

The Charter Review Committee met on December 4, 2019, for a charter review meeting at City Hall, 907 E Houston St, Cleveland, Texas.

MEMBERS PRESENT: Carolyn McWaters, Brent McWaters, J.R. Croley, Jennifer Bergman, City Attorney David Olson, City Manager Kelly McDonald, City Secretary Angela Smith

MEMBERS ABSENT: Elaine Hamilton

ATTENDEES PRESENT: Fred Terrell

Board member Carolyn McWaters called the meeting to order at 5:30 pm and stated that Board Chairperson Elaine Hamilton was not present but there is a quorum.

1. Consider recommendations from Article IV, V and VI of the Home Rule Charter from the committee

David Olson remarked that there was a spelling error in section 6.04 but no substantive changes other than city manager residency and gender neutrality. City Secretary Smith mentioned that this was discussed at the August meeting in sections 4, 5 & 6.

2. Review and approve minutes from the August 28, 2019 Charter Review meeting.

Brent McWaters made a motion to approve the minutes with a second from Jennifer Bergman. All members present voted "AYE". Motion carried.

3. Review Article VIII and IX (VII was repealed in 2011) for comment and recommendations.

City Attorney Olson stated that this section basically reflects state law and was updated in 2011 and the law has not changed. The only issue noticed is another spelling issue in 8.02 it should read "severability" instead of "separability." This should be part of your general recommendation to council otherwise no need for changes in these sections. No motion needed on this item.

4. Consider possible action on recommendations of charter revisions to city council.

City Attorney Olson reminded the board that their duty is to review findings and not to concern themselves if it is a good idea or affects politics or people. In summary, section 6.04 "rear" should be changed to "year", section 8.02 should read "severability" and not "separability" and any other spelling or clerical errors noted as well if necessary to update to reflect current state law and apply gender neutrality. He also addressed the board on if they think it is a good idea in the future to make a city manager live in the city limits. Discussion was had regarding this topic such as needing flexibility, don't want to handcuff staff options, some people prefer rural settings over city living. Brent McWaters said that last time we discussed different wording such as 5 to 10-mile radius of city limits. Annexation laws have changed which will restrict the city's limit to grow so the radius of 5 to 10 miles is to allow them to live in the county setting if they desired. The City's ETJ is one mile from city limits. Smaller cities tend not to require residency issues due to housing shortages. Ultimately this is the council's final decision. School districts' do require their superintendent to live in the city limits.

Fred Terrell spoke as a citizen in the audience about how difficult it is to have a staff member live in the city limits if the city manager does not live in the city limits. Board was reminded that staff is not required to live in the city limits only a requirement for the city manager.

Brent McWaters made a motion on formal recommendation to address the spelling errors, gender neutrality and for the city manager to live within a five (5) miles radius of the city limits with a second from Jennifer Bergman. All members present vote "AYE". Motion carried.

5. Authorize Committee Chairperson to review and approve the minutes from this December 4, 2019 meeting.

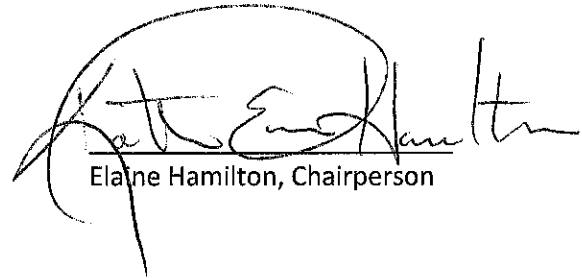
Jennifer Bergman made a motion to authorize the Committee Chairperson to review and approve the minutes from this December 4, 2019 meeting with a second from Brent McWaters. All members present voted "AYE". Motion carried.

City Secretary Smith will type up the minutes from tonight's meeting and send to David Olson for review and he will provide a formal recommendation to give to council for their review at the next council meeting.

6. Adjourn

There being no further business to transpire, Brent McWaters made a motion for the meeting to be adjourned, with a second from J.R. Croley. Meeting adjourned at 5:50 pm. All members present voted "AYE". Motion carried.

PASSED AND APPROVED this 4th day of December 2019.



Elaine Hamilton, Chairperson

ATTEST:

Angela Smith, City Secretary TRMC