

Amherst Charter Commission meeting of Saturday, May 6 2017, 10am, Bangs Community Center, Room 101

Members present: Andy Churchill, Meg Gage, Nick Grabbe, Tom Fricke, Mandi Jo Hanneke, Irv Rhodes, Diana Stein, Gerry Weiss.

Members absent: Julia Rueschemeyer

Collin Center: Tanya Stepasiuk and Marilyn Contreas

Public in attendance: John Fox, Gretchen Fox, Jacqueline Maidana

Agenda

1. Call to order, approve agenda
2. Work on charter articles with Collins Center (2.5 hours)
3. Lunch (30 minutes)
4. Work on charter articles with Collins Center (1.5 hours)
5. Public comment (15 minutes)
6. Planning/updates (10 minutes)
7. Approve minutes from previous meetings (5 minutes)
8. Topics not reasonably anticipated by the Chair 48 hours prior to the meeting
9. Adjourn

The meeting was called to order at 10:03 pm.

Gage: Want to make a brief statement after Contreas (wrote them out to be clear and concise).

Weiss: Concerns about the final mayor-manager form we voted on. Want to be able to talk about it.

Stepasiuk: Want to reserve Contreas's time but she is a great resource for questions about structure.

Contreas: Every charter has a transition article. It basically has 3 different aims. The first one is to continue all the official acts and duties and responsibilities. Things only occur at this transition time. Now you need a committee to bring your current bylaws into harmony with the charter. This usually gets assigned to the select board and you need to have initial election. All this has to be done in very specific fashion, so that there's no question as to who's in charge. It gets complicated for bodies that are continuing like the library trustees. If moving to a November election, you're going to have to extend some of their terms. Try to achieve a regular election cycle as quickly as you can. Then we have all these other responsibilities in terms of questions of organization. Framingham's charter for example provided a to do list for the mayor. You have a little hitch in terms of the acceptance of the charter in an election year. You have to make a decision about how fast or slowly you proceed and how much time you'll find in a charter like Weymouth (their election was in July). Their mayor met with the select board for 6 months, then the swearing-in took place, so there was a transition period for those who were elected, to introduce them to the concerns of the town prior to being in office.

You cannot hold an election in November 2018. A special election requires two separate elections, so as not to create confusion. Either do it in the summer of 2018 (July) or Spring of 2019, then extend the initial terms. So the next election could be in November. You cannot hold it in October because you can't have an election within 30 days of the state election. Northampton had a special act that allowed for it. You can do it if you get a special act which would have to go through town meeting.

Gage: Think we should eliminate the summer option because here in Amherst it would be a cynical act.

Grabbe: Absolutely.

Hanneke: The current town election is in the spring. If it's held in Spring 2019 on typical town election day, what happens with the spring town meeting budget issue?

Contreas: The advantages to have a spring town meeting approve the budget is that they could be elected in the spring but take off after. It doesn't have to be in spring.

Stepasiuk: You can control the agenda.

Grabbe: Late September of 2018?

Contreas: That's creating a problem for the voters. Have to think about the practicality. People don't want to go to polls 2 times in 2 months. Can't have them at the same time as primaries as it's very awkward and would require a special act. A lot of voters don't participate in primaries.

Churchill: I imagine that the charter would be a bigger draw than state primaries.

Contreas: Yes, but the clerk has to conduct 2 separate elections.

Churchill: You talked about a to-do list for the mayor that Framingham and other towns did. Is it a to-do list for the mayor, council or both?

Stepasiuk: There are no ramifications if he or she doesn't do it. They're more like suggestions.

Contreas: One of the charter commissions kept a list of issues they chose not to put in the charter but sent a separate letter to the mayor to bring to their attention. Until 30 days after the election, the commission is still in office. You can continue to meet and schedule any public info events and can still meet and work on this letter.

Gage: Transition questions. Three of us are in the transition working group: Gerry, Tom and myself. Can you identify what our job is?

Contreas: It would be some issues I discussed. When the first election will be, what terms need to be extended... A lot of provisions are calendar driven. In several charters, the council meets with very limited agenda and sets up rules so they're in place. In the transitions, the duties of the town accountant and auditor are specified. Special acts are not problematic for Amherst, because in terms of disposition, most were dealt with in 2001. Need to look at them from 2001 to see whether they have any implications on the charter or whether they were expired.

