

**CITY OF WINTER GARDEN  
CHARTER REVIEW ADVISORY COMMITTEE  
MEETING MINUTES  
November 6, 2006**

The Winter Garden Charter Review Advisory Committee meeting was called to order by Facilitator Marilyn Crotty at 6:30 p.m. at Little Hall, 31 West Garden Avenue, Winter Garden, Florida.

**ATTENDANCE/ROLL CALL**

**MEMBERS PRESENT:**

Derek Blakeslee  
Blair Johnson  
Ed Lynch  
Don Miller  
Barbara Muzeni  
Richard Napotnik  
Pamella Stewart  
Bert Valdes

**MEMBER ABSENT:**

Erma Dennard

**Also Present:**

Assistant City Attorney Dan Langley  
Assistant City Clerk Angee Grimmage  
Facilitator Marilyn Crotty

1. **APPROVAL OF MINUTES** – November 1, 2006

Correction to page 3, number 5, paragraph 1, line 8 – remove the word “of”.

It was the **consensus** of the committee that the minutes be approved as corrected.

2. **PUBLIC COMMENT** – There was none.

*Ms. Crotty distributed copies of a final report that she will be submitting to the City Commission along with the information they will get from legal counsel. She stated that it is a summary of the charter changes which the Committee will have an opportunity to review later in the meeting.*

Ms. Crotty stated that although the Committee has agreed to do everything by consensus she requested that they vote on the final approved changes to the charter to be forwarded to the City Commission.

3. **REVIEW AND APPROVAL OF DRAFT REVISED CHARTER**

Ms. Crotty asked the Committee to review the changes as presented by Mr. Langley in the November 2, 2006 draft. She stated that it should include all of the changes identified by the Committee at the last meeting.

*Note: Consensus means approval of at least 70% of the committee in attendance.*

She explained that this is the document the Committee will be adopting and asked if there were any revisions found that were not substantive changes. The Committee's suggested changes are as follows:

Section 32(2) Departmental organization

Remove the word "revised"

Section 33 City Clerk

There was discussion on the City Clerk being the Supervisor of Elections for municipal elections and whether the Charter should address the issue. It was suggested to add specific language, but it was later explained that the phrase "performs other duties" covers this aspect of the City Clerk's duties. It was also noted that in Section 44 this function is covered by the statement "as the registration officer". After further discussion there was no consensus of the Committee to add the language.

ARTICLE 5, Section 38 Referendum and 43 Party insignia on ballots; form to be as in state, county elections

Remove the word "revised"

Section 23 Forfeiture of Office

There was discussion that Section 23 should be moved closer to other like items. It was suggested to move Section 23 between sections 14 and 15 which will require renumbering. Without hearing and seeing any objections, it was agreed to move Section 23 between Section 14 and 15 and renumber the sections.

Section 16(b) Vacancies in commission

There was discussion on changing "not sooner than forty-five (45) and not later than sixty (60) days..." After several suggestions and discussions, there was no consensus to change the language.

Section 5(a) Sale of Liquor

There was discussion on changing the title from "Sale of Liquor" to "Sale of Alcoholic Beverages". Without hearing any objection it was agreed by the Committee to change the language to "Sale of Alcoholic Beverages".

ARTICLE III, Section 26 Appointment of city manager; written contract and 27 Removal of city manager

There was discussion on the last sentence of Section 26 and the second paragraph, last sentence of Section 27 being redundant. After review and discussion it was agreed to change the language in Section 27, second paragraph to read "*Upon the expiration of the city manager's contract, the above process is not applicable and the city commission may remove the city manager by affirmative vote of at least three (3) commissioners.*"

In Section 26 remove “he” and replace with “the City Commissioner shall have been elected” in the second sentence.

Change language to “...no City Commissioner shall be appointed City Manager during the term for which the City Commissioner was elected...”

Section 33 City Clerk

Change language to first sentence to read “The City Commission shall by affirmative vote of at least three (3) commissioners, appoint and have the power to remove...”

Section 44 Qualification of candidates in groups; time; procedure; runoff election.

Change “groups” to “*districts*” in the title.

Section 44(d) Qualification of candidates in groups; time; procedure; runoff election

Ms. Crotty stated that the wording “...and such qualified candidates shall take office the day after the general election date established by ordinance” sounds like the candidate would take office the day after the general election. She stated that the candidates otherwise elected would have to wait until the next regular meeting.

