

The Role of a Charter Commission: An Overview

by Kenneth Verburg

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The purpose and role of the charter commission officially is to prepare the first charter or to revise the charter for your city or village so that you may bring it up to date and make it current with current kinds of issues that your community may be dealing with. Over time, communities change. Issues change. Needs change. As a consequence, your charter may need to be revised, depending upon the kinds of issues that surface in your community. It is your job to gather the ideas and information from people in your community, and to put a charter together and to present it to the citizens for a vote.

Your informal responsibilities are somewhat more difficult. First of all, you have the obligation to identify community values regarding the issues that can be addressed by municipal government. Not all of these issues, of course, can be subjected to controls or influenced by the charter. On the other hand, many of them can. So what you need to do as you begin your deliberations, is to think about values -- basically what the community does agree on and what it wants from its community government. Those are not necessarily easy to sort out, because what is likely to occur is that those who have a particular axe to grind are probably the most vocal, and the most articulate about what they want from the charter.

The charter is something like the state constitution. A particular interest group which is able to cement in the new document its values, its point of view, or its preferences will be advantaged for several decades. Chances are, that charter will be in place for some time. It's not easily repealed and the community is going to have to abide by its provisions. Thus, getting a particular position implanted in a state constitution or city charter has a long-lasting value. So the challenge is to try to strike a balance between what the community does agree upon and what it does not agree upon. The extent to which people are articulate may cause you to get a warped sense of what people in the community want. One of your first tasks is to sort out the values and then determine what the community agrees upon and what it does not agree upon in terms of what the community wants.

I think you need to establish a process for citizen education, for stimulating public interest, for generating public participation, and then to create a forum for public comment. Part of your job is to get people to think about the issues facing your community for the next 15-20 years. Identifying these issues and then stimulating the community to think about these issues is particularly important. People with a particular and direct stake in the community's government will be heard from. But there are many others who will not be heard from unless something stimulates them to get actively involved in the process. So you need to find ways to encourage the public, to get them to think about the issues and to decide how they would like you to resolve the issues.

In many of our municipalities today, we're lucky to have 25 percent of eligible voters participating in a general election where a strong campaign and strong candidates running for office stimulate participation. On a charter issue, especially if it is a special election, participation might drop to ten percent. As a consequence, the people who want something from the charter election will vote. That large mass that isn't really tuned in will not get its points across, and is not even likely to be thinking about the kinds of issues that need to be thought about. So you need to find ways to educate and stimulate citizen feedback, and to get people to think about their charter.

Here are some strategies you might consider as ways of stimulating that feedback and of educating people about the importance of the charter. Go early to service clubs, business, community and labor and other community groups, and talk to them about the importance of the charter and of the questions that will be issues, and the duration of those decisions that ultimately will shape the charter.

Involve the media. Make sure that the reporters, radio stations, television stations, if you have a TV station that reports on your community, and newspapers understand your basic approach and the kinds of issues that will arise. Give them plenty of opportunity to write or produce stories about your activity.

Consider conducting some kind of opinion survey, not only for feedback from people, but also as another story for the media to write about. Report the results of the opinion survey back to the people, and share with the community what people are thinking about, at least as we see it. Ask: Is that right? Come and talk to us at public hearings. And then think about holding public hearings in a variety of settings, depending upon the

size of the community. Hold the hearings at your regular meeting place, but also with neighborhood groups and perhaps with organizations to help you make these decisions.

You have a significant task in stimulating interest and thought, and also in educating people. Neil Staebler who was chair of the Democratic Party in Michigan for a long time and who was also our statewide Congressman for two years back in the 1960's, used to talk about politics as being the best show in town. That isn't the case anymore. Participation was considerably higher then. But you are competing today with television. Trying to hold a public hearing when Michigan is playing Ohio State would not be a good idea. You have to think about the kind of competition you face. A lot of that competition is coming over television. However difficult a battle in stimulating interest, it is something you need to put on your agenda and develop a strategy in your community.

Another set of questions you have to deal with is to clarify the reasons for revising the municipal charter. Getting those ideas clear and concise is essential so you can figure out how you want to address those major questions. First, sort out the major issues facing your community. Some of those will have been identified in the campaign for the charter revision commission. Others will be identified by city or village council and perhaps by a few organizations, such as the League of Women Voters who may talk about an outdated charter, and the need to modernize it. Then you have to identify how many people care about a particular issue.

I would guess that most modest sized communities will be dealing with questions like, should we go back to, or should we go to a strong mayor model or what's wrong with your city manager government? Are we able to recruit effective city managers? Or why do we have a divided council that is continually indecisive? Those kinds of questions need to be sorted out. Then you need to think about how to propose a system and a process for making community decisions. I'd like to suggest that, if you have a strong consensus in your community, much of the decision making can be delegated to the professionals in city government and the city council. If you have that broad-based consensus, then the city manager and the other professionals can advise you how to achieve what it is you want to achieve, and the best way to do it.

