

TOWN OF GRANT VALKARIA
CHARTER REVIEW COMMITTEE
MEETING MINUTES OF TUESDAY, MARCH 9~~8~~⁹, 2010 AT 7:00 P.M.
TOWN HALL BUILDING, 4240 HIGHWAY US1, GRANT VALKARIA, FLORIDA 32949

The Charter Review Committee Meeting of March 8~~9~~⁹, 2010 was called to order at 7:06 p.m. by Chairperson Tonti, followed by the Pledge and roll call to the Committee Members with the following present:

Jim Tonti, Chairperson	Town Clerk Susanne Krueger
Denni Burr	Town Administrator Richard Hood
Dave Folts	
Tom Sammon	

Note for the record: Town Clerk Krueger received a call from Member Mullins stating that he would be arriving about 30 minutes late to this meeting.

CHANGES TO AGENDA

Member Burr requested that an agenda item be added after “Approval of Minutes” regarding her conversation with Mayor Yonts.

APPROVAL OF MINUTES

1) Charter Review Committee Minutes of January 12, 2010
Motions by Member Burr, second by Member Sammon, and vote unanimous to approve the Charter Review Committee meeting minutes of January 12, 2010

Member Burr stated that she was talking to Mayor Yonts during a Saturday Seafood Festival workshop on a Saturday before the Seafood Festival where he stated that he hopes that the committee members understand what they were charged with vote on changes, provide a list of things they noticed and Council needs a list of important changes. Member Sammon stated that he attended the February 24th Town Council meeting where Council requested the committee’s suggested changes which should be about 3 or 4 and point out which are in conflict. Town Administrator Hood stated that Council set April 13th as the deadline for the completion of the Charter Review at which time they would like to see specific wording of the recommended changes; Council would like to set April 21st as a date for a workshop between the Charter Review Committee and them to discuss the recommendations; after the workshop, Town Council would forward any approved changes to the Town Attorney to verify consistency with State Law and to finalize acceptable language for the ballot; if the committee has no comments, Council will interpret that they recommend no changes to the charter; money should not be determined when making recommendations; if wordage cannot be determined, the attorney will help with the language. Mr. Hood stated that the Local Planning Agency was in favor of changing Section 9.01 of the Charter to have language inserted having 1.25 acres as a minimum lot size.

Note for the record: Member Mullins arrived at 7:30 p.m.

Town Administrator Hood stated that the comprehensive plan may be ready for transmittal by late April.

It was Committee consensus to add to Section 9.02 “1 unit per 1.25 acres maximum density with the intent is being to preserve minimum lot size of 1.25 acres to be applied to those low density areas of the future land use identified as RR1-1.25”.

Note for the record: Town Administrator Hood left at 7:45 p.m.

Member Mullins suggested adding a wordage to Section 5.08 that no tax money shall be expended for civic or youth groups or beautification. It was Committee consensus to have Member Mullins bring this topic up at the Council workshop because the Committee members did not support his suggestion.

Chairperson Tonti called for a brief recess at 9:19 p.m.
Chairperson Tonti called the meeting to order at 9:28 p.m.

CONTINUED DISCUSSION OF CHARTER

- 1) Discussion/Action Re: making recommendations to Town Council on proposed Charter changes

Committee Members reviewed the Charter by section with recommended changes as follows:

- Section 2.01 Town Council
 - (b) refer to Council that they need to draft ordinance to clarify “compel”, prescribe penalties and rules that compel presence of Town Council Members, and if tele-presence would be qualified as being present.
- Section 2.03 Vice Mayor
 - Recommended charter change - change from “A council member shall not serve consecutive terms as vice mayor unless no other council member is willing to serve as vice mayor” to read “The vice mayor shall be elected from among Council Members by a majority vote ~~from council members~~ of council members for a term of 1 year which term shall commence two weeks after general election and end two weeks after general election.”
- Section 2.11 Ordinances in General
 - (d) Recommended charter change – emergency ordinances may not levy taxes or modify zoning
- Section 3.01 Appointment; Qualifications; Compensation
 - Recommended charter change – delete portion of last sentence “the elected representatives of the people”
- Section 3.04 Power and Duties
 - Recommended charter change – add new paragraph “(o) signs contracts, interlocal agreements and execute documents as approved by Town Council.”
- Section 4.03 Personnel System
 - Recommended charter change – remove the word “primarily” in first sentence because it implies other methods
- Section 5.06 Purchase, Sale, and Lease of Real Property

