

December 5, 2007

SC CHARTER Ad Hoc Committee

Transcript

9:15 a.m.

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Commissioners present: Chair David Lillard
 Deidre Malone
 Sidney Chism
 Mike Ritz
 Joyce Avery
 Mike Carpenter
 Henri Brooks

LILLARD: We're going to convene the ad hoc committee on Shelby County Charter Amendments. Commissioner Avery is present, Commissioners Ritz, David Lillard presiding, Commissioner Chism and Commissioner Malone. We passed out several documents here today that we are going to consider. The first thing we're going to consider today, is an agenda in general that was passed out along with a letter from me dated yesterday with two proposed public hearing schedules. Also, we have the handout, it's a **handbook for proposing amendments to the Shelby County Charter**, it's a mockup of the booklet, and lastly a sheet called Register of Issues. Ok, let's take on the agenda item one, which is review and approval of an information booklet. I want to see if there are any comments or questions about this booklet. First of all, we need to put page numbers in here. Any comments or thoughts by commissioners on the issue of the mock up of the information book. Clay has worked real hard on this and I think he's done a pretty good job.

RITZ: They list the commissioners with our county email addresses. I wonder if we ought not go ahead and put the individual county phone number of each county commissioner also on there. Some commissioners may want to put another phone number, but a lot of citizens don't have email. Quite frankly, I guess they could call 4301 and the person who picks up the phone there could take a message.

LILLARD: We'll direct Clay, then, to contact commissioners and see which phone number they would prefer. I always use my law office phone number, 524-5176. It's fine for citizens to call me there. Others may have different preferences as to what number to use. Chair will solicit comments from those in the audience today who wish to be recognized on the question of the mockup of the information booklet. This is intended to be given out at the public hearing. It is also intended that when citizens call in to the office and do not have email, and want information, we will mail them out. We are not generally going to mail this out to any group of individuals although we did discuss having a mail out to neighborhood association leaders and we will discuss that a little further when we get down to Notice of Public Hearings. I guess that's the only other possible use of it, other than mass use.

RITZ: The last page with organization chart on it. I think it would be more readable if we tried to literally cover the whole page, because the numbers need to be bigger, and also if you'd get rid of the shadows behind the boxes. As you all know things get hard to read when you get in the situation we're going to have, and things get hard to read in those modes.

PERRY: We have a more readable copy this morning that we got from administration.

RITZ: Ok. Thank you.

LILLARD: Any further comments? Is there any objection to approving this booklet in its form? Of course the chair retains authority to make changes as necessary in form for the intent, but as we go through it, it's intended that pages will be substituted and things updated.

RITZ: I wonder if we ought not put the date on the front then every time you change it, the date changes.

LILLARD: That's a good suggestion. We didn't want to do that because we plan to run a lot of these covers. In the inside, we could put the date on the first page on the inside to show what version you're dealing with. Clay, if you'll make note of that. Our intention is to have printing services print a lot of these covers, we'll staple them like this one, to have them made as cheaply as possible but look nice. Without objection, is there any objection to approving the mock up booklet? Seeing none, it is so approved.

Item number 2. Review of the draft committee timeline. If you look in the booklet, on the 6th sheet inside the booklet entitled "Referendum Timeline". This is a timeline draft prepared by the County Attorney's office as discussed in our last meeting. It starts at the bottom beginning with today and it works up all the way to the county General Election at the top. As you can see the timeline works on the basis that January and February would be for public hearings. Generally until February 29th and we'll discuss this a little further at a later date in the agenda about when we'll have markups of the amendments and all that. Then we'll get into the First Reading on March 17th and the Second Reading and so on down the line, proceeding with the process. Is there any comment by the County Attorney office on the draft timeline?

KUHN: I don't believe so. It's just a suggestion. We worked in conjunction with the Election Commission administration staff to make up deadlines.

LILLARD: As the county attorney points out, this was prepared in consultation with the Election Commission staff, so they are aware of this timeline and everything. That's for information purposes. I don't think approval is necessary for that particular item.

