

MINUTES  
SPECIAL MEETING  
CHARTER REVIEW COMMITTEE  
JULY 26, 2010 - 10:00 A.M.  
OLD LAWTON HIGH SCHOOL – MAYOR’S CONFERENCE ROOM

The meeting was called to order at 10:00 a.m. in the Mayor’s Conference Room at the Old Lawton High School. Meeting notice and agenda were posted on the City Hall bulletin board as required by State Law.

1. Roll Call:

PRESENT: Ken Easton, John Purcell, Jr., Minnette Page, John Cameron, Albert Johnson, Sr., Ernest Godlove.

ABSENT: Gary Chambers, Lance Janda, Emil Vyhlidal.

ALSO PRESENT: Frank V. Jensen - City Attorney, Traci Hushbeck - City Clerk, Bob Shanklin - Ward 5 Councilmember, Emily McKee – City Attorney’s Office, Kim McConnell - Lawton Constitution.

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2. Approve minutes of July 19, 2010.

MOVED by Page, SECOND by Johnson, to approve the minutes of July 19, 2010. AYE: Chambers, Easton, Purcell, Page, Cameron, Johnson, Godlove. NAY: None. MOTION CARRIED.

3. Review of the City Charter and take appropriate action if necessary.

Chairman Purcell suggested that he contact Councilmembers Tennis and Shoemate and ask that they appoint another representative to participate on this committee.

The committee agreed to invite the City Planning Director to attend the August 16<sup>th</sup> meeting to give the committee an update on current strategic planning.

The committee reviewed the following items:

**C-1-3 - Planning and zoning—General grant of power.**

b.

The scope of the planning function shall include, but shall not be limited to, the development and administration of a comprehensive land-use plan which will provide for the careful and thoughtful integration of residential, commercial, industrial, public, and other **elements** to achieve and preserve social purposes, economic values, and aesthetic quality of the neighborhoods and of other areas that compose the city.

**-Ask City Planner to explain other “elements”.**

**C-2-2 - Mayor and mayor pro tem.**

- a. The mayor shall preside at meetings of the council, and shall prepare and propose agenda for council meetings. He shall be recognized as head of the city government for all ceremonial purposes and by the governor for purposes of military law. He shall have no administrative duties except that he shall sign such written obligations of the city as the council may require. He shall have the right to vote on questions before the council only in case of a tie and on motions to appoint or to suspend or to remove the city manager \*. The mayor shall present annually a public address on the state of the city at a time and place of his designation, and shall deliver, from time to time, such other messages to the council and citizens of the city as he deems appropriate.

**-Needs clarification on agenda issue.**

**\*Add City Attorney, Municipal Court Judge and City Clerk.**

**-Strategic Plan could be added to this section.**

**C-2-3 - Mayor and councilmembers—Compensation.**

- a. The salaries of the mayor and councilmembers shall be determined from time to time.

**-Discuss wording this differently.**

**C-2-4 - Council—Powers.**

Except as otherwise provided in this Charter, all powers of the city, including the determination of all matters of policy, are vested in the council as indicated herein. The council shall have power, subject to the state constitution, law, and this Charter:

- (1) To appoint and remove the city manager\*.

**\*Add City Attorney, Municipal Court Judge and City Clerk.**

**C-2-6 - City clerk to be clerical officer of council.**

**Add same kind of paragraph for City Attorney and Municipal Court Judge.**

**C-2-9 - Mayor and councilmembers—Removal.**

The mayor or any councilmember may be removed from office for any cause specified by applicable state law for the removal of officers, and by the method or methods prescribed thereby, and by recall as provided in this Charter.

## Be more specific.

### C-2-11 - Council—Quorum, rules, roll call votes.

A majority of all of the members of the council shall constitute a quorum, but a smaller number may adjourn from day to day or from time to time. The council may determine its own rules. The vote on any question shall be by roll call, and shall be entered in the journal. A councilmember may abstain from voting in which case the abstention shall constitute neither a negative nor affirmative vote. The passage of an ordinance or resolution shall require at least five (5) affirmative votes.

## Need to discuss.

### C-2-15 - Ordinances—Publication, when in effect.

Within ten (10) days after its passage, every ordinance shall be published in full or by number, title, and brief gist in a newspaper of general circulation within the city. Every ordinance except an emergency ordinance, so published, shall become effective thirty (30) days after its final passage unless it specifies a later time; provided, that a franchise for a public utility shall not go into effect until the ordinance granting it has been published in full in a newspaper of general circulation within the city and has been approved at an election by a vote of a majority of the qualified electors voting on the question.

