

**City of Waterville Charter Commission Committee Meeting**  
**Tuesday, January 28, 2020**  
**City Hall Meeting Room, 1 Common Street, Waterville Maine**

The Meeting was called to order by Co- Chairman Tom Nale at 7:00 p.m.

Members present: Phil Bofia, Samantha Burdick, Rien Finch, Hilary Koch, James Laliberty, Ronald Merrill, Tom Nale, Julian Payne, and Cathy Weeks

City Clerk: Patti Dubois

Absent: Lutie Brown

The minutes recorded by Patti Dubois for December 13, 2019 organizational meeting and the January 8, 2020 public hearing meeting. Both meetings were voted on and amended with the following corrections:

The December 13, 2019 minutes stated Hilary Koch had requested the amendment. Lutie Brown had expressed the original concern about having the co-chairs appointed and not elected. Rien made a motion and Hilary seconded the motion

The January 8, 2020 minutes Rien Finch requested an amendment based on Lily Wilson stating that the sentence should state “around Colby students voting”. However after discussion the members felt that the statement as written included all students. The vote was to keep the statement as written. The motion was made by Rien Finch and Samantha Burdick seconded the motion. After discussion, the members felt the verbiage as stated included all students and would not be changed.

The January 14, 2020 minutes two amendments the first being that Rien Finch created the charter commission guidelines (sourced by Rien Finch). The motion was made by Rien and the second was by Hilary Koch. Ron Merrill requested an amendment where it stated there were 14 city council members and not charter commission members as stated in the Earl Smith book. Ron Merrill made the motion and Rien Finch seconded the motion. The members voted 9-0 to accept all amendments from all of the meeting minutes.

Discussion was held not to develop any more sub-committees for this commission. The question was asked what the majority should be to agree on making any changes to any charter topic. Julian Payne expanded on the consensus that a majority is needed to make changes to the charter. Julian Payne stated that seven members were elected to this commission by the Waterville residents. We need to be reminded that we were elected to represent the Wards and the residents of the wards and not our own agendas. Phil Bofia did not want to set thresholds on what the vote minimum should be on charter changes. Cathy Weeks asked Tom

Nale our co-chair and attorney what the votes should be to present the final changes or additions to the charter. A reminder was given when Bill Lee spoke to this group at the December 13<sup>th</sup> meeting stating that it was important to present a unified vote. Bill Lee felt that otherwise the charter would not pass when election time came. Samantha Burdick also agreed that a threshold should be determined to what the standard for voting approval should be. After discussion it was determined that a 7/3 vote for every line item for any changes or additions and an 8/2 votes for final changes to the charter before it was sent forth for both the city council and the residents vote in the November election. Julian Payne made the motion and Ron Merrill seconded that the standard would be the 7/3 vote on any changes or additions and the 8/2 vote would be the final work completed. The vote was 9/0 in favor of these standards. Tom Nale stated this vote will be final and this will be the standard that we work by from here on in. The group agreed with these statements.

Ron Merrill requested that the public know any time a member would vote against any item. This would be reflected in the minutes that would be posted on the City of Waterville website. Rien Finch made the motion to accept and Tom Nale seconded the motion. The vote was 9/0 in favor of this standard.

Discussion was held by Hilary Koch on it not being necessary for the sub-committees to take minutes at any sub-committee meetings. Also it was clarified that the sub-committees do not need chairs for these committees. All members were in agreement of this. Hilary Koch did request that the chairs need to acknowledge a person to speak as the meetings have been out of control with members speaking over others. Hilary made the motion that this is how the chair would acknowledge the person requesting to speak. Cathy Weeks seconded that motion. Rien Finch made the motion that this procedure would be added to the charter guidelines and Tom Nale seconded this. The vote was 9/0.

The subcommittees reported their findings. Tom Nale reported on Group A. Tom spoke to former city councilors and present city councilors. Five of the present councilors were in favor of keeping the ward system as it is. Councilor Thomas showed concerns about finding quality candidates to run for the office. Councilor Franke wanted to change the ward system to the population of each ward. The city councilors all stated that their residents wanted to keep the ward system as it currently is. The Mayor, Nick Isgro wanted to maintain the ward system as it currently stands. Michael Roy, City Manager was against the ward system. Rien Finch reported that he talked with several people, Jackie DuPont, Karen Heck, Colleen Madigan, Sydney Mayhew, Bruce White, Eric Thomas, Margaret Smith and Claude Franke about the topics listed. Many on this list talked about not having residents voting on the city and school budgets. City councilor Mayhew stated "that he was against residents voting on the budgets. Even new councilor's get training on the budget process, residents do not understand how budgets work and residents should not vote on the budget but let the seven councilors be the only ones voting".