Let's proceed to **Item number 3. Review of proposed public hearing schedule, locations, and related issues.** The letter passed out from December 4 is a separate item. It has two different alternative public hearing schedules on it. The committee at the last meeting asked me to prepare them, one has 12 public hearings and the other has 8 public hearings. The first one is the 12 hearing schedule and as you can see the locations are listed starting with Millington. On the second page begins the 8 hearing schedule. One of the things about this schedule I tried to explain, I tried to accommodate particular wishes of the commissioners about scheduling issues. I knew Commissioner Ritz will be out of town starting January 9, after the 8th because I put that starting hearing on the 8th so you could come to at least that starting one. And you'll be back on February 5th I believe it is. So I'll attempt to try to straighten out some gaps in the schedule.

AVERY: Chairman I'll be out January 7th through the 14th. I will just miss the first meeting, and I don't have a problem missing that first meeting.

MALONE: Chairman, I'd like to think my husband will be taking me to dinner on February 14th.

LILLARD: That's true. I wasn't thinking about that. Why don't we give the chair authority to kind of slide that a little bit and we'll work around it.

MALONE: He might not. But I'd like to think he might.

LILLARD: I might buy you dinner to get you to come to the hearing ! I'm going to put a little heart next to the 14th.

RITZ: It's funny how the female commissioners mentioned that and the male commissioners were

MALONE: Uh-uh Commissioner Chism says "Is it your anniversary?" (laughter).

AVERY: I was going to say that Charles would probably like for you to have that meeting. Ha.

LILLARD: As I said in my letter, I think the 12 meeting schedule is the better schedule because we have a map here if you want to go over the locations. As a former Election Commissioner I'm familiar with every corner of Shelby County. I've tried to cover the various areas of the county as best as possible, and even with 12 meetings there are areas that are not covered very well, but I think it does a much better job than the 8 meeting schedule. So any comments on that?

RITZ: I move we approve the 12 meeting schedule.

CHISM: Second.

LILLARD: Any discussion or debate on the motion? All those members in favor signify by saying aye. The ayes have it. The 12 meeting schedule is adopted. I assume

that as part of that, with the consent of the committee that I have the authority to, these places that are mentioned here are for illustration purposes only. We have not checked with like Bishop Byrne and everything, but if it turns out Bishop Byrne is not available on that date, we get a place just as close to that as we can find. The idea was to give you a demarcation of where it's going to be. Like we mentioned, Millington we don't know if it will be at City Hall yet or at the Civic Center there, but that's the sort of latitude that we need.

So moving right along here. **The structure of the public hearings is next. Item 4.**

These are just some pre-preliminary comments the chair wanted to bring to the committee's attention that to establish some basic rules for our hearings so we're not making it up as we go along. I suggest the 3 minute speaking limit, excepting the time a commissioner asks a question, and the person has to answer it that would not be counted as part of their time. No speaker can speak more than once. And I mean more than once at ANY of the public meetings in toto. In other words you cannot travel around and speak at Millington, then speak at Bishop Byrne and all that on the same subject. We've seen that before at some of the meetings we've had. And 3) the comments are limited to those who address the Charter and the officers affected. We don't want to get into a situation where we discuss every little beef someone has with county government. Are there any other thoughts commissioners have about the structure of the meetings at this point?

AVERY: Chairman, will we have a moderator or will you chair?

LILLARD: The Chair will be presiding. If I'm not available Commissioner Malone will chair as Chairman Pro Tempore. I don't know that everybody can make every one. So Commissioner Malone will preside if I'm not available.

Any other thoughts about the structure? We have a public address system that the County Commission has that we will use, it has two microphones, and has microphones for commissioners, not 13 but several that we can use, and the place will be set up properly. We will be recording the meetings and will probably prepare a transcript. Probably will on the theory that we may not be able to have every commissioner at every meeting. There may be commissioners that want to go back and review the record before casting their final vote or proposal.

MALONE: You may want to make them public on our website, too.

LILLARD: We can do that. That seems like a good suggestion. Clay, let's put that down. We've got a place on the website where we're putting transcripts of these meetings on there. I think Vice Chairman Malone's is a good suggestion. So we'll go ahead and plan on writing those up and putting them on the website.

BROOKS: On looking at the schedule, unless I missed something I don't see South Memphis. I'm presupposing that we are trying to cover geographic areas of the city so

that we can make it accessible to the citizens. And I just don't see an accessible location in South Memphis. Southwest Memphis.

