



Charter Change Committee Meeting ***Remote ONLY***, Wednesday, June 15th, 2022, 10:00 am 6/15/2022

CHARTER CHANGE COMMITTEE

Wednesday, June 15, 2022

Via Zoom

FINAL MINUTES

Members Present: Councilor Bergman (Chair), Councilor Carpenter, Councilor Traverse

Staff Present: Tim Devlin (Assistant City Attorney), Thomas Musinski (Legal Assistant)

Others in Attendance: Gillian Nanton (Assistant Director, Community & Economic Development Office (CEDO)), Nancy Stetson (Senior Policy & Data Analyst (Planning)), Members of Public: Barbara Headrick

Meeting called to order at 10:05 AM.

1.0 Agenda

1.01 Motion to adopt/amend agenda

Motion by Councilor Bergman, Seconded by Councilor Traverse

Final Resolution: Motion Passes

Yes: Unanimous.

2.0 Adopt Minutes from 5/25/2022

Motion by Councilor Bergman, Seconded by Councilor Traverse

Final Resolution: Motion Passes

Yes: Unanimous.

3.0 Public Forum

No comments during the open public forum.

4.01 Discussion of Redistricting



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The committee decided to split 4.01 into three separate sub-topics: final decision on map, multiple final map proposals, and NPAs in the charter.

4.01a Discussion on Setting City Voting Districts

There was a general discussion amongst the Councilors concerning the final redistricted map. Barbara Headrick asked if the committee would be making a proposal to the full council on a preferred map and what the process is going forward now. The committee agreed that the committee would not be making a suggestion on a proposed map but that this would be the responsibility of the full council and then the committee would work up the needed charter change language. The committee noted that the decision to place something on the March 2023 ballot means that the council must approve language in early mid-December 2022. While the final map is ultimately approved by the Legislature, the committee is interested in exploring the alternative to a redistricting charter change in the future through charter authorization to have the council create districts that are not in the charter but would be approved by the voters.

Councilor Carpenter noted that if a charter change permitting the voters to decide on the final redistricted map was approved by the Legislature, the City would not be locked into that forever. She noted that Montpelier has altered their means of approving the map typically during the decennium census. Councilor Bergman questioned how other towns in Vermont went about approving their redistricted maps as most municipalities do not have voting wards. Attorney Devlin indicated the City Attorney's Office drafted a memo already and would re-share the document with the group.

Councilor Bergman made the motion for the City Attorney's Office to draft a resolution for next Charter Change meeting to effectuate the changes relating to the voter's final decision of the redistricting map AND the ability to consolidate polling places. Seconded by Councilor Traverse.

Final Resolution: Passed.

Yes: Unanimous.

4.01b Discussion of Multiple Map Proposal

Councilor Bergman asked if multiple maps could be decided upon by the voters. Assistant City Attorney Devlin suggested it was not, and believed that Deputy City Attorney St. James had conducted research on this topic earlier in the year. Councilor Carpenter confirmed DCA St. James' research – he reached out to the Vermont Secretary of State's Office to which they said no. Councilor Carpenter forwarded the email containing the research to the rest of the group.

Councilor Bergman made a motion to grant informed consent to the Committee's Attorney, Attorney Devlin, to disclose certain topical information previously communicated to the committee in the form of legal advice to be rephrased for public consumption, but to refrain from disclosing any legal advice that would be detrimental to the City's interest in the judgment of Attorney Devlin in consultation with Chair, Councilor Bergman. Seconded by Councilor Carpenter.

Final Resolution: Passed

Yes: Unanimous

4.01c Discussion of NPAs in City Charter

Councilor Traverse expressed curiosity as to whether Neighborhood Planning Assemblies (NPAs) are explicitly mentioned in the City's Charter. Attorney Devlin believed it was 'off-handedly' mentioned in the section pertaining to Community and



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Economic Development Office (CEDO), but not outright in its own section, and he would need to review to confirm.

Councilors Traverse and Bergman suggest the Charter could be amended to create a more explicit section on NPAs, but that will be discussed at a later date.

4.02 Discussion of Polling Place Consolidation

Councilor Carpenter expressed her desire to enable wards to have the option of consolidating polling places, as some would certainly appreciate it. Previous City Attorney Richardson informed the group at an earlier meeting that this ability may not need to be passed via a charter change, but could be done as an ordinance/resolution to effectuate the change.

The group addressed the notion of making public the confidential information between provided by the City Attorney's Office to the Committee. The committee had consensus on disclosing more information to the public in a form that does not provide litigation roadmaps to people who may sue the city.

Councilor Carpenter made a motion for the City Attorney's Office to create a publishable opinion on the next steps to create the option for the City's election wards to consolidate polling places should they choose. Seconded by Councilor Traverse.

Final Resolution: Passed.

Yes: Unanimous.

4.03 Discussion of Non-Citizen Voting

Prior to the start of this section, Councilor Traverse exited the meeting at approximately 11:30 AM.

Councilor Carpenter began by providing an update on her conversation with the Board for Registration of Voters. The Board was generally supportive of the Non-Citizen Voting initiative and appreciated being reached out to. A suggestion the Board made was to rename 'Non-Citizen Voting' to 'All Resident Voting', which Councilor Carpenter approved of as it gives a more positive connotative meaning to the charter change. The Board also said that FAQs would not be enough to communicate the charter changes to the affected public population; they suggested promotional videos, presentations, etc. Councilor Bergman objected to the use of the term "all resident voting" because not all residents would be able to vote, meaning those residents who are not legally residing in the country. He said this is why he's been using the term "legal resident non-citizen voting." Councilor Carpenter said she understood and agreed.

Assistant Director Nanton joined the meeting to discuss the draft FAQs and suggested the usage of CEDO funds to assist in the development of an informational/educational campaign around this charter change. Assistant City Attorney Devlin said the use of the funds would be permissible so long as the informational campaign is factual, descriptive, and objective. Assistant Director Nanton said CEDO has money available to launch the campaign as soon as July 1, 2022.

The group reviewed several emails exchanged between City staff pertaining to the draft FAQs. Associate City Clerk Montgomery's email expressed concern with the budget needed to translate ballots from six (6) languages to ten (10) languages, as she was unsure what the true cost would be, nor did she elaborate on amount needed to do so. Assistant Director Nanton will follow up with her and Chief Administration Officer Schad to deduce costs.

Councilor Carpenter suggested using City Council funds to help with the outreach of this charter change proposal.

Councilor Bergman registered interest, but wondered whether there would be an issue using Council funds on an advocacy



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group? Assistant City Attorney Devlin said he would conduct research on the topic and get back to the group next meeting.

The group made several grammatical and substantive changes to questions #1, #2, and #3 in the draft version of the FAQs. Most notably wherever 'Non-Citizen' is mentioned, that will be replaced with 'Legal Resident Non-Citizen' to accurately describe the change being made through the charter change. The remainder of the FAQ sheet will be reviewed at a later date.

4.04 Items to Discuss and Next Meetings

The Committee set a tentative date for the next Charter Change meeting to be Thursday, June 30th, starting at 5:00 pm and concluding by 7:00 pm.

5.0 Adjournment

Motion to Adjourn by Councilor Carpenter, Seconded by Councilor Bergman

Final Resolution: Motion Passes

Yes: Unanimous

The meeting was adjourned at 12:20 PM.

