

## **CITY OF APOPKA**

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**Minutes of the Charter Review Committee Meeting held January 7, 2014, at 6:00 p.m., in the City of Apopka Council Chambers.**

**COMMITTEE MEMBERS PRESENT:**

Linda Laurendeau, Chair	Vince Gray, Member
Pastor Doug Bankson, Member	Bill Spiegel, Member
Alexander Smith, Member	Brian Furgala, Member
Arlen E. Mizell, Member	Diane Velazquez, Member
Jim Greene, Member	Tommy Harrison, Member

**COMMITTEE ABSENT:**

Diane Faircloth, Member

**ALSO PRESENT:** Bill McLeod, Committee Attorney; Bea Franqui, Administrative Services Manager & Committee Liaison; and Janice G. Goebel, City Clerk & Committee Recorder

**PRESS PRESENT:** John Peery - The Apopka Chief  
Tammy Keaton - The Apopka Chief (Photographer)

Prior to the meeting commencing, Mayor John H. Land addressed the committee members present, welcoming each, and expressing his appreciation for their service to the City by sitting on the Charter Review Committee. [Mayor Land then left the building.]

**CALL TO ORDER** - Chairperson Linda Laurendeau called the meeting to Order.

**DEVOTIONAL** – The Invocation was given by Pastor Doug Bankson, of the Victory Church World Outreach Center.

**PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA** - The Pledge of Allegiance to the flag of the United States of America was led by Chairperson Laurendeau.

**WELCOME** - Chairperson Laurendeau welcomed everyone to the meeting.

**INTRODUCTIONS** - Chairperson Laurendeau asked each member for self-introductions, giving their name, who made their appointment to the committee, and to tell something about themselves.

Arlen “Coz” Mizell - Lived in Apopka for 50 years, and appointed by Mayor Land.

Tommy Harrison - Retired Air Force, lived in the community for 25 years, and appointed by Mayor Land.

Jim Greene - Lived in Apopka a little over 10 years, volunteered with various activities in the City, and was appointed by Mayor Land.

Diane Velazquez - Living in the City of Apopka now for almost 10 years, and was appointed by Commissioner Joe Kilsheimer.

Vince Gray - Lived in Apopka for 58 years, and was appointed by Commissioner Billie Dean.

Brian Furgala - Attorney with Gray Robinson, and appointed by Commissioner Joe Kilsheimer.

Alexander Smith - Living in Apopka 43 years, and appointed by Commissioner Billie Dean.

Bill Spiegel - Been living in Apopka for a little over 20 years, and was appointed by Commissioner Bill Arrowsmith.

Doug Bankson - Been living in Apopka for 32 years, and was appointed by Commissioner Marilyn McQueen.

Linda Laurendeau - Been living in Apopka for about 17 years, and was appointed to the committee by Commissioner Marilyn Ustler McQueen, and was appointed Chair by Mayor Land.

Bill McLeod - Attorney for the Committee, and lived here almost 58 years.

Bea Franqui - Employed with the City of Apopka for the better of 26 years, and is functioning as the liaison.

Jan Goebel - City Clerk, recorder for the meetings, and have been with the City for going on 13 years.

The Press was recognized by Chairperson Laurendeau.

## **OVERVIEW OF PARLIAMENTARY PROCEDURES**

Chairperson Laurendeau said the Committee will be using Roberts Rules of Order. She said everyone votes. If the vote is "no", it will be recorded. If one does not vote, it is implied as a "yes" vote.

Chairperson Laurendeau referred to a Robert's Rules of Order Motions Chart distributed at the beginning of the meeting (Copy attached hereto and made a part of these meeting minutes.). She said to Close the meeting, it will be done by Consent, so a motion will not be needed. A motion may be made to take a break. Laying aside temporarily will not be used. Motion #12 is where the wording of a motion is modified, and she gave an example. Motion #10 is a main motion to bring business before the committee; and Motion #33, Point of information, may be used in the event more information or clarification is needed.

She said other motions were provided for their information.

## OVERVIEW OF SUNSHINE LAWS AND ETHICS

Committee Attorney Bill McLeod gave an introduction and explanation of the Government in the Sunshine Act. He said everything is going to be out in the open. Everything discussed as committee business, the public business, needs to be conducted at the committee meeting, not through telephones, texts, emails, etc., as the law applies to all public bodies in Florida. He said this committee is an advisory committee, without power to make decisions, however, these meetings will be treated as though the Sunshine Law applies. All conversations about the topics to be discussed shall take place during the open meeting forum only.