The committee agreed by consensus to remove the following: “*with one qualified candidate, and such qualified candidate shall take office the day after the general election date established by ordinance.*”

• **FINAL VOTE FOR RECOMMENDATION OF CHARTER FOR PRESENTATION TO THE CITY COMMISSION**

Mr. Lynch stated that he would like to see the committee vote that there is a consensus to approve the revised charter for transmission to the City Commission instead a vote of approving the proposed revised charter.

Ms. Crotty clarified that a vote to approve the revised charter does not mean that each committee member agreed with every item.

Mr. Lynch clarified that the statement in the final report “The final recommendations in this report were unanimously approved by the committee” is in conflict with the sentence above it.

Ms. Crotty clarified that the vote is on the revised charter and not the final report.

Mr. Langley clarified that a recommendation should be from the group.

Ms. Crotty stated that her intent was to officially have something in the record that the Committee approves and is ready to transmit the document, they have worked on, to the City Commission.

**Motion by Committee Member Derek Blakeslee to approve the draft dated November 2, 2006 with the changes noted tonight to be forwarded to the City of**

**Winter Garden City Commission as the amended charter recommended by the Charter Review Committee. Seconded by Committee Member Pamela Stewart and carried unanimously 8-0.**

**4. RECOMMENDED BALLOT FORMAT AND TIMING**

There was discussion on how these items could be organized on the ballot. Mr. Langley suggested breaking it down into articles. Controversial items or new items should be separate. He stated that the ballot language must be less than 75 words. He stated that he gets the sense that the City Commission wants multiple questions.

Ms. Crotty asked the committee if anyone thought the whole package should be put on the ballot as a yes or no vote. There was no one.

There were questions and discussion about the 75 word limit.

Ms. Crotty suggested pulling out and separating anything controversial.

There was discussion on grouping like things together and how items may appear on the ballot.

Mr. Langley explained that the City Commission will have a blackline version allowing them to see the specific changes.

Mr. Lynch suggested using the list created at the Charter Review Committee meeting of April 24, 2006 as a guide.

Mr. Napotnik stated that he felt that the proposed revised Charter should be mailed out to all residents.

Ms. Crotty suggested that the implementation strategies as listed in her final report could recommend a series of questions on the ballot rather than a yes or no vote.

Mr. Langley read an example of a ballot question from Belle Isle.

It was agreed that at this time the committee will not make any recommendation on the grouping of the questions on the ballot. The Commission will determine that after they decide which recommendations to put on the ballot.

**5. CITIZEN EDUCATION EFFORTS**

There was discussion on getting the information out to citizens on the proposed new charter. It was suggested that the top ten (10) issues be addressed with the entire charter change being posted on the City's website showing the revisions being submitted for change. The City Newsletter was suggested for use as an education tool.

There was discussion that the ordinance would have to be published and then the citizen education would begin.

There was discussion on how to make the information available to the citizens. Informative mail-outs, brochures, and speaker's bureau were also suggested. It was suggested that a free copy of the proposed charter be made available to the public.

- **THE ELECTION**

There was discussion on concerns of whether or not there was enough time for the new charter to be put on the March ballot and possible special election was discussed.

It was suggested that if the charter changes are not on the March ballot that a special election via mail ballot might be considered.

It was agreed by the Committee to stress the educational aspect and strongly push for putting this on the March ballot. It was suggested that the educational component be factual and not just marketing materials.

- **FINAL REPORT/CORRECTIONS**

There was discussion as to the purpose of the final report and who the report is to be presented by, whether the Facilitator or the Charter Review Committee. It was determined that the report would come from Ms. Crotty as the Facilitator.

Correction to page two (2), article X – change entitle to “*entitled*”

It was agreed that the last sentence on the first page be changed to “*the attached revised charter was unanimously approved by the Committee.*”

6. **WORKSHOP WITH CITY COMMISSION**

There was discussion on what is to be given to the City Commission on Thursday, November 9, 2006 at the Commission meeting. It was agreed that the Commission should receive the revised charter, a black-lined version of the current charter showing the changes proposed, and the final report from Ms. Crotty. A tentative workshop for November 30, 2006 is scheduled to be discussed by the City Commission.

- **MISCELLANEOUS**

There was discussion on the release of notes to the City Clerk's office and it was suggested that the committee could turn them in at a later date if they so chose. It was suggested that the City Clerk's office provide a copy of the final report, a clean version of the charter, a blackline markup, and a copy of tonight's minutes to the committee members.

There was discussion on the renumbering and the Committee agreed that they could recommend it.

7. **PUBLIC COMMENT** - There was none.

Ms. Crotty complimented the Committee on their professionalism and dedication to the task of getting the Charter revised. She also thanked Mr. Langley and Ms. Grimage for their assistance.

The meeting adjourned at 8:12 p.m.