

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE II, SECTION 1 OF THE CHARTER OF THE CITY OF NORMAN WHICH RELATES TO CHANGING REFERENCES TO COUNCIL MEMBER “COMPENSATION” TO “STIPEND”; ARTICLE III, SECTION 1 OF THE CHARTER OF THE CITY OF NORMAN WHICH RELATES TO THE CITY MANAGER APPOINTMENT AND REMOVAL PROCESS; ARTICLE III, SECTION 6 OF THE CHARTER OF THE CITY OF NORMAN WHICH RELATES TO THE PROCESS BY WHICH CITY COUNCIL MAY INQUIRE INTO ADMINISTRATIVE MUNICIPAL AFFAIRS; ARTICLE III, SECTION 7 OF THE CHARTER OF THE CITY OF NORMAN WHICH RELATES TO POLITICAL ACTIVITY BY CITY EMPLOYEES; ARTICLE XVII, SECTION 2 OF THE CHARTER OF THE CITY OF NORMAN WHICH RELATES TO COMPENSATION OF CITY EMPLOYEES; ARTICLE XVII, SECTION 9 OF THE CHARTER OF THE CITY OF NORMAN WHICH RELATES TO REVIEWING THE CHARTER EVERY TEN YEARS; ARTICLE XX, SECTIONS 1, 2, 3, 4, 5, AND 6 OF THE CHARTER OF THE CITY OF NORMAN WHICH RELATES TO THE RENAMING OF THE “REAPPORTIONMENT COMMISSION” THE “REAPPORTIONMENT AD HOC COMMITTEE” AND FURTHER DEFINES DUTIES AND RESPONSIBILITIES; AND PROVIDING FOR THE SEVERABILITY THEREOF.

- § 1. WHEREAS, Resolution No. R-1112-109, as amended, was adopted by the Council of the City of Norman on November 27, 2012 and established a Charter Review Commission to conduct a targeted review of the Norman City Charter; and
- § 2. WHEREAS, the Charter Review Commission presented eight (8) recommendations for amendments to the City Charter to City Council on June 17, 2014; and
- § 3. WHEREAS, ON June 17, 2014, the Council of the City of Norman voted affirmatively to approve seven (7) of the eight (8) recommendations made by the Charter Review Commission; and
- § 4. WHEREAS, it is deemed advisable and necessary by the Council of the City of Norman, Oklahoma, to submit for election various amendments to the Charter of said City as are hereinafter set forth; and
- § 5. WHEREAS, pursuant to the provisions of Section 12, Article XVII of the Charter of the City of Norman, said amendments must be submitted to the registered voters of said City for their approval before the same become effective.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

- §8. That the Mayor is hereby authorized and directed to call a special election to be held in the City on the 1st day of March, 2015, for the purpose of submitting to the registered voters of the City the various proposed amendments to the Charter of said City, to-wit:
- §9. That Section 1 of Article II of the Charter of the City of Norman, Oklahoma shall be amended to read as follows:

Section 1. - Elected Officers: Powers and duties; ~~compensation~~ stipend.

The Mayor and each of the Councilmembers shall receive, ~~as compensation~~ a stipend for their services, fifty dollars per month, plus ten dollars for each regular or special meeting attended, provided, however, that no Councilmember shall receive more than one hundred dollars total ~~compensation~~ stipend for any given calendar month.

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- §10. That Sections 1, 6, and 7 of Article III of the Charter of the City of Norman, Oklahoma, shall be amended to read as follows:

Section 1. Council to appoint City Manager.

