

Commissioners:
Robbie Anderson, Ward 1
Lewis Rice, Ward 1
Brian Darby, Ward 2
Robert Crawford, Ward 2



Commissioners:
Krystle Joyner, Ward 2
David Stone, Ward 3
John Huskisson, Ward 3
David Thompson, Ward 3

ROANOKE HOME RULE CHARTER REVIEW COMMISSION AGENDA

JANUARY 26, 2022

7:00 PM

COMMUNITY ROOM #132

**ROANOKE CITY HALL
500 S. OAK STREET
ROANOKE, TEXAS 76262**

A. CALL TO ORDER

B. PUBLIC INPUT

This item is available for citizens to address the Home Rule Charter Review Commission on any issues that are not the subject of a public hearing. No action by law may be taken on the topic. The presiding officer reserves the right to impose a time limit on this portion of the agenda. In order to provide the highest quality cable broadcast, all speakers need to speak at the podium.

C. APPROVAL OF THE MINUTES

1. Consideration and action on approval of the minutes from the regular Home Rule Charter Review Commission meeting held on September 22, 2021.

D. NEW BUSINESS

1. Discussion and possible action on proposed content and any revisions to the Home Rule Charter.

The Home Rule Charter Review Commission reserves the right to adjourn into Executive Session during the course of this meeting to discuss any item on the posted agenda as authorized by Chapter 551 of the Texas Government Code.

E. ADJOURNMENT

CERTIFICATION



**AGENDA FOR THE ROANOKE
HOME RULE CHARTER REVIEW
COMMISSION**

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I certify that the above notice was posted at City Hall, 500 South Oak Street, Roanoke, Texas, on Friday, January 21, 2022, by 5:00 pm, in accordance with Chapter 551, Texas Government Code.

April S. Hill, City Secretary

*Any person planning to attend this meeting that may require auxiliary aids or services should request accommodations two (2) days prior to the meeting by calling (817) 491-8152. **BRaille IS NOT AVAILABLE.**

📶 A public wireless network is now available in the Council Chambers for use during meetings. It is available from 7am to 11pm Monday thru Friday. The name of the network is: City Hall Guests



Home Rule Charter Review Commission **AGENDA ITEM**

TO: HR Charter Review Commission

SUBJECT: 09/22/2021 - HR Charter Review Commission Minutes

MEETING DATE: January 26, 2022

DEPARTMENT: City Secretary

ITEM SUMMARY:

Consideration and action on approval of the minutes from the regular Home Rule Charter Review Commission meeting held on September 22, 2021.

INFORMATION:

STAFF RECOMMENDATION:

SPECIAL CONSIDERATION:

FINANCIAL CONSIDERATION:

ATTACHMENTS:

1. HRC Minutes 09-22-2021

Commissioners:

Lewis Rice, Ward 1
Robbie Anderson, Ward 1
Brian Darby, Ward 2
Robert Crawford, Ward 2



Holly Gray-Moore, Chairperson

Commissioners:

Krystle Joyner, Ward 2
David Stone, Ward 3
John Huskisson, Ward 3
David Thompson, Ward 3

**ROANOKE HOME RULE CHARTER
REVIEW COMMISSION MINUTES
REGULAR MEETING
SEPTEMBER 22, 2021
COMMUNITY ROOM #132
500 S. OAK STREET
7:00 P.M.**

PRESENT: Chairperson: Holly Gray-McPherson, Commissioners: Lewis Rice, Robbie Anderson, Brian Darby, Krystle Joyner, Robert Crawford, David Stone, John Huskisson, David Thompson.

DEPT. STAFF: City Manager Scott Campbell, City Secretary April S. Hill, and City Attorney Jeff Moore.

A. CALL TO ORDER

Chairperson Holly Gray-Moore called the Home Rule Charter Review Commission to order at 7:02 p.m.

B. PUBLIC INPUT

No one wished to speak.

C. APPROVAL OF MINUTES

1. Motion made by David Thompson second by John Huskisson to approve the minutes from the regular Home Rule Charter Review Commission meeting held on September 2, 2021.

Motion carried unanimously.

D. NEW BUSINESS

1. Discuss proposed content and any revisions to the Home Rule Charter.

City Attorney Jeff Moore went over proposed Charter revisions:

- Section 3.04, allowing the Mayor to vote.

