



City of Bristol
Bristol, Connecticut

Charter Revision Commission

Public Hearing

There will be a Public Hearing of the Charter Revision Commission on June 21, 2022 at 7:00 PM at the Bristol Public Library, 5 High Street, Bristol, Connecticut. The purpose of the meeting is to receive public input on the proposed draft report's changes to the charter.

AGENDA

1. Call to order.
2. Introduction of commissioners.
3. Receive public comments on the proposed draft report:
 - a. Sections 20, 40 and 51 – Increase the city council from 6 to 9 members (from 2 to 3 per district) with multiparty representation and increase the board of finance membership from eight to eleven members.
 - b. Technical and/or non-substantive revisions to sections 6, 11, 18, 21, 33, 39, 41, 49, 55, 57, 58, 59, 63 and 64 (consistency in capitalization of “mayor” and “city council”, and terminology in use of “council”, “councilor” and “city council”).
 - c. Section 12 – change the method of creating council districts to the registrars of voters from the public process of the charter revision commission.
 - d. Section 9 – expand the types of and penalties for misconduct by elected or appointed officials.
 - e. Sections 20, 38 and 68 – change the 2-year term for the office of mayor to a 4-year term.

4. To close the public hearing and adjourn.

Bristol Charter Revision Commission
Per Jon P. FitzGerald, Chairperson
Dated this 9th day of June, 2022

Written communications may be sent to: The Charter Revision Commission c/o The Office of the Corporation Counsel, City Hall, 111 N. Main Street, Bristol, CT 06010-8112.

Corporation Counsel's Office is inviting you to a scheduled Zoom meeting.

Topic: Charter Revision Commission Meeting

Time: Jun 21, 2022 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://bristolct-gov.zoom.us/j/89752413583?pwd=aSt5ZEVNOXVNUtFDZU55eEI5b3ZSdz09>

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Passcode: 434912

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Issue: Shall the city council be increased from six to nine members with multiparty representation and the board of finance be increased from eight to eleven members?

Recommendation: The charter revision commission recommends increasing the city council from six to nine members with multiparty representation and increasing the board of finance from eight to eleven members.

Sec. 20. City officers; elective.

(a) The general officers of said City of Bristol, to be elected by the electors thereof shall be a mayor, **[six] nine** council members, a treasurer and a board of assessment appeals of three members. All of such officers shall be elected at each municipal election for a term of two years from the first Monday following their election and until their successors are elected and have qualified. Each elector shall be entitled to cast one vote for mayor, one vote for treasurer, two votes for the candidates of their choice for city council of the council district wherein the elector resides, and two votes for members of the board of assessment appeals of said city.

(b) No political parties shall nominate more than two residents of each council district as candidates for the city council. The **[two] three** candidates from each council district receiving the highest number of votes shall be declared elected to the city council.

(c) No political party shall nominate more than two candidates for the board of assessment appeals of the city and the three candidates receiving the highest number of votes for the board of assessment appeals shall be declared elected.

(d) No person shall be qualified to be a candidate for any elective municipal office in the City of Bristol unless such person shall be an elector of said city.

(e) Any official elected on or after November 7, 2017 who ceases to be a resident and elector of the City of Bristol, or in the case of a council member who ceases to be a resident and elector of the council district from which he or she was elected, shall thereupon cease to hold such elective office and the elective office shall be vacant. Vacancies shall be filled in accordance with the provisions of Section 21 or Section 53 as may be applicable.

Sec. 40. City council meetings.

(a) The Mayor and **[six] nine** council members shall constitute the city council.

(b) Such council shall hold a regular meeting once in each month, on a date and time to be fixed by a by-law or ordinance, at which meeting any elector or property owner of such city shall have the right to appear and to be heard as to any business of said city.

The mayor shall have the power to call a special meeting any time and the mayor shall call a special meeting when requested by two council members to do so.

(c) The city clerk shall cause a copy of the call for each special meeting to be served upon or mailed to each council member at least twenty-four hours before the hour of such special meeting, but the lack of a call or insufficiency of service shall not invalidate any meeting at which all members are present and none of them objects because of such lack or insufficiency.

(d) **[Four] Five** members of the city council shall constitute a quorum for the transaction of business.

Sec. 51. Board of finance.

(a) The board of finance of the city and town of Bristol shall consist of nine members, of which the mayor shall be one member, ex officio. Upon the expiration of the term of any member in June, the mayor shall nominate, and the city council shall, within sixty days after such nomination, confirm a successor, who shall serve for a period of four years or until their respective successors shall be appointed, subject to the provisions hereinafter set forth. **In June 2023, the mayor shall nominate and the city council shall confirm within sixty days after such nomination three additional members of the board of finance, one of whom shall serve for a term of one year, one of whom shall serve for a term of two years, and one of whom shall serve for a term of three years. Upon the expiration of the term of any such additional member, the mayor shall nominate and the city council shall, within sixty days after such nomination, confirm a successor who shall serve for a period of four years or until a successor is appointed.**

Subsection (b) through (y) not shown. No changes.

Issue: Shall technical revisions to the charter providing for consistency in capitalization and terminology be approved?