If, on the other hand, your community is contentious, then I think you need a different set of rules and a different set of processes for dealing with the contention and the division in the community. That brings you to form of government issues, such as mayor versus

the city manager. The International City Management Association at one time held the view managers are not political people. This view has been dropped from the Association code of ethics, but nonetheless, a city manager is most effective in a situation where the community agrees and concurs on what needs to be done. If the community is political and contentious, then it seems to me you need not necessarily go to a mayoral system, but you must find a way for that community to process the political forces. That may mean your community policies are somewhat erratic as various groups gain power and implement their ideas. Such devices as shorter terms give voters more frequent opportunity to elect those who people think will represent them better. You might want voters to elect the mayor at-large, rather than the council. The mayor elected at-large can process the politics of that community into policy decisions until the next election. These kinds of questions revolve around the issue of whether your community has a consensus or whether it's contentious about what the community needs.

The roles of the charter commission members.

There are a few officers or positions that you ought to fill. You ought to identify, of course, your chairman. That person is going to take a key role in not only making presentations, but providing leadership. It will take a lot of time. So you'll need to think carefully about whom to select for that position.

Then you might want to think about establishing subcommittees or committees to give some focus to various aspects of the process, to make sure, for example, that there is somebody thinking about the public relations, and the political dimensions. The city clerk will probably serve as the secretary for your commission. There may be other kinds of duties that you will identify.

Finally, set up a schedule for your work. You have 90 meeting days. You have more calendar days than 90, but also you will find that your time will slip away from you unless you set out at the front end of your schedule how much time you're going to allow for feedback. You then need to decide how much time to allow to bring the charter into final form. Finally, you need to decide on the style of presentation of the charter. You get three chances for voter approval of the charter over a three-year period.

People have asked me questions about their own communities. Until a few years ago, the City of Niles was a fourth-class city. Basically that meant that a general statute constituted its charter. It is not like a township government, but it's similar in several

respects. That system, for the people who are there, fits like an old shoe. It just feels good. Now you come in with a city manager, you bring in a professional, who begins to articulate needs that you haven't thought about perhaps and solutions that you haven't thought out. That doesn't feel quite as good as before. So you have that kind of old-time structure of government versus a city manager type. Grand Ledge is now beginning to get newcomers into the community. They have different ideas and different expectations about what community government ought to do for them, as opposed to the long-time residents. Now they are getting white-collar professional types moving in, and saying, we want our community government to do something a little different. We think differently about how a government ought to run and be run. Those kinds of values I think are some of the things you need to sort through. You may want to bring in people from neighboring communities to help you identify those issues. You might ask them to come to a public hearing and talk about their experiences. These presentations will help to educate the commission about values and also to identify some of the ways of addressing those differing values.

When you go in a particular direction, you may be reducing the power and clout of some of the old-timer residents. They may sit back and say, "wonderful, let me know how it turns out." That's not quite what you want. You want them to get into harness with you and help bring your city along in its structure and its policies to the point where it can address current and contemporary kinds of issues, rather than keeping it the way they always had it. What was once workable maybe doesn't work anymore. Don't load the agenda with speakers on one side or the other. Take a genuine educational approach and invite people to come in and talk to you from several perspectives on this issue.

If you're going to hold public hearings in communities where the interest is very low, commissioners might have to recruit three or four people to attend those first public hearings to jump-start the process. Chances are, if you hold a public hearing, only one person, or worse yet, nobody may show up. So make sure that you recruit an audience to get some of the juices flowing for dialogue and discussion of the issues.

Discussion

Question: From your experience in municipal government and charter revision activities that we're experiencing, what has been the trend? Is there increasing activity or an increasing number of charter revisions throughout the state?

Answer: I would suggest that just by the attendance here, that indeed there is interest. As I think about it, it's probably a function of the late '50s and early '60s in many of the places when we had a number of new city formations and now they are thinking about modernizing, of taking some of the more contemporary approaches to their charters. Another reason is that many of our small communities around the state are finding out that they are attractive places where people are moving in and you are getting some feelings of conflict in community values. Somebody comes from a particular kind of community and when they settle in a smaller community, they bring those old expectations with them. That would particularly be the case with northern communities where we have retirees.

Question: Is there more activity in older communities versus no growth communities versus growth communities?

Answer: I can't give you really much data on that. Just an impression and that is that it's probably 50-50, where older communities are having problems and look to the charter revision approach as a way to deal with those problems. Charter revision may or may not be the solution. And then there is the other type of community where you have new settlers coming in who have different expectations and who are sort of crowding the people that may have dominated politically, or the community politics earlier. That presents the issue of whether charter revision can adjust these differing points of view on what people want from their community.

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Kenneth VerBurg retired from the position of professor and extension specialist in the Department of Resource Development at Michigan State University in 2000. He specialized in state and local government and is well known in the state for his professional efforts associated with local government in Michigan. He regularly conducted educational programs for local officials and citizens throughout the state. He continues to consult with all types of local governments on strategic planning and other matters. Mr. VerBurg is the author of numerous publications and books. Among them are nationally used college textbooks such as *State and Community Government in a Dynamic Federal System*, now in its 3rd edition, and *American Politicians and Journalists*. Among the state's local officials, he is known for his companion publications on county and township governments, *Managing the Modern Michigan Township* and *Guide to Michigan County Government*. Most recently he has compiled and published the *Michigan Election Manual* and written the *Michigan County Road Commission*. For ten years he also co-authored "The Pros and Cons of Politics," a weekly news column on Michigan politics that appeared in selected Michigan newspapers. He has extensive administrative experience. In 1991 Governor Engler appointed Mr. VerBurg to chair the State Boundary Commission. He continues in that position in 2003.