SECTION 3.04 Mayor and Mayor Pro-Tem

- (1) The Mayor shall attend and preside at meetings of the City Council. The Mayor shall participate in the discussion of all matters coming before the City Council and shall only vote ~~in cases of a tie vote~~ on matters



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before the City Council. The Mayor shall also represent the City in intergovernmental relationships, present an annual state of the City message, and perform other duties specified by the City Council and/or imposed by this Charter and by ordinances and resolutions passed in pursuance thereof. Additionally, the Mayor may sign, after authorization by the City Council, all contracts and conveyances made or entered into by the City and all bonds, warrants and any other obligation issued under the provisions of this Charter, in the manner prescribed in the ordinance or resolution authorizing the signing of any such obligation. The Mayor shall be recognized as head of the City government for all ceremonial purposes, and by the Governor for purposes of military law, but shall have no regular administrative duties.

- Section 3.05(4)&(5) regarding filling Mayor and City Council vacancies.

SECTION 3.05(4)&(5)

- (4) If there is a vacancy in the office of Mayor when less than twelve (12) months remains in the unexpired term, the remaining City Council members may appoint one of its members by majority vote of City Council to serve the remainder of said term. Otherwise, if there is a vacancy in the office of Mayor, a new Mayor shall be elected by special election within one hundred twenty (120) days after such vacancy occurs, in accordance with the Texas Constitution and the Texas Election Code, as amended.
- (5) A vacancy in the office of a Council Member when less than twelve (12) months remains in the unexpired term, the remaining City Council members may appoint an individual by majority vote of City Council to serve the remainder of said term. Otherwise, a vacancy in the office of a Council Member, shall be filled by special election within one hundred twenty (120) days after such vacancy occurs, in accordance with the Texas Constitution and the Texas Election Code, as amended. If the vacated office is that of Mayor Pro-Tem the City Council shall elect a new Mayor Pro-Tem at the next regular meeting.

Chairperson Holly Gray-Moore asked if it would be necessary to include language regarding residency requirements.

Mr. Moore stated there would not be a need for it, as this is outlined in Texas Election Code, and City Charter.

City Attorney Jeff Moore went over other discussed Charter revisions:

- Section 9.01 – Organization

SECTION 9.01

- (1) There is hereby established a Planning & Zoning Commission which shall consist of at least seven (7) members who shall be appointed by the City Council to staggered terms of two (2) years in accordance with



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any ordinance adopted by the City Council. The Commission members shall be registered City voters. Any vacancy occurring during the unexpired term of a member shall be filled by the City Council for the remainder of the unexpired term. In July of each year, the Commission shall elect from its members a Chairman, Vice Chairman, and Secretary to serve for one (1) year beginning in that month. Members of the Commission may be removed, with or without cause, by an affirmative vote of a majority of the full membership of the City Council. City staff may serve as assistant secretary for Planning & Zoning Commission.

Commissioner Lewis Rice asked if this would have to go on the election ballot.

Chairperson Gray-Moore stated yes, any changes to the Charter requires an election.

Mr. Rice stated that he was concerned with having too much information on the ballot.

Commissioner David Stone asked if a staff person is filling that roll, does the official "secretary" review and approve them.

Mr. Moore explained the Roanoke Code of Ordinances Section 12.76 states:

SECTION 12.76 – Created; Membership; Officers; Rules & Bylaws

(g) In July of each year, the Commission shall elect from its members a Chairman, Vice Chairman and Secretary to serve for one (1) year beginning in that month. The Commission Secretary or City Secretary shall keep minutes of all meetings held by the Planning and Zoning Commission as well as the full record of all recommendations made by the Commission to the City Council.

Mr. Moore further stated that since this is stated in the City's Code of Ordinance, it is not necessary to change the language in the Charter.

Chairperson Gray-Moore asked if everyone agreed with City Attorney Jeff Moore's recommendation that no change is necessary at this time.

All Commission members agreed.

Mr. Moore gave an overview of the last discussion regarding language in Article X, Section 10 of the Charter that pertains to Franchise Fees. Mr. Moore further stated this would not be necessary to change at this time, as the Texas Legislature could change, causing for additional revisions to be needed.