Council shall by ~~a majority~~ an affirmative vote of five (5) members appoint a City Manager, who shall serve at the pleasure of the City Council as an at-will employee. He shall be chosen by the Council solely upon the basis of his executive and administrative qualification, without regard to age, race, color, religion, ancestry, national origin, sex or place of birth, and need not, when appointed, be a resident of the City or State. No member of the Council shall, during the time for which he is elected, be chosen City Manager, nor for two years after he ceases to be a member. In case of absence or disability of the City Manager, the Council may designate some qualified person to perform the duties of the office during such absence or disability. The City Manager ~~shall be removable~~ may be removed or suspended at any time, upon ~~an affirmative~~ an affirmative vote of a ~~majority~~ five (5) members of the Council. Should at least four (4) Council members desire that a majority of Council discuss removal or suspension of the City Manager, then a notice of such a request shall be filed with the City Clerk, who shall then place an item for Executive Session for that purpose on the Agenda of the next regularly scheduled Council meeting or at a special meeting of the Council called for that purpose. Before the manager shall be removed, he shall, if he so demands, within three days after notification of an intended removal, be given a written statement of the reasons alleged for his removal and the right to be heard publicly thereon at the next regular meeting of the Council held not less than five days after such demand, prior to the final vote of the question of his removal. In the event Council should desire to suspend or remove the City Manager following the Executive Session, an additional item shall be included on the same Agenda of the meeting in which the Executive Session is to be held to consider immediate suspension or removal of the City Manager. If the Council suspends or removes the City Manager from office pending and during such hearing, the Council may

~~suspend the City Manager from his office, and may provide for the temporary performance of the City Manager's duties. The action of the Council in suspending or removing the City Manager shall be final, it being the intention of this Charter to vest all authority and fix all responsibility for such suspension or removal in the Council. In case of absence or disability of the manager, the Council may designate some qualified person to perform the duties of the office during such absence or disability.~~

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Section 6. Council not to interfere in appointments, removals or administration.

Neither the Council nor any of its committees or members shall direct or request the appointment of any person to, or his removal from office by the City Manager or any of his subordinates, or in any manner take part in the appointment or removal of officers and employees in the administrative services of the City, except that the Council may direct the City Manager, by resolution, to investigate charges of misconduct or incompetence against any City employee and to report the result thereof. Provided, the Council may, by resolution, inquire into the conduct of any office, department or agency of the City, investigate municipal affairs, and direct the City Manager to investigate such affairs, or if necessary, authorize and provide for such inquiries through an outside agency. The City Councilmembers shall deal with the administrative services solely through the City Manager, and neither the Councilmembers nor any of them thereof shall give orders to any subordinate of the City Manager either publicly or privately. Violation of any of the provisions of this section by the Councilmembers or any of them shall constitute grounds for removal.

Section 7. – Political activity prohibited.

Any employee of the City may actively engage in political activities. Provided, the political activity in which the employee participates shall be exercised only during off-duty hours and while not in uniform. Any employee seeking elected office may be required to take a leave of absence as prescribed by the Norman Code of Ordinances and/or the City Personnel Manual. Such requirements shall be consistent with applicable state and federal laws. Any federal statutes restricting political activities of City employees shall supersede the provisions of this section as to such employees. The City does hereby reserve the right to establish employment requirements requiring City employees to refrain from filing as a candidate for City office while employed by the City.

§11. That Section 2 of Article XVII of the Charter of the City of Norman, Oklahoma, shall be amended to read as follows:

* * *

Section 2. Extra compensation prohibited.

No ~~full time elective or appointive officer or~~ employee shall receive any compensation from the City other than as specified in the salary, benefits and compensation package attached to his/her position. No full-time ~~person~~ employee shall be permitted under any circumstances to draw more than one salary from the City for any and all purposes.

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§12. That Sections 1, 2, 3, 4, 5, and 6 of Article XX of the Charter of the City of Norman, Oklahoma, shall be amended to read as follows:

Section 1. – Reapportionment ~~Commission~~ Ad Hoc Committee.

There shall be a Reapportionment ~~Commission~~ Ad Hoc Committee, which shall consist of nine voting members appointed by the Council on nomination by the Mayor. All members of the Reapportionment ~~Commission~~ Ad Hoc Committee shall be registered voters of the City and shall hold no other office or position of employment in the City government.

Section 2. – ~~Composition~~ Appointment and Meetings of the Reapportionment ~~Commission~~ Ad Hoc Committee.

The Reapportionment Ad Hoc Committee shall meet to review and make recommendations on ward boundaries as follows:

- a. When the City proposes to annex or de-annex property; or
- b. During the last quarter of the calendar year prior to the release of the Federal Decennial Census and continuing through the release of the final Census; or
- c. Upon the unanimous recommendation of City Council.

In the case of proposed annexation or de-annexation, members of the Reapportionment Ad Hoc Committee shall be appointed within ninety (90) days of adoption of any such proposal. For purposes of reviewing the Federal Decennial Census, members of the Reapportionment Committee shall be appointed six (6) months prior to the year of the issuance of such census. The Reapportionment Ad Hoc ~~Commission's~~ Committee's members shall be residents and registered voters of the City's wards, (one at-large and one from each ward).