Recommendation: The charter revision commission recommends the charter be revised to provide for consistency in capitalization of “mayor” and “city council” and terminology in the use of “council” and “city council”.

Sec. 6. Ethics board and conflict of interests.

Notwithstanding any charter provision to the contrary, any elected or appointed official or any employee of the City and Town of Bristol who has a financial or personal interest, either individually or as a member of any group that has a financial or personal interest, direct or indirect, in any contract, transaction or decision of any board, body or commission, to which the City or Town is a party, shall immediately disclose that interest to the board, body or commission concerned which shall record such disclosure upon the official record of its meetings. Said official or employee shall then vacate the chamber and refrain from voting upon or otherwise participating in such capacity as a City or Town officer or employee in the making of said contract, transaction or decision. Within seven (7) calendar days from the date of said disclosure, said official or employee shall file written disclosure of said interest with the Town and City Clerk. Upon making a finding of violation by any such official or employee of provisions of this section, the Ethics Board shall refer such finding to the **[City Council] city council**. Violation of any such official or employee of the provisions of this section shall be grounds for removal by the **[City Council] city council** after due hearing thereon. Violation of this section with the knowledge, express or implied, of any person or corporation participating in such contract, transaction or decision shall render the same voidable by the **[City Council] city council** or by a court of competent jurisdiction. The **[City Council] city council** shall establish a policy for disclosure of financial or personal interests of elected and appointed officials and employees of the City and Town of Bristol. Such policy shall list the offices or positions for which such disclosure shall be required and shall set forth the scope and manner of such disclosure. The **[City Council] city council** is empowered to carry out the provisions of this section by appropriate ordinances, including, but not limited to, the enactment of definitions to be used in the implementation of this section.

Sec. 11. Fiscal year.

The fiscal year of the city and of all subdivisions thereof shall commence on the first day of July of each year, and expire the thirtieth day of June next succeeding annually. The tax lists prepared in the month of October in each year shall constitute the tax lists for the fiscal year next following, and the board of assessment appeals shall meet as required by law in March of each year next preceding the beginning of each fiscal year. The budget each year shall be completed not later than the first Monday of May next prior to the first day of each fiscal year, and a copy thereof mailed to each **city** council member by the chairperson of the board of finance immediately upon completion but not

less than fifteen days prior to the first Monday in May annually. All provisions of the special or general acts inconsistent with the provisions of this section are repealed so far as they relate to said city and no provision of the general statutes inconsistent with this section shall apply to the city of Bristol.

Sec. 18. Referendum.

No ordinance passed by the city council, as authorized by this charter, shall go into effect before fourteen days from the date of its publication in a newspaper of general circulation in the city, except when otherwise required by the general statutes or in case of a measure for the immediate preservation of public peace, health or safety, which contains a statement of its urgency. If, during such fourteen days, a petition signed by at least five per cent of the qualified electors, protesting against the passage of such ordinance, shall be presented to the city clerk, the same shall thereupon be suspended from operation and the **city** council shall reconsider such measure, and, if it be not entirely repealed, the **city** council shall submit such ordinance to the vote of the electors of the city, either at the general municipal election or at a special election to be called for that purpose, and such ordinance shall not go into effect unless a majority of the qualified electors voting thereon shall vote in favor thereof. The sufficiency of such petition shall be determined, the election ordered and conducted and the result declared as provided in section sixty seven hereof, so far as said provisions may be applicable.

Sec. 21. – Elective officers; terms; vacancies.

(a) If a vacancy shall occur in the office of mayor, the city council shall have power to make temporary provisions for the performance of the duties of the office. It may fill the vacancy for the unexpired portion of the term of such office, if less than nine months remain of such term. If, at the time of such vacancy, nine months or more remain of such unexpired term, or if, within one month after such vacancy, the city council shall have failed to fill such vacancy, as is above authorized, the vacancy shall be filled at a special city election called by the acting mayor.

(b) All provisions of this charter relating to nominations of elective officers and to city elections shall apply to such special election, with such changes as to dates and other details as the city council shall determine to be necessary.

(c) If any **city** council member shall vacate such person's office, the vacancy shall be filled at a special city election for the position vacated if more than nine months remain of the term and shall comply with Sections nine and ten of this charter herein. If less than nine months remain, no election shall be held and the mayor shall within two weeks of such vacancy, appoint a replacement, with a member of the same party affiliation as the member who vacates, with approval of the city council. Said appointment shall continue until the next regular municipal election.

(d) The city council shall have power to fill any vacancy that may occur in any other city or town office, except as otherwise specifically provided herein.

Sec. 33. Director of public works.

