

MINUTES - Amesbury Charter Review Commission (ACRC)

Thursday, August 27, 2020, 7:00pm, Virtual Meeting (via GTM and ACTV)

COMMISSIONERS IN ATTENDANCE

Peter Frey

Rob Chamberlain

Nick Wheeler (joined at 7:18 PM)

Jonathan Sherwood

Christian Scorzoni

Kate Currie

Anne Ferguson (joined at 7:18 PM)

OTHERS IN ATTENDANCE

Paul Fahey, Chief of Staff, Office of the Mayor (Staff Liaison)

CALL TO ORDER/ROLL CALL Jonathan Sherwood called the meeting to order at 7:03 PM.

REVIEW AND APPROVAL OF MINUTES FROM JULY 23, 2020 AND AUGUST 12, 2020 Christian Scorzoni moved to approve the minutes, seconded by Rob Chamberlain. 4 in favor, 1 abstaining, 2 absent.

CHAIR'S REPORT This report is not yet available. This will be continued until next meeting where it will be presented for consideration.

CONTINUED DISCUSSION OF COLLINS CENTER REPORT

Jonathan Sherwood opened the discussion up by continuing discussion from the previous meeting.

Paul Fahey informed that the initial report has now been completely walked through with the Collins Center.

Jonathan Sherwood stated that significant items have been discussed to this point but have not been decided upon or discharged at this point.

Paul Fahey suggested the list of questions for public feedback be discussed by the committee in greater detail.

Jonathan Sherwood opened the discussion around the questions regarding term lengths for mayor and at large members of the city council.

Rob Chamberlain asked for clarification for rationale of mayoral term increase.

Jonathan Sherwood confirmed.

Christian Scorzoni recommended these questions are appropriate to ask for feedback but reminding it would be effective with next election.

Nick Wheeler and Anne Ferguson joined the meeting.

Jonathan Sherwood suggested changing the wording of the question for city council term length.

Nick Wheeler voiced that he was not in favor of increasing city council term length. There are strong arguments in favor of it and some communities have considered it but personally does not necessarily support increasing councilor term length.

Jonathan Sherwood asked if there is rationale for asking public feedback on city councilor term length.

Anne Ferguson suggested it would be important for public feedback on the question of mayoral term length.

Nick Wheeler stated that the council would be reviewing this topic and the data collected from the charter review question may be helpful for the city council.

Peter Frey will revise the wording of question six to more generically ask if the term should change.

Jonathan Sherwood moved on to question two regarding compensation for school committee members.

Nick Wheeler suggested rewording the question for eligibility for school committee members. Any change to the charter would be to remove the prohibition for the school committee to be eligible for compensation.

Paul Fahey suggested keeping the question phrasing relatively simple for garnering public feedback. There were no objections to keeping the question as it is currently structured.

Jonathan Sherwood opened discussion for question three about making planning and library board of trustees appointed. There was a suggestion to make it clear that the mayor would be the person appointing candidates.

Nick Wheeler asked if housing authority is being left off from this question because of the state law requirement. There was some controversy about making this change to the housing authority even if it is statutory.

Peter Frey stated that this was the intent of its exclusion from the question.

Rob Chamberlain asked if the controversy during the last charter review was related to fraud cases in housing authorities around the state.

Nick Wheeler believes that citizens living in public housing like the ability to pick their representatives. Other changes being made to the charter at the time had a higher priority.

Kate Currie asked why input would be provided to the public on a matter that must be changed anyways.

Nick Wheeler stated that the change to the charter would still need to be approved by voters to be changed.

Peter Frey asked if the housing authority would be legally challenged as a legitimate board if it does not meet the requirements of state law. If state law supersedes the city charter on this matter, it may not matter what the public sentiment is.

Paul Fahey suggested taking the opportunity to inform the public that the purpose for the change is to bring the charter in compliance with state law. The questions for public feedback may benefit from having the library board and planning board as separate questions as each has their own reasons.

Christian Scorzoni suggested the context provided for the questions and method of feedback collected could give the committee a better sense of public sentiment.

Paul Fahey added that the framing of discussion for public hearing and providing an initial basic report could help to inform the public of the rationale for changes. The report does not need to include minor technical changes but should inform the public about the major issues that are being considered.

Jonathan Sherwood suggested providing a briefing with context for each of the questions and information about the statutory requirement for the housing authority but not opening this to the public.

The commission decided to separate the questions for planning board and library board of trustees. Context will also be provided regarding the move to make the housing authority an appointed body.

Jonathan Sherwood continued discussion to the question of a pathway for non-binding advisory questions to be asked more frequently than regular elections in odd numbered years.

Nick Wheeler suggested changing the question to reflect the current situation and what the commission is trying to accomplish with this issue. The word referendum should be changed to ballot question.

Christian Scorzoni suggested that it be specified that the city council would be initiating the ballot questions.

Jonathan Sherwood continued discussion to the question of eligibility for other school committee members to be elected as the chair.

Kate Currie voiced concern that the mayor not being chair limits their ability to impact the agenda of the school district and superintendent.

Nick Wheeler mentioned there is significant school committee experience on the commission. Circumstances may change where the school committee decides another individual may be in a good position to chair the committee.

Kate Currie suggested that the wording could be changed for the question to ask if school committee members should be able to elect their chair.

