

**CITY OF MOUNT DORA, FLORIDA
CHARTER REVIEW COMMITTEE MINUTES
May 2, 2024, 3:00 P.M.**

**Mount Dora City Hall
510 North Baker Street
Mount Dora, FL 32757**

CALL TO ORDER

Having been duly advertised as required by law, at 3:00 p.m., Chairperson Tipton called to order the May 2, 2024 Charter Review Committee meeting in the City Hall Council Chamber.

ROLL CALL WITH DETERMINATION OF QUORUM

Members Present

Lynn Tipton, Chair, District 2
Adrian Coombes, Vice-chair, District 3
Gregg Joshua Hemingway, District 1
Francis "Frank" Kirwin, District 4
Ozell Ward, District 5
Thomas Hudson, At-large
Keashawn "Kay" Volmar, Mayoral Appointee

Also Present

Vince Sandersfeld, Acting City Manager
Patrick Brackins, City Attorney
Jeanann Hand, City Clerk

APPROVAL OF MINUTES

A. April 25, 2024 Charter Review Committee Minutes

MOTION BY MR. KIRWIN TO APPROVE THE MINUTES FROM THE APRIL 25, 2024 CHARTER REVIEW COMMITTEE MEETING; MR. HUDSON SECONDED THE MOTION. MOTION PASSED WITH A UNANIMOUS VOICE VOTE.

PUBLIC PARTICIPATION

Chairperson Tipton opened public comment.

Christine King-Harris, 402 East Jackson Avenue, requested clarification on the percentage comprising plurality. Mr. Brackins explained that for Council to pass an item, there must be a majority vote of the members present, assuming there is a quorum in attendance. A charter amendment would require a majority vote of the public.

Chairperson Tipton closed public comment.

NEW BUSINESS

A. Charter Review-Article V. City Manager

The Committee considered Section 19. Establishment of Office.

The Committee discussed the appropriate place for a non-interference clause, specifically a clause to prevent Council from interfering with the duties of the City Manager. It was suggested that the clause would be more appropriately placed in Article II. Legislature, which addresses the behavior of Council.

The Committee recognized instances for the adjustment of pronouns to be converted to gender neutral terms. Mr. Brackins recommended a charter amendment to solely address gender neutrality.

Ms. Tipton pointed out that City Manager candidates frequently examine a City Charter to consider their prospective role in the City.

The Committee discussed whether particular requirements or qualifications would be most effectively placed in the Charter, or placed in other documents, such as employment agreements, resolutions, or ordinances.

The Committee recognized their duty to avoid placing elements in the Charter that would conflict with other governing documents of the City.

The Committee concluded they would like a non-interference clause to be placed in Article IV.

The Committee considered Section 20. Appointment

The Committee discussed interpretation of the language "majority vote of full council."

Committee members exchanged ideas regarding the minimum number of Councilmembers required to be present to vote upon the appointment of a City Manager. They considered the allowance to vote in absentia. The current Charter does not allow for voting in absentia.

Committee members discussed requirements for valid voting in absentia.

Chairperson Tipton confirmed that, at this point, the Committee agrees that a super-majority vote of the full Council (5) must vote to appoint a City Manager. The Committee also agreed the same would be required for City Manager removal.

Ms. Tipton reminded the Committee that these are not yet their final recommendations, and they would have time to reconsider before presenting their report to Council.

The Committee reviewed Section 21. Removal.

The Committee discussed availability of due process for a City Manager in the event of removal.

The Committee considered the objectives of changes to this section, if any.

The Committee considered Section 22. Compensation

The Committee considered how compensation is determined. They discussed what role, if any, Council should have in determining compensation. They discussed a recommendation to Council for a policy that sets a schedule for evaluation of City Manager performance and fair compensation. They acknowledged the importance of competitive compensation, and of communication regarding goals. They discussed the appropriate level of explicit direction that should be included in Charter language.

Mr. Brackins would bring suggested language to accomplish the Committee's intention for this section regarding a clear yet broad statement related to performance goals and evaluation.

Section 23. Power and Duties

The Committee found no points of discussion regarding (a) through (j).

They discussed a residency requirement, and agreed the requirement should not be listed in the Charter.

The Committee discussed Section 24. Acting City Manager, noting the time frame mentioned in the Charter. They acknowledged Council's power in this section to revoke or appoint within or beyond the conditions stated in the Charter. The Committee had no suggestions for this section.

B. Charter Review-Article VI. Initiative and Referendum

The Committee had no recommendations for changes to Article VI. Initiative and Referendum.

Mr. Brackins explained Severability.

C. Article VII. Building Heights

The Committee had no suggestions.

ANNOUNCEMENT OF NEXT SCHEDULED MEETING DATE

A. Thursday, May 9, 2024, 3:00 p.m.

Chairperson Tipton mentioned Mr. Parker's presentation at the next meeting. Mr. Kirwin announced he would be absent from next week's meeting. Mr. Kirwin was asked if he had any questions for Mr. Parker. Mr. Kirwin mentioned his interest in at-large seats.

After Mr. Parker's presentation, the Committee would go back to review Articles I and II.

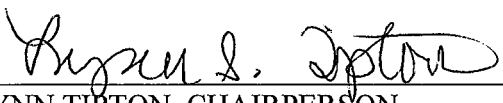
PUBLIC COMMENT

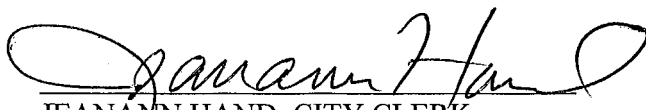
Chairperson Tipton opened public comment. No one spoke. Chairperson Tipton closed public comment.

ADJOURNMENT

***MOTION BY MR. HEMINGWAY TO ADJOURN; MR. WARD SECONDED THE MOTION.
MOTION PASSED WITH A UNANIMOUS VOICE VOTE.***

There being no further business for discussion, Chairperson Tipton adjourned the meeting at 5:03 p.m.


LYNN TIPTON, CHAIRPERSON
2024 Charter Review Committee


JEANANN HAND, CITY CLERK
City of Mount Dora