The director of public works shall be nominated by the mayor and appointed by the city council for a term of four years. The mayor shall notify such director of public works at least one month prior to the expiration of the term in writing that such person will or will not be renominated. The director of public works shall hold a degree in engineering, business or public administration, or a related field and shall have had at least five years' experience in a managerial capacity. Notwithstanding the provisions of this section, the director in office on the effective date of this section shall continue in office until the expiration of the term. The director of public works shall be responsible for the efficiency, discipline, and good conduct of the department of public works, and as provided in this charter shall appoint and may remove such deputies, assistants and employees as the director of public works may deem necessary subject to the approval of the city council and shall direct the activities of the city engineer. The director of public works shall exercise the powers and discharge the duties of the office under the direction of the board of public works. The director of public works shall organize the work of the department in such manner as director of public works shall deem most economical and efficient. The director of public works shall be the tree warden and shall have all the powers and duties thereof as provided for by the general statutes. The director of public works shall have supervision and control of the maintenance of all city owned structures, except such structures as are under the control of the board of education, park department and water department, and of the planning, surveying, constructing and reconstructing, altering, paving, repairing, maintaining, cleaning, lighting and inspection of highways, sidewalks and curbs, storm sewers, public and private drains, and other public improvements, city buildings, and the preservation, care and removal of trees within highways and public places, all engineering work of the city and the collection of and disposal of garbage, rubbish and refuse. The director of public works shall have such other powers and duties as the board of public works may prescribe. Any provision of this section to the contrary notwithstanding, the department of public works (or any city department) may maintain and care for school buildings and grounds, but only if, and to the extent and for the period requested by the board of education and approved by the city council, provided the costs are charged against the board of education's appropriations. The director of public works may close or restrict traffic over any section of any street, highway or bridge within the City of Bristol and within its control for the purposes of construction, reconstruction or repair by posting notices at each end of such highway or bridge, and any person using such highway or bridge when such notice is posted shall do so at such person's own risk. Nothing in this section shall be construed to authorize a violation of any term of any agreement with a duly approved collective bargaining agreement. In all other sections of this charter the superintendent of public works shall be the director of public works.

Sec. 39. The mayor; powers and duties.

(a) The mayor shall be the chief executive officer of said city, and, ex officio, a **city** council member. The mayor shall preside at all meetings of the city council. The mayor shall have power to preserve the peace of said city, and may suppress all tumults and riots with force if necessary, and, in the performance of said duty, may, at all times, require the aid of any marshal, constable or police officer, or all of them together, or of any elector of said city, or may call upon the governor for the assistance of the state militia.

(b) The mayor shall exercise general supervision over the official acts and conduct of all officers of said city, and may, at any time, require any such officer to report to the mayor concerning any matter within the mayor's charge and shall take action to cause any such officer to be punished for violation or neglect of duty.

(c) The mayor may, at any time, summon before the mayor any officer of said city for information, consultation and advice upon the affairs of the city.

(d) The mayor shall sign all contracts, bonds or deeds or other instruments requiring the assent of the city and shall take care that the terms of the same are fully performed.

(e) The mayor shall, annually, and from time to time, communicate to the city council such information concerning the affairs of the city, and such suggestions and recommendations relating thereto, as the interest of the city shall, in the mayor's judgment, require.

(f) Immediately upon taking the oath of office, the mayor shall, in writing to the city clerk, designate one of the **city** council members to be acting mayor for the balance of their term in office. The mayor may from time to time revoke such designation and appoint some other **city** council member to be acting mayor, which appointment shall then remain in place for the balance of their term in office. The acting mayor shall have all of the powers and discharge all of the duties of the mayor during the absence of the mayor from the city or during the period of time the mayor is unable to perform the duties of the office except as otherwise specifically provided. In the event both the mayor and the acting mayor are absent from the city or unable to perform the duties of the office, then, by vote of the majority of the remaining city council members a successor acting mayor shall be selected to serve in such capacity only until the mayor or acting mayor shall return to perform the duties of the office.

(g) For the purpose of Section 39 the definition of unable to perform the duties of the office shall mean:

(1) Court ordered finding;

(2) Any time the mayor is admitted to an acute medical care facility, unless or until the treating physician for the admitted elected official provides certification, in writing to the director of human resources who shall notify the town clerk, that the official is able to perform the duties of the office; or

(3) Any time the mayor shall undergo a medical procedure which shall require the administration of sedation or general anesthesia, unless or until the treating physician for the elected official provides certification, in writing to the director of human resources who shall notify the town clerk, that the official is able to perform the duties of the office.

(h) The mayor shall cause annual written performance appraisals to be conducted for all non-elected department heads.

Sec. 41. City council; powers and duties.

(a) The legislative power of the city shall be vested exclusively in the city council except as otherwise provided in this charter or by the general statutes. In addition to such powers and duties of the city council as are provided by the general statutes or by other provisions of this charter, as amended from time to time, the city council shall have the power subject to the provisions of the initiative and referendum herein, to enact, amend or repeal ordinances not conflicting with the statutes of this state or this charter on any subject or matter concerning the City of Bristol for the efficient and proper carrying out of the city's affairs and maintaining law and order therein by any official, commission, board, agent, employee or by any other group or person duly authorized or for any other proper cause; which ordinances shall have the force of law within said city or within any part or parts, or at such time and places to which their terms are applicable but no such ordinances shall take effect before fourteen days from the date of its publication in a newspaper of general circulation in said city, except that an ordinance for the immediate preservation of the public peace, health or safety, which contains a statement of its urgency may be made to take effect upon its passage or before the expiration of said fourteen days. Any ordinance within the above exception shall be so published within three days after its passage.