Stepasiuk: Often in the transitions provision, it outlines the starting salary.

Churchill: How do towns go about setting the initial salaries for mayor and council?

Contreas: A lot depends on the community's philosophy of positions getting paid. In Framingham they use the existing town manager's salary for the mayor going forward. Councils tend to be all over the place. Some are based on tradition and what the power dynamic is. Boston's is over \$100,000. Some collect none, some \$5000, \$7500, \$3200 etc.

Grabbe: Greenfield switched to \$2000 after nothing for years.

Rhodes: We need to have this established before giving it to the public.

Stepasiuk: In Revere the chief of staff makes more than the mayor. If you've got a specialized administrator in that role, it's often a higher salary than the mayor. A lot of mayors recognize that it's going to cost money to get someone with professional expertise. In Revere they gave up some of their money to hire someone.

Contreas: The calendar, election, continuation of government and abolition of town meeting are all things to be considered.

Gage: Is there a period between the public hearing and the change in September to do any final tweaking? How much rewriting can happen in only one month?

Contreas: There is no limit. You have to be aware of what you're changing. If it's internal and discretionary, you can probably change it. If it's against state law, the attorney will send their

response in a letter. If you make changes after that, there's somewhat of a risk depending on if it's taking something that's set in law.

Churchill: Summary of where the commission is at. There's been lots of time spent listening and on the legislative side. On the executive side we've talked about wanting political accountability and professional management. When we looked at having a council form of government, the executive would be either a mayor or manager. With a manager, there were concerns that there would be a lack of political accountability with a multi-person executive. If we have a mayor, they would have political accountability, but there are concerns about a lack of management expertise. We ended up trying to address those concerns through a hybrid approach. We came up with a mayor-council form of government both elected by voters, with a professional administrator who would hire and fire department heads (serving at the pleasure of the mayor).

Contreas: Most chief administrators in charters may have responsibility in certain realms, but they never have appointment authority. Independent appointment authority creates divided loyalty. If the mayor doesn't approve this appointment and he doesn't have answers as to why things are proceeding as they are, you're dividing executive authority between 2 positions. You have to look towards worse case scenarios. What if there's significant disagreement? If they decide he or she will run for mayor, you need to say that the mayor is the executive. His duties should not be moved to the authority of the manager.

Weiss: That's what I worried about all week. I'm in favor of town meeting. I'm not saying we need to have a powerful mayor, as I think it's a terrible idea. We need to have the Cambridge model or the strongest mayor possible. Either or, not a blend.

Rhodes: Why can the administrative person not be hired by the town (which includes mayor and council) and that manager have particular responsibilities?

Churchill: Currently the administrator serves at the pleasure of the mayor.

Hanneke: Under the current draft, they're approved by the mayor unless rejected by the super majority of the council.

Rhodes: Based on the town's history, Amherst is familiar with a manager. People seem to be saying they really like a manager. We're distinguishing between the authorities and responsibilities of a mayor and manager. A manager that is hired by the town (through a hiring process) and reports to the mayor would allow us to have the authority and responsibility for those he or she manages such as the chief of police. That is something I don't see different in what we have.

Weiss: It's different because currently the select board isn't allowed to have any say in personnel. If the mayor is not hands off, then we have divided loyalties and department heads who could run to a mayor or manager. They can't do that with the select board.

Rhodes: Every time there's a change in administration, it's a disruptive part of the process in relation to running the town.

Gage: It's organization 101, it's a mistake to give one position a lot of authority.

Contreas: Irv is looking for community process to hire this individual, whatever the title becomes. He's looking to have a fair amount of strength in job description. The issue is where the final authority is. Suggests the use of new language such as Chief of Staff.

Rhodes: The mayor can't make up his or her own budget without the help of a chief executive officer. The mayor's budget has to go through the council. The budget-making process that the administrator goes through is semi public. The needs of people are going to be known.

Contreas: The council's control on budget is constrained. It can't increase. There's some modest amount of occasional negotiation, but it's not that every item is going to get fully vetted. The council does not have a lot of room to maneuver

Discussion about accountability when the budget is implemented.

Gage: If someone is working at the pleasure of the mayor and the chief administrative person can't get something done, he/she has to organize around the mayor, which would cause conflict. I don't see that position as a manager. We need to distinguish what it means to supervise staff.

