



**CITY OF CLERMONT CHARTER REVIEW COMMITTEE AGENDA  
10:00 AM, Tuesday, April 23, 2019**

The Charter Review Committee members are as follows: Larry Lenon, Jim Purvis, Stan Melnick, Vice-Chairman Cuqui Whitehead, and Chairman Ray SanFratello.

- 1 Approval of March 26, 2019 and April 16, 2019 Charter Review Committee Meeting minutes
- 2 Review of Charter recommendations to Council

**Adjourn**

In accordance with the Americans with Disabilities Act (ADA), if any person with a disability defined by the ADA needs special accommodation to participate in this proceeding, then not later than two business days prior to the proceeding he/she should contact Clermont, City Clerk, 352-241-7330.



# AGENDA ITEM

<b>Meeting Date</b>		
Tuesday, April 23, 2019		
<b>Agenda Item Name</b>		
Approval of March 26, 2019 and April 16, 2019 Charter Review Committee Meeting minutes		
<b>Requested Action</b>		
<b>Staff Report</b>		
<b>Additional Analysis</b>		
<b>Fiscal Impact Summary</b>		
<b>Fiscal Impact</b>	<b>Fund Number and Description</b>	<b>Available Budget Amount</b>
<b>Exhibits Attached</b> (copies of original agreements)		
1.	March 26, 2019 Charter Review Committee Minutes	March 26, 2019 Charter Review Committee Minutes.pdf
2.	April 16, 2019 Charter Review Committee Minutes	April 16, 2019 Charter Review Committee Minutes.pdf

*City of Clermont*  
**Charter Review Committee**  
**March 26, 2019**

The Charter Review Committee met on Tuesday, March 26, 2019 in the Council Chambers at City Hall. Chairman SanFratello called the meeting to order at 10:00am with the following members present: Cuqui Whitehead, Larry Lenon, Jim Purvis, and Stan Melnick. Other City officials present were: City Manager Gray, City Attorney Mantzaris, and Deputy City Clerk Zinker.

Chairman SanFratello reviewed the agenda for the meeting.

**Item No. 1 – Approval of February 26, 2019 Charter Review Committee Meeting Minutes**

Committee Member Whitehead moved to approve the February 26, 2019 Charter Review Committee meeting minutes; seconded by Committee Member Purvis for discussion.

Chairman SanFratello reviewed changes to be made to the February 26, 2019 Charter Review Committee meeting minutes.

The motion passed with all members present voting aye.

**Item No. 2 – Continue Review and Discussion of the City Charter**

City Manager Gray reminded the Committee of their previous stopping point. City Attorney Mantzaris suggested skipping to Section 18.

City Manager Gray explained the City Charter dictates that ordinances require a roll call vote and any other agenda item requires a group vote. City Attorney Mantzaris stated some cities require a roll call vote on all items with some cities requiring a rotating roll call vote where the vote begins with a different Council Member each time.

Committee Member Purvis suggested considering changing the terms within the Charter to be gender neutral. City Attorney Mantzaris requested time to look into how the change will have to be made and return to the Committee with an answer.

City Attorney Mantzaris reviewed Section 20 regarding emergency ordinances.

City Attorney Mantzaris suggested skipping to Section 23 as Section 23.1 is antiquated. The Committee could recommend deletion of the language or change the language to allow for a designee to execute City documents.

Chairman SanFratello inquired if deletion of language would have to be placed on the ballot. City Attorney Mantzaris replied the matter would have to go on the ballot.

City Attorney Mantzaris stated the Council could instead pass a resolution for each item needing a signature and include language authorizing for a designee to sign.

Committee Member Whitehead suggested having the language changed to allow the City Manager to sign City documents for the Mayor.

City Manager Gray suggested having the language state “designee” rather than specifically stating “City Manager”.

City Attorney Mantzaris suggested changing the language to allow for the City Manager to sign City documents but recommended the Committee focus on topics they deem are high priority.

Chairman Purvis expressed support for changing the language to allow for a designee to sign City documents but inquired who designates the designee. City Manager Gray suggested changing the language to “Mayor or designee” so as to allow for the Mayor to designate the designee.

The Committee Members expressed a general consensus to change the language in Section 23.1 to include “Mayor or designee”.

