

CHARTER REVIEW COMMISSION MINUTES

September 14, 2020

The Charter Review Commission met in a virtual meeting at 5:45 p.m. hosted in the Municipal Building Council Chambers on the 14th day of September, 2020, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray 24 hours prior to the beginning of the meeting.

CALL TO ORDER AND ROLL CALL.

PRESENT:

Mr. Trey Bates
Mr. Doug Cubberley, Vice-Chairman
Ms. Carol Dillingham
Mr. Jim Eller
Mr. Jim Griffith
Mr. Tom Hackelman
Mr. Greg Jungman
Mr. Kenneth McBride
Mr. Richard Stawicki
Mr. Bob Thompson, Chairman
Mr. Bryan Vinyard

ABSENT:

Mr. Kevin Pipes
Ms. Shon Williamson-Jennings

TARDY:

Ms. Aisha Ali

STAFF PRESENT:

Ms. Kathryn Walker, City Attorney
Ms. Brenda Hall, City Clerk

Item 2, being:

CONSIDERATION OF APPROVAL OF THE CHARTER REVIEW COMMISSION MEETING MINUTES OF AUGUST 10, 2020.

Commissioner Stawicki moved that the minutes be approved, which motion was duly seconded by Commissioner Vinyard;

Items submitted for the record

1. Charter Review Commission minutes of August 10, 2020

and the question being upon approval of the minutes and upon the subsequent directive, a vote was taken with the following result:

Item 2, continued:

YEAS: Commissioners Bates, Cubberley,
Dillingham, Eller, Griffith, Hackelman,
Jungman, McBride, Stawicki, Vinyard,
Chairman Thompson

NAYES: None

Chairman Thompson declared the motion carried and the minutes approved; and the filing thereof was directed.

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Item 3, being:

DISCUSSION REGARDING ARTICLE XVI, SECTION 2, OF THE CHARTER REQUIRING THE CITY COUNCIL TO CONSIDER A RESOLUTION CALLING FOR A VOTE OF ELECTORATE TO INCREASE CITY UTILITY RATES UNDER CERTAIN CIRCUMSTANCES, I.E., UPON A FINDING OF FINANCIAL NEED AFTER A REVIEW OF THE UTILITY FUNDS AND THEIR MONETARY SOURCES BY THE FINANCE DIRECTOR OR UPON THE RECOMMENDATION OF AN INDEPENDENT ELECTED UTILITIES BOARD.

Chairman Thompson said the Committee previously discussed requiring Council to review a utility each year and call an election under certain circumstances.

Ms. Kathryn Walker, City Attorney, said staff provided information requested by the Commission last month regarding how other cities operate and how frequently they increase rates. She said a number of them do it annually, but several do it every three years which fits in with the language she is presenting tonight.

Ms. Walker said the potential amendment would be adding language to Article XVI, Section 2, of the Charter stating precedent to an increase in utility rates within the control of the City of Norman, such increase proposal for each utility must be submitted on a rotating basis to the legal voters of the City for their approval or rejection at the next regular general election each year, or at a special election which might be called for said purpose. Should an unexpected need for an additional rate increase for any utility arise prior to the regular election on which such an increase would normally be scheduled as provided herein, then a special election may be called for such purpose. This section is self-executing and shall supersede all provisions in conflict therewith; legislation may be enacted to facilitate its operations but no ordinance shall limit or restrict the provisions thereof.

Commissioners Cubberley and Jungman asked for the definition of a general election and whether years where the Mayor is not up for election would the election for Council seats still be considered a regular general election. Ms. Walker answered in the affirmative. Commissioner Stawicki said to avoid any confusion the word "Norman" could be added in front of general election.

Item 3, being:

Ms. Walker said additional language could be added to say at the regular election in which ward or mayoral representatives are elected to make it a little clearer.

Commissioners discussed adding special election to the language as well to provide more flexibility.

Concerns were raised regarding rotating the utilities every year in the event one utility may have greater need and require votes two years in a row. Language would be changed to reflect that issue. Additionally, adding staff bring a rate study before Council each year to determine if the increase was needed.

Commissioner Dillingham moved that draft language for Article II, Section 1, be approved as follows:

~~Precedent to an increase in utility rates within the control of the City of Norman, such increase proposal must be submitted to the legal voters of the City for their approval or rejection at the next regular general election, or at a special election which might be called for said purpose. On an annual basis, Staff shall prepare and submit to the City Council a rate study for each of its utilities. Upon receipt of such rate studies, Council shall submit a rate increase for one or more of the utilities to the voters at the next election at which ward representatives or the Mayor will appear on the ballot. Should an unexpected need for an additional rate increase for any utility arise prior to the regular election on which such an increase would normally be scheduled as provided herein, then a special election may be called for such purpose.~~ This section is self-executing and shall supersede all provisions in conflict therewith; legislation may be enacted to facilitate its operations but no ordinance shall limit or restrict the provisions thereof.

which motion was duly seconded by Commissioner Griffith;

Items submitted for the record

1. Background on Article XVI. Municipally Owned Utilities.

and the question being upon approving draft language for Article XVI, Section 2, as stated above, a vote was taken with the following result:

YEAS:	Commissioners Ali, Bates, Cubberley, Dillingham, Griffith, Hackelman, Jungman, McBride, Stawicki, Vinyard, Chairman Thompson
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NAYES:	None
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Chairman Thompson declared the motion carried and the draft language for Article XVI, Section 2, approved, as stated above.

Commissioner Eller left the meeting prior to the vote.

Item 4, being:

MISCELLNEOUS DISCUSSION.

City Clerk Hall said the recall process staff is currently going through has raised questions about the process and some of the current language. She said the process has highlighted the need to make modifications so that it functions more effectively. She said Council will most likely be amending the resolution to add those additional items for the Commission's review.

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Item 5, being:

ADJOURNMENT.

Chairman Thompson declared the meeting was adjourned at 6:35 p.m.