

# CHARTER REVIEW COMMITTEE

Date: Thursday, July 12, 2007  
Time: 6:00 PM  
Place: Rail road Depot Room, 2nd Floor, Sanford City Hall,  
300 N. Park Avenue, Sanford, Florida 32771

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Present: Stephen H. Coover, Chairman  
James L. Davis, Vice Chairman {joined meeting  
6:14 PM}  
Jason Brodeur  
Otto Garrett  
Robert J. Kinney  
Chris McLeod  
Dennis Stewart

Attorney: Kenneth W. McIntosh, Assistant City  
Attorney

Janet R. Dougherty, City Clerk

Absent: Edward L. Blacksheare  
Dorothea Fogle

## Call to Order

Mr. Coover called the meeting to order at 6:10 PM.

## Approval of Minutes of June 28, 2007

Mr. Stewart moved to approve the Minutes as amended. Seconded by Mr. Brodeur and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
Jason Brodeur	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

Vote on subcommittee recommendations.

{Mr. Davis joined the meeting}

**Section 1.05 (a)**

CRC 071207

(a) The territorial boundaries of the City of Sanford may be extended or contracted as

provided in the applicable general state laws regarding municipal annexations and contractions.

Mr. Brodeur moved to approve the language in Section 1.05 (a). Seconded by Mr. McLeod and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
Jason Brodeur	Aye
James Davis	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

### Section 1.05 (b)

(b) The City of Sanford shall maintain a proactive annexation policy to help the city achieve its manifest destiny, provide for economic growth, provide for an escalated quantity of life, and community amenities, provide for additional municipal revenue streams, ensure equity of access to available municipal services, provide for orderly growth and ensure sufficient infrastructure development.

Mr. Davis moved to approve the language in Section 1.05(a). Seconded by Mr. Stewart and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
Jason Brodeur	Aye
James Davis	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Nay
Dennis Stewart	Aye

### Section 1.05 (c)

(c) City annexations shall be made in a non-discriminatory manner. The city shall seek to include previously by-passed lower income areas in its proactive annexation efforts.

Mr. Stewart moved to approve the language in Section 1.05 (c). Seconded by Mr. Davis and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
Jason Brodeur	Aye
James Davis	Aye
Otto Garrett	Aye
Robert Kinney	Aye

CRC 071207



Stephen H. Coover	Aye
Jason Brodeur	Aye
James Davis	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Nay

**Section 2.01 (c) (1)**

(c) Municipal Elections.

(1) The regular municipal election for the election of a mayor and city commissioners shall be held at the same time as the state's general election. Each candidate shall announce whether he or she is a candidate for the office of mayor or shall name the district seat for which they are seeking office. The candidate for mayor receiving a majority of the votes cast for mayor shall be elected. The candidate in each group for commissioner receiving a majority of the votes cast in that group shall be elected. In case no candidate for mayor receives a majority of the votes cast for mayor in such election, a second election shall be held four (4) weeks following such election, at which election only the two (2) candidates for Mayor receiving the highest vote in the first election shall be candidates, and the candidate for mayor receiving a majority of the votes cast for mayor shall be elected. In case no candidate for commissioner in a group receives a majority of the votes cast in that group in such election, a second election shall be held four (4) weeks following such election, at which election only the two (2) candidates receiving the highest vote in the first election shall be candidates. The candidate receiving a majority of the votes cast in such group shall be elected.

Mr. McLeod moved to approve Section 2.01 (c) (1).  
 Seconded by Mr. Stewart and carried by a vote of the  
 Committee as follows:

Stephen H. Coover	Aye
Jason Brodeur	Aye
James Davis	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

CRC 071207

**Section 2.01 (c) (2)**

(2) If a tie should occur during a run-off election the winner of the election shall be determined by the toss of a coin. The candidate filing the earliest qualifying papers shall call the coin while it is in the air. The city clerk shall toss the coin and allow the coin to hit the floor to reveal the face of the coin. The face of the tossed coin shall determine the winner of the race. Write-in votes shall be allowed and counted only in the first election. Write in ballots shall not be permitted in run-off elections. The names of unopposed candidates shall not appear on the general election ballot in accordance with the General Laws, State of Florida.

Mr. Stewart moved to approve Section 2.01 (c) (2).  
Seconded by Mr. Brodeur and carried by a vote of the  
Committee as follows:

Stephen H. Coover	Aye
Jason Brodeur	Aye
James Davis	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

### Section 2.01 (c) (3)

(3) Any matter which, by the terms of this charter may be submitted to the electors of the city at any special election may be submitted and voted upon at the city's general election.