LILLARD: Ok Southwest Memphis I was thinking that Bishop Byrne would cover it because that's down on Shelby Drive near I-55.

BROOKS: Ok that's not Southwest to me. That's south. Southwest would be Mississippi Blvd. going downtown. Mississippi and Walker going west.

LILLARD: I wonder if Mississippi Blvd. Church of Christ would not be close enough. I realize we're talking about a different quadrant, but ...

BROOKS: That's Midtown. I'm not trying to be picky here, but I just didn't want to leave my folk out here.

LILLARD: Do you have a particular area that you have in mind? You said Mississippi Blvd., do you have a cross street you're thinking about?

BROOKS: What's that church? St. Andrews or Monumental. Or Christ Missionary.

LILLARD: All right. I know where Monumental is. Ok. Commissioner Brooks is proposing having a meeting at Monumental or somewhere in that area. Is there objection to that?

RITZ: I wonder then if we ought to drop the Mississippi Blvd. one because the Central Library is pretty close.

LILLARD: Well, to me the Central Library is pretty far from Mississippi Blvd. church at Jefferson and Bellevue. That's the reason I said Mississippi Blvd. Ok there's a request by Commissioner Brooks to have a public hearing to be scheduled at the chair's discretion at Monumental or somewhere in that immediate vicinity.

BROOKS: Either one of those churches. I don't have a preference.

LILLARD: I'm just naming that as an area. You and I will get together and I'll coordinate with you, Commissioner Brooks, on exactly where to have it. Is there any objection to her request? The request is so ordered. So, we'll have 13 public hearings including the one last nominated. All right, so are there any further statements on item 4 as to Structure of the Public Hearings, or any further suggestions on that? Seeing none, it is so ordered.

Item number 5. Notice of Public Hearings. The chair has suggested several mechanisms for notifying of these public hearings. Clay and I discussed this the other day and we felt that mailing to all neighborhoods that are registered with the Center of Neighborhoods, mailing to all churches, mailing to all public officials in Shelby County would be a ** use of mailing and would be efficient in getting the word circulated.

AVERY: Neighborhood Associations.

LILLARD: I think that's what we meant by item number 1, the Center of Neighborhoods, and of course any outlying neighborhoods not registered with them. We can work with them to get their list if they aren't registered with the Center of Neighborhoods.

BROOKS: You know some of these Neighborhood Watch organizations are quite large, and I'm not sure they are all registered with the Center of Neighborhoods, but you have two. You have one for Sheriff's Department and one for the Police Department.

LILLARD: We can add that to the list if you want to do that. We can consider adding Neighborhood Watch coordinators to the list.

RITZ: Some might duplicate neighborhoods. If they did, you wouldn't have to send 2 or 3 notices.

LILLARD: Any objection to adding to the list the coordinators of Neighborhood Watch organizations? Ok we'll add them to the list. Now, as **to item 4, Publication of the Hearing Schedule** and the newspapers defined here. Chair was thinking that we would basically put an ad in the newspaper. You've seen the Election Commission ads that run. Of course they put in full page ads, but we could, depending on the cost, put in ½ page ad here or a ¼ page, stating the commission is having this schedule of public hearings for this purpose. And like the Election Commission does we can list the chairman, chairman pro tempore, and all members of the commission at the bottom as members who ordered this publication. Any questions on that?

BROOKS: Would we just run this one time? How many days prior to? Statutory notice?

LILLARD: Well it would be first of all up to committee how many times we want to run it. With respect to the suburban newspapers I would just consult with the mayor of that particular jurisdiction as to when it should be run. They may want to run it the week before we're out there, or they may want to run it a week before that. The other thing is, as to Commercial Appeal, it's possible we may want to run it more than once. I asked Ceceria to call the Commercial Appeal. I don't know if she got an answer. Floria, would you just ask Ceceria if she got a price on that from the Commercial Appeal.

MALONE: Chairman, there may be an opportunity on something like this that Commercial Appeal and one of the broadcast entities may want to be a media sponsor since this is a big deal for the county, and they do a trade where it won't really cost us anything.

LILLARD: Are you volunteering professional services, commissioner? I'm eager to accept volunteer donations. That's a good idea.

MALONE: I'm willing to check on it.

CHISM: Do you mean to tell me that you feel that the Commercial Appeal and the rest of the media would contribute to your efforts?

