

MEETING OF THE CHARTER REVISION COMMISSION

MAY 25, 2022

A Meeting of the Charter Revision Commission was held on May 25, 2022 at the Bristol Public Library, 5 High Street, Bristol, CT. Members present: Chairman Jon Fitzgerald, Vice Chairman Calvin Brown, Melanie McKinley, Daniel Micari, John Lafreniere and Richard Carter. Absent: Commissioner Michele Roalf

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

1. Call to order.

The meeting was called to order at 7:00 p.m. by Chairman Jon Fitzgerald.

2. Introduction of Commissioners.

3. Discuss and approve the minutes of the meeting held on May 4, 2022 and take any action as necessary.

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

4. Presentation of the agenda and take any action as necessary.

5. Discuss the charter revision process, and have public participation on the charter revision process.

See attached chart.

6. Public participation regarding revisions to the charter.

Andrew Collin, 155 Redstone Hill Road, addressed the commission stating that he is in favor of the 4-year term for mayor and keep a 2-year term for city council members. He believes that the 4-year term will allow the mayor to gain more experience. He feels that the city deserves to have a consistent leadership with less campaigning and more projects done. He also commented that Bristol should follow the example of larger cities in Connecticut such as Hartford, Bridgeport, and Waterbury which have implemented a 4-year term for mayor for better governance.

Jan Gyurko, 88 Fern Hill Road, addressed the commission stating that she is also in favor of the 4-year term for mayor. She commented that recall has not been used in over 111 years and that other resources can be used if a problem should arise. She also feels that the matter of increasing city council and board of finance should go hand in hand so that if one proposal gets approved the other does too.

Russell Anderson, 93 Wolcott Road, addressed the commission stating that he agrees with the 4-year term for mayor. He believes Bristol has become a bigger town and as such we should

provide the leadership and time that is required to see major projects done rather than having to campaign for reelection every two years which is distracting. He feels that recall is not necessary as the city council can be changed if people are not happy with the mayor.

- 7. Discussion by charter revision commissioners and members of the ordinance committee of possible revisions to section 6 (ethics and conflicts of interest) and section 9 (unlawful harassment in the workplace) of the city charter regarding penalties and sanctions on elected and appointed officials who engage in misconduct and for the commissioners to take any action as necessary.**

On a motion made by Commissioner Brown and seconded by Commissioner Micari it was unanimously voted: to adopt the proposal set forth made on page 14 (see attached).

- 8. Discussion by charter revision commissioners of possible revisions to section 20 (city officers; elective) and section 40 (city council meetings) of the charter to increase the number of city council members from six to nine and require multi-party representation on the city council and take any action as necessary.**

On motion made by Commissioner Brown and seconded by Commissioner Lafreniere it was unanimously voted to: amend section 40 subsection (d) (quorum) from four members to five.

- 9. Discussion by charter revision commissioners of possible revisions to section 51 (Board of Finance) of the charter to increase the membership on the board of finance and take any action as necessary.**

On motion made by Commissioner Micari and seconded by Commissioner Brown it was unanimously voted to: adopt the language in page 19 (see attached).

- 10. Discussion by charter revision commissioners of possible technical revisions to the charter and take any action as necessary.**

On motion made by Commissioner Brown and seconded by Commissioner McKinley it was unanimously voted to: approve the technical revisions listed on page 22 (see attached).

- 11. Discussion by charter revision commissioners of possible revisions to the charter to replace the current 2-year terms for the office of mayor and/or city council with a 4-year term for the offices of mayor and/or city council and take any action as necessary.**

Commissioner Brown stated that he is in favor of moving to a 4-year term for mayor. He believes that the benefits in having a 4-year term outweigh the cons.

Commissioner Lafreniere stated that it's time to move to a 4-year term as the current 2-year term is not giving the mayor enough time to get accustomed to the office; additionally there is a big learning curve. He believes more than two years is needed especially for new mayors.

Commissioner Carter stated that he holds his position from the last year's Charter Revision Commission and would vote in favor of a 4-year term for mayor. He believes that having to re-campaign after only being in office for 9 months is not fair.

Commissioner Micari stated that he is in favor of a 4-year term for the reasons that have been stated by the public repeatedly; additionally, the issue of recall has been addressed and it would not present a problem as recall has not been used in over 111 years.

Commissioner McKinley stated that she is in favor of a 4-year term.

Chairman Fitzgerald stated that he would support to maintain a 2-year term system. He commented that past mayors who have nothing to gain or lose feel that a 2-year term should stay. He believes that moving to a 4-year term would benefit the mayor personally more than it would benefit the city. He feels that Bristol already has a strong mayoral form of government where the Mayor Chairs or is a voting member of many boards and commissions, along with extensive appointing authority.

On motion made by Commissioner Brown and seconded by Commissioner Carter it was unanimously voted: to recommend changing the charter from a 2-year term for mayor to a 4-year term for mayor.

Motion passes 5 to 1 with one absent.

- 12. Discussion by charter revision commissions of the impact adopting a four-year term for mayor and/or city council members would have on section 20 (elective officers; elective) of the charter City officials, and take any action as necessary.**

None.

- 13. Discussion by charter revision commissions of the impact adopting a four-year term for mayor and/or city council members would have on section 38 of the charter (limits on successive terms for mayor and city council) and take any action as necessary.**

It was proposed to change Section 38 from “two successive two-year terms” to “eight successive years”. Additionally, the current mayor should be able run for one 4-year term and serve a total of 6 years.