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City Attorney Mantzaris reviewed Section 24 of the City Charter. Section 24 is the section to include any residency requirements should the Committee want to add requirements. The longer the requirement is the more likely the requirement will be deemed as too extensive. The current law would have to be reviewed before making an official decision.

Committee Member Whitehead suggested making the requirement to be two years.

Chairman Melnick suggested requiring a one-year residency requirement.

Committee Member Whitehead expressed concern for people who do not participate in the City's local government running for election. City Attorney Mantzaris stated the residency requirement is to only address people who have recently moved into the City who are wanting to run for election.

City Manager Gray stated the Committee does not have to decide today and could include the topic in the presentation at the upcoming public hearing. Then, at the following Committee Meeting after the public hearing, the Committee can solidify the suggestions to Council for the May Council Meeting.

Chairman SanFratello commented a residency requirement could restrict qualified candidates from running.

Committee Member Purvis expressed agreement with Committee Member Whitehead's concerns and expressed support for a one-year requirement.

Committee Member Lenon agreed with having a minimum of one-year requirement but suggested the possibility for an 18-month requirement.

Michelle Pines, 550 East Avenue, expressed concern for a two-year requirement and support for a one-year requirement.

Committee Member Whitehead inquired about where the residency requirement will be calculated from. City Attorney Mantzaris suggested the residency requirement start one year prior to qualifying.

Committee Member Lenon inquired about districts. City Attorney Mantzaris stated districts would fall under the same section as residency requirements.

Committee Member Lenon expressed support for districts to ensure all areas of the City are represented.

Committee Member Purvis expressed concern for some districts not having a candidate.

Committee Member Whitehead stated the City had districts before and the City had problems finding people to run for certain districts.

Committee Member Purvis expressed support for leaving it the same.

Chairman SanFratello stated districts could cause people to become engaged in their local government.

Committee Member Whitehead suggested leaving the subject for the next charter review.

Mrs. Pines suggested having two at-large seats and three district seats.

Chairman SanFratello stated three districts and two at-large was previously mentioned at a Charter Review Committee meeting where the member from the at-large seats with the most votes would become the Mayor. However, if there were three district seats and two at-large seats, the City could still have three Council Members from the same area. Whereas the County has 5 local districts which are all voted on at-large. The County's set-up prevents Council Members coming from the same district but also allows all residents to have a say in who is elected to the Council.

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City Attorney Mantzaris commented he listened to a presentation which stated having an appointed Mayor is an issue when talking with the State Legislature and other individuals. According to the presentation, Legislature look at elected Mayor's with more credibility.

Chairman SanFratello stated the public would know the Council Members which they elect would vote on the Mayor when they elect them. City Attorney Mantzaris stated the City would run the risk of the position being given to someone who does not want the position.

Chairman SanFratello stated the citizens may appreciate electing their own Mayor.

Committee Member Whitehead expressed support for the Mayor to be elected.

Committee Member Melnick expressed support for the Mayor to be elected to ensure the individual elected wants to be the Mayor rather than a Council Member being forced into the position. Committee Member Melnick also expressed support for districts if there are still at-large seats but expressed concern at the possibility of limiting the people who would want to run.

Committee Member Lenon expressed support for making the Mayor an at-large seat and have the rest of the seats become districts.

Libby Hanna, 1251 Fran Mar Court, commented districts would make the task of running for office reasonable as the candidates would not have to cover the whole city when campaigning. Districts would also allow the residents of the City to have a specific Council Member they know who could serve as their first point of contact.

Committee Member Purvis suggested condensing the way the question is presented to the public at the public hearing. City Manager Gray stated discussion of the presentation for the upcoming public hearing is the next topic on the agenda.

City Attorney Mantzaris stated the next portion of the Charter to review is Article Five, City Manager.

Committee Member Purvis inquired as to the opinion of City Manager Gray. City Manager Gray replied he does not have any recommended changes.

City Attorney Mantzaris stated the next portion of the Charter to review is the submission of a budget. The Finance Department does a great job following the Charter and as a result no changes are being suggested for that portion. Section 57 does not reference Council districts but rather zoning districts for planning and zoning. Section 63 is the Board of Adjustment language. One of the other purposes of this committee is to also identify issues which come up related to the Charter and to make suggestions on those issues to the Council even though it may not be a charter change. It is unusual for the City Council to serve on the Board of Adjustment. The Board of Adjustment is the board that hears variance requests in regards to the City Code. Most cities will appoint citizens to serve as the Board of Adjustment as they can address the issues quicker and the decisions should not be politically based. Recommends suggesting to the Council.