- Recommended charter change – change last word in paragraph from “rezoning” to “ordinances”
- Section 6.01 Conduct of Elections
 - (c) Recommended charter change – reword as “in the event there are less than 3 qualified candidates, Council has the right to assign seat number using lowest seat number by earliest qualification”
- Section 6.04 Method of Electing Council Members
 - Recommended charter change – change second sentence as “the candidates who receive the largest number of votes shall be the duly elected council members and will fill the open council seats”; change last sentence as “ council seat numbers shall be assigned such that the lowest seat number available is given to the candidate who received the largest number of votes”
- Section 6.07 Candidate Forums
 - Recommended charter change – committee noted that they recognize that this is not enforceable and will leave up to Council to decide to remove
- Section 6.09 Initiative, Citizen Referendum, and Recall
 - Recommended charter change - Demote this section as a subsection of 6.09
- Section 6.10 Initiative and Referendum Proceedings
 - (e) Recommended charter change – ~~delete this section~~ have this section as a subsection of 6.09
- Section 6.11 Results of Initiative or Referendum
 - Recommended charter change – ~~no change recommended except to insert into Section 6.09 and renumber~~ have this section as a subsection of 6.09
- Section 7.01 Conduct of Officials in Office
 - (b) Recommendation – committee noted that this section should stay the same and to bring a question to Council if an ordinance was passed where this section of the charter mentions it
- Section 7.05 Campaign Finance
 - Recommendation – committee members questioned if the town still needs to adopt an ordinance and should the town be doing this.
- Section 8.01 Procedure to Amend the Charter
 - (b) Recommended charter change – add “per state statute” at the end of paragraph; change “ballot” to “election”; change “special ballot” to “special election”
- Section 8.02 Charter Review
 - Recommended charter change – change sentence from “the charter review committee shall be appointed at least 3 months before the next scheduled election and complete its work and present any recommendations for change no later than 90 days before the election” to “the charter review committee shall be appointed at least 9 months before the next scheduled election and complete its work and present any recommendations for change no later than 180 days before the election” – Member Burr wanted it noted that she did not agree with the 9 months.
- Section 9.01 Rural Character of the Town

- Recommended charter change – add “1 unit per 1.25 acres maximum density with the intent being to preserve minimum lot size of 1.25 acres to be applied to those low density areas of the future land use identified as RR1-1.25”.
- Article X – it was noted by the committee that if this section is left in the charter then they recommend no changes; however, if removal of this section then changes need to be made

The Committee ranked the 14 recommended charter changes as follows:

- High priority
 - 1) Section 3.04 Power and Duties
Recommended charter change – add new paragraph “(o) signs contracts, interlocal agreements and execute documents as approved by Town Council.”
 - 2) Section 5.06 Purchase, Sale, and Lease of Real Property
Recommended charter change – change last word in paragraph from “rezoning” to “ordinances”
 - 3) Section 8.02 Charter Review
Recommended charter change – change sentence from “the charter review committee shall be appointed at least 3 months before the next scheduled election and complete its work and present any recommendations for change no later than 90 days before the election” to “the charter review committee shall be appointed at least 9 months before the next scheduled election and complete its work and present any recommendations for change no later than 180 days before the election”
 - 4) Section 9.01 Rural Character of the Town
Recommended charter change – add “1 unit per 1.25 acres maximum density with the intent being to preserve minimum lot size of 1.25 acres to be applied to those low density areas of the future land use identified as RR1-1.25”.
- Medium priority
 - 1) Section 2.03 Vice Mayor
Recommended charter change - change from “A council member shall not serve consecutive terms as vice mayor unless no other council member is willing to serve as vice mayor” to read “The vice mayor shall be elected by majority vote from council members of council members for a term of 1 year which term shall commence two weeks after general election and end two weeks after general election.”
 - 2) Section 6.01 Conduct of Elections
Recommended charter change – reword as “in the event there are less than 3 qualified candidates, Council has the right to assign seat number using lowest seat number by earliest qualification”
- Low priority
 - 1) Section 2.11 Ordinances in General
d) Recommended charter change – emergency ordinances may not levy taxes or modify zoning
 - 2) Section 3.01 Appointment; Qualifications; Compensation
Recommended charter change – delete portion of last sentence “the elected representatives of the people”
 - 3) Section 4.03 Personnel System

Recommended charter change – remove the word “primarily” in first sentence because it implies other methods

4) Section 6.04 Method of Electing Council Members

5) Section 6.07 Candidate Forums

Recommended charter change – committee noted that they recognize that this is not enforceable and will leave up to Council to decide to remove

6) Section 6.10 Initiative and Referendum Proceedings

(e) Recommended charter change – delete this section

7) Section 6.11 Results of Initiative or Referendum

Recommended charter change – no change recommended except to insert into Section 6.09 and renumber

8) Section 8.01 Procedure to Amend the Charter

(b) Recommended charter change – add “per state statute” at the end of paragraph; change “ballot” to “election”; change “special ballot” to “special election”

Committee members made the following suggestions to Council regarding the Charter:

- Section 2.01 Town Council
 - (b) refer to Council that they need to draft ordinance to clarify “compel”, prescribe penalties and rules that compel presence of Town Council Members, and if tele-presence would be qualified as being present.
- Section 7.01 Conduct of Officials in Office
 - (b) noted that this section should stay the same and to bring a question to Council if an ordinance was passed where this section of the charter mentions it
- Section 7.05 Campaign Finance
 - Questioned if the town still needs to adopt an ordinance and should the town be doing this.
- Article X – it was noted that if this section is left in the charter then they recommend no changes; however, if removal of this section then changes need to be made

It was Council consensus to have the next meeting on Thursday, March 18th at 7:00 p.m.

PUBLIC COMMENTS

There were no public comments.

Motions by Member Burr, second by Member Folts, and vote unanimous to adjourn the meeting at 10:15 p.m.

(Signature on file)

Jim Tonti

ATTEST:

(signature on file)

Susanne Krueger, Town Clerk