He outlined the three basic parts of the Sunshine Law (Open Government Law):

- 1) The meetings must be open to the public, meaning the public can come to the meetings, to listen and participate.
- 2) The meetings must be reasonably noticed to the public. The City Clerk will perform this function with notice in the newspapers.
- 3) Minutes must be taken and kept, and minutes open to public inspection.

He gave the committee members an overview regarding minutes they take during the meetings.

He outlined the three topics the Committee is assigned to review:

- 1) Do we change the number of city commissioners?
- 2) Do we convert the city to a single-member district election process?
- 3) Should the city establish term limits for the elected officials?

He reminded everyone that this is an advisory committee, and will make recommendations to the City Council, where the City Council will vote to decide what will be put before the public at an election, if anything.

He cautioned committee members to avoid any appearance of impropriety.

He concluded that all conversations about the Charter topics must be conducted at a duly noticed meeting. He said conversations may take place between committee members and elected officials, however topics discussed, or to be discussed, at duly noticed Charter Review Committee meetings must not be discussed.

In response to a question, Attorney McLeod said committee members are welcome to have discussions with anyone except fellow committee members and Apopka's elected officials.

There was discussion concerning current committee members who are candidates for the City Council and their continued service on the committee.

Chairperson Laurendeau said members of the public bringing issues not germane to the issues before the Committee, would not be permitted.

## **ESTABLISH MEETING SCHEDULE**

Chairperson Laurendeau said that when they were meeting as a Committee of the Whole, the meetings were held on the 4<sup>th</sup> Thursday of the month, at 6:30 p.m., which seemed accommodating to the citizens.

**MOTION by Mr. Mizell, seconded by Mr. Smith, to hold the committee meetings on the 4<sup>th</sup> Thursday of each month. Motion carried unanimously.**

**MOTION by Mr. Mizell, seconded by Pastor Bankson, to set 6:30 p.m. as the meeting time. Motion carried unanimously.**

There was considerable discussion regarding a time limit on public input, and the sharing of public speaking time.

**MOTION by Mr. Greene, seconded by Mr. Mizell, that time is not allowed to be assigned to others.**

Mr. Spiegel expressed concern with limiting public comments, as people may need additional time to complete their full thoughts on a topic within 4 minutes.

Mr. Mizell said the Chair could permit an exception to the time limit.

**Vote on pending motion: Mr. Mizell - aye; Mr. Harrison - aye; Mr. Greene - aye; Ms. Velazquez - aye; Ms. Gray - aye; Mr. Furgala - No; Mr. Smith - No; Mr. Spiegel - aye; Pastor Bankson - aye, and Chairperson Laurendeau - aye. Motion carried 8-2.**

Mr. Harrison expressed concern regarding the formal "calling the question". He said it tends to limit discussion and debate.

Ms. Velazquez asked for clarification on the motions. Chairperson Laurendeau said the vote was to limit public input to 4 minutes, and no assigning of time.

Chairperson Laurendeau explained the recommendation for the order of the topics, as follows: 1) number of commissioners; 2) term limits; and 3) single-member districts. She said the expectation is that the first two topics will be decided fairly quickly, but the decision on single-member districts can become quite involved and lengthy. Discussion ensued.

## **PUBLIC INPUT**

There was no public input, as no one from the public was in attendance.

Chairperson Laurendeau said that prior to the next meeting, staff will provide information on elected official composition of neighboring cities, that notice of the meeting will be posted, and the agenda will be published. The agenda will include discussion on the number of seats.

Chairperson Laurendeau announced the next meeting will be January 23, 2014, at 6:30 p.m., in the City Council Chambers.

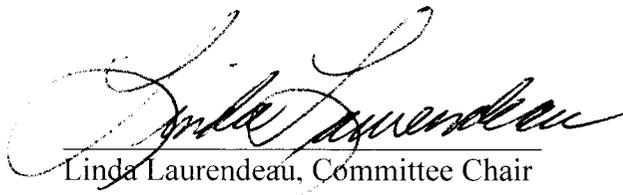
**MOTION by Pastor Bankson, seconded by Mr. Harrison, to limit the public speaking time to 4 minutes, with the ability for the Chair to extend the time limit, when necessary. Motion carried unanimously.**

**ADJOURN**

**MOTION by Mr. Mizell, seconded by Pastor Bankson, to adjourn the meeting. Motion carried unanimously.**

The meeting adjourned at 6:42 p.m.

ATTEST:

  
Linda Laurendeau, Committee Chair

  
Janice G. Goebel, City Clerk