Churchill: There are ways to have a hiring process, but the combination of authority and responsibility has to rest with the mayor. The administrative person has to work to translate whatever the mayor is being told to do by the voters. In terms of that, can you talk to us about the process of hiring department heads?

Contreas: In general, my understanding is that the chief administrative officer works with the outgoing person to come up with a job description and where it should be advertised. They may or may not set up committee to interview candidates, then present 3 candidates to the mayor and the mayor makes a selection from those 3.

Stepsiuk: The council could have a check-in point.

Contreas: Most charters delegate hiring of the police and promotion of department heads with clearance from the chief administrative officer.

Churchill: In terms of hiring the chief administrative officer, does the mayor hire that person? Does the council generally have the ability to reject that?

Contreas: It can go either way. The current text calls for the council to approve.

Stepsiuk: 3/4 charters specify this position. Usually the qualifications are loose.

Contreas: If you created a public recruitment process, the council picks up signals from that too. You can lay out something fairly close to what you want and put more specificity in the transition provisions. The mayor should submit ordinances to the council, so it's not cemented in the charter necessarily. An ordinance can be changed easier than a charter provision.

Hanneke: *Referring to language in the executive article.* I attempted to draft a new one based on the vote from last week, but it sounds like that level of specificity is not recommended.

Contreas: Yes, I would be in favor of something more general, like Newton's or Framingham's.

Rhodes: *Explains that he's against it being too general, based on personal experience.* Want to be explicit with the duties and responsibilities. This is Amherst. If it can be argued, it will be argued.

Stein: *Agrees with Rhodes.* Would like it spelled out in the charter. We've heard how important a manager is to our structure because of their set of qualifications, so I don't want it left to an ordinance which negates the characteristics and trainings we desire in what we want in a manager.

Fricke: I rolled into this thinking we had 3 or 4 choices. Based on the discussion now, we really only have 2 choices. There are 2 plausible ways to set up the executive structure: a mayor or council and a professional manager. When thinking about our motives: if we're not confident that a mayoral campaign would produce a mayor with respect for professionalism, we shouldn't have a mayor. If we're that suspicious, we should go with a council and manager. I'm now skeptical of what we came up with.

Rhodes: This would mean doing away with the vote from last week.

Churchill: So then who's in charge? *Explains the different models.*

Contreas: Most managers only succeed because they do very well politically. They attend council meetings, bring initiatives to the council, like the current manager and select board. The board of directors analogy is always used, but our notion is that it usually doesn't really play out that way.

Weiss: So we're talking about replicating what we have now but eliminating town meeting and creating a more powerful select board.

Contreas: The council is not like a select board. The manager attends every council meeting, but the select board is approving appointments, contracts, and have some administrative role mediated through the manager. The council does none of that.

Hanneke: In the manager-council system, the manager does everything.

Churchill: So if people don't like what the manager is doing?

Contreas: People need to get the council to fire them.

Gage: The council is powerful because they make the decisions themselves.

Rhodes: When we voted 6-3 against a council-manager model, did nobody understand that? People really wanted a mayor and we made that specific vote. I'm astonished that we changed our position.

Churchill: We're getting to the nitty gritty now. So the way it's presented here, Tom points to 2 approaches. We either go directly for an elected mayor (assume will be elected to have an administrative team to translate their vision into good government) or we say we don't believe in that, collapse town meeting into a council and have the manager run things.

Stein: Can you enlarge the role of the council in a charter? Their responsibility?

Contreas: No. The council is the legislative body.

Contreas leaves at 11:32 a.m.

Rhodes: 5-4 voted on mayor-council-manager. Maybe we want to revisit that and vote another way.

Churchill: The question is who's at the top. Don't want to keep revisiting this.

Stepasiuk: There's not a form of government that's mayor-council-manager. You need to decide.

Rhodes: I'm perfectly comfortable staying with the vote made last week (mayor-council-manager) or staying in the vote (manager-council) in which I was in minority. I'm comfortable saying I want a mayor or a manager, and want those roles defined in transparent manner, in a co-operative collaborative process.

Gage: I support what Tanya said. We need to make simple, clear decisions. We need to make big decisions then move towards specificity. It's hard to have voted on something that was not reported correctly.

Hanneke: I'm concerned with the outcome of that. We might end up with a 6-3 vote for manager-council but I'm not one who voted for this structure last week. I prefer a more streamlined structure. If it's a mayor-council, 13 is a fine number. If a manager, we might have to go to 9. I'm concerned about splitting the vote, as the vote may depend on the actual size of the council.