(b) Every act of said city council creating, altering, or abolishing any agency, commission, office, or employment or assigning or reassigning the same to departments or establishing any rule or regulation for the violation of which a penalty is imposed, or placing any burden upon or limiting the use of private property, shall be by ordinance.

(c) Every ordinance, except an ordinance making a general codification of ordinances, shall be confined to a single subject, which shall be clearly expressed in its title.

(d) All ordinances which amend or repeal existing ordinances shall set forth in full the section or sub-section to be amended or repealed, and if it is to be amended shall indicate the matter to be omitted from the revised section or sub-section by brackets and shall indicate new matter by underscoring or the use of italics.

(e) All proposed ordinances to be introduced shall be written or printed.

(f) An ordinance may be introduced at any regular or special meeting of the city

council by the mayor or any other member or committee of said **[City] city** council. Upon introduction it shall be read provided, however, that the reading of the proposed **city** ordinance may be waived by a unanimous vote of those in attendance at the meeting. The **city** council shall set a day and an hour, not earlier than the seventh day thereafter, at which the **city** council or a committee of the **city** council shall hold a public hearing thereon. Such hearing may be at a regular meeting of the council or at such time and place as the **city** council may order and may be adjourned from time to time. It shall be the duty of the city clerk to publish, except as hereinafter provided, every ordinance introduced, within five business days after its introduction, as a paid advertisement once in a newspaper of general circulation in the city, together with a notice of the time and place at which the public hearing thereon shall be held. Copies of the ordinance shall be kept available for inspection in the office of the city clerk. Following the adoption of an ordinance by the city council, the city clerk shall within five business days publish same. Emergency ordinances for the immediate preservation of public peace, health or safety shall contain a statement describing the emergency and may be introduced and acted upon at any regular meeting, or at any special meeting without a public hearing and without prior publication thereof provided the subject thereof has been included in the notice for such special meeting.

g) Newspaper publication may be dispensed with in the case of an ordinance making a general codification of ordinances or in the case of any other ordinance exceeding one newspaper column in length when printed in eight-point type without leads, provided such ordinance has been published in suitable form for distribution and copies thereof made available to the public in the clerk's office. In such cases a description of the ordinance prepared by the city clerk shall be published twice in a newspaper of general circulation in the city of Bristol.

(h) Any ordinance adopted in accordance with the foregoing provisions, which contains an expiration date shall be deemed to have been repealed on such date.

(i) All ordinances not inconsistent with this charter in effect at the time of the effective date of this charter shall continue to remain in effect until repealed or amended in accordance with the foregoing provisions.

Sec. 49. Assessments for improvements; hearings.

Any public hearing before the city council authorized under this charter on any matter relating to proposed improvements of streets, sidewalks, curbs, gutters or pavements, or for the installation of any sewer or sewer connections, may, upon vote of the city council, be heard by a committee appointed by the **city** council, which committee shall report to the city council for action. Notices of hearings on any such matters may be either served in person or by certified mail or by registered mail.

Sec. 55. Fire department.

(a) The fire department of the City of Bristol shall be under the general supervision of a board of fire commissioners, consisting of six members, one of whom shall be a city council member, and the mayor, who shall be a member, ex officio, and chairperson of such board.

(b) The existing board of fire commissioners shall hold office for their respective terms of appointment and until their respective successors shall be appointed.

(c) Within one month after the mayor and the city council elected at a municipal election shall take office, the mayor shall nominate and the city council shall appoint one **city** council member to be a member of such board, for the term of two years, except that no **city** council member shall be a **city** council member of the board after the term of office of said **city** council member shall terminate.

(d) All members of the board except the **city** council member, shall hold office for three years, and no member except one city council member shall hold any other office in such city. Upon the expiration of the term of office of any member, the mayor shall nominate and the city council shall appoint a successor. All appointments shall be made during the month of January, for a period of three years, and shall be effective as of the date of expiration of the term of office succeeded to, or from the date of appointment if made subsequent thereto, but the term of office shall be deemed to begin on the first Tuesday of said month.

(e) In the event of a vacancy, a successor shall be nominated and appointed in the same manner for the unexpired portion of the term of the office vacated.

(f) Said board of fire commissioners, subject to the approval of the city council, shall make rules and regulations for the government of the fire department, including the suspension or removal of the members of said department, except as otherwise expressly provided for in this charter.

(g) The city council shall have power of removal of the chief upon recommendation of the board of fire commissioners. Said officer shall not be removed or reduced in grade without having first received a written statement setting forth the reason for such removal or reduction and has been given an opportunity to appear and be heard before the city

council. If desired by the officer removed or reduced, the statement received by the city council, together with said officer's reply thereto, shall be made a matter of public record.

Sec. 57. Department of parks and recreation.

(a) The public parks and playgrounds of the City of Bristol existing and maintained or which may be established or maintained by said city, or, which may be assigned by the city council, whether within or without the corporate limits of the city, together with all park property which may be acquired, shall be under the general care and control of the board of park commissioners. Said board shall consist of the mayor as a member ex officio and chairperson of the board, and six commissioners.