Chairperson Gray-Moore asked if the commission has reviewed the enclosed survey of surrounding cities about Mayor and City Council compensation.



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Mr. Stone stated that the compensation should be small, but be in relation to the level of responsibility the Mayor and City Council has. Mr. Stone further explained that three (3) possible things could be done:

1. Leave it as is
2. Come up with a formula based on level of responsibility
3. Set the amount to a specific number, and then when the Charter is reviewed again, revisit the issue.

Commissioner John Huskisson stated that he does not see an issue with an annual 1% increase up to a set maximum amount.

Commissioner Robbie Anderson stated that this is a service to the community and thought this was brought up, so we could see what the surrounding cities are doing, concerning compensation, so we could make sure we are taking care of our Mayor and City Council.

Mr. Rice asked how long has the Mayor and City Council been receiving their current compensation.

Chairperson Gray-Moore explained it has been this amount since the adoption of the City's Home Rule Charter, in 2008. Chairperson Gray-Moore further stated that the Home Rule Charter has never been amended, since its adoption.

City Manager Scott Campbell explained the Mayor and City Council are reimbursed for any expenses incurred while doing city business, such as travel and conferences. Mr. Campbell further explained this is included in the city's budget, to cover those costs.

After much discussion, Chairperson Gray-Moore stated this leaves the issue of the Mayor's vote and appointments for vacancies.

Chairperson Gray-Moore explained that the next available election date would be May 2022, which should be an off year for city elections, due to three (3) year terms. Chairperson Gray-Moore then asked if the commission feels strongly enough about these two (2) issues to spend tax payers dollars and call an election.

Mr. Stone asked if it could be recommended to City Council, these items be placed on the ballot for the May 2023 election.

Chairperson Gray-Moore asked City Attorney Jeff Moore if we could push it to our next called election.

Mr. Moore state that he would have to check on how far in advance an election can be called.

Mr. Stone stated that if the citizens are already going to vote at an election (not



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city) can we just add it to the ballot, or would this be at increased cost.

Chairperson Gray-Moore stated that adding anything to a ballot, even if the city is not having an election would cost the city.

City Secretary April S. Hill explained that during November elections, the state requires additional election judges and clerks due to voter turnout for State and Federal elections. Ms. Hill further explained it has a much higher cost, than a May uniform election.

Chairperson Gray-Moore stated that both items are important, however spending tax dollars on an election at this time, when it can wait until the next uniform city election.

Mr. Moore suggested the commission meet again, prior to an election, and then submit the changes to City Council.

Motion made by Brian Darby second by John Huskisson to recommend to City Council that no action be taken until the next election date, at which point the Home Rule Charter Review Commission will reconvene to make recommendations at that time.

Motion carried unanimously.

2. Schedule a date for next meeting, if necessary.

No meeting will be scheduled at this time.

E. ADJOURNMENT

Motion made by David Thompson second by Lewis Rice to adjourn the meeting at 7:32 p.m.

Motion carried unanimously.

Holly Gray-Moore, Chairperson

April S. Hill, City Secretary



Home Rule Charter Review Commission **AGENDA ITEM**

TO: HR Charter Review Commission

SUBJECT: Follow Up Information

MEETING DATE: January 26, 2022

DEPARTMENT: City Manager

ITEM SUMMARY:

Discussion and possible action on proposed content and any revisions to the Home Rule Charter.

INFORMATION:

You will recall the Commission's recommendation pursuant to its 9/22/21 meeting was as follows:

"The commission reviewed every section of the charter document. The Home Rule Charter Review Commission unanimously recommends to City Council that no action be taken until the next election date, at which point the Home Rule Charter Review Commission will reconvene to make recommendations at that time."

As previously reported, the City is exploring another issue that might result in a local option election in May. Per the recommendation above, the Charter Commission is to reconvene to finalize its recommendations for charter amendments to be included on a potential May ballot.

A summary of your recommendations to date is attached.