Committee Member Whitehead expressed support for making the recommendation to Council.

Chairman SanFratello inquired about the length of Council Meetings. City Attorney Mantzaris stated the meetings would not necessarily be shortened as other items would replace the variances on the agenda for Council consideration.

Committee Member Purvis expressed concern of placing too much power with staff. City Attorney Mantzaris stated the Board of Adjustments would consist of five citizens. Staff would present the items to the board and provide a recommendation.

Committee Member Lenon asked if neighbors are noticed of the proposed variances. City Attorney Mantzaris replied the neighbors are notified.

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Committee Member Purvis expressed concern with a possible lack of candidates and expressed opposition to making the recommendation to Council.

Committee Member Purvis inquired about Charter language regarding the Board of Adjustment. City Attorney Mantzaris stated there is an ordinance which appoints the Council as the Board of Adjustments.

Committee Member Purvis inquired about maximum population. City Manager Gray stated the City's maximum population is roughly 50,000 to 55,000 however the maximum population is projected to be reached in about 20 years. There are approximately only three large property owners left in the City who are looking to develop.

City Attorney Mantzaris reviewed the remaining portion of the Charter.

**Item No. 3 – Selection of Topics for the Public Hearing**

City Manager Gray stated a public hearing will be advertised to the public stating the Committee would like to acquire public input on suggested changes to the Charter. A PowerPoint will be created which will begin with a background and overview of the City and how the City is made up but then transition into what the Committee has gone through over the past few months and the suggested changes to the Charter.

Committee Member Purvis expressed concern for allotting time for every resident to speak.

Chairman SanFratello inquired about implementing a time limit to the hearing. City Manager Gray stated the committee could establish a time limit if they wanted.

Committee Member Purvis expressed opposition to establishing a set time limit before the meeting begins. City Manager Gray suggested the Committee could wait and see how many people attend and make the decision the night of.

Gregg Ammond, 550 East Avenue, stated the three minute limit has caused issues previously and expressed support of determining the necessity of a time limit the night of.

Michelle Pines, 550 East Avenue, expressed support for setting a time limit as it is needed.

Committee Member Melnick inquired about the Chairman's right to interrupt the public. City Attorney Mantzaris stated the Chairman does have that ability and recommended the public meeting be broken up into two parts if the Committee is worried about lengthy public comments. The first part of the meeting could be in regards to the Committee's suggested changes to the Charter and the second part can be available for residents to make suggestions of areas within the Charter they feel needs to be addressed.

Chairman SanFratello inquired if the Committee would be able to ask questions to the public. City Attorney Mantzaris stated that would be up to the Committee as it is the Committee's right and obligation to get any information which may be needed.

Mr. Ammond expressed support for a PowerPoint presentation.

Committee Member Purvis expressed support for the PowerPoint and stated citizens may ask to address sections of the Charter which the Committee has not addressed. City Manager Gray expressed agreement with City Attorney Mantzaris' recommendation of having a second portion of the meeting dedicated for residents to bring up matters which the Committee has not discussed or addressed.

Mr. Ammond requested a charter be provided to the public.

Committee Member Purvis inquired about requiring a mandatory deadline for future review of the charter. City Attorney Mantzaris suggested to recommend for the Council to pass this by a resolution or ordinance rather than including the language in the Charter.

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City Manager Gray reviewed suggested changes to the Charter which the Committee would like to present at the public hearing.

Chairman SanFratello inquired about vacancy requirements should the terms for the Council increase. City Attorney Mantzaris stated the vacancy requirement does not have to change if the terms are increased.

City Manager Gray suggested to have recommendations ready to make to the City Council at the May 28, 2019 City Council Meeting. The Committee could meet the morning of if they would like to review the suggestions the day of.

City Attorney Mantzaris stated an Ordinance containing ballot language will have to be drafted for each issue.

City Manager Gray stated the Committee can meet weekly, if needed.

**Item No. 4 – Other**

Chairman SanFratello suggested discussing the option of districts.

City Manager Gray suggested the idea for districts could be presented to the public at the public hearing to get their input and then discuss the public's input at the next Charter Review Meeting.

Committee Member Purvis expressed concern for the topic of districts overtaking the public meeting and suggested providing two recommendations regarding districts to the public. Propose to either have districts or not have any districts.