(b) As each commissioner completes the commissioner's term, the mayor shall nominate and the city council shall appoint a commissioner who will serve for three years, and all commissioners thereafter appointed will hold office for three years or until a successor shall be appointed.

(c) All nominations and appointments for full three-year terms shall be made in the month of December next preceding the expiration of the term of any commissioner, and such appointments will take effect on the first of January following the appointment.

(d) In the case of a vacancy, a successor shall be nominated by the mayor and appointed by the city council in the next month after the vacancy occurs. Such successor shall take office on the first day of the ensuing month and shall serve out the unexpired portion of the term.

(e) The board of park commissioners shall elect from its membership a vicechairperson who shall act as chairperson in the absence or disability of the mayor. The board shall elect a secretary, who, at the discretion of the board, may be one of its members. At all meetings, four members of the board shall constitute a quorum for the transaction of business. No member of the board of park commissioners shall receive compensation, but each commissioner shall receive actual disbursements for necessary expenses in the performance of any duty imposed upon the commissioner by direction of said board. Said board shall have the care, management and control of all parks and playgrounds of the city and of all constructions thereon and it may give proper designating names thereto. Said board shall have power to lay out and improve, with walks, drives and roads, the parks and other property thus held and acquired, and shall have the power to build necessary culverts and bridges and to drain, plant and otherwise, at their discretion, to improve and adorn such properties thus held or acquired. It may erect such buildings as may be needed for the use, protection and refreshment of the public, provided no expenditure shall be made in excess of the amount appropriated by the board of finance for the use of the parks or otherwise provided. It shall recommend to the city council rules, regulations and ordinances necessary to the maintenance of such parks and for safety and order therein. The board shall nominate a duly qualified individual to serve as acting

or interim superintendent for a specific term in the absence or during a vacancy in the superintendent of parks and recreation's position to be approved by the city council.

(f) Said board shall have exclusive power to make rules and bylaws for the ordinary transaction of business and shall keep proper records and books of account, subject to the supervision of the board of finance. Books of account and record shall, at all times, be open to the inspection of the mayor and city council and to the board of finance and shall be subject to annual audit by the proper municipal officials.

(g) Said board shall have sole power to determine the places in said parks, grounds and other property under their control, where sewer, gas and water pipes shall be laid, and no trench for such purposes shall be opened without written consent from said board. No telegraph, telephone or electric light, or other wires or posts or supports therefor shall be erected in, upon, through or over said park or parkways without the consent in writing of said board.

(h) The superintendent of parks and recreation shall be nominated by the mayor and appointed by the city council for a term of four years. The mayor shall notify such superintendent of parks and recreation at least one month prior to the expiration of the term in writing that such person will or will not be renominated. Notwithstanding the provisions of this section, the full-time superintendent of parks and recreation in office on the effective date of this section shall continue in office until the expiration of the term. The superintendent of parks and recreation shall be (1) a graduate of a four-year college or university with a degree in parks and/or recreation or related field and shall have at least two years of administrative experience in parks and recreation or park planning and development, or (2) shall have had at least six years administrative experience in the park and recreation field and two year college degree in parks and/or recreation or related field. Under the direction of the board of park commissioners and subject to the approval of the city council, the superintendent of parks and recreation shall exercise general supervision over the public parks and the public recreation program, shall be responsible for the efficiency and discipline and conduct of the department of parks and recreation and shall appoint and remove such deputies, assistants and employees as the superintendent of parks and recreation may deem necessary. The board shall nominate a duly qualified individual to serve as acting or interim superintendent for a specific term in the absence or during a vacancy in the superintendent of parks and recreation's position to be approved by the city council.

(i) Property heretofore and hereafter acquired for squares or highway parkways, grass parks or plots at street intersections, and between travelled ways and highways not on park properties, shall be under the general care and control of the director of public works. In the event of doubt whether any portion of city properties shall properly be under the care of the board of park commissioners or of the director of public works, the city council shall determine such question. It shall, in its discretion, have power to lease any buildings or land for a term not to exceed three years, and to dispose of timber, gravel and stone.

(j) Rents, profits or income from properties acquired for park or playground purposes shall be paid into the city treasury to be placed at the disposal of the board of park commissioners as an addition to the annual appropriation, unless otherwise provided by the terms of acceptance by the city council.

(k) The term "park property" shall include all parks and areas of land within the management of said board, and all buildings, structures, improvements, seats, benches, fountains, boats, walks, drives, roads, trees, plants, flowers and other things thereon and enclosures of the same, and all resting places, watering stations, playgrounds, and parade grounds, or the like, and all connecting parkways, and all birds, animals or curiosities, or objects of interest or instruction, and all tools and implements placed in or on any of such enclosures, ways, parkways, roads, or places.

(l) A listing of the city-owned property, under the care of the board of park commissioners, is on file in the office of the town and city clerk. Said board shall have the general care and control of that real property cited above and any additions as may be acquired by the City of Bristol from time to time.

