



CITY OF NORMAN, OK CITY COUNCIL STUDY SESSION

Municipal Building, Executive Conference Room, 201 West Gray, Norman,
OK 73069

Tuesday, September 20, 2022 at 5:30 PM

MINUTES

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CALL TO ORDER

PRESENT

Mayor Larry Heikkila
Councilmember Ward 1 Brandi Studley
Councilmember Ward 2 Lauren Schueler
Councilmember Ward 3 Kelly Lynn
Councilmember Ward 4 Helen Grant
Councilmember Ward 5 Rarchar Tortorello
Councilmember Ward 6 Elizabeth Foreman (arrived 6:23 p.m.)
Councilmember Ward 7 Stephen Holman
Councilmember Ward 8 Matthew Peacock

ABSENT

None

AGENDA ITEMS

1. DISCUSSION REGARDING THE CREATION OF A COUNCIL HANDBOOK INCLUDING BUT NOT LIMITED TO, MEETINGS PROCESSES AND POLICIES.

Ms. Kathryn Walker, City Attorney, said when Staff was tasked with creating a Council Handbook, they began with a Table of Contents to provide direction on what needed to be included as well as what was not needed. She said Sand Springs, Oklahoma, shared their manual and Staff loosely based Norman's Council Handbook on the Sand Springs manual. She said some items are based on Council orientation materials that Staff felt would be helpful if related materials could be incorporated into one document.

Ms. Walker said the Table of Contents includes the history of Norman; Norman's form of government; language from the Charter; Boards and Commissions, including their roles; Ethics Policy; information on City Public Trusts; organizational chart; City Council duties; finance and budgeting; Open Meetings Act; Open Records Act; and miscellaneous, i.e., Development process and Review Standards, social media use best practices, best practices for media inquiries, employees as citizens, Citizens Recognition Policy, etc.

Ms. Walker said she is providing samples of resolutions on house rules and code of conduct that current Councilmembers may not have seen. She said Staff has a lot of information from policies Council has adopted, but it all needs to be in one document and asked for Council's feedback on the handbook.

Councilmember Studley said in the Council Retreat, Council talked about consequences of actions or ethics being broken and it is her understanding the person from Sands Springs did not recommend any consequences. She said if there are no consequences then why are we here. Ms. Walker said several years ago, Council adopted an ethics ordinance, but it does not have consequences so if that is something Council would like to implement, Council needs to think about what that looks like. The hard part for Staff is they are the ones that advise on that and Staff is representing the body regarding ethics issues or conflicts with another Councilmember it can be challenging to Staff in representation; however, that can be addressed in the ordinance.

Councilmember Studley asked if Council can set rules on Committees i.e., how Chairmen are selected, how members are selected, etc., and Ms. Walker said that can be added to the handbook or by ordinance. Councilmember Studley felt this was an issue that definitely needs to be taken into consideration.

Councilmember Schueler asked if the handbook is just something being compiled or does it need to be an ordinance or resolution. How is the City codifying this document? Ms. Walker said Council could adopt the handbook by resolution each year so Council can review the document and update it, if needed.

Councilmember Lynn asked if Council is in violation of the Open Meeting Act by carrying communication devices to the dais and using them during the meeting and Ms. Walker said if Council is communicating with each other that could be a violation of the Open Meetings Act. She said the Open Meeting Act applies to communications among the public body, which could be a potential technical violation as members of Council are talking back and forth by text while City business is being discussed in the meeting. Councilmember Lynn asked about members of the public communicating to Council about the topic of the meeting and Ms. Walker said if the discussion is about the agenda topic, the discussion needs to be occurring in public, not by text or email. Councilmember Lynn asked if Council should even have communication devices on the dais and Ms. Walker said that is something Council can add to the handbook if that is their wish.

Councilmember Foreman said she has a child and will always have her cell phone with her for that reason. She said if Council adopts a handbook that is in conflict with the Charter, how would that be resolved. Ms. Walker said the Charter supersedes everything so she would not advise adopting language in conflict with the Charter.

Councilmember Foreman said the handbook does not need to spell out what Council can or cannot do as far as ethics and code of conduct because it is very subjective.

Councilmember Studley said some people may be disabled or are not able to attend the meeting for a variety of reasons so if they text or email a question regarding the meeting topic she wants to hear her constituents concerns and answer their questions and be able to respond back to them on the dais during the topic being discussed.

Councilmember Holman said Council discussed ethics a few years ago and there was a stalemate about what the consequences would be, how it would be enforced, and how future Council would potentially use that against each other for political retaliation. He said Council decided it would not be a good idea for Councilmembers to endorse candidates for Mayor or City Council and it was a point of contention that endorsement of candidates was prohibited yet had no consequences.

Mr. Darrel Pyle, City Manager, suggested complaints of violations go to a third party to determine if a violation occurred instead of Councilmembers governing each other. Ms. Walker said the governing body has always determined violations, but there are no consequences or recourse.

Councilmember Tortorello said he thinks the handbook should be a guideline for new Councilmembers on how the City does business and what department to contact for different issues, just basic City government information. He said Council cannot legislate morality and Council already has direction in the Charter for ethics issues. He said Council needs to focus on what the handbook should contain, such as best practices, etc., and leave it up to constituents to decide if a Councilmember's behavior deserves a recall or some type of punishment.

Mayor Heikkila said most professional organizations have a handbook they give to new employees and believes a handbook would help Councilmembers. He said the handbook should consist of what Council can do to become more professional in better serving citizens and being a citizen's voice through their elected official.

Councilmember Studley said she wants to address Committee and Board appointments and whether there is possible bias and whether that is an appointment by the Mayor, City Manager, City Clerk, etc. She said there needs to be some type of rhyme or reason for the appointment so Councilmembers can have a better understanding of why things are happening.

Councilmember Schueler said having a handbook that spells out things in a robust fashion would be helpful for new Councilmembers or someone considering running for office. She said there needs to be more discussion regarding ethics and how the public would like Council to handle ethics violations. She would also entertain the idea of a third party review that Mr. Pyle suggested.

Mr. Pyle said Staff can research other cities' procedures, flesh out the concept of a third party arbitrator to avoid bias issues, and bring that back to Council for further review.

Items submitted for the record

1. City of Norman, Oklahoma, City Council Handbook (2022) - Table of Contents
2. Resolution R-0506-38
3. Resolution R-1112-55
4. Norman City Code of Ordinances, Section 2-103. – Council ethics.
5. Pledge to Follow Ethics Policy for Appointed and Elected Officials Form
6. Resolution R-1718-82
7. Citizens Recognition Policy
8. City of Norman Cell Phone and iPad Policy for Elected Officials

ADJOURNMENT

The meeting was adjourned at 6:13 p.m.

ATTEST:

City Clerk

Mayor