

Court of Common Council



CITY OF HARTFORD
550 Main Street
HARTFORD, CONNECTICUT 06103

Legislative Affairs Committee
Hon. Matthew D. Ritter, Chair

Hon. Veronica Airey-Wilson
Hon. Larry Deutsch
Hon. Calixto Torres

Hon. Luis Cotto
Hon. Pedro Segarra
Hon. rJo Winch

2008 Charter Reform Public Hearing Summary Report

August 2008

Councilman Matthew D. Ritter, Chairman
Legislative Affairs Committee

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Background

In April of 2008, the Court of Common Council voted to hold a series of public hearings to gauge public sentiment about whether the Council should empanel a charter reform commission.

The resolution passed unanimously by the Council on April 14, 2008 directed the Legislative Affairs Committee to host four (4) public hearings throughout the city between June 1 and August 1, 2008 (See Appendix for resolution). The resolution also stated that the Council must determine and vote by September 30, 2008 on whether to empanel a charter reform commission.

The four formal hearings were held in various locations across the city and in total approximately 150 community members attended the public hearings. The hearings provided an opportunity to share information with the public regarding the current charter and the process by which a commission would be empanelled. In addition, a number of themes emerged at the four events. These themes are shared in more detail later in the report.

As with the previously submitted interim reports, the information stated in this final report reflects the dialogue that took place, and should not be considered an endorsement or rejection of the comments presented.

Process

The four public hearings were held in the following locations:

- June 10, 2008, United Methodist Church, 461 Farmington Avenue (hosted by West End Civic Association)
- July 17, 2008, Frog Hollow branch library, 744 Park Street (hosted by Frog Hollow NRZ)
- July 24, 2008, Hartford Public Library, 500 Main Street (hosted by Hartford Public Library)
- July 29, 2008, Northend Senior Center, 80 Coventry Street

Feedback

June 10, 2008

The June 10 meeting was held in the west end of Hartford at the United Methodist Church, 571 Farmington Avenue. Council members in attendance were Councilman Ritter, Councilman Ken Kennedy, Councilperson Luis Cotto and Councilwoman Veronica Airey-Wilson. Approximately 40 people attended the event and several asked questions and/or offered comments.

The following people spoke at the June 10th meeting:

John Kennelly – Provided a copy of the opinion editorial he submitted to the Hartford Courant in 2008 regarding charter reform. As a former City Councilman and resident who was involved with the charter reform process in 2002, he felt there were issues that were left off the ballot that should have been included. In particular, Kennelly argued that Council members should be elected by district rather than at-large. He encouraged the formation of a charter review commission to consider that and other issues to re-assess the balance of power in city government.

Eddie Hagenbach – Agreed with Kennelly, and stated that he felt a revised charter would improve the residents' feelings of not being heard. He cited the blighted property ordinance as an example, in his opinion, "of unbalanced governmental power."

Nancy Parker – Asked what items could be considered by the commission. Councilman Ritter responded that the Council could provide guidance to the commission on areas it wanted to see reviewed, but that under state statute the commission could look at any areas of the charter that it felt needed to be reviewed.

Charles Mathews – Advocated keeping the strong mayor form of government. He noted that when he was a member of the Council he felt that power was distributed haphazardly under the Council/Manager form of government. He supported modifications to the existing charter, including having Corporation Counsel, the Human Resources Director and the Director of Finance be hired by the Council and having the Council be elected by both district and at-large elections or a “hybrid system.”

Councilman Kennedy – Advocated for a “hybrid” system for the election of Council members and generally spoke in favor of measures that, in his opinion, “would adjust balance of power in city government.” Lastly, he reminded the group that state statute requires that one-third of the body must represent minority parties if the electoral process for the Council remains at-large. However, any Council election which takes place within a district would not be subject to the aforementioned state statute.

Sally Taylor – Asked if there were cities of similar size and scope to Hartford that have different balances of power. She added that Allan Taylor’s proposal during the 2002 commission hearings was to have Council members be unpaid. John Kennelly responded to Mrs. Taylor’s question by noting that Stamford is a city with a strong mayor form of government that he felt had better checks and balances in place to prevent “unilateral power.”

Steve Colangelo – Advocated for council by district, stating that a strong mayor form of government needs a stronger Council. He cited Waterbury as an example of a city that has at-large elections like Hartford. By implementing a district council structure he felt that a candidate that may not receive the town committee endorsement could still be a viable candidate by effectively working his/her district.