MALONE: Some of them like me. Ha.

MATTILLA: I can't believe ya'll left off North Shelby Times and Frank Holland. His feelings will be hurt.

LILLARD: Do you think Frank's feelings will be hurt?

MALONE: Oh yeah.

LILLARD: Without objection, we'll add the North Shelby Times to the list.

MAYOR

McDONALD: Since you are recognizing the audience, let me just step back here. You may want to consider a monitor. We do 3 minutes in our public hearings and I'm not sure you as Chairman, or you as Vice Chairman really want the responsibility of cutting people off and telling them they have to sit down. That's certainly up to you but it's not a way to win friends and influence people. But the other thing is the access to the Library television station and the ability to have some kind of programming that would be available. Since you have so many public hearings any one of those would be really good public viewing, but I would like you to consider the possibility of having some discussion or perhaps even some debates on these points of view so the citizenry could watch that and watch those different points being explained for those who are perhaps sick and shut in and can't make those public hearings, but would have some real flavor of your point of view on appointed vs. elected.

LILLARD: Clay, what I think we need to do is contact ComCast in Memphis to see if they would be willing to come out, or if we could video tape and get to them if they would do two of the meetings in Memphis and play them on their ComCast public hearing thing as a public access deal. We ought to also coordinate with the administrations in each suburban community because some of them have arrangements with the cable company to broadcast their Board of Alderman meetings, and then we could get ours done the same way when we're out in those places. Could you do that, Clay? In response to what Mayor McDonald was talking about.

BROOKS: Just in line with what both you and Mayor McDonald are saying. ComCast will actually come out on the day of the event and do it live. So you may want to ask both. They will do it. They have done it before.

LILLARD: Let's contact WKNO and ComCast both, Clay.

McDONALD: We have different channels than you do, but ComCast channel as well as KNO.

LILLARD: Ok, Clay's going to contact both WKNO and ComCast regarding that. All right. Any further discussion on mailings? Do we have any information on the Commercial Appeal's cost?

Commissioners, do we have any objections to utilizing the procedures that we have discussed today, placing an ad in these newspapers and etc. The chair will just do that at his discretion, work with the timing of that. Any objection to that?

RITZ: With respect to that, Press Release issue, I think that we ought to issue a Press Release before every meeting with just that meeting note in place.

MALONE: Let's call it News Release. Press Release is so old school.

LILLARD: Ok. All right. News Release. And we will consult with Commissioner Malone about the possibility of trying to enhance a media sponsor or something like that.

MALONE: I'll reach out to the CA.

LILLARD: Ok. Are there any objections to utilizing the procedures we discussed today, as printed on the agenda here. All right, seeing none, approved.

In terms of the overall agenda, go back to the Referendum Time line we looked at before in this booklet. We have the February 29th date identified for draft amendments and the request from the coordinator of elections for approval. The last public hearing at present is scheduled for February 19th. That is on a Tuesday.

GEATER: The 21st is the last meeting.

LILLARD: Oh yes the 21st. The 21st will be Thursday, our last week. We have that Friday the 22nd of February and the entire next week to consider the actual mark up of amendments. I wanted to propose to you, and I need to speak with Chairman Ford of the General Government committee about this, that the meetings that we have either on Friday, the 22nd or during the week of the 25th leading up to the 29th, to mark up amendments would be joint meetings with the General Government Committee of the commission, so that any amendments coming out of committee would go directly to the Commission for First Reading. In other words, it wouldn't go through the General Government or other Standing Committees of the Commission. Any discussion on that procedure? We are going to have plenty of bites at the apple from people dealing with the issues and all that, so I didn't think we needed another layer. Ok I'll speak to Chairman Ford about that. That's kind of our time line. We'll be marking this up between the 22nd and 29th is what the general plan is here. We may have to have multiple meetings during that time period. We would probably have a meeting on Friday the 22nd, and thereafter on the 25th and 29th. That covers the issues the chair had for the meeting. Are there any

other issues that any other member sees that needs to be brought to the attention of the Ad Hoc Committee on Shelby County Charter amendments? Are there questions from the audience the committee needs to consider or hear from about? All right. Is there a motion to adjourn?

AVERY: Move it.

RITZ: Second.

LILLARD: Ayes have it. This meeting stands adjourned.

End