Stepasiuk: You need to think of every vote as a straw vote so you can pivot and address the vote. If there's a feeling like it's not working, you should have the opportunity to revisit it. Have the vote, see what happens and you can always ask to revisit.

Weiss: I don't want this charter the way it's going. Part of me wants to abstain. People who want a council should vote on this.

Gage: I've pondered long and hard about what my loyalty is to town meeting. I've given up on the legislative side of deliberations and am attempting to pull back and disengage. I'm not giving up on the executive side, especially on voting on proposals not written down. We need to engage the public. We need to listen to people who have more experience than we have. I'm still engaged in this process, but don't feel engaged on voting for a council. We haven't engaged the public. People haven't thought about the question of a mayor vs manager.

Churchill: We could have a public forum where we bring MMA and other people in to make their case. The only problem is that it's May. I agree that the town has not gotten as excited about the executive side, but I'm not sure if it will be the deciding factor.

Fricke: Was going to respond to Gerry. In terms of getting the best thing we can, I would strongly encourage you to keep voting. It's helpful. There's plenty of opportunity as the process goes forward to make your case about town meeting. Please keep joining us on votes. I think we have thought about the executive enough. It hasn't garnered public attention, but we're stuck with that.

Stein: I was an early proponent of the council-manager system. What concerns me about having a strong mayor who hires administrative staff is: why would a really good candidate want to come to that position? The town has been very well served with having a manger. I was met by someone on the street who works for the town and they're terrified that a mayor will come in without a strong manager. It's a very complex job and there are a lot of complexities to running a town of our size. If we get rid of a really strong manager, then the town will not have the type of management it has had up until now.

Rhodes: My email gets filled up. The first time I got stopped 20 times in a hallway saying that I need to continue to push firmly on town council-manager. It is something that is very strong out there in relationship to council-manager. If not, I want a mayor where the manager's role is very transparent and cannot easily be usurped by mayor

Grabbe: I don't think we should speculate on Julia's vote, so we should wait for her. Agree with Meg that we shouldn't vote on things not clearly spelled out. If we do have a mayor, they provide executive leadership. Professional management can be acquired through other means. Professional management is crucial for fixing potholes and keeping waters safe.

11:55 a.m. public comment.

John Fox: I'm a member of town meeting. I would like to address: the extent to which you're replacing a representative is sloppy democracy. This is becoming increasingly an authoritarian government your idea of a strong mayor with all these powers. You need to think 10, 20, 50 years from now. You need to consider what it would be like to have very strong powerful mayor. When the mayor's agenda becomes the council's agenda, it's shrinking the voices of the community, which is a real concern. I spent winter in Palm Springs, which is similar to Amherst. They have 2 major streets that look out to the mountains. They had a mayor who persuaded the members of town council that the town should move in the direction to get buildings for property taxes. Now you see enormous buildings blocking the view of the mountain. He's taking over the town with casinos and the mayor took \$375,000 in consulting fees from major developers. The FBI came and he was indicted. He had to explain what consulting he did, and people in town are furious because they've lost the character of the town. If we go to a mayor with all that power, I'm not saying that they will be corrupt, but we will end up with a solitary vision of town, not messy democracy like now.

Gretchen Fox: Two things: how will this be on the ballot that appeals to people? You can have the best form of government but if it doesn't appeal to voters, it's not simple enough. You need to have a large well-advertised meeting that involves people and gets publicity. The one Churchill described about executive options would be great, so that people understand what they're voting on. It is unclear at this point.

Jacqueline Maidana: Agree with John. Once something awful happens, there is no taking it back or recourse. I don't always agree with the decisions but respect the process. I'm 100% behind town meeting. I realize how much work you're going through and respect that effort.

Discussion by Churchill and Hanneke of which direction to go in. Stepasiuk says that they originally envisioned using the next half hour to work on neighborhood meetings, election meetings etc.

Grabbe: I think that we've concluded that having both a mayor and manager is off the table. If we're talking about a mayor and chief administrative officer, we've talked about how they would get hired but how would responsibility for supervising employees work?

