

SPECIAL MEETING OF THE CHARTER REVISION COMMISSION

MARCH 23, 2022

A Special Meeting of the Charter Revision Commission was held on March 23, 2022 at the Bristol Public Library, 5 High Street, Bristol, CT. Members present: Chairman Jon Fitzgerald, Vice Chairman Calvin Brown, Melanie McKinley, John Lafreniere. Present via Zoom: Daniel Micari.
Absent: Commissioners Richard Carter, and Michelle Roalf.

Also Present: Mayor Jeffrey Caggiano
Council Member Jacqueline Olsen
Thomas Conlin, Richard Lacey, Edward Krawiecki, and Jeffrey Steeg from City of Bristol Corporation Counsel

1. Call to order.

The meeting was called to order at 7:06 p.m. by Chairman Jon Fitzgerald.

2. Introduction of Commissioners

3. Discuss and approve the minutes of the public hearing held on March 2, 2022 and take any action as necessary.

On motion made by Commissioner Lafreniere and seconded by Commissioner Brown it was unanimously voted: to approve the minutes.

4. Discuss and approve the minutes of the special meeting held on March 2, 2022 and take any action as necessary.

On motion made by Commissioner Brown and seconded by Commissioner Lafreniere it was unanimously voted: to approve the minutes.

5. Public participation regarding revisions to the charter.

Council Member Jacqueline Olsen addressed the commission stating that she is opposed to the proposal for multi-party representation on the city council as voters already have the option to vote for candidates from either party. She also noted that there is no need for the city to incur any additional expense for an expanded council as it is vital to keep the cost of government down.

Mayor Caggiano addressed the commission regarding a 4- year term for mayor. He shared some data on 5 different towns in Connecticut which currently have 4-year mayors including Hartford, Stamford, Bridgeport, Norwalk, and Stratford (see attached for the information presented on voter turnout). Some dropoff was noted in mid-term elections for the 2 year council members without Mayor on the ticket but Norwalk (22% turnout) and Stratford (27% turnout) were somewhat favorable. He also stated that term limits for Mayor will remain according to Charter

and that future mayors will only need one year of a potential 8-year term to be “campaign” focused.

Thomas Ragaini, 651 Lake Avenue, Unit 38, Lake Avenue, addressed the commission stating that he is opposed to the proposal for 4-year term for the office of mayor and council members. He commented that keeping the two year term would be beneficial if Bristol residents are unhappy with the mayor’s performance.

Darren Pearson, 125 Redwood Drive, addressed the commission stating that a 4-year term for the office of mayor is long overdue and a more modern way to go.

Ernest Pitti, 65 Palmorr Place, addressed the commission stating that he agrees with Mr. Pearson 4-year term is the best thing for the city.

John Pompei, 63 Yarde Drive, Forestville, addressed the commission stating that he also agrees with the 4-year term for the office of mayor but that there should be some provision in case the mayor is not performing correctly he or she may be taken out of office. He again noted that a 4-year term is a great idea.

Mayor Caggiano, addressed the commission stating that the recall provision has been discussed in past meetings where some may feel that if the mayor’s length of term is changed, recall might be something lost. He further clarified that the recall provision has been in effect since 1911 and it has never been utilized. However, the recall provision has been debated in the past 2 to 3 Charter Revision Commission meetings but ultimately abandoned as residents feel that they might lose the ability to have recall.

Joanne Guimond, 998 Matthews Street, addressed the commission stating that she agrees with the mayor’s 4-year term it would help the city get going and do the work that needs to be done.

Amy Laurie _____, addressed the commission stating that she agrees with the mayor’s 4-year term.

Anderson Russell, 93 Wolcott Road, addressed the commission stating that he agrees with mayor’s 4 year term. He felt that improvements could’ve been done sooner in the downtown area if there was a Mayor who could focus on doing that rather than campaigning every two years. He expressed that city council members should stay with a two year term.

Linda Broud _____, addressed the commission stating that she agrees with the 4-year term for the office of mayor.