## Why 30 days?

### C-3-3 - City manager—Powers and duties.

The city manager shall be chief administrative officer and head of the administrative branch of the city government. He shall execute the laws and ordinances and administer the government of the city, and shall be responsible therefor to the council. He shall:

- (1) Appoint, and when deemed necessary for the **good of the service**, lay off, suspend, demote, or remove all directors, or heads, of administrative departments and all other administrative officers and employees of the city except as he may authorize the head of a department, or an agency to appoint, lay off, suspend, demote, and remove subordinates in such department, office, or agency.

## Replace term “good of the service” with the term “cause”?

- (3) Prepare a budget annually and submit it to the council, be responsible for the administration of the budget after it goes into effect, and recommend to the council any changes in the budget which he deems desirable.

**Suggested wording: “Prepare a preliminary budget annually and submit to City Council for approval”.**

**C-3-5 - City attorney and office of the city attorney.**

**Does not belong under City Manager, needs to be moved.**

- b. There shall be created an office of the city attorney which shall be administered by the city attorney. The personnel of the office of the city attorney shall be regular employees of the city and shall be subject to all rules, regulations, policies and ordinances for the administration of city personnel. **Employees of the department of law which is eliminated by the adoption of this provision shall continue to be employees of the city.**

**Does not apply.**

**C-4-3 - Sale of property valued at more than fifty thousand dollars (\$50,000.00).**

**Does this amount need to be increased? (Godlove to contact city staff)**

**C-6-1 - Nomination and election—Terms—Nonpartisan elections, etc.**

- d. All candidates for mayor shall be **nominated**, and the mayor shall be elected, at large, by the qualified electors of the entire city. All candidates for councilmembers from the wards shall be nominated, and all councilmembers from the wards shall be elected, by wards, by the qualified electors of their respective wards. Any person who seeks elective office in the City of Lawton, Oklahoma, for municipal government, must be a registered voter at an address within the municipality if running for mayor, or from an address within the ward if running for a ward position.

**Discuss the word “nominated”.**

**C-6-2 - Wards—Redistricting commission—Adjustment of wards.**

- c. On or before December 31, 1992, and on or before December 31st of every fifth year thereafter, and at other times it deems desirable, the redistricting commission shall pass and file with the city clerk a resolution readjusting the wards and their boundaries to comply with the following requirements:
- (1) Each ward shall be formed of compact, contiguous territory with boundaries drawn to reflect and respond to communities of common interest, **ethnic** background, and physical boundaries, to the extent reasonably possible.

**Leave in word “ethnic” or delete?**

**C-7-1 - Recall authorized.**

The mayor or any councilmember may be recalled from office by the electors qualified to vote for the election of a successor to the incumbent, in the manner provided in this article.

**Be more specific about cause for recall. (Purcell to come up with some suggested wording).**

**C-7-2 - Recall petition.**

- a. To initiate recall proceedings, a written statement proposing the recall of the mayor or a councilmember shall be signed by one hundred (100) or more registered qualified electors of the city or ward concerned, and shall be filed with the city clerk after the incumbent has held the office at least four months.

**Are 100 signatures too few?**

- c. A number of registered qualified electors of the city or ward concerned equal at least to twenty (20) per cent of the total number of votes for governor in the city or ward at the last general state election at which a governor was elected, must sign the petition.

**Need to discuss**

**C-8-1 - Merit system created—Appointments, removals, etc.—Personnel rules.**

A merit system is hereby established for personnel in the city service. Appointments and promotions in the service of the city shall be made solely on the basis of merit and fitness; and removals, demotions, suspensions, and layoffs shall be made solely for the **good of the service**. The council, consistent with this Charter, by ordinance or personnel rules, may regulate personnel matters and provide for proper personnel administration.

**Change wording of “good of the service”?**

**C-8-3 - Retirement.**

Retirement regulations shall be based upon merit, fitness, and the good of the service, and may be similar to those provided by the Oklahoma Public Employee Retirement System or its successor.

**Should wording be changed?**

**C-9-1 - Amendment—Proposal, ratification, approval.**

This Charter may be amended by proposals therefor submitted by the council, or by the mayor upon initiative petition of the electors as provided by the state constitution, at a general or special election, ratified by a majority of the qualified electors voting thereon, and approved by the governor as provided by the state constitution. If multiple amendments are proposed, all of them

except those which are so interrelated that they should be ratified or rejected together, shall be submitted in such manner that the electors may vote on them separately. A proposition to amend this Charter may be either in the form of a proposed amendment to a part or parts of the Charter or of a proposed new Charter.

**Need to discuss how to frame recommendation.**

The next meeting will be held on Monday, August 2nd @ 10:00 a.m. at Old Lawton High/New City Hall.

4. Adjournment

There was no further business to consider and upon motion, second and roll call vote the committee adjourned at 11:43 a.m.