Rhodes: Would not see the mayor supervising any employees. It would be the manager's responsibility. That was in my head for what we voted on. When will we make a decision? When

look at the meeting schedule, there are only so many meetings left before the July date. I believe that it would be very helpful to have a public discussion between these two options. I have already been on a school building committee of which we were accused of not having that discussion about the alternatives. I was away and was sure those discussions were going to happen, but they did not occur in terms of a public forum. We need to have that.

Churchill: Agreed. Was thinking of moving the listening session from the afternoon to the evening, a week from Tuesday.

Stepsiuk: Good idea. Don't want that to be deliberated. Maybe present the direction you're going in, then ask for feedback.

Fricke: In favor of doing a quick check-in because we don't know who's thinking what. Let's do a one-minute walk through? Then use the rest of the afternoon session so that we have something to chew on?

Gage: I strongly favor a town manager. Exploring concept of accountability.

Fricke: They're 2 reasonable options. I don't think either would be disaster. I think having mayoral campaigns would be good for Amherst. Not in favor of a middle ground where we create a strong mayor then tell them to delegate everything to a professional, but they should have professional assistance.

Rhodes: I voted for council-manager. Still believe strongly in that. Council-manager is my first choice. Second choice is a mayor-council-manager where the mayor cannot hire and fire town personnel.

Stein: Council-manager. Town employees are scared of a manager who doesn't understand how the town runs and doesn't bring professional expertise. My second choice is Irv's second choice. If we have a mayor, manager and the council, we would need to have duties clearly spelled out.

Churchill: Accountable leadership and professional management – I prefer a mayor. The voters should be in charge. If there's a council mediating the manager who's not directly accountable to the people, I worry about that.

Hanneke: Not in favor of current vote from last week. A manager-council would be fine, but concerned about a thirteen-person council. Can support a manager-council or mayor-council as long as the mayor is clearly in charge, has hiring and firing ability and can delegate department heads.

Weiss: Understandably, the majority want a small legislative body: 13 or less. I don't want that. I would like to talk to more professionals about this. Had one good conversation with Sandy Pooler, who said that he wouldn't take the job as it's currently laid out. Newton model worked for him. Cambridge model worked really well. What's gotten lost is my belief in a large citizen body. Would vote for a manager-council.

Grabbe: Position similar to Tom's and Mandi's. Looked at benefits and tradeoffs of a manager council and mayor council. Want to hear from public. Don't think that both mayor and manager could work because of the confusing responsibilities. We should consider how those concerns could be addressed by having a CAO with appropriate responsibilities. If we have a manager council, council should be smaller than 13.

12:28 pm lunch. At 1:09pm the commission begins to discuss the Potential General Provisions document, Limitation on Office Holdings section on the bottom of page 2.

Stepsiuk: This essentially says that no person will hold more than one full-time position. The notice of vacancies section gives some direction for when a vacancy comes out -how long and where it will be posted.

Stein: Fine for keeping it. Do you want to include the words “and online?”

Stepasiuk: It’s currently a placeholder. The term “bulletin boards” includes online. *Consensus: keep this provision as is.*

Stein: I want a transparent hiring policy so you don’t hire your cousin for example.

Stepasiuk: This is a minimum of 14 days notice. The question is whether it clutters the charter or not. A minority of charters might have something like this but it’s not necessary to have it in. *Churchill and Fricke agree that it might be more work. Stein and Rhodes believe the charter definitely needs to have hiring policies. Vote for whether to keep it in the charter: 4 votes each (split).*

Stepasiuk: Let’s leave it in for now. Can always take it out later.

Rhodes: Need to make sure this is fair for everyone so there’s no favoritism.

Stein: There are groups in this town that feel excluded in hiring.

Hanneke: This would mandate it for any employment.

Rhodes: Why is it that the department of public works employees are all white? How do people find out about them? Well if you’re in the know, you’ll find out. They’re sometimes posted, sometimes not.

Stein: Don’t see anything wrong with adding a provision if you want.

Gage: I’ll vote for it to keep it in. Would prefer to limit it to permanent positions.

Stepasiuk: Will add that language in.

Gage: I’ve had experience in my career with conflict of interest among those doing consultancy work. In public interest organizations, there should be transparency about employees in public service. Am very aware of how important it is.

Churchill: Might be useful to do a test vote for council-manager. Let’s do a public hearing next week rather than wait a couple weeks. There are several people who strongly believe we could do a manager council. Would be useful to get feedback sooner rather than later.

1:30 p.m. asks vote for council-manager with a 9 person council.