Collin Pearson, 125 Redwood Drive, addressed the commission stating that he is in favor for 4-year terms; 2 years is not enough time to do any projects or any vision that the mayor might have for the city.

Faye Duquette, 6 Apple Road, addressed the commission stating that she believes in the 4-year term for the mayor. She also noted that for the years when only city council members will be elected the “worker bees” (campaign volunteers) will get the vote out.

Jan Gyurko, 88 Fern Hill Road, addressed the commission stating that she would like to see a 4-year term for the mayor. Mayor should be given the opportunity to do his/her job and get it done.

Commissioner Melanie McKinley stated that after speaking to neighbors, friends, and co-workers 6 agree with the 4-year term for mayor as they feel that 2-year term is too short for the mayor to be able to complete his/her duties and projects. Those who want a 2-year term are concerned that there is no recall.

6. Discussion of possible revisions to section 12 of the charter to alter the city council districts as a result of the census and legislative district changes and to take any action as necessary.

Chairman Fitzgerald stated that the council districts do not all have the exact number of people, the corporation counsel’s office looked at how much of a deviation is permitted between council districts to be able to satisfy the constitutional requirements on one person one vote.

Thomas Conlin from the Corporation Counsel’s office stated that the most recent case on point is *Evenwhel v. Abbott* (Texas). “In the context of state and local legislative redistricting, States may deviate somewhat from perfect population equality to accommodate traditional districting objectives.” How much? Ten percent (10%) is the maximum; deviations above are “presumptively” impermissible (see attached one person-one vote information).

Chairman Fitzgerald noted that the 3 districts will not be exactly the same with an ideal number of 19, 821 people per district; the districts deviate by 1% or less.

Chairman Calvin Brown stated that it would be good to give all commissioners a chance to vote on the matter (2 are absent). This matter was tabled until the next meeting.

7. Discussion of possible revisions to the charter to replace the current 2-year term for the office of mayor with a 4-year term for the office of mayor and take any action as necessary.

Chairman Fitzgerald stated that they are 29 towns in Connecticut that have mayor and city council form of government out of those 29 there are 9 that have 4-year term for mayor. The turnout for mayor and city council varies from town to town. Additionally, he noted that 7 former Bristol mayors were contacted 4 responded back (2 republicans and 2 democrats), all 4 said to keep a 2-year term. He commented that the recall provision and term limits could be impacted. The corporation counsel office will investigate how recall is affected with the 4-year term for mayor and city council.

8. Discussion of possible revisions to the charter to require multi-party representation on the city council and take any action as necessary.

Chairman Fitzgerald stated that three choices have been presented. 1.) Elect all council people at large in this case the state law does not permit more than 2/3 of the members in one party. 2.) Maintain city council districts without multi-party representation and elect some members at large. A decision needs to be made on how many members would be elected at large. 3.) Each party nominates two people from each district, the top 3 get elected resulting in no more than two people from one party.

9. Discussion of possible revisions to section 51 of the charter to increase the membership on the board of finance.

Chairman Fitzgerald commented that last meeting, it was suggested from the audience that if the number of council members is increased the number of board of finance should also increase so that the commission of board of finance continues to outnumber the city council.

Chairman Brown suggested that for decision making purposes the total number of members including board of finance, council members, and mayor should be structured so the number is not uneven.

Chairman Fitzgerald stated that it is possible to increase the number of city council members without having to increase the number of board of finance.

10. Discussion of possible revisions to section 20 of the charter to change the date when officials elected at a municipal election take office.

Chairman Fitzgerald noted that under our current charter people are elected on a Tuesday and take office the following Monday. At the last meeting some felt that 6 days is not enough time for the transition. He also stated that after reaching out to previous Bristol mayors, 3 responded and felt that the system works the way it is. Another suggestion would be not to change the charter but only the ordinance since ordinances are easier to change.

11. Discuss comments and potential topics for charter revision raised during the public hearing and take any action as necessary.

None.

12. Discuss the charter and proposed charter revisions raised by the commissioners of the charter revision commission and take any action as necessary.

None.

