

Lewiston Auburn Charter Commission
August 7, 2014
Minutes

Attendance:

Commissioners: Mike Beaulieu, Gene Geiger, Lucien Gosselin, Holly Lasagna, (by phone) Chip Morrison, and Chantel Pettengill.

Others: Ed Barrett, Mike Marcotte, and Scott Taylor.

Call to Order

The meeting was called to order at 5:30 PM at Lewiston City Hall.

1. Introductions

Because all in attendance knew each other, introductions were dispensed with.

2. Public Comment/Input

There were no public comments.

3. Election of Officers/Delineation of Responsibilities

Chip distributed the discussion of officers and responsibilities from the retreat (attached). It was moved by Beaulieu, seconded by Pettengill to approve. UNANIMOUS.

4. Minutes of July 24, 2014 meeting

It was moved by Gosselin, seconded by Lasagna to approve the minutes as prepared. UNANIMOUS.

5. Policies and Procedures

Geiger distributed additional copies of the policies and procedures recommendation setting forth the items discussed at the Charter Commission retreat on August 28th and input received from Attorney Brian Dench (attached). After a brief discussion, it was moved by Lasagna, seconded by Morrison to approve. UNANIMOUS.

6. Charter Exploration - Charter Commission Notebook

Chair Geiger asked Ed Barrett to talk about the various forms and give examples of where they are being utilized. The major differences relate to the method of selection of the Mayor and the powers that the Mayor is granted under different types of charters. Commissioners expressed an interest in looking at various models from similarly sized communities and looking at the positives and negatives of each. It was noted that in Maine most communities are structured like Lewiston and Auburn, but there are different models being used in Bangor, Portland and Westbrook. It was also noted that several Massachusetts cites have a different model as does Phoenix, Arizona.

Gosselin suggested the following approach for the commission:

- Start with the Model City Charter published by the National Civic League
- Comparing the current Lewiston and Auburn charters section by section

- Comparing how other communities deal with key issues.

Ed Barrett noted that the model charter sets forth options and decision possibilities on a section by section basis.

Charter Commissioners agreed to use this method to review the issues and draft the new charter.

7. Commission's Charge

Chair Geiger reviewed the state statute that sets up a framework for municipal consolidations. While there is a lack of detail about the process, it directs that an elected charter commission draft a consolidation agreement that contains the following:

- The names of the current cities
- The name of the new city
- A delineation of the property, real and personal, belonging to each current city and its fair market value
- Indebtedness of each city
- The name and location of the municipal office
- The proposed charter
- Apportionment of the tax rates to service existing debt

Gosselin pointed out that there are three major parts to the Commission's work:

- Statutory Responsibilities. Drafting the proposed charter and related matters noted above;
- Implementation Issues. Thinking through and defining those things that must be done in order for the merger to work;
- Recommendations. Those additional recommendations for the post-merger city which would help citizens understand the proposed changes and the benefits of voting for the proposed charter. and making the case to the public for the recommended charter. There was considerable discussion of who should be involved in communicating the benefits to the public.

►We will need to put together a working project document – a work plan – containing the above elements to guide Commission efforts.

Commissioners had a lengthy discussion of important issues to be considered during the deliberation process. Points made included:

- Commission must listen closely to voters' interests and be prepared to explain how the proposed charter would impact those interests;
- Commission deliberations must be completely transparent;
- We must communicate well to all groups who are interested in our work;

8. Time for Commission Work

Geiger asked commissioners what we should set as a goal for completing work. Pettengill suggested that we shoot to have a consolidation plan ready so it can be voted on at the November 2016 election, a timeframe which will guarantee the largest possible voter turnout. It was noted

that this would mean that the Commission will need complete the vast majority of its work by May of 2016.

Commissioners agreed this will be our working target for now but we need to work back from that November date to put together detailed timeline of major milestones to be accomplished along the way to determine how realistic it is.

▶ Geiger will work with Gosselin to lay out a PERT type chart for the commission to review.

9. Communication Tools

Public Hearing on August 28th. Morrison reported that in the drafting of the county charter the commission had three public hearings, one right at the beginning of the process. He recommended that we establish a public hearing at our next meeting on August 28th and that our only business be to listen to public input before we start any detailed work on the charter. Commissioners agreed and Geiger added that he would try to capture important points on flip chart.

Web/Face Book Presence.

▶ Geiger is working with Phil Nadeau about the City of Lewiston's assistance on setting up a Charter Commission website. Once it is established, it will be solely run by the commission with links to the websites of both the cities.

▶ Pettengill volunteered to set up a commission Face Book page and a twitter contact.

10. Open Meetings Legal Advice

Chair Geiger distributed a memorandum prepared by Brian Dench of Skelton Taintor and Abbott. Key points from that memorandum were included in the adopted policies and procedures document.