Michelle Pines, 550 East Avenue, expressed support for explaining the form of government of the City at the beginning of the Public Hearing presentation as well as explaining that the Committee could not address every issue this time.

City Attorney Mantzaris clarified the Council could agree with only one suggestion or none of the suggestions. Certain topics will motivate the electorate to vote such as the topic of terms.

Chairman SanFratello expressed concern with voter turnout. City Manager Gray replied the Committee could recommend for the ballot language to wait for an even-year election.

Committee Member Melnick inquired about districting. City Attorney Mantzaris replied if districts were adopted this election, they would be put in place by the next election. The districts would be created by looking at population data and a breakdown of voters however, the process can be tainted if not done correctly. We would suggest to the Council for the Committee to be repurposed to review the creation of districts should districts be approved.

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**Adjourn:** With no further business, the meeting adjourned at 11:51pm.

APPROVED:

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Ray SanFratello, Charter Review Committee Chairman

ATTEST:

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Tracy Ackroyd Howe, City Clerk

*City of Clermont*  
**Charter Review Committee**  
**April 16, 2019**

The Charter Review Committee met on Tuesday, April 16, 2019 in the Council Chambers at City Hall. Chairman SanFratello called the meeting to order at 6:30pm with the following members present: Cuqui Whitehead, Larry Lenon, Jim Purvis, and Stan Melnick. Other City officials present were: City Manager Gray, City Attorney Mantzaris, and City Clerk Howe.

**Charter Review Committee Public Hearing**

City Manager Gray thanked the public for coming and reviewed the purpose of the Charter as well as the creation of the Charter Review Committee. The City Council can accept the changes proposed by the Charter Review Committee, decide to make no changes to the Charter, or make their own changes to the Charter. The Charter Review Committee reviewed the entire Charter and opened up the opportunity for the public to provide their input on the suggested changes. The next Charter Review Committee Meeting is next week on April 23, 2019 at 10:00am in the Council Chambers.

Chairman SanFratello introduced the Charter Review Committee members and the staff present.

City Manager Gray stated City Clerk Howe will provide an overview of the City and the Committee. Chairman SanFratello will present the Charter Review Committee's suggested recommendations.

City Clerk Howe reviewed the purpose of the public hearing, the purpose of the Charter Review Committee, the outline of the Charter Review Committee timeline, the City of Clermont overview, the City's organization chart, and the services provided by the City.

Chairman SanFratello stated the Committee found six areas to change after reviewing the entire charter. Chairman SanFratello reviewed the Charter's language and the Committee's proposed suggestions for the following areas: residency requirements, terms of office, term limits, districts, vacancy, and the Mayor's seat. No formal decision has been made on any suggested changes by the Committee. The Committee discussed the possibility of including language if term limits were implemented which would allow for Council Members who have reached the term limit to take a year off and then run again. The Committee has looked at the possibility of no districts, local districts, at-large districts, or a combination of districts. Local districts can be set up to limit the voting for each candidate to their respective district or to require the candidates to live in their respective district but allow the entire City to vote for each district. A combination of districts has been discussed to include three local districts and two at-large districts or four local districts and one at-large district. The districts will also affect the Mayor's seat. If the Committee decides to suggest for the Mayor to be elected by the Council, then the Committee would also propose an additional change to allow flexibility in case one member would not want to be the Mayor.

Libby Hanna, 1251 Fran Mar Court, expressed support for districts due to the City's rapid growth. The current system of five at-large seats may not best represent the voters of Clermont. Ms. Hanna reviewed precinct information from the last election as it relates to percentages of votes from the different precincts.

Chairman SanFratello inquired how to configure districts. City Attorney Mantzaris replied districts are typically based on general population and not voter population. The final decision would be made by the City Council.

Chairman SanFratello inquired about compact and contiguous districts. City Attorney Mantzaris stated districts at the state level are different from the city level as the state level is geared towards preserving the votes instead of providing fairness of votes. With city districts, there is not much room for gerrymandering as opposed to the state level.

Robert Olsen, 1290 Diane Place, expressed opposition to residency requirements but expressed support for districting, increasing terms to four years, setting term limits of eight years and for the Mayoral candidates to be Council Members who have served a term on the City Council but for the public to vote for them at large.