David Klein – Advocated for the empanelling of a charter commission, and stated that he and many other West End residents were disappointed to not have district elections placed on the ballot last time. He added that having district elections as well as at-large made sense, but did not want to see the strong mayor form of government altered. He reiterated that the previous form of government was dysfunctional.

Mary Laporte – Asked if a charter commission could consider changing the charter so as to prevent the Mayor from serving as chair of the Board of Education. Kennelly stated that under the current charter the Mayor has the power to appoint five board members, including himself.

Toni Gold – Advocated strengthening Council powers without lessening those of the Mayor.

Councilman Cotto – Advocated the restructuring of the Board of Education so that the Mayor appoints a minority, not a majority of the members. He also spoke in favor of increasing the salary for Council members to encourage more people to become politically engaged. Councilman Cotto also advocated for a commission to look into implementing term limits for both City Council members and the Mayor. He suggested that a limit of two four-year terms might be reasonable for both.

Biree Andemariam – Asked who would serve on the charter reform commission, and who has the ultimate decision-making power with regard to what questions appear on the ballot. Councilman Ritter stated that six Council members must vote to form a commission, and last time there was a commission each council member had one appointment. Ritter added that the charter reform commission will make recommendations to the Council regarding potential charter changes, but ultimately the council will determine what questions, if any, appear on the ballot. However, Councilman Ritter noted that citizens have the option to petition to have questions placed on the ballot that were recommended by the commission but not placed on the ballot by the Council.

July 17, 2008 Park St. Library Hearing:

The second charter reform public hearing was hosted by the Legislative Affairs Committee on July 17, 2008 at the Park Street branch library, 744 Park Street.

Councilman Ritter was present and Letitia Cotto provided translation assistance for members of the audience. In total, ten people were in attendance.

The following residents attended the Park Street hearing:

Dorothy Lawton
Jenny Garcia
Angel Navarro
David Corrigan
Juan Jimenez

Jose Camacho
Jose Sanchez
Darlene Carrasco
Christopher Brown
Ronald Armstrong

The following comments were made at the hearing:

Councilman Ritter – Provided an overview of the key points that had been previously mentioned during charter reform discussions. Those points included whether to expand the number of council members and its potential implications on minority party representation; the makeup of the Board of Education; and certain aspects of the Office of Corporation Counsel.

David Corrigan – Recommended that the city do away with the Board of Education completely, stating that the State provides significant autonomy to school superintendents. He also said he felt the Finance Director should report

directly to the Council and that the function of the Corporation Counsel should be altered. Specifically, he felt that the Mayor should have his own legal counsel and that the Corporation Counsel should be hired by the City Council.

Ron Armstrong – Stated that a charter reform commission should be empanelled because “the citizenry no longer feels that city business is transparent.” He added that district elections should be implemented for the Council because it would ensure fair representation of all of the City’s neighborhoods.

July 24, 2008 Hartford Public Library Main Street Branch Hearing:

The July 24 hearing was held at the Hartford Public Library Main Street branch. The forum was held in panel format, and consisted of the following participants: Allan Taylor, former chair, 2002 Charter Reform Commission and former City Councilman; John B. Kennelly, former City Councilman; Linda Bayer, former Charter Commission clerk and Executive Director, Hartford 2000; and J. Stan McCauley, pastor and former executive director of Hartford Public Access.

Councilman Ritter opened the panel discussion with an overview of the charter process. That information included:

- State law dictates the process by which a charter reform commission can be empanelled
- Two-thirds majority or 6 members (if all nine Council members vote) are required to authorize the empanelling of a charter
- As few as five or as many as 15 members can comprise a charter commission
- The body cannot consist of all one party; a slight majority is permitted
- The Council selects the members of the commission
- The Council can offer guidance on what items should be considered, but ultimately the commission can decide what areas of the charter it wishes to review
- Once the commission is empanelled, it must hold at least two public hearings
- The commission will provide a draft report to the Council, which then holds a public hearing to consider the draft report
- Following its public hearing, the Council will provide feedback to the commission, which will then issue a final report with recommendations
- The Council decides (by a five-vote majority) which recommendations will be put up for a vote to the electors of the City
- Should the Council choose to reject items recommended by the commission the public can petition to include those items on the ballot
- The public has the right to petition to have a commission empanelled at anytime

- If the charter reform questions are voted on at a special election, a 15 percent turnout is required in order for the changes to be effective; this requirement does not apply if the items are voted on at a general election

Below is a summary of the statements from the panelists and public at the July 24th hearing:

John Kennelly – Stated that charter reform is an important issue and one that requires great attention from the Council. He advocated for district elections and argued that electing Council members locally makes sense in terms of providing a “quicker synergy and a smaller degree of separation between candidates and constituents.” He added that district elections would require candidates to raise less money for elections and may even allow for the public financing of campaigns. He also felt that term limits should be considered, and that the office of Corporation Counsel should be an elected position. He also stated that a majority of the school board should be elected by the voters because “they have children in the school system.” He also stated that “the mayor should be prevented from serving as school board chair.”