Gage: Reluctant to support 9 persons. Is it possible to vote on just council-manager first without specificity?

Churchill: Amend my motion: with size to be determined.

Weiss: I won’t be voting.

Hanneke: Concerned with “size to be determined.” How much can that go up? I will not support a maximum.

Churchill: Maximum of 13.

1:32 p.m. Motion for a manager council with a maximum of 13. Seven vote yes, Weiss abstained.

Hanneke: I’m curious: of the 7 that voted yes, would all 7 of us vote to send this to the voters?

Churchill: Does a yes vote on this today translate to not submitting a minority report tomorrow?

Gage: If there are no neighborhood associations for example, or if things are deleted, I’m still looking at citizen participation.

Hanneke: A yes vote today represents a yes vote in September.

Churchill: We’re expressing preference today on the executive and a council. Some may decide they don’t like a council. So how can you say I approve this?

Gage: Possibility of a yes. Feel strongly that a mayor would be extremely unfortunate for Amherst.

Grabbe: Why do many towns with managers have smaller councils than mayors?

Stepasiuk: Bigger municipalities often times go with smaller city forms. Don’t know if it’s a huge difference. Can do this research.

Churchill: Heard from political science folks: if you have a group of people managing one employee, a smaller group is more able to do this than a larger group.

Stepasiuk: Often times it's a supermajority that's needed. They're not micromanaging them. They're really putting a lot of power and trust with that manager. I don't know if there's a huge difference between councils of 9, 11, or 13 people.

Stein: I would really like to move on the provisions of the charter. If you want to know if I support this without a minority report, I say yes. This would stand the chance of passing.

Churchill: We're on a tight timeframe. Suggest using next Saturday's time. We would use some scheduled time for public input.

Stein: Maybe we should do 10-2 and then have 1 hour of public input. Would like to move forward to get the charter done.

Grabbe: If we have an hour long public hearing, then we can have the regularly scheduled meeting after.

Churchill: Tanya, how much can we get done with you?

Stepasiuk: If this is the direction we're going in, there are a number of things that may change. Any of these are viable options, but you need to figure out a direction. My concern is being able to digest the public comments. Thinking about the election provision, today we can go onto neighborhood meetings. We've done a lot of drafting, but you can certainly utilize me next week.

Gage: Suggest we give people multiple ways of giving input if they can't come. If thinking about a third Saturday, I would really love to not have a third Saturday in May.

Churchill: Can also say Thursday night.

Stein: How about a meeting on the 18th?

Hanneke: We could schedule a public feedback session for somewhere Thursday May 11th with the assumption that we can have a 5 hour meeting on Saturday the 13th.

Churchill: Motion to have it during town meeting?

Stein: I can't be here on the 11th. . However, there's nothing wrong with scheduling it at the same time as town meeting. There are many public events scheduled at the same time

Hanneke: We should call it a feedback session.

Gage: I propose that we meet next Saturday, have a feedback session 2 hours in morning on the 13th, then meet from 12:30 p.m. to 3 p.m.

Churchill: If we have a hearing on the 11th, we could do a lot of work on the 13th.

Gage: That's a very short notice to get this out. Let's vote between these two things: public hearing on Thursday 11th, then meeting Saturday. or Saturday with more notice.

Churchill asks for a vote to have a feedback session on the 11th. Stein, Churchill, Hanneke, Weiss and Fricke vote yes (5 votes).

Churchill: I'm going to schedule a feedback session on the manager-council form on Thursday night if town meeting does not meet. And if town meeting does meet, we'll invite the public for feedback on Saturday morning.

Stein: Will we change the time? Would be in favor of extending Stepasiuk's time for an hour or so until 4pm.

Churchill: If feedback session is in the morning, will extend by an hour.

Continue discussion of document: Memo 14.

Stepasiuk: This section refers to a specific neighborhood area council. A lot of cities and towns have an informal structure where neighborhood groups work together. Section 2-7: regarding neighborhood meetings. How formal do you want them? Who is directing these? What happened in Newton was that they weren't working. There was a lot of descriptive language in their charter, so they pulled back a lot to redirect to the council. Although people still wanted something in the charter to say that they existed.

Churchill: Think that neighborhood meetings is a very important component for people to feel like they have a voice. Think they should be as unrestrictive as possible. They should be open to anyone who wants to come from the precinct. Should be open to any resident and be a vehicle for people to identify issues that are important to them. Don't mind if the councilor convenes it. Should be two-way communication. I get nervous if it starts to become a club or some people are put in charge to run it. People can show up, be involved and engaged. That's what I'm most comfortable in.