- 14. Discussion by charter revision commissioners on the impact adopting a four-year term for mayor would have on section 68 of the charter (recall of elected officials) and take any action as necessary.**

On motion made by Commissioner Brown and seconded by Commissioner McKinley it was unanimously voted: to delete the word biennial from section 68.

- 15. Discussion by charter revision commissioners of comments and potential topics for charter revision raised during public participation and take any action as necessary**

None.

- 16. Discussion by charter revision commissioners of proposed charter revisions and take any action as necessary.**

None.

17. Discussion by charter revision commissioners of Old Business and take any action as necessary.

None.

18. Discussion by charter revision commissioners of New Business and take any action as necessary.

Reviewed section 21 regarding vacancy in the office of mayor, no motions made.

19. Discussion by charter revision commissioners of meeting dates and agendas and take any action as necessary.

Next meetings will be Tuesday June 7, and Tuesday June 21 at the Bristol library at 7:00 PM. The meeting scheduled for June 15 is cancelled.

20. Adjourn.

At 8:13 p.m. a motion was made by Commissioner Micari and seconded by Commissioner Brown and it was unanimously voted: to "Adjourn."

Respectfully Submitted
Genesis Ojeda
Recording Secretary

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BASIC STEPS FOR REVISING OR DEVELOPING A MUNICIPAL CHARTER¹

The process for charter revision, from initiating a proposal to filing approved revisions with the Secretary of State, is prescribed in *Connecticut General Statutes (CGS) 7-188* "Initiation of action for adoption, amendment or repeal of charter or home rule ordinances" (attached in its entirety). Summarized below are the basic steps to municipal charter revision, with statutory citations.

STEP 1: Charter revision proposal must be initiated by either a 2/3 vote of the entire membership of the municipal appointing authority (common council, board of aldermen, selectmen, etc.), or a petition signed by not less than 10% of the electorate. [CGS §§7-187(a), 7-188(b)]



STEP 2: Within 30 days after step 1 (vote of appointing authority or certification of a petition), the appointing authority must appoint a charter commission, charter revision commission, or home rule ordinance revision commission. The commission must consist of five to fifteen electors, not more than 1/3 of whom may hold another public office in the municipality, and with no more than a bare majority from the same political party. "The commission shall proceed forthwith to draft a charter or amendment to the existing charter, or amendments to the home rule ordinance as the case maybe." [CGS §7-190(a)]



STEP 3: The commission must hold at least two public hearings: one prior to beginning "substantive work," and one after the commission has completed a draft report, but before submitting it to the appointing authority. The commission may hold other meetings it deems necessary. [CGS §7-191(a)]



STEP 4: The appointing authority shall prescribe a date, no later than 16 months from appointment, by which the commission must submit the draft report, including the proposed revisions, to the municipal clerk. Although the appointing authority can prescribe a date, decisions are not definitive. [CGS §§7-190(b), 7-191(b)]



STEP 5: The appointing authority shall hold its last public hearing, within 45 days after submission of the commission's draft report. [CGS §7-191(b)]

¹ This bulletin is an update of MMB 02-20 previously issued in October 2002.



STEP 6: The appointing authority may recommend changes to the draft within 15 days after its last hearing.

- If there are recommendations, the commission shall confer with the appointing authority concerning such recommendation and may amend its report or reject the recommendations. In either case the commission shall make its final report within 30 days after receiving such recommendations.
- If there are no recommendations, the commission's report becomes final and the appointing authority shall act on the report. [CGS §§7-191(b), (c)]



STEP 7: Within 15 days after receiving the final report², the appointing authority shall, by majority vote, either approve or reject the proposed changes. Following a vote to reject may file a petition for referendum within 45 days after such rejection by the appointing authority. [CGS §§7-191(d)]



STEP 8: Within 30 days after the appointing authority's approval or certification of a petition from the electorate, the charter, amendments, shall be published in full at least once in a general newspaper having circulation in the municipality. [CGS §7-191(d)]



STEP 9: After approval or the filing of electorate petition, the appointing authority decides by majority vote whether to hold a vote on the charter, amendments, or revisions at either a regular election (majority vote of participants needed for approval), or a special election (majority equal to at least 15% of qualified electors needed for approval). The election must be held not later than 15 months either after approval by the appointing authority or certification for a petition. [CGS §§7-191(e), (f)]



STEP 10: Not later than 30 days after the approval by the electors, the municipal clerk must notify the Secretary of State, in writing, of the results. Also, the municipal clerk must file three certified copies of the charter, amendments, or revisions with the Secretary of State. [CGS §7-191(g)]

² The commission shall terminate upon acceptance or rejection of its final report by the appointing authority [CGS §7-190(c)].

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WORKING DRAFT

OR

- 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.

WORKING DRAFT

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

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TECHNICAL REVISIONS

Sections 6 ,9, 64: "City Council" to "city council"

Sections 11, 12, 18, 20, 21, 33, 39, 40, 41, 49, 55, 57, 58, 59: "council" to "city council"

Section 41(f): "City council" to "city council"

Section 63: last sentence "city councilor" to "city council member"

Section 64: "Council District" to "council district", "Council Member" to "city council member"