13. Discuss meeting dates and agendas and take any action as necessary.

Next meetings will be Thursday April 14th, Wednesday May 4th, Wednesday May 25th, and Wednesday June 15th.

Report to Council is due by June 24. Decisions need to be made by May 25.

14. Adjourn.

At 8 p.m. a motion was made by Commissioner Brown and seconded by Commissioner Lafreniere and it was unanimously voted: to "Adjourn."

Respectfully Submitted
Genesis Ojeda
Recording Secretary

DRAFT

Charter Revision Notes

ARTICLE TENTH OF HOME RULE.

SEC. 1. The general assembly shall by general law delegate such legislative authority as from time to time it deems appropriate to towns, cities and boroughs relative to the powers, organization, and form of government of such political subdivisions. The general assembly shall from time to time by general law determine the maximum terms of office of the various town, city and borough elective offices. After July 1, 1969, the general assembly shall enact no special legislation relative to the powers, organization, terms of elective offices or form of government of any single town, city or borough, except as to (a) borrowing power, (b) validating acts, and (c) formation, consolidation or dissolution of any town, city or borough, unless in the delegation of legislative authority by general law the general assembly shall have failed to prescribe the powers necessary to effect the purpose of such special legislation.

SEC. 2. The general assembly may prescribe the methods by which towns, cities and boroughs may establish regional governments and the methods by which towns, cities, boroughs and regional governments may enter into compacts. The general assembly shall prescribe the powers, organization, form, and method of dissolution of any government so established

Hartford Voter Turnout- 2019 Mayoral	10,820 (18%)
2021- BOE only	2,871 (5%)

Stamford Voter Turnout- 2021 Mayoral	30,156 (41%)
2019- Council/BOE	14,497 (19%)

Bridgeport Voter Turnout – 2019 Mayoral	16,386 (22%)
2021 Council/BOE	6,792 (10%)

Norwalk Voter Turnout – 2019 Mayoral	16,021 (29%)
2021 Council/BOE	14,793 (22%)

Stratford Voter Turnout - 2021 Mayoral	12,865 (36%)
2019 Council I	9,543 (27%)

Annenberg.classroom.org/resource/one-person-one-vote

ONE PERSON-ONE VOTE

At the turn of the 20th Century America was transforming from a rural, agrarian country to a modern, technologically advanced nation. Urban centers were growing, population shifting.

During this time rural counties and voting districts dominated state legislatures. Less populated areas had more voting power. This created an imbalance to the principle of one man, one vote. But state legislatures were reluctant to redistrict, and Courts, including the U.S. Supreme Court, took a hands off approach to the problem, until 1946.

In Colegrave v. Green, the Supreme Court side stepped the issue, saying reapportionment was a “political thicket” the Courts should stay out of, and that the problem was not within the Court’s jurisdiction.

The Civil Rights movement was building momentum. In 1962 the Supreme Court decided Baker v. Carr, at the urging of President Kennedy. This was a Tennessee case which had been litigated through lower courts for almost a decade. It was labeled a “malapportionment” case. The Constitutional lever that was used to crack the case was the Equal Protection Clause of the 14th Amendment to the Constitution. The 14th Amendment was passed after the Civil War, to address the many issues of recently freed persons. “No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States.....nor deny to any person within its jurisdiction the equal protection of the laws.”

Baker sent the apportionment problem back to the lower courts to figure out the solution, but now the States knew the Supreme Court would take jurisdiction, would intervene, and had constitutional authority. Baker set off 34 state challenges.

In 1963, Gray v. Sanders, a Georgia case, affirmed the one person-one vote principle; In 1964 Reynolds v. Sims, an Alabama case, the Court spoke more clearly. Voting districts needed to be “substantially equal” to insure that each vote had approximately equal weight. It also gave states a deadline – 1966 – to reach that goal of “substantially equal” districts.

Since then challenges have cropped up, the most recent case on point is Evenwhel v. Abbott (Texas). “In the context of state and local legislative redistricting, States may deviate somewhat from perfect population equality to accommodate traditional districting objectives.” How much? Ten percent (10%) is the maximum; deviations above are “presumptively” impermissible.