Gage: Agree with everything you said. They're gonna be different from each other depending what neighborhood it is. Has to feel like it's of that neighborhood. How do you write that in a charter? I love not having it be prescriptive. A citizen engagement officer would also be so important.

Stepsiuk: You probably wouldn't want to put any restrictions. They should exist and be free to do whatever because they should be organic. You can't prescribe that one neighborhood meeting might overlap with another and won't follow precinct lines for example.

Churchill: For me, to offer a forum and something different from a neighborhood group that has potlucks, is important. There should be periodic meetings for voting districts open to all for the purpose of two-way communication with government representatives and other officials.

Grabbe: Seattle has that. It's called a community council.

Stepsiuk: Think it's a management thing that could happen

Churchill: I do think that the citizen engagement officer person could usefully help schedule the meetings so they are staggered in a way that officials can come to. A neighborhood meeting might happen and they could identify someone for the next meeting

Grabbe: Think these are very important in terms of robust participation. Was surprised to learn how many of these include public financing. In Seattle they have \$1 million a year just for the neighborhood council, but they're also in process of cutting its official ties. Some of these screen grant proposals pertaining to the neighborhoods.

Churchill: That seems bigger than we would need.

Stein: We have 2-7 in charter. Wondering if we should leave it minimalist and maybe add something about the transition to set up the mechanisms maybe working with engagement officer. I do like the idea that the important thing is to have two-way communication between citizens and councils. Like the idea of having so many meetings with the neighborhood councils. At least 2 a year or so. I don't think we should put into the charter every detail.

Grabbe: Think it's very important that this is going to happen.

Stein: 2.7 says there will be a number of meetings with these neighborhood associations.

Fricke: My preference: less is more. I would move towards precinct meetings instead of neighborhood meetings. It's a minor thing but I think it's clear. Agree it should be open. If it's convened by the councilor, who's setting the agenda? If I'm a precinct resident and want to talk about something, should we leave that vague? Or will the councilor accept all input on the agenda? If they do it once a year, that's 10 meetings that staff might be called to. Would town staff be asked to attend on an issue that they want to talk about? Or would the councilor be the only person doing this?

Gage: I'm confused. I thought that Andy was advocating for something much looser and crosses precincts. If it's more organic and formal, it would depend on the neighborhood. Some issues are affected across precincts, such as Pine Street's paving. How it works in Cambridge is that a staff person might come but maybe only for 20 minutes. They only ask staff to come when they have a particular question. It's very rare that they would go to all 10 precincts.

Stepsiuk: I live in Salem. What we have in my ward are 4 neighborhood associations that are informal and loose. Sometimes my councilor has a meeting for everyone in the ward that wants to find out anything going on in the city in a general way. The neighborhood association on the common have different wards. The charter has no control over them because they're organic and

you can't legislate that. We can be prescriptive. The question of what can you put in the charter is probably closer to formal meetings than informal.

Gage: Can you say in the charter that we encourage the formation of neighborhood associations?

Stepasiuk: Sure, we could put that as a value statement.

Churchill: Don't know how to feel about encouraging neighborhood associations.

Rhodes: Is there going to be something that says neighborhood councils will be in existence?

Churchill: Right now we have neighborhood meetings. Would propose to rename that as precinct meetings so each precinct would have at least 2 meetings each year for the purpose of two-way communication between them and the government. As opposed to laying it out too much in the charter.

Gage: The North Amherst library for example.

Churchill: These would be more general interest. Would be at least 2 meetings per year, but you can have more. We could say that they're assisted by the citizen engagement officer if we wanted to.

Stein: The only thing I would add is something about the agenda, such as precinct members can suggest to the council something to put on the agenda.

Hanneke: My preference is to stick with what we've got. I would add into that section that something about the agenda must include open comment. Section 3-3-b on page 12 in the new Master Draft: I would reword "to assist in the execution of neighborhood meetings" as participation officer might have better idea of what that word is really itching for. Would use community participation officer to help facilitate these meetings throughout too.

Churchill: In the interest of precinct councilor to hear from their constituents, precinct meeting agendas must include open comment and be convened by the councilor.

Gage: I hope these groups would do more than this but we can't mandate that. This is at least something.