(m) The City of Bristol shall have power to acquire and hold real estate or other property for the purpose of establishing or enlarging public parks and squares for boulevards and parkways or for the improvement or ornamentation of parks and playgrounds or for the establishment or maintenance therein of museums, gardens, collections, monuments, statues, fountains or other works of art, by condemnation or by contract, and to accept conveyances of any such properties and to receive gifts, donations or devises of land or other property upon such conditions as may be prescribed by the grantors or devisors and accepted by the city council. Said properties may be so acquired by a vote of the city council, which shall first submit a proposal to acquire the same to the board of park commissioners and the city planning commission for recommendations and to the board of finance for advice and counsel concerning the effect of acceptance of such gift or gifts upon taxation. No such vote of the city council shall go into effect before fourteen days from the date of its publication in a newspaper of general circulation in the city. If, during such fourteen days, a petition signed by at least ten per cent of the qualified electors protesting against such acceptance is filed, the **city** council shall submit the question of such acceptance to the vote of the electors of the city, either at the next general municipal election or at a special election called for that purpose and, if such question shall be so submitted to the electors, such vote of acceptance by the city council shall not go into effect unless a majority of the qualified electors voting thereon shall vote in favor thereof. The sufficiency of such petition shall be determined, the election ordered and conducted, and the result declared as provided in section **sixty seven** hereof, so far as such provisions are applicable.

Sec. 58. Public works.

The board of public works shall be composed of three **city** council members and three resident electors of the City of Bristol nominated by the mayor and appointed by the city

council. The mayor shall be a full member of such board, ex officio, and shall be the chairperson. No member of such board, other than the mayor or **city** council members, shall hold any other office in the City of Bristol. The terms of the three resident electors on the board shall be for three-year terms, except that any vacancy shall be filled for the unexpired term, and provided further that the mayor and **city** council members shall serve on the board only during their term of office. All appointments shall be made in the month of February and shall terminate on the last day of February in the year in which such term expires, except that the term of the mayor and **city** council members shall start at the first **city** council meeting after their election. The board shall direct the operations of the department of public works through the director of public works. The board shall prepare and recommend an annual budget, oversee the expenditure of monies, make long-term planning of the city's public works needs, and hear appeals from the actions of the director of public works. The board shall keep a public record of activities and shall make a report of its actions to the city council at intervals as it shall deem necessary or upon request of the city council. At least one **city** council member shall be a member of any committee of such board.

Sec. 59. Police department and board of police commissioners.

(a) The board of police commissioners shall consist of six members, one of whom shall be a member of the city council and five of whom shall be electors of the city. The mayor shall serve as a member of such board, ex-officio, and be the chairperson thereof.

(b) The existing board of police commissioners shall hold office for their respective terms of appointment and until their respective successors shall be appointed.

(c) Within one month after the mayor and the city council elected at a municipal election shall take office, the mayor shall nominate and the city council shall appoint one **city** council member to be a member of such board, for the term of two years, except that no **city** council member shall be a **city** council member of the board after the term of office of said **city** council member shall terminate.

(d) All members of the board except the **city** council member, shall hold office for three years, and no member except one city council member shall hold any other office in such city. Upon the expiration of the term of office of any member, the mayor shall nominate and the city council shall appoint a successor. All appointments shall be made during the month of December, for a period of three years, and shall be effective as of the date of expiration of the term of office succeeded to, or from the date of appointment if made subsequent thereto, but the term of office shall be deemed to begin on the first Tuesday of December.

(e) In the event of a vacancy, a successor shall be nominated and appointed in the same manner for the unexpired portion of the term of the office vacated.

(f) Said board of police commissioners, subject to the approval of the city council, shall:

1) Confer with and advise the chief of police with respect to the general management of the Police Department;

2) Review and comment on the budget request of the Police Department prior to its submission.

(g) The city council shall have the power of removal of the chief of police and other nonbargaining unit members for just cause in accordance with Connecticut General Statutes. Said officers shall not be removed or reduced in grade without having received a written statement, setting forth the reasons for such removal or reduction and having been given an opportunity to appear and be heard before the city council. If desired by the officer removed or reduced, the statement received by the city council, together with their reply thereto, shall be a matter of public record.

Sec. 63. Personnel Committee.

The city council may establish by ordinance a personnel committee that shall be comprised of members of the city council appointed by the mayor. The mayor may also appoint up to two (2) electors of the city who shall be of different party affiliations. The city council members and electors shall serve at the pleasure of the mayor. The aforesaid elector(s) shall advise the personnel committee without vote, and may not be employed by the city, the board of education, or the Bristol-Burlington Health District. The city council may refer general personnel matters to the personnel committee, including but not limited to the consideration of salaries, benefits, and grievances, the addition or elimination of employee positions, the restructuring current positions, the creation, modification, and review of job descriptions, personnel policies and procedures, the review of surveys dealing with salaries and benefits, the review and evaluation of employment training, including training provided to employees and elected officials on anti-harassment policies, and the evaluation and review of preventative measures, complaint data and the corrective actions taken with respect to workplace harassment. The personnel committee may also serve as a nonbinding advisory review panel when there are personnel matters involving the mayor, a city **[councilor]** **council member** or the director of human resources.

Sec. 64. Ethics board.