Mr. Stewart moved to approve Section 2.01 (c) (3).  
Seconded by Mr. Otto and carried by a vote of the  
Committee as follows:

Stephen H. Coover	Aye
Jason Brodeur	Aye
James Davis	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

Mr. Kinney moved that Section 2.01 (d) be tabled until  
the next meeting. Seconded by Mr. McLeod and carried by  
a vote of the Committee as follows:

Stephen H. Coover	Aye
Jason Brodeur	Aye

CRC 071207

James Davis	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

Mr. Stewart moved that Section 2.01 (d) be un-tabled.  
Seconded by Mr. McLeod and carried by a vote of the  
Committee as follows:

Stephen H. Coover	Aye
Jason Brodeur	Aye

James Davis	Aye	
Otto Garrett	Aye	
Robert Kinney		Aye
Chris McLeod	Aye	
Dennis Stewart		Aye

**Section 2.01 (d)**

(d) Qualifying for office. Any person who is a qualified elector in the City of Sanford, and otherwise qualified, may become a candidate for the office of mayor or city commissioner upon filing with the city clerk a written notice of his or her intention to become a candidate in accordance with Article VI, requesting that his or her name be printed upon the ballot and depositing with such written notice a sum equal to one percent (1%) of the then effective annual salary of the office the candidate seeks plus the costs of any applicable state mandated election fees as a qualifying fee for the office sought. All 1% qualification fees shall be placed in the general fund of the City of Sanford and allocated toward the cost of city elections. State election fees shall be transferred to the State of Florida as provided by general state law.

The period within which a candidate may qualify as above stated shall begin ninety-two (92) days prior to the election and shall terminate at 12:00 noon on the last regular working day for the city clerk's office eighty-eight (88) days in advance of the election date. Qualification can be effected only during normal working hours for the city clerk's office.

Any person who is a qualified elector in the City of Sanford, and otherwise qualified, may alternatively become a candidate for the office of mayor or city commissioner upon filing with the city clerk a written notice of his or her intention to become a candidate in accordance with Article VI, requesting that his or her name be printed upon the ballot and presenting a written petition with the names of 250 signers who are eligible electors residing in the commission seat the candidate seeks. Candidates for mayor qualifying by petition shall present a written petition with the names of 500 signers who are eligible voters residing within the city. The petitions shall include the printed name, signature, address, precinct number, voter identification number and telephone number of the signer for verification purposes. Petitions for placing a candidate's name on the ballot may be submitted to the city clerk for verification in whole or in part. Candidates qualifying by

CRC 071207

petition may begin collecting and turning in names on petitions one hundred and twenty (120) days in advance of the opening of the qualifying period. All petitions for placing a candidate's name on the ballot must be received by the city clerk's office prior to the end of the qualifying period. The city clerk shall present the names on written qualification petitions to the supervisor of elections office for certification as a valid elector and shall provide timely notification of the number of certified electors to the candidate until the requisite number of electors has been met or the qualification period has ended with the candidate being unable to meet the required numbers of certified electors during their qualification petition attempt. The costs of elector certifications shall be paid to the city clerk by the individual candidate(s) requesting the certification as a part of the qualifying procedures.

Mr. McLeod moved to approve the Section 2.01 (d) as amended. Seconded by Mr. Stewart and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
Jason Brodeur	Aye
James Davis	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

Mr. Kinney moved that Section 2.02 (a) and (b) be tabled so the language can be perfected. Seconded by Mr. Davis and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
Jason Brodeur	Aye
James Davis	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

**Section 2.03 (a)**

(a) The mayor shall be elected for a term of four years. The mayor shall be a member of the commission. In addition, he or she shall preside over meetings of the commission, shall be recognized as head of the city government for all ceremonial purposes, and by the governor and president during lawfully declared states of emergency and for the purposes of military law. The mayor shall otherwise have no administrative duties or direct oversight of city employees. If a vacancy occurs the office shall be filled for the remainder of the unexpired term in accordance with the

CRC 071207

procedure established in section 2.06(c).

Mr. Stewart moved to approve Section 2.03 (a). Seconded by Mr. McLeod and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
Jason Brodeur	Aye
James Davis	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

Mr. Kinney moved that Section 2.03 (b) be tabled. Seconded by Mr. McLeod and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
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Jason Brodeur	Aye
James Davis	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

**Section 2.06 (a)**

(a) Vacancies. The office of commissioner or mayor shall become forfeited and declared vacant upon the death, resignation, conviction of a felony, recall or removal from office in any other manner authorized by law or this charter.

