

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.

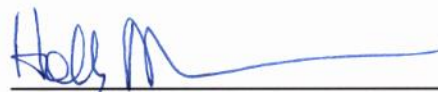
No meeting will be scheduled at this time.

E. ADJOURNMENT

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

Motion carried unanimously.


April S. Hill, City Secretary


Holly Gray-Moore, Chairperson