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Charlene Forth, 939 W. Desoto Street, expressed support for terms and residency requirements to remain the same, increasing term limits to a maximum of two two-year terms, and keeping the Mayor elected at large. Mrs. Forth suggested if districts are implemented to allow candidates to choose which district they run for.

Chairman SanFratello remarked the City may get more candidates interested in the Council if the Mayor's seat rotated.

Michelle Pines, 550 East Avenue, expressed support for two-year terms, the creation of districts with three local and two at-large, setting term limits of four two-year terms, and the establishment of a residency requirement of one year.

Committee Member Whitehead explained the reasoning for her initial suggestion of residency requirement and expressed concern for in-active residents being elected to the City Council.

Ebo Entsuah, 861 Sky Ridge Road, expressed support for residency requirement due to rapid growth of the City, for the terms to remain the same, establishing a four two-year term limit, creating districts with three local districts and two at-large districts, and having the Mayor be decided by which at-large seat received the most votes.

Greg Ammon, 550 East Avenue, expressed support for creating four local districts and one at-large district, for the Mayor to be elected at-large, and establishing a four two-year term limit.

Sam Durrence, 2466 Holly Berry Circle, expressed support for a residency requirement of two years, to keep the terms the same, establishing a four two-year term limit with an option for the Council Members to return after a set time off, to keep the vacancy language the same, and for Council to choose the Mayor. Mr. Durrence expressed no preference on the possibility of creation of districts.

Marion Ringwood, 1808 Nature Cove Lane, expressed support for a two-year minimum for a residency requirement, establishing term limits of four two-year terms, establishing districts and having the Mayor's seat rotate amongst the Council with having each Council Member taking on the responsibility of attending events as the Mayor if they choose to be the Mayor.

Committee Member Whitehead expressed concerns with districts cutting off residents from other Council Members due to the Council Members not living in their area.

Committee Member Purvis expressed concerns with districts having different availability to their Council Members and being cut off from other Council Members.

Chairman SanFratello inquired about districts changing dependent upon the census. City Attorney Mantzaris stated the districts would have to be reapportioned based on the census. The City could hire consultants to do the initial districting and updates. City Manager Gray stated it would be up to the City Council how they would like to handle the situation.

Vance Yokum, Tavares, expressed support for a residency requirement of two years as well as establishment of districts and term limits. Mr. Yokum expressed concern regarding the vetting of campaign reports. City Attorney Mantzaris replied the State of Florida election laws govern the vetting of campaign reports.

Charlene Forth, 939 W. Desoto Street, clarified her support of districts is contingent on the Council Members from each district being available to residents who are not within their district.

City Manager Gray stated the next Charter Review Committee meeting will be at 10:00am on April 23, 2019. Everyone in the public is welcome to attend. The Committee will be deliberating on the comments provided by the public at tonight's meeting.

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City Clerk Howe and City Manager Gray will summarize the comments from tonight's meeting and provide them to the Committee at the next meeting. The ordinance for ballot language will be brought to the City Council in May.

Committee Member Purvis inquired about the form of the Committee's recommendation. City Manager Gray recommended for the Committee to give a written recommendation to the Council then during the May Council Meeting the Council will vote on ballot language in an Ordinance format.

Committee Member Purvis inquired about the timeline of the ballot language. City Attorney Mantzaris stated, depending on what happens at the next Charter Review Committee meeting, the ballot language can be quickly drafted.

City Manager Gray stated the Council could decide to move the Charter suggestions to a different year if they would like more time to review the suggested changes.

Chairman SanFratello inquired if the Committee could bring all six subjects to the Council's attention and ask for them to choose the three subjects the Council believes to be the highest priority. City Attorney Mantzaris stated that would be possible but recommended the Committee provide the Council with a final definitive recommendation.

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**April 16, 2019**

**Adjourn:** With no further business, the meeting adjourned at 8:05 pm.

APPROVED:

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Ray SanFratello, Charter Review Committee Chairman

ATTEST:

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Tracy Ackroyd Howe, City Clerk



# AGENDA ITEM

<b>Meeting Date</b>		
Tuesday, April 23, 2019		
<b>Agenda Item Name</b>		
Review of Charter recommendations to Council		
<b>Requested Action</b>		
<b>Staff Report</b>		
<b>Additional Analysis</b>		
<b>Fiscal Impact Summary</b>		
<b>Fiscal Impact</b>	<b>Fund Number and Description</b>	<b>Available Budget Amount</b>
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