Mr. McLeod moved to approve Section 2.06 (a).  
 Seconded by Mr. Brodeur and carried by a vote of the  
 Committee as follows:

Stephen H. Coover	Aye
Jason Brodeur	Aye
James Davis	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

**Section 2.06 (b) (3)**

(3) is convicted of a felony crime without having civil rights restored, or

CRC 071207

Mr. McLeod suggested Section 2.06 (b) (3) be amended  
 as stated  
 and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
Jason Brodeur	Aye
James Davis	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

Mr. Stewart moved that Section 2.06 (b) (5) be tabled.  
 Seconded by Mr. Davis and carried by a vote of the  
 Committee as follows:

Stephen H. Coover	Nay
Jason Brodeur	Aye
James Davis	Aye
Otto Garrett	Aye
Robert Kinney	Nay



Jason Brodeur	Aye
James Davis	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

### Section 3.03

The city manager shall designate an acting city manager who shall perform the function of the city manager during the manager's temporary absence or disability. The city commission shall have power to give advice and consent to the city manager's designee. The city manager's approved designee for acting city manager shall be filled with the city clerk's office. The city commission may revoke the city manager's designee at any time. During times of the city manager's absence or disability, the commission may revoke such designation and appoint an acting city manager on its own authority.

Mr. McLeod moved to approve Section 3.03 as written. Seconded by Mr. Stewart and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye	<u>CRC 071207</u>
Jason Brodeur	Aye	
James Davis	Aye	
Otto Garrett	Aye	
Robert Kinney	Aye	
Chris McLeod	Aye	
Dennis Stewart	Aye	

Mr. McLeod moved that Section 4.01 (a) and (b) be tabled. Seconded by Mr. Stewart and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
Jason Brodeur	Aye
James Davis	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

Mr. McLeod moved that Section 4.01 (b) and (c) be tabled. Seconded by Mr. Kinney and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
Jason Brodeur	Aye
James Davis	Aye

Otto Garrett	Aye	
Robert Kinney		Aye
Chris McLeod	Aye	
Dennis Stewart		Aye

Section 4.02 (a)

(a) Merit principle. All appointments, raises, bonuses and promotions received by city officers and employees shall be made solely on the basis of merit and fitness as demonstrated by an impartial examination, evaluation or other objective evidence of competence and documented meritorious service.

Mr. McLeod moved to not approve Section 4.02 (a). Seconded by Mr. Brodeur and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
Jason Brodeur	Aye

CRC 071207

James Davis	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

Section 4.02 (b)

(b) Personnel director. There shall be a personnel director appointed by the city manager who shall administer the personnel system of the city.

Mr. Stewart moved to delete the reference to the Personnel Director in Section 4.02 (b). Seconded by Mr. McLeod and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
Jason Brodeur	Aye
James Davis	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

Section 4.02 (b)

(b) Personnel rules. The city manager shall cause the city's designated human resources staff to prepare personnel rules in accordance with existing federal and/or state laws. The rules shall be prepared in accordance with the city's needs and shall comport with sound, overall management and labor functions. Personnel rules shall be reviewed and approved by the city commission. Personnel rules shall be published in an employee policies and procedures manual that shall be available to all employees and the general public.

Mr. Stewart moved to approve the new Section 4.02 (b), Employee Policies and Procedures Manual. Seconded by Mr. McLeod and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
Jason Brodeur	Aye
James Davis	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

CRC 071207

#### Section 4.05

The city commission may appoint and contract such special legal counsel, consultants and consulting firms as it deems necessary. Special counsel and contracted consultants shall operate pursuant to contract and report to the city commission.

Mr. Stewart moved to adopt the amended language for Section 4.05. Seconded by Mr. McLeod and carried by a vote of the Committee as follows:

Stephen H. Coover	Aye
Jason Brodeur	Aye
James Davis	Aye
Otto Garrett	Aye
Robert Kinney	Aye
Chris McLeod	Aye
Dennis Stewart	Aye

Mr. Coover stated at the next meeting would be held on Thursday, July 26, 2007 and the Committee will pick up with Article 5.

Mr. McIntosh validated the deadline of August 22, 2007.

Mr. Coover stated he is planning to have the public hearing on August 9, 2007 and he is planning to have everything done at the end of the meeting on July 26, 2007. He stated there will be a document for the public hearing demonstrating what the Committee's recommendations are.

Adjournment

The meeting was adjourned at 8:04 PM.

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CHAIRMAN

Attest:

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Secretary

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