

**SPECIAL MEETING
LAKE HELEN CITY COMMISSION
FEBRUARY 26, 2009
1:00 P.M.**

MINUTES

A SPECIAL MEETING of the City Commission of the City of Lake Helen, Florida was called to order by **Mayor Duffy** at approximately 1:30 p.m. Present were **Mayor Duffy, Vice-mayor Snowden, Commissioner Robbins and Commissioner Lane.** **Commissioner Burton** was not in attendance. Also present were **City Administrator Don Findell** and **City Clerk Nancy Wilson.**

CALL TO ORDER: **Mayor Duffy** called the meeting to order at 1:30 p.m.

COMMISSION DISCUSSION

Approve emergency ordinance 2009-01, opting out of the provisions of Chapter 95-462

Mayor Duffy read the Ordinance Preamble:

AN EMERGENCY ORDINANCE OF THE CITY OF LAKE HELEN, FLORIDA RELATING TO THE DATES OF CITY OF LAKE HELEN ELECTIONS AND THE QUALIFYING OF CANDIDATES FOR ELECTION TO OFFICE; OPTING OUT OF THE PROVISIONS OF CHAPTER 95-462, LAWS OF FLORIDA, AS AMENDED BY CHAPTER 98-506, LAWS OF FLORIDA; PROVIDING FOR CODIFICATION AND REENACTMENT; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Duffy followed this with, "This ordinance is necessary because we had decided to keep our regular yearly elections. The county was trying to move everyone toward biennial elections but we wanted the election schedule to stay the same. Basically that's what this is." **Commissioner Lane** said, "At this point, we have to go ahead with this but we might want to consider changing Commission term lengths so we don't have to go through the election process every year. We could move to what the county suggested." **Mayor Duffy** added, "There are other cities that are also opting out. We just felt it was better to do it this way." **Vice-mayor Snowden** pointed out, "A referendum would be required to change the terms and it would have to go to the people." **City Administrator Findell** agreed saying that's because the terms of office are spelled out in the charter. However, he did remember some discussion being had at the state and county levels as to whether a charter change was necessary; if state law superseded the charter. He said Ann McFall's office sent some correspondence around about an opinion she received from the Attorney General's office. **Mayor Duffy** said I think if you needed to make a charter change it was easier than a

major charter change in some way. I don't remember right now what it was. **City Administrator Findell** said, "I think even with that there was some difference of opinion on the parts of individual attorneys as to whether they felt the Attorney General's opinion was correct."

A supermajority was needed (4 yeas) to pass this Ordinance.

Vice-Mayor Snowden made a motion that we adopt Emergency Ordinance 2009-01 pertaining to the elections.

Commissioner Robbins seconded.

Zone 1 – yes, Zone 3 – yes, Zone 4 – yes and the Mayor voted yes.

The meeting was adjourned at 1:35 p.m.

Joan L. Duffy, Mayor

Nancy Wilson, City Clerk