Nick Wheeler asked for clarification on the process for the charter review recommendation to get approved before going on the ballot.

Paul Fahey informed the commission that it goes to both the mayor and the city council for approval before going to the legislature.

Jonathan Sherwood continued discussion about questions for redistricting based on census and designating the city's website as the formal location for publication of information. There was a consensus that these topics are not controversial and do not require public feedback.

Jonathan Sherwood continued discussion to questions for citizen participation. Context should be provided making these topics easier to understand and to make it clear what the commission is trying to achieve. Many people are most likely unaware of the mechanisms available for citizen participation. The three initiatives have a general goal of lowering the thresholds required for mechanisms to be utilized. The citizen initiative question should specify lowering to from 20%.

Anne Ferguson pointed out that discussion with the Collins Center led to recommendations that the signature requirement for free petition be lowered from 150 to 50-100 and that the signature requirement to get an initiative on the ballot be lowered to 15%.

Jonathan Sherwood added that the citizen initiative and recall percentages required should be similar.

Nick Wheeler added that there was a recommendation that voter participation for citizen initiative to pass increasing from 20 to 25%. There are three options for how to proceed with these issues: 1) recognize that Amesbury's policies are overly restrictive compared to other communities, 2) lower the thresholds to bring Amesbury in line with average thresholds, or 3) go further to lower the thresholds.

Peter Frey requested clarification based on the previous meeting's conversation with the Collins Center. Which thresholds were recommended to be raised and which to be lowered? It was clarified that the recommendation was to lower the threshold for signatures to get on the ballot and raise the threshold for voter participation for a citizen initiative measure to pass.

Rob Chamberlain reminded that the previous discussion had been centered around lowering the barriers for the initial requirements for public citizen participation.

Jonathan Sherwood pointed out the topic and regulations around these are confusing to the board and will need to be made clear when posing questions for public feedback.

Jonathan Sherwood asked if there should be a question for public feedback regarding the requirement for voter participation during a recall initiative.

Nick Wheeler suggested this topic be further discussed once there is a decision on any changes to term lengths. If term lengths remain short, requirements for recall efforts might make sense to remain more challenging.

Peter Frey suggested getting public feedback on the recall topic would not hurt to frame further discussion. The commission decided to add this question as a topic for public feedback.

Nick Wheeler pointed out that there are four scheduled meetings left for the commission.

Paul Fahey suggested that additional assistance from the Collins Center could come in the form of research rather than presence at future meetings.

Nick Wheeler mentioned a preliminary report could be submitted to the Collins Center for review and they could then be present at meeting on 10/14 for further discussion.

Peter Frey asked if the public hearing would be in a similar format to the meetings that are currently being held.

Nick Wheeler answered that this would be the case if the status of public meetings remains the same at that time.

Paul Fahey informed the commission that the mayor was starting to explore next steps for adopting a hybrid format or returning meetings to being in person. The public hearing format could be in person. Any decision on this will be tabled until the next meeting to see where things stand.

Peter Frey will write up context for public feedback questions prior to the next meeting.

Jonathan Sherwood proposed discussing the process for collecting public feedback. Suggested timeline for collecting public feedback is to approve questions and commentary at 9/9 and go live 9/10. Public hearing could be scheduled for 9/24.

OTHER BUSINESS There were no topics for other business.

PUBLIC COMMENT

Dave Haraske, 8 Moody St: Frequently vacancies for elected positions are often filled by a combined vote of city council and the committee with a position to be filled. Were any candidate to pull nomination papers for a given office, it would require a minimum of 50 signatures from the public.

When a vacancy is filled by the vote of city council and a vacant position, signatures are not required. As these are elected positions, school committee, planning board, library trustees and housing authority, it is still useful to see representation at least mindful of the public. I would like to see the commission insert a requirement for vacancies not otherwise filled by a 30% vote minimum of having to at least collect the required signatures for nomination papers.

Discussion of public comment:

Anne Ferguson pointed out getting signatures would make it more difficult to fill vacancies.

Rob Chamberlain suggested logistics to verify the signatures in a short nomination and approval windows may be challenging.

Nick Wheeler pointed out that he understands the comment and that candidates meeting the 30% prior vote requirement have at least been vetted by people signing the nomination paperwork. However, the logistics would probably make this difficult to implement.

Michael Hogg: Public Comment: term of 4 years for mayor may result of a greater number of qualified candidates

Steve Stanganelli, 12 Amidon Ave: My suggestion for Housing Authority comes from my experience years ago in student government. We provided for appointment of a representative from the group itself. This is sort of like having someone from among employees to serve on a company's board of directors.

Steve Stanganelli, 12 Amidon Ave.: I encourage a change to FinCom composition to include some Councilors and some members of the public. I haven't heard anything in this discussion of questions. This would provide additional feedback and input.

Discussion of public comment:

Jonathan Sherwood commented this would be a matter appropriate for council rules. Nick Wheeler agreed and mentioned Dave Frick from the planning board has also brought this topic up.

NEXT MEETING DATE Wednesday, September 9 at 7pm via GoToMeeting.

ADJOURNMENT Anne Ferguson moved to adjourn, seconded by Jonathan Sherwood. The vote was unanimously approved.

Respectfully prepared and submitted by Peter Frey, Secretary, Amesbury Charter Review Commission