There shall be an Ethics Board which shall consist of seven members who shall be resident electors of the Town and City of Bristol. The Ethics Board shall at no time consist of more than three resident electors from any one political party. Of the seven (7) members initially appointed, four (4) shall be appointed for a term of three (3) years and three (3) shall be appointed for a term of two (2) years. All subsequent appointments to the Board shall be for terms of three (3) years. In case of a vacancy, a successor shall be appointed for the unexpired portion of the term of office vacated. Of the seven (7) members who are initially appointed, they shall be appointed as follows: one (1) by the **[Mayor] mayor** for a term of three (3) years, the mayor shall then designate by each **[Council District] council district** one (1) **[Council Member] city council member** who shall initially appoint for three (3) years and one (1) **[Council member] city council member** who shall initially appoint for two (2) years. All subsequent appointments or the filling of vacancies shall be made as follows: The **[Mayor] mayor** shall designate which **[Council member] city council member**, including the mayor, shall appoint a member to the Board, but in no event shall either the **[Mayor or any Council member] mayor or any city council member** have more than one (1) appointee serving on the Ethics Board at any time. If such individuals are available, the appointments shall include: one (1) member who has experience as a human resource professional, one (1) who is an attorney licensed to practice law in the State of Connecticut, and one (1) who is a member of organized labor. Any person who is a member or officer of a town committee of a major or minor political party as provided in Chapter 153 of the Connecticut General Statutes is disqualified from serving on the Ethics Board. Any City of Bristol municipal employee, City of Bristol public official, or paid consultant for the City of Bristol or members of their immediate families as defined by ordinance are disqualified from serving on the Ethics Board. Convicted felons are disqualified from serving on the Ethics Board. The Ethics Board shall be responsible for the administration and enforcement of this section of the City Charter and all local ordinances which enact and implement the City of Bristol Ethics Code. The Ethics Board shall enforce all sections of Chapter 10, Chapter 98, and such other sections of the General Statutes of the State of Connecticut dealing with municipal ethics codes, as the same may be created or amended from time to time by the General Assembly of the State of Connecticut. The Ethics Board shall investigate allegations of unethical conduct, corrupting influence, or illegal activities against public officials, public employees, and paid consultants of the City of Bristol. The Ethics Board shall have all the powers and duties granted to municipal ethics boards, commissions, and agencies under the General Statutes of the State of Connecticut and any Ordinances adopted by the **[City Council] city council** of the City of Bristol.

Issue: Shall council districts be created by the registrars of voters rather than through the public process of the charter revision procedure?

Recommendation: The commission is recommending that city council districts be created by the registrars of voters rather than through the public process of the charter revision procedure.

Sec. 12. City council districts, voting districts and precincts.

(a) The City of Bristol shall be divided into three (3) city council districts. Said **city** council districts shall be defined in accordance with **[a certain map or plan entitled “Map Showing CT General Assembly Districts Under 2011 Redistricting Plan with Bristol City Council Districts and Bristol Precincts dated December 29, 2011, as revised January 9, 2012 and drawn by the Bristol Public Works Department, Bristol, CT 06010.”] the most recent map filed with the Town Clerk of Bristol by the Registrars of Voters.**

(b) The precincts established shall at all times coincide with the voting districts for the election of the general officers of the City of Bristol. The city council may increase or diminish the number of voting districts and alter voting district boundaries as allowed by state statute, provided it maintains the boundaries of the **city** council districts established herein by the above-referenced map.

Issue: Shall elected or appointed officials who engage in felonious conduct, fraudulent conduct, or unlawful harassment be subject to penalties up to and including removal from office?

Recommendation: the charter revision commission is recommending that the charter be revised to authorize the city council to establish ordinances to establish penalties up to and including removal from office for those elected and appointed officials who engage in criminal behavior.

Schedule D

[Sec. 9. Unlawful harassment in the workplace.

a. Elected and appointed officials and employees of the City of Bristol are prohibited from engaging in unlawful workplace harassment against any other elected or appointed officials or employees of the City of Bristol.

b. The City Council is authorized to establish by ordinance procedures for the investigation and enforcement of the provisions of this section, and for the investigation and enforcement of Special Acts and General Statutes of the State of Connecticut that protect against unlawful harassment in the workplace, as the same may be created or amended from time to time by the General Assembly of the State of Connecticut.

c. To the extent permitted by law, the City Council is authorized to adopt ordinances that shall provide penalties for elected or appointed officials, and for employees of the City of Bristol who, after due process, are found to have engaged in unlawful harassment in the workplace.]

Sec. 9. Penalties for misconduct by elected or appointed officials

a. The city council is authorized to establish by ordinance penalties up to and including removal of elected or appointed officials from office who, after due process, are convicted of a felony; are convicted of a lesser crime involving fraudulent or dishonest conduct; are found to have engaged in unlawful workplace harassment against any other elected or appointed officials or employees of the City of Bristol; or are found to have violated this charter or the Code of Ordinances.

b. The city council is authorized to establish by ordinance procedures for the investigation and enforcement of the provisions of this section.

c. A decision to impose a penalty shall require the affirmative vote of three-quarters of the entire membership of the city council.

d. In the event an elected official is removed from office, the office is deemed vacant and the provisions of section 21 shall apply.