STAFF RECOMMENDATION:

SPECIAL CONSIDERATION:

FINANCIAL CONSIDERATION:



Home Rule Charter Review Commission **AGENDA ITEM**

ATTACHMENTS:

1. Proposed Charter Amendments - jlm draft - 091721 (002)

Section 3.04 - Mayor Voting Issue

Current Home Rule Charter Language:

SECTION 3.04 Mayor and Mayor Pro-Tem

- (1) The Mayor shall attend and preside at meetings of the City Council. The Mayor shall participate in the discussion of all matters coming before the City Council and shall only vote in cases of a tie vote on matters before the City Council. The Mayor shall also represent the City in intergovernmental relationships, present an annual state of the City message, and perform other duties specified by the City Council and/or imposed by this Charter and by ordinances and resolutions passed in pursuance thereof. Additionally, the Mayor may sign, after authorization by the City Council, all contracts and conveyances made or entered into by the City and all bonds, warrants and any other obligation issued under the provisions of this Charter, in the manner prescribed in the ordinance or resolution authorizing the signing of any such obligation. The Mayor shall be recognized as head of the City government for all ceremonial purposes, and by the Governor for purposes of military law, but shall have no regular administrative duties.
- (2) The Mayor Pro-Tem shall be a Council Member elected annually by the City Council at the first regular meeting after each election of Council Members and/or Mayor, or at the first regular meeting in June, in the event there is no election for Council Members and/or Mayor. The Mayor Pro-Tem shall act as Mayor during the disability or absence of the Mayor, and in this capacity shall have the rights conferred upon the Mayor.

Proposed Home Rule Charter Language:

SECTION 3.04 Mayor and Mayor Pro-Tem

- (1) The Mayor shall attend and preside at meetings of the City Council. The Mayor shall participate in the discussion of all matters coming before the City Council and shall ~~only~~ vote ~~in cases of a tie vote~~ on matters before the City Council. The Mayor shall also represent the City in intergovernmental relationships, present an annual state of the City message, and perform other duties specified by the City Council and/or imposed by this Charter and by ordinances and resolutions passed in pursuance thereof. Additionally, the Mayor may sign, after authorization by the City Council, all contracts and conveyances made or entered into by the City and all bonds, warrants and any other obligation issued under the provisions of this Charter, in the manner prescribed in the ordinance or resolution authorizing the signing of any such obligation. The Mayor shall be recognized as head of the City government for all ceremonial purposes, and by the Governor for purposes of military law, but shall have no regular administrative duties.
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Section 3.05(4)&(5) - Filling Vacancies with Unexpired Term Less Than One Year

Current Home Rule Charter Language:

- (4) If there is a vacancy in the office of Mayor, a new Mayor shall be elected by special election within one hundred twenty (120) days after such vacancy occurs, in accordance with the Texas Constitution and the Texas Election Code, as amended.
- (5) A vacancy in the office of a Council Member, shall be filled by special election within one hundred twenty (120) days after such vacancy occurs, in accordance with the Texas Constitution and the Texas Election Code, as amended. If the vacated office is that of Mayor Pro-Tem the City Council shall elect a new Mayor Pro-Tem at the next regular meeting.

Proposed Home Rule Charter Language:

- (4) If there is a vacancy in the office of Mayor when less than twelve (12) months remains in the unexpired term, the remaining City Council members may appoint one of its members by majority vote of City Council to serve the remainder of said term. Otherwise, if there is a vacancy in the office of Mayor, a new Mayor shall be elected by special election within one hundred twenty (120) days after such vacancy occurs, in accordance with the Texas Constitution and the Texas Election Code, as amended.
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Section 9.01(1) - Staff Member Serving as Secretary for P&Z and BOA:

Current Home Rule Charter Language:

SECTION 9.01 Organization

- (1) There is hereby established a Planning & Zoning Commission which shall consist of at least seven (7) members who shall be appointed by the City Council to staggered terms of two (2) years in accordance with any ordinance adopted by the City Council. The Commission members shall be registered City voters. Any vacancy occurring during the unexpired term of a member shall be filled by the City Council for the remainder of the unexpired term. In July of each year, the Commission shall elect from its members a Chairman, Vice Chairman, and Secretary to serve for one (1) year beginning in that month. Members of the Commission may be removed, with or without cause, by an affirmative vote of a majority of the full membership of the City Council.

Proposed Home Rule Charter Language:

SECTION 9.01 Organization

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