Basically, all deliberations where there is a quorum present will be open public meetings and all notes will be public.

11. Future Issues (Parking Lot)

Commissioners identified the following issues that will need to be addressed in the future:

- Existing contracts for services that Lewiston and Auburn currently have
- Merging of various municipal codes
- The structuring of the school departments
- A revenue analysis on the effect of the merger on state and federal revenues
- An analysis of what merging the tax bases would do to the equalization process

The group's identification of parking lot issues will be set up and added to as the commission moves forward.

12. Future Meetings

Geiger and Lasagna have the responsibility to craft future meeting agendas and proposed dates for meetings. They will work on a 2-3 month plan that includes the commission's technical work but also addresses the need to meet with and solicit input from various groups across both cities. Citizens who have participated in past collaborative efforts would be included.

▶ Geiger and Lasagna currently plan to get together on or about August 19th. Morrison will participate if he can be there. Their draft proposals will be presented to the entire commission.

11. Public Comment/Input

There were no additional public comments.

12. Adjournment

Moved by Lasagna, seconded by Morrison to adjourn. UNANIMOUS.

The meeting ended at 7:30 PM.

L/A Charter Commission
Officers and Responsibilities
August 7, 2014

Chair/Vice Chair - Gene Geiger & Holly Lasagna

Secretaries – Chip Morrison & Mike Beaulieu

Community Relations

Networking (old style) – Chip Morrison

Networking (new style) & Technology – Chantel Pettengill

Research & Institutional Knowledge – Lucien Gosselin

Connection to Muskie School – Lucien Gosselin

Lewiston Auburn Charter Commission Policies and Procedures

Setting The Agenda

- **Chair Sets Agenda.** The Chair will set the agenda in consultation with the Commissioners.
- **Posting Draft Agenda For Input.** A draft of each meeting's proposed agenda will be posted in Google docs (or a similar place) to solicit input from the other commissioners.
- **Members Can Add Agenda Item.** Should any member request an agenda item, it must be included.

Conducting Meetings

- **Public Meetings Announced In Advance.** All meetings of 4 members or more will be held in public and announced in advance so that members of the public may attend. Our intention is to hold meetings in various locations in both cities.
- **Regular Meeting.** Regular meetings will begin at 5:30 pm and end at 7:30 pm. In order to respect everyone's time constraints, meeting will begin and end on time.
- **Special Meetings.** These may be called by the Chair, Vice Chair, or any two commissioners.
- **Robert's Rules Govern.** Robert's Rules of Order will govern the proceedings, understanding that the Chair will have the prerogative to determine how rigidly speaker recognition will need to be.
- **Agenda At Meetings.** The meeting will follow the agenda, but it can be amended by consensus, and it is not a limitation of actions that may be taken at each meeting.
- **Meeting Conduct.** Respect for each other is essential. Everyone's voice will be heard and multiple opinions encouraged.
- **Public Comments.** Unless the agenda dictates otherwise, public comments will be taken at the beginning and end of each meeting.

Quorum

- **4 Members Physically Present.** A quorum requires at least 4 members be physically present. Once a quorum is established, other members may participate fully via phone or video from remote locations.

Motion Approval

- **4 Affirmative Votes.** 4 affirmative votes will be required to pass a motion.

Documentation

- **All Materials Are Public.** All documents and communications, including emails and drafts, are public records and will be preserved.
- **Draft Until Approved.** Everything the commission works on is a “draft” until it is affirmatively accepted and marked “final.”
- **Cataloging Documents.** Documents will be dated and have author noted.
- **Website For Public Access.** As soon as possible, the Commission will set up a public access web site where documents are posted.

Sub-Committees

- **Up To 3 Person Work Groups.** The Commission may from time to time authorize a sub-group of 3 or less to do research or draft a document or position for the full Commission to consider.
- **Output Is Public.** The work of such groups need not be done in public, but the notes or documents that come out of those meetings will be open to the public.

Communicating Between Public Meetings

- **Email For Routine Updating, Not Deliberation.** The Commissioners can communicate by e-mail, but those messages will be for scheduling or routine matters only. Deliberations will be confined to the public meetings.

A Commissioner, for example, might send a draft document or paragraph to fellow Commissioners to read, or a Commissioner might send his or her thoughts about why a given idea or provision is good or bad, but the understanding is that doing so is informational with discussion to take place in a public meeting.

- **Deliberation In Public Only.** The understanding is that Commissioners will avoid engaging in substantive dialog about issues outside of public meetings.

Other

- **Parking Lot.** We will maintain a list of issue we need to tackle in the future on a public “parking lot” document that we keep in Google docs (or similar), but that document is to be made available to anyone who wants to review it.