Councilor Thomas and Councilor Franke wanted to move away from caucus meeting elections. Discussion was held about rank choice voting. Some agreed with rank choice voting. Discussion about keeping the mayor recall but they would change how the papers were taken out for any recall procedure. Discussion about getting rid of the caucus meetings to open up more residents to run for office. Some were in favor of getting rid of the mayor position while others wanted to maintain that.

Discussion was held about school employees being on the city council. Bill Lee advised that until two Southern Maine law suits are resolved the commission should stay away from this. Phil Bofia stated that a school employee should not sit on a city council seat. This is a conflict of interest with voting on any city budget. Julian Payne and Cathy Weeks agree this is a conflict of interest in city votes. The town of Brunswick does not allow any city or school employee to sit on the council.

Group B reported by Julian Payne. There were three questions asked:

- A. Anything that you changed that you have regrets?
- B. Anything that you wished that you had changed and did not?
- C. Any advice or things that you would change now?

Bernard Huebner was interviewed. He answered no to all three items. He did not recall any public meetings or sub-committees. He was surprised that we have any public hearing or sub-committees as the members were elected by residents.

Edward Lachowicz moved out of the area and was not a Waterville resident any longer. We found no contact information.

Rosemary Winslow – left several messages and no response.

Alicia Barnes – moved out of the area and not a Waterville resident.

Donald DuFour – No and no. He mentioned that they changed the election time from 2 years to make all terms 3 years for a city councilor. He stated to keep the ward system which they defended.

Peter Madigan – Spoke with his daughter, Colleen Madigan due to illness. He was a defender of the ward system along with Colleen favoring keeping the ward system

Roland Hallee – all the commission did was cleaning up the language. He suggested that this commission should try to have unanimous votes on the committee or it will fail. He did state that they held a public meeting and three people showed up for the meeting. He felt the charter should be related to Waterville and not asking other towns how they conduct business as Waterville is very different.

Peter Lyford – He asked if he could send a letter with detailed documentation. He wanted to remove partisan elections. He was a defender of the Mayor position. He could see both sides of having residents vote on the budget.

Ken Lindlof spoke of reducing the powers of the mayor. He was a supporter of the ward system.

Kevin Joseph spoke of the fact that the mayor's power was reduced. He had no regrets in doing this.

Phil Bofia was to contact Jackie DuPont and Cathy Taylor to report at the next meeting. Rien Finch, even though not on this group, stated he would contact Thomas Longstaff to ask the questions that Group B is working on.

Group C – Hilary Koch gave the report that fourteen towns and cities were being reviewed. The committee will bring back information on how business is conducted in each of the fourteen towns and cities: Augusta, Bangor, Biddeford, Brunswick, Fairfield, Oakland, Orono, Portland, Sanford, Scarborough, Sidney, Westbrook, Winslow and York. A subcommittee meeting will be held on February 6<sup>th</sup> and the final report will be given at the February 11<sup>th</sup> commission meeting. This group had the widest topics to report on.

Julian Payne reported that the school board had not met yet to review the current charter chapter that was regarding the school board. The chair of the school board has been out ill. Julian Payne will be meeting with the chair and will give a report at the next meeting.

Discussion was held on taking a vote at this meeting to take the ward system off the list. The majority of residents want to keep the ward system as it currently is structured. Hilary Koch raised the question of do we need to vote on items that are currently in the charter. Tom Nale wanted to vote at this meeting to take the ward system off any list for any further discussions. Cathy Weeks supported the fact that we will vote to keep the ward system as it is stated currently in the charter and to end any further discussion. Rien Finch presented the idea that Lutie Brown was not present and we should hold off on any votes such as this. Julian Payne stated that votes need to be taken even if one member is not present. We cannot hold up this work for when a member is absent. This was agreed upon that votes would be taken even if one person cannot attend.

Julian Payne and Ron Merrill agreed that the ward system should be taken off any list. Phil Bofia even though he agrees to keep the ward system, he wants to ask residents how they felt about this and to learn how the residents would vote. He wants to review both the pros and the cons of keeping or dissolving the wards. Rien stated he talked with some people who wanted to increase the ward size or have wards at large.

James Laliberty thought that we should vote on items that need to be changed. We should not vote on items that would not be changed. Hilary Koch agreed that we should not be voting on items that we are not changing from the current charter. The overwhelming voice of the taxpaying residents is to keep the ward system.

Business cannot be conducted via e-mail for this charter commission. The city clerk verified that this is not a practice that can be performed.

The meeting on February 25 will be held at 7:00 pm rather than 6:00 pm. in the basement meeting room of City Hall.

Tom Nale made a motion to adjourn, Phil Bofia seconded the motion. The membership voted 9/0 and the meeting was adjourned at 8:35 pm

Sincerely,

Cathy Weeks

Charter Commission Secretary

1/28/2020

Revised 2/11/2020