Issue: Shall the term of the office of mayor be increased from two years to four years?

Recommendation: the charter revision commission recommends increasing the term of the office of mayor from two years to four years.

Sec. 20. City officers; elective.

(a) The general officers of said City of Bristol, to be elected by the electors thereof shall be a mayor, six council members, a treasurer and a board of assessment appeals of three members. All of such officers shall be elected at each municipal election for a term of two years from the first Monday following their election and until their successors are elected and have qualified. **Effective November 7, 2023, the mayor shall be elected for a term of four years from the first Monday following the election and until a successor is elected and has qualified.** Each elector shall be entitled to cast one vote for mayor, one vote for treasurer, two votes for the candidates of their choice for city council of the council district wherein the elector resides, and two votes for members of the board of assessment appeals of said city.

(b) No political parties shall nominate more than two residents of each council district as candidates for the city council. The two candidates from each council district receiving the highest number of votes shall be declared elected to the city council.

(c) No political party shall nominate more than two candidates for the board of assessment appeals of the city and the three candidates receiving the highest number of votes for the board of assessment appeals shall be declared elected.

(d) No person shall be qualified to be a candidate for any elective municipal office in the City of Bristol unless such person shall be an elector of said city.

(e) Any official elected on or after November 7, 2017 who ceases to be a resident and elector of the City of Bristol, or in the case of a council member who ceases to be a resident and elector of the council district from which he or she was elected, shall thereupon cease to hold such elective office and the elective office shall be vacant. Vacancies shall be filled in accordance with the provisions of Section 21 or Section 53 as may be applicable.

Sec. 38. Limits on successive terms for mayor and city council.

(a) No person who has been elected after the effective date of this section to the office of mayor for **[four successive two-year terms] two successive four-year terms** shall be eligible to run for election to the office of mayor until at least one term has elapsed. **Provided, that the person elected mayor on November 2, 2021 shall not be eligible**

to serve as mayor for more than six consecutive years. Provided, any person elected or appointed to the office of mayor to fill an unexpired term of **[one year] two years** or less shall be eligible to serve [four successive two-year terms] **two consecutive four-year terms**. Any person elected or appointed to the office of mayor to fill an unexpired term of more than **[one year] two years** shall only be eligible to **serve [three successive two-year terms] one successive four-year term**. This does not disqualify a person from running for election to the office of mayor for any term or terms that are not successive.

(b) No person who has been elected after the effective date of this section to the city council in any district for four successive two-year terms shall be eligible to run for election to the city council or to be appointed to serve on the city council in any council district for any additional successive term until at least one term has elapsed. Provided, any person elected or appointed to serve on the city council to fill an unexpired term of one year or less shall be eligible to serve four successive two-year terms. Any person elected or appointed to serve on the city council to fill an unexpired term of more than one year shall only be eligible to serve three successive two-year terms. This does not disqualify a person from running for any term or terms that are not successive.

(c) This section does not disqualify a person who has served for successive terms as mayor pursuant to subsection (a) from being elected or appointed to any other elective or appointive office.

(d) This section does not disqualify a person who has served for successive terms as a city council member pursuant to subsection (b) from being elected or appointed to any other elective or appointive office.

Sec. 68. Recall of elective officers.

(a) Each incumbent of an elective office shall be subject to recall by the voters of this city, not inconsistent with state statutes. The procedure to effect such a removal from office shall be as follows: A petition signed by qualified electors equal in number to twenty per cent of the entire vote cast for mayor at the last preceding **[biennial]** election, demanding an election of a successor of the officer sought to be removed, shall be addressed to the city council and presented to the city clerk, and shall contain a statement of the reason for such demand. If the officer sought to be removed shall not resign within five days after the petition is filed, the council shall cause a special election to be held within thirty days thereafter, to determine whether the people will recall such officer. In the published call for the election shall be printed, in not more than two hundred words, the reasons for demanding the recall of such officer as set forth in the recall petition, and such officer may therein, in not more than two hundred words, justify his course in office.

(b) The sufficiency of such petition shall be determined by the town clerk, subject to the right of any person who has signed it to appeal to the city council for final decision of its

sufficiency. The officer sought to be removed shall be deemed a candidate, and his name shall appear as that of a candidate upon the voting machine or a printed ballot, as the case may be.

(c) The nomination of other candidates and the election shall be in accordance with the provisions of this charter concerning nominations and elections, except that the result of the election under the recall shall be final, and the candidate receiving a plurality vote shall be elected for the remainder of the term, subject to subsequent recall. The officer sought to be removed shall, if he shall not resign, continue to perform the duties of his office until the election, whereupon if he shall fail of election, he shall be deemed to be removed from office.

(d) No recall petition shall be filed against any officer, nor a recall election held, until such officer has actually held his office for at least four months, nor within ninety days of a general city election.

(e) No person who has been recalled from an elective office, or who has resigned from such office while recall proceedings were pending against him, shall be appointed to any city office within two years after such recall or resignation.

(f) The council may make such further provisions as may be necessary to carry out the provisions of this section and the election may be ordered and conducted and the result declared in the same manner as is determined herein for the election of officers at biennial city elections.