

Minutes

Local Governance Study Commission
September 5, 2019 - 6:00 pm
Public Works Conference Room, 3rd Floor City Hall

CALL TO ORDER

Committee Members Present: Dr. David Branch (Co-Chair), Steve Berlin (Co-Chair), Gayle Anderson, Kismet Loftin Bell, Rev. Alvin Carlisle, John Cocklereece, Jack Fleer, Katie Hall, Ed Hanes, Cynthia W. Jeffries, Jeannie Metcalf

Elected Officials Present: Donnie Lambeth, North Carolina House of Representatives; Allen Joines, City of Winston-Salem Mayor; Dan Besse, Southwest Ward City Council Member; Jeff MacIntosh, Northwest Ward City Council Member; John Larson, South Ward City Council Member; Annette Scippio, East Ward City Council Member

City Staff Present: Lee Garrity, City Manager; Angela Carmon, City Attorney; Ben Rowe, Assistant City Manager; Meredith Martin, Assistant to the City Manager; Scott Tesh, Office of Performance and Accountability Director; Aaron King, City-County Planning and Development Services Director

Others Present: Robert (Bob) Joyce, University of North Carolina School of Government; Wes Young, Winston-Salem Journal

1. Welcome and Introductions (20 minutes)
 - a. Dr. David Branch
 - b. Mr. Steve Berlin

Co-Chair David Branch provided a welcome commenting on representation and diversity. Co-Chair Steve Berlin provided a brief welcome as well. Introductions were completed around the table.

2. Official Charge to the Commission (10 minutes)
 - a. Representative Donny Lambeth
 - b. Mayor Allen Joines

Representative Donnie Lambeth provided a welcome and thanks to the commission. Representative Lambeth stated that Winston-Salem is different from other cities in the current election process. He asked the commission to evaluate best practices in communities throughout North Carolina and to review how elections are completed to ensure representation for citizens.

Mayor Allen Joines also welcomed and expressed appreciate to the commission for their service. Mayor Joines noted that commission is balanced and diverse in an effort to represent the Winston-Salem community. Mayor Joines remarked that in 1948 the council-manager form of government was approved and following this, with growth, the City added wards. Mayor Joines stated that as this commission moves forward, three items should remain in mind – do not diminish minority representation, remember geographic representation, and establish a form of government representation that serves citizens well.

3. Presentation on Legal Framework for Elections and Re-districting (30 minutes)
 - a. Robert (Bob) Joyce, UNC School of Government

Mr. Scott Tesh introduced Mr. Robert Joyce providing information on his background and current focus area at the University of North Carolina's School of Government. Mr. Joyce provided background on the School of Government and the type of resource the school is for local governments within North Carolina. Mr. Joyce stated that cities exist due to the General Assembly establishing a local act with a city charter. In time, all amendments to the act become part of the charter. Mr. Joyce then distributed a handout and led the commission through the information.

Mr. Joyce stated that four routes are available in changing a city charter that can be completed by a municipality. A fifth route exists, however, this action must be taken by the General Assembly. Ms. Cynthia Jeffries asked if there is a priority in which route to take for action. Mr. Joyce noted that the fifth route used by the General Assembly has the most power. Ms. Jeannie Metcalf asked if the General Assembly could override any city initiated changes. Mr. Joyce noted that the General Assembly can override local changes.

Mr. Joyce provided more details on the four routes of change available at the municipality level of government. He also noted that General Statute (GS) 160A involves municipalities in North Carolina. Ms. Jeffries asked if the School of Government has a chart to illustrate the structure of various municipal elected bodies in North Carolina. Mr. Joyce noted that a chart will be shown later in the presentation. Mr. Joyce described to the commission the options for charter changes without the General Assembly's involvement (GS 160A-101) as well as the options for structure including at-large elections, districts, and combinations permitted for North Carolina municipalities (GS 160A-101(6)).

Mr. Joyce remarked on the election type options for North Carolina municipalities (GS 160A-101(7)). Of all the municipalities in North Carolina, Mr. Joyce noted that only nine are partisan. Ms. Jeffries inquired if this has changed over time. Mr. Joyce responded that partisanship has changed, however, smaller municipalities are nonpartisan because elections are easier and cheaper. Mr. Joyce provided a state-wide summary of government and election methods for North Carolina municipalities followed by a summary chart of cities with a population of more than 200,000 people.

Representative Lambeth added that in most municipalities the Mayor votes, however, in Winston-Salem, the Mayor only votes in the case of a tie. He noted that the Mayor of Charlotte has the authority to veto items being on agendas. Ms. Kismet Loftin Bell asked for clarification on nonpartisan elections and runoff elections with districts which Mr. Joyce provided. Ms. Jeffries asked from a School of Government perspective, are two year or four year terms better. Mr. Joyce responded that he had no opinion on the best method and was uncertain if a trend existed.

Mr. Joyce provided his email address - joyce@sog.unc.edu.

4. Public Commission Requirements (20 minutes)
 - a. Angela Carmon, City Attorney

Ms. Angela Carmon continued the presentation with information and policies on Open Meetings in North Carolina. Ms. Carmon noted that this commission is providing an advisory function.

5. Meeting Schedule (5 minutes)
 - a. Tuesday evenings recurring monthly

Mr. Tesh noted that previous discussions with the Co-Chairs led to the possibility of Tuesday evenings as standard meeting time for the commission. Mr. John Cocklereece made a motion for the first Tuesday of each month at 6:00 pm to be the commission's meeting time until the work is completed. Ms. Katie Hall seconded the motion and it passed unanimously.

Ms. Metcalf requested a list of commission members with contact information. Mr. Cocklereece asked if media requests should be deferred to the co-chairs. The co-chairs responded yes. Ms. Jeffries asked where the commission is beginning and ending, House Bill 519 or the entire city charter. Co-Chair Branch noted that the goal is to bring all commission members up to the same level with all the information available. Co-Chair Berlin added that the commission will review all of the options and determine what will work best for our city. Representative Lambeth noted that some areas the Mr. Joyce reviewed were not included in House Bill 519 such as partisanship. Representative Lambeth stated that the commission should review best practices in North Carolina to determine what is best.

6. Adjourn

The next meeting is scheduled for Tuesday, October 1, 2019 at 6:00 pm in the Public Works Conference Room on the third floor of City Hall.

The meeting was adjourned at 7:24 pm with a motion by Mr. Ed Hanes and seconded by Ms. Loflin Bell. The motion was unanimous.