Allan Taylor – He noted that, “the charter sets the structure of city government. Therefore it’s important to think about structure changes, not the people who are there now.” He stated that he advocated for district elections in 2002, but the Council chose not to allow the electors to vote on the matter. He stated that he supported a strong mayor form of government because the “previous form of government left folks without knowledge of where the ultimate authority lied. The Mayor had no vote on city council; the council appointed the city manager but avoided accountability.”

He added that the strong mayor form of government created a system “where you know who’s accountable.” He stated that the current charter has built in checks – namely the audit commission. By design, the mayor was not intended to have control of the audit commission.

He also noted that the Council, in his opinion, has more power than it has utilized. He pointed out that the charter allows the mayor to hire certain positions, but that the council is not required to provide for the number of staff currently in the mayor’s office. The council could also control the website with an ordinance, rather than allowing it to be controlled by the mayor. In addition, the council has the ability to hire its own lawyer.

Taylor spoke in favor of the current makeup of the school board, saying he felt “more optimistic about the district in general because of it.” He added that the New Haven mayor serves on the school board as a member and it appears to work well. Finally, he stated that it was not necessary to undo the current charter: “The problems are not structural; the problem is getting people to use it.”

Linda Bayer – Said that serving as clerk for the charter reform commission was one of the most interesting jobs she has ever held. She agreed with Allan Taylor that the charter creates the structure for city government and “how it is used ultimately determines its success.” She stated that she didn’t think the current challenges were the result of the structure but rather the people who serve. “The council-manager form of government was really council-council. Government was not functioning in the most effective way. That said, I don’t think the current charter is working the way it was designed but I also don’t think the charter needs to change, either.” She said the accountability is on paper, but it’s not being used. She cited as an example the blighted property ordinance, which passed but is not being enforced. Lastly, she added that during her time as clerk there was “incredible debate about district elections. I couldn’t understand why council didn’t put it on the ballot.”

J. Stan McCauley – Stated that as someone who sought the mayoral spot, he likes the charter as is. He stated that he supports district elections, even as a member of a minority party because “it’s best for the city.” He added that he felt that Corporation Counsel, because of its current reporting structure, does not consider the “best interests of the city” in his decisions. He added that the mayor should not serve as school board chair, and that with power to appoint five members, he should be able to hold them accountable without serving in that role. “Power is ultimately in the hands of the voters, so people need to be engaged in government or stop complaining. Ultimately, you get the government you deserve. Don’t take the power of the mayor away because it’s the person, not the process. By all accounts the current system is better than the one we had. But we as residents need to be more circumspect about who we elect.”

Ellen Nurse – Advocated for hybrid elections, and stated that she believed that the Board of Education should be entirely elected. She stated that voter turnout has lessened because people are not educated on the charter and the process in general. She also advocated for a recall provision and term limits. *(Note: Allan Taylor advised that state statutes prevent municipalities from putting recall provisions in their charter. State law must be changed in order for that to occur.)*

Ron Armstrong – Suggested district elections with 19 council members representing each neighborhood. He stated that most council members have been from the south and west neighborhoods. He added that Corporation Counsel should “represent the laws of the city and should report to council.” He advocated for charter changes such as the mayor having the ability to hire his own lawyer and placing term limits on the Mayor.

Hyacinth Yennie – Spoke in favor of the strong mayor form of government. She stated that all council members should have to undergo a tutorial on the charter. She also advocated for a majority-elected school board.

Frank Lord –Voiced skepticism about district elections. As a downtown resident he worries that because he lives in a smaller neighborhood, “that could affect his representation with a district format.”

Kevin Brookman – Felt that council must exercise the power it has under the charter, and cited the charter provision which allows the Council to hire its own attorney.

David Ionno – Supports district elections, and asked that consideration be given to election ballots that provide the choice “None of the above.” Also felt that mayor should be prevented from appointing himself to the school board, saying “parents are no longer contributing factors like they were.”

