mr. Dryer stated that he felt an election could be considered a term limit. He mentioned his position on term limits has evolved over time. If the voters don't want a candidate to stay in office, they will not vote for him/her. The other committee members agreed.

Audience member Joyce Sager commented that eight years was enough for anyone to sit on the council.

Ms. Wheeler moved, seconded by Ms. DiGaetano to delete the last sentence of Section 2.01. The motion passed unanimously by a roll call vote.

2.02 Eligibility and qualifications.

Audience member Paul deMange felt that the City Clerk should have up to date knowledge of voter registration records in the office. After a brief discussion noting that the information is on record with Volusia County Supervisor of Elections, the committee found nothing to change with this section.

Sections 2.03, 2.04 and 2.05 do not need to be addressed.

Section 2.06. Extraordinary vacancies.

The City Attorney stated that the state statutes would be referenced for clarification on this item.

2.07 Ineligibility for appointment.

Audience member Paul deMange inquired if this could be removed. He noted that we are a small city and a councilmember could be hired as a consultant to continue after office. City Manager Booker stated that this was commonly found in most charters and should remain.

Sections 2.08 and 2.09 do not need to be addressed.

Section 2.10 Compensation.

Audience member Paul deMange stated that he felt the Mayor should be paid more than just an additional \$100 per month over a councilmember's salary. He suggested using the average rate for the mayor compared with the surrounding cities. Mr. Dryer was in agreement with an average comparison. Committee members were cautioned about putting a dollar amount in the Charter that could not be easily adjusted. There was a brief discussion on the additional duties the Mayor is expected to perform. **Ms. Wheeler moved, seconded by Mr. Dryer to have the last sentence of 2.10 read "The city council shall have the authority to establish a salary and expense allowance for the mayor-councilmember in excess of that authorized for other councilmembers." The motion passed unanimously by a roll call vote.**

A short recess was taken at approximately 2:30 pm.

It was determined Sections 2.11, 2.12 and 2.13 do not need to be addressed.

Section 2.14 Meetings of the city council.

Audience member Paul deMange felt that it would aide the city staff if the minimum time needed to call an emergency meeting was extended from 24 to 48 hours notice. Per Dr. Kyser the words city hall before council chambers should be deleted. The committee members were in agreement with these recommendations. **Mr. Dryer moved, seconded by Ms. Fasick to increase the amount of hours required from 24 to 48 for a special meeting. Also, in the last paragraph, delete the words city hall and replace them with council chambers. The motion passed unanimously by a roll call vote.**

Section 2.15 minutes and records will be reviewed by the City Attorney.

Section 2.16, 2.17 and 2.20 do not need to be addressed.

Section 2.18 will be reviewed at the next committee meeting.

Section 2.19 Authentication, codification and publication of ordinances and resolution.

The committee discussed the location of the actual records. As it was nearing time to end the meeting, this section will be discussed at the next meeting.

The next meeting will be on March 12, 2008. The next three meetings will be advertised in the Daytona News Journal.

ADJOURNMENT - The committee meeting ended at 3:22 p.m.

ATTEST: CITY OF DAYTONA BEACH SHORES

Cheri Schwab, Recording Secretary

John Ersland, Chairman