Patti Dubois

From: Julian Payne <japmrp@gmail.com>
Sent: Thursday, July 30, 2020 7:28 AM
To: Patti Dubois
Cc: Bill Lee; Cathy Weeks
Subject: Julian minority report

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The Charter Commissions first organizational meeting unanimously established rules.

1. To advance an amendment the threshold needed was 7/3. If an amendment received seven votes it advanced and made it on the final package for the public to vote on.

2. A final vote on all the amendments needed 8/2 to turn the final package over to the public for their vote.

Charter member Hilary Koch voiced concern that if we adopted the 7/3 amendment threshold that this should apply to all amendments equally, no picking and choosing.

Amendments advanced and conversely many did not.
By adjusting the 7/3 threshold this did not only serve to remove banked amendments, it shaped and determined the entire process thus far. Amendments discussed and debated throughout the process were killed off, never advancing without a seventh vote and died at 6/4.

Two examples of amendments that failed to meet the 7/3 threshold were tax payers voting on the budget, and removing partisan elections (removing the Democrat, Independent & Republican by a candidate's name.) The latter being the biggest issue facing Waterville and stifles the most qualified candidates. The public lost the ability to vote on those issues facing them, instead just 10 people spoke for the entire city.

The July 1st Charter meeting after all the amendments had been voted on and part of the final package, co chair James LaLiberty made a motion to "revisit" the two 7/3 votes to achieve a greater consensus. It was my impression that the goal was not to remove the amendments but to achieve greater consensus for the benefit of public confidence.

Previously on the 23rd of June meeting James stated that we should open up the 7/3 amendments and that this would not tamper with or change the outcome. This was not the case, the goal in my opinion was an attempt to remove them from the final package. It should also be mentioned that James had voted against both of the 7/3 amendments now being revisited. This was justified by citing that it was purely due to inconsistencies that existed between the School Board, and the City Council. This statement did not aline with the commissions past voting trend. He and other members had previously voted on amendments that were inconsistent with the two entities. The needle was consequently moved and both of the 7/3 amendments were kicked off.

Two other members of the charter commission also had concerns and one member stated that he felt that we had entered into a contract with one another, we had said from the beginning that something that is 7/3 it gets on. We made that deal for ourselves and the city regardless of if I was one of the 3 dissenters. We have an ethical obligation to do that because we set this process up.

Another member spoke saying that we had set these ground rules from the beginning, now we get to the end and we are moving the bar. It would be disingenuous to remove the 7/3 votes and is voter suppression. We are going back on the very thing that we had agreed to.

Hilary Koch however appeared more comfortable with revisiting votes stating that I was convinced we set these rules in advance and we really needed to follow them through but reneged attributing it to inconsistency and eluded to the fact that maybe we had not really understood the rules that were originally set in the organizational meeting.

Despite these concerns from three additional members they ultimately went on to vote for the charter. Cathy Weeks and myself voting against the charter for all of the mentioned reasons.

The July 1st meeting Ron Merrills amendment of residency requirements was one of the 7/3 votes on the chopping block and charter members gave a convincing speech why this amendment should now be removed and had no merit. Ron was a swing vote to pass the final charter package with eight votes.

On the 7th of July the following meeting the charter members motioned to return his amendment and gave an equally convincing dissertation why his amendment was so important and now had merit!. Cathy Weeks who would not vote for a charter with these shenanigans and was not a swing vote, and yes you guessed it, her 7/3 amendment was removed. Cathys amendment was related to term limits.

Additionally an amendment to remove the caucus system had failed and did not make it onto the charter. It would have passed if all members had been present but at this meeting there were only 9 of the 10 members. It was added back on at a following meeting with he exact same language for a redo vote so that it would pass when all 10 members were present. Co Chair Tom Nale concerned with the redo process changed his original vote and voted to keep caucuses and the redo amendment failed twice.

Throughout this process I had not voted to add or remove amendments and had stuck strictly to the organizational rules that the charter commission had established.

There is nothing in the final packaging that is being presented to the public that I disagree with. Additionally I was able to protect and maintain the ward system in its entirety. The caucus system was also maintained and the ability to run as an Independent.

Had good faith prevailed I was fully prepared to vote for the entire body of work. The frame-work, guidelines and rules that cradled and shaped the charter were reneged on at the eleventh hour, moving the goal posts. I cannot in good conscience support the 2020 Charter Revision and recommend that the public vote against passing this charter.

I believe that my minority report is factual and states the chain of events. I avoided direct comment on many passed and failed motions/amendments. I paraphrased rather than using exact quotations. The recorded videos are available for the public to view and form their own conclusion.

Electronically signed
Julian Payne 30 July 2020

Cathy Weeks
7/31/2020

Julian Payne
7/31/2020.