Robert Painter – He asked that there be more discussion on the manner of district elections before it is placed on the ballot. He stated that “as the system matures, we see tension because people are asking questions.” He added that his first impression is district elections would provide better representation. He also felt that the mayor should not serve as school board chair.

July 29, 2008 North End Senior Center Hearing:

The July 29 hearing was held at the Northend Senior Center. In addition to Council members Ritter, Larry Deutsch, Kennedy, and rJo Winch, the following individuals attended: Ron Armstrong, Muhammad Ansari and Marco Torelli. Armstrong reiterated his desire to see a charter reform commission empanelled. Ansari indicated that he supported the strong mayor form of government, but would support the formation of a charter reform commission.

Appendix

- WHEREAS,** The voters of the city of Hartford revised their charter in 2001 and the new charter went into effect in 2003; and
- WHEREAS,** January 2008 marked the end of the first term of the City's chief executive under the new charter; and
- WHEREAS,** The City of Hartford has recognized public discourse regarding the existing charter, and the Court of Common Council is committed to allowing maximum public input on this issue; and
- WHEREAS,** There must be clarification regarding the current charter and the charter review process; and
- WHEREAS,** Chapter 99, Section 7-188 of the Connecticut General Statutes states that "any municipality, in addition to such powers as it has under the provisions of the general statutes or any special act, shall have the power to adopt and amend a charter which shall be its organic law; and
- WHEREAS,** Subsection (b) of Chapter 99 Section 7-188 states that any action pursuant to that power shall be initiated by a resolution; therefore be it
- RESOLVED,** That the Court of Common Council, through its Legislative Affairs Committee, will host a series of public hearings throughout the city beginning June 1, 2008 and ending no later than September 30, 2008 to gather information, elicit testimony and opinions about the effectiveness of the charter; and be it further
- RESOLVED,** That these public hearings will determine the need for a Charter Revision Commission; and be it further
- RESOLVED,** Should the Court of Common Council favor the creation of a charter revision commission, that the public information gathered shall determine a specific charge for the charter revision commission to consider; and be it further
- RESOLVED,** That should the Court of Common Council favor the creation of a charter revision commission, the Council will vote on the establishment of that commission no later than October 31, 2008, and will establish a deadline to allow statutory steps to be completed in time for the regular election ballot in November 2009.

Charter Reform 101

The City Charter defines Hartford's system of government. Hartford's Charter was last revised in 2002, when a strong mayor form of government was adopted. The City is now considering another review of the Charter for further changes. This program will be an opportunity to learn about the Charter and the process surrounding its potential modification, and to discuss any changes you would like to see made to the City's current Charter. Based on public input, the City Council may decide to form a Charter Revision Commission, which would recommend potential changes to the Charter to the City Council. If the Council then so chooses there could be a city-wide referendum, likely in November 2009, to amend the City's Charter.

Thursday, July 24, 2008

Light Refreshments 5:30 pm - Program 6:00 pm
Hartford Public Library, 500 Main Street

Panelists

Allan Taylor

Law Partner, Day Pitney, LLP, and Chair, City of Hartford
Charter Revision Commissions, 1999-2000 and 2002, and former Hartford
City Councilman

John Kennelly

Law Partner, Kennelly and Associates, former Hartford
City Councilman and Member of 2002 City of Hartford Charter
Revision Commission.

Others Invited

Moderator

Matt Ritter

Hartford City Councilman
Chairman, City Council Legislative Affairs Committee



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SOME POINTS ABOUT THE CURRENT CHARTER

- There is no 15% turnout requirement if Charter Reform is voted on during a regular election in November.
- Special elections, when required under the charter or by the General Statutes, are called by the Council. Such an election may be held coincidentally with the general state election.
- The Charter Reform Commission is required to hold at least two (2) public hearings and make recommendations to the City Council about potential changes to the City's charter. However, the Council is the ultimate decision-maker as to whether there will be any charter reform questions on the ballot, what those questions will be and whether the questions will be voted on at a regular or special election. Five members of the Council must vote to place an item on the ballot.
- Under the current charter the City Council has the authority to:
 - Approve the City budget
 - Confirm the Mayor's nomination of all City department heads and all City commission appointments
 - Provide appropriation for hiring its own counsel if it determines that an independent or different legal opinion than provided by the Corporation Counsel is desired. The Council can submit an ordinance outlining the process for such hiring.
 - Approve labor agreements and employment contracts, except for unclassified Mayoral appointees.