~~The terms of all nine (9) voting members shall be five (5) years, beginning on July 1. The members so appointed shall, at a regular meeting July of each year subsequent to July 1, 1977, meet and elect a presiding officer and such other officers as the Commission may deem necessary to its proper function~~

~~Vacancies shall be filled by the City Council in the manner set out hereinafter for the unexpired terms.~~

Section 3. – Criteria for Ward Boundaries.

Subsequent to the issuance of each Federal Decennial Census and within ninety (90) No later than one hundred and eighty (180) days after the appointment of the Reapportionment Ad Hoc Committee pursuant to Section 2(a) or 2(c) herein, or after the issuance of the Federal Decennial Census when the Committee is appointed pursuant to Section 2(b) herein, the ~~Commission~~ Committee shall pass and refer to the City Council a resolution to ~~establish and retain~~ or readjust the wards and their boundaries to comply with the ~~requirements~~ standards set out herein. Wards ~~shall~~ should be formed so as to equalize, as nearly as practicable, the population of the several wards. In addition, each ward ~~shall~~ should be formed of compact, contiguous territory with boundaries drawn to reflect and respond to communities of common interest, ethnic background, and physical boundaries, to the extent reasonably possible. Ward lines shall not create artificial corridors which in effect separates voters from the ward to which they most naturally belong.

Section 4. – Public hearing on proposed boundaries; votes required for passage.

At least ten (10) days before voting on the resolution, the Reapportionment Ad Hoc ~~Commission~~ Committee shall hold a public hearing thereon. At least five (5) votes shall be required for passage of the resolution, and the vote on passage shall be by roll call and shall be entered in the minutes of the ~~Commission~~ Committee. A map showing the wards and their boundaries shall be appended to the resolution.

Section 5. – Council shall have final authority.

The resolution shall then be referred to the eCity Council which shall, within thirty (30) days, conduct a public hearing on the proposed resolution and adopt the resolution without modification, reject the resolution, or adopt the resolution with such modification as the Council deems necessary; the resolutions as an ordinance of the city. If any changes in ward boundaries are adopted by City Council, such changes shall also be adopted by ordinance and codified in the Code of the City of Norman. In any alteration or amendment of the resolution as proposed by the Reapportionment Ad Hoc ~~Commission~~ Committee, the City Council shall use the same criteria for ward boundaries as hereinabove adopted for the use of the Reapportionment Ad Hoc ~~Commission~~ Committee.

Thereupon, the new wards and boundaries shall supersede the previous wards and boundaries for purposes of the next primary and general election, and for all other purposes on the day on which the terms of the Councilmembers elected that year begin.

Section 6. – Annexed territory; reapportionment between census report.

When territory is annexed to the City, the Reapportionment ~~Ad Hoc Commission~~ Committee, by resolution in the manner provided hereinabove, shall incorporate it into the adjacent ward or wards or shall readjust the wards and boundaries in the manner provided hereinabove, as it deems appropriate.

~~Further the Commission may, at other periods than those set out above, in the manner and upon the basis stated and provided for herein, alter the boundaries of the wards when an increase, decrease, or shift in residence of the population of the City, or other substantial change in the criteria set out above.~~

§13. That Section 9 of Article XVII of the Charter of the City of Norman, Oklahoma, shall be amended to read as follows:

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Section 9. ~~Reserved~~ Periodic Charter Review.

At least once every ten years beginning no later than 2024 and occurring no more than every 10 years thereafter, City Council shall consider whether a Charter Review Committee shall be appointed for the purpose of reviewing the Charter.

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§14. That the remaining portions of the Articles and Sections referred to herein shall remain unchanged.

§15. That the amendments of the City Charter proposed herein shall be effective provided by law.

§16. **Severability.** If any section, subsection, sentence, clause, phrase or portion of this resolution is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this resolution.

ADOPTED this _____ day
of _____, 2015.

NOT ADOPTED this _____ day
of _____, 2015.

Cindy Rosenthal, Mayor

Cindy Rosenthal, Mayor

ATTEST:

Brenda Hall, City Clerk