Grabbe: The existence of them indicates that we are creating a structure for the public to participate.

2:30pm Continue discussion about elections: Article 7 draft elections article, number 15 in Draft Charter.

Stepasiuk: I will talk generally about the first section. It's stating mostly the timing of when these would occur. The real town election would occur each year.

Hanneke: Regular town elections would have to be in each odd numbered year. Could we set town and preliminary elections on Saturdays instead of Tuesdays?

Grabbe: I worry about people wandering into school buildings where elections are held.

Stepasiuk: I will text that question to Marilyn. I don't know if anything is prohibiting it. Saturdays would be preferable.

Gage: The reason it was on Tuesdays was because of some old colonial farm thing. We could debate whether Tuesday or Saturday would be better and why. It might just be tradition and make people remember.

Discussion about preliminary elections.

Stepasiuk: Section 4 is now talking about how many signatures are required to be on the ballot for any of the elections. This draft has 50 signatures. Right now we're talking about town councilors, school committee, and any other elected authorities.

Churchill: Is there any difference to have them different for precincts?

Stepasiuk: Plenty of charters do have them separate and they did have different requirements. If we have precincts, they are town wide.

Hanneke: Would go to 20. This depends on whether we have 10 wards or 5 wards. 10 wards are smaller areas. In theory, 25 shouldn't be a problem, but would personally take it to 20.

Stein: If we're going to have a preliminary, it takes a bit to have 20 signatures. Would make it easier to have a more competitive range.

Stepasiuk: We can have precincts at 20 and everything else at 50. We can redraft that paragraph to reflect that, then have section 4 about preliminaries. This is a lot of verbiage to basically say if only one person is elected to an office (separate from library of trustees for example) it says that the 2 people who gain the most votes will run for general election.

Churchill: The preliminary reduces it to twice the number of the final officers.

Hanneke: So you have at least double the choice.

Churchill: You don't end up with electing someone with 26% of the vote.

Hanneke: My thought: if we're unsure whether ranked choice voting is something to specifically put in the charter, we can add another paragraph. If the town adopts ranked choice voting, then preliminary elections are unnecessary.

Stepasiuk: If Amherst decides it wants to do it in the town, you would have to do a special act. You would be swapping it out of your charter and would be amending it. If you want to put it in now, now is your chance to go with it. For plan E it was the default. You might want to take a look at Maine's and you should definitely set aside a little time for this since it would be unique here.

Churchill: We did get request from the state ranked-choice people to talk about it, so we could ask them to come to a meeting.

Hanneke: The idea has been on the online feedback form.

Churchill: We might want to hear from the town clerk about implementation.

Gage: I support putting it in today.

Grabbe: It would replace preliminary elections and save money.

Churchill: All in favor of moving in that direction? *8 in favor (all)*

Grabbe: I'm assuming the town's voting machines would be able to process this?

Stepasiuk: Thinking about cost and logistics, we could also say that this will start this in a few years.

Hanneke: I don't know. Right now with staggered elections, we need up to 8 openings for 3 year terms for example etc. Is this the article that we'd write these in? Would they all go on the same ballot so people voting would not be confused?

Stepasiuk: You might want to write a bylaw instead of dealing with all the specifics in the charter. You want them all to be in the same pool. We did something similar in East Longmeadow. They didn't have time for a preliminary, so everyone went on the ballot. People that got the 3 highest got 3 year terms etc. There are a number of ways you could craft that.

Hanneke: Does the charter dictate the multiple term openings or is it generally a bylaw that does that?

Stepasiuk: Either way is possible, but do you think the charter commission should decide this?

Fricke: We could say in the charter: the council shall create a ranked choice voting system.

Stepasiuk: You can also put it in the transitions provision. The council could be tasked with writing this bylaw.

Stein: It could be a subcommittee of the council as well.

Stepasiuk: Suggest to have example language.

Rhodes leaves at 2:55 p.m. Discussion by Churchill and Gage of planning the feedback sessions. Churchill adjourned the meeting at 3:07 pm.

Respectfully submitted,
Fiona Servaes

Documents presented:

Amherst Charter Master Draft - May 3, 2017

Collins Center Memo #14 - Transition Provisions Primer

Proposed New Executive Language reflecting April 24, 2017 Vote

Proposed Organizational Chart

Radway-2014 Survey on Mayor Council Pay