

Making the Most of Charter Commission Meetings

by Robert L. Queller

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The topic of making the most of your commission meetings should be very important to you because you are committing a portion of your life to serving as a charter commissioner. The experience can be informative, enjoyable, and satisfying, or it can be boring, aggravating and disappointing. The kind of experience it is will depend on you and your fellow commissioners. It will be what you make of it so you might as well try to make the most of it.

Leaving hearth and home and family and leisure pursuits night after night will become a real chore if you don't find the meetings to be a rewarding experience. I'd like to make some brief general observations about charter commissions and then I'll elaborate on some of those because they will be crucial in making the most of your meetings.

First, probably none of you have ever served on a charter commission before, and most of you will not have served in an elective body before. Second, many of you will not know each other when you are first elected, much less have worked together in a collaborative effort. And third, you likely will not have a common knowledge or understanding of your community and its needs or the role the charter can play in meeting these needs.

There are several essential elements in establishing an effective and productive charter commission. First you need to know upfront what the role of the charter commission is and, equally important, what the role is not. I will emphasize what the role is, not because others have talked about what your role is, which is to draft a proposed charter for the city. But it is not your role to second guess the mayor and council in managing the day-to-day affairs of the city. You are not responsible for the decisions the city must continue to make during your deliberations. You're interested, concerned citizens or you wouldn't have run for the charter commission, but your role as a charter commissioner is to focus on the charter. Don't try to tell the mayor and council how to run the city and don't let them tell you how to run the charter. That doesn't mean you shouldn't solicit their suggestions and listen to their advice along with suggestions and advice from the host of other individuals. But don't let them tell you what to put in the charter and don't

you tell them what to do about running the city. Stay out of their business and keep them out of yours.

If you're going to make the most of your meetings, you first must have a clear and common view of what your mission is.

Second, you need to know how to function as a collegial body that is going to go through a rather lengthy process to arrive at decisions as to what you as a body believe is in the best, long-term interest of the community and that you're willing to recommend to your fellow citizens for their approval. The quotation from the founding fathers about the results of collegial efforts to write, in that case, a constitution is appropriate to write a charter. It isn't going to be perfect, and the essence is going to be give and take among you.

You have to learn to work together, to listen to each other, to respect each others thoughts and feelings, to evaluate carefully each others ideas, and when necessary, to disagree without being disagreeable.

A recent article in the National Civic Review (published by the same organization that writes the model city charter) on collaborative decision-making states that in groups generally, "I" knowledge plus "you" knowledge does not constitute "we" knowledge. Groups act effectively only on "we" knowledge. That is knowledge obtained together. This accounts for why groups of very capable people can make very bad decisions or why groups with relatively uneducated or poorly trained people can make excellent decisions. The ability to obtain a basic combined understanding through good communication with especially careful listening to each other, can lead to effectiveness without sacrificing individual opinion or criticism." So your common sense of role and purpose and also the leadership you select can play an important role in your functioning effectively as a group. An effective chairperson can keep you on the track both as to the subject and the time schedules. The chairperson can provide leadership which can be critically important in developing a consensus on the issues.

I'd like to talk a little bit more on some of the specifics. As to the meeting schedule, you'll want to pick a regular time and day of the week for your meetings. In most communities it appears that evening meetings work best, in terms of work schedules. That is something that you have to decide on.

You have to decide how frequently you want to meet. That can range from once a week to once a month, and I think Mr. Powell indicated every two weeks seems to work reasonably well.

One thing is, if you hire a consultant, you have to allow sufficient time between meetings for the consultant to do what you're paying him to do, which is to draft your ideas into issues that you can debate. If you meet too frequently, there simply isn't time for the consultant to do that.

You should establish a schedule well in advance. There was some discussion of notice. Try to keep your meetings to no more than two to three hours long. Meetings to 1 a.m. won't impress anybody. They will think you're a bunch of nitwits because you can't get your business done in an orderly sort of way. So try to schedule a meeting for no more than three hours and probably preferably two. And stick to the adjournment time. If the meeting is going to run from 7:30 p.m. to 10:00 p.m., adjourn at 10:00 p.m. and no later.

You are required to have public sessions. You are subject to the Open Meetings Act. But it's very important that you conduct your meetings in public. That doesn't mean that five of you get together at one of your houses and talk about what to put in the charter. That's a clear violation of the Open Meetings Act. It doesn't mean that the chairperson can't go around one by one and visit with the members and solicit their opinions on an important issue. And certainly a quorum of you cannot meet together outside a public meeting.

As to agenda, you should have an agenda for each meeting. It should be mailed in advance. The agenda can be prepared by the chairman or perhaps you want a three-person committee to help prepare the agenda. You could allow a few minutes at the end of each meeting to discuss what's to be on the agenda for the following meeting. But it is important that you have an agenda so that you can keep on track, so that you can notify the public on what's going to be discussed, so that you can invite the appropriate people to appear who are interested in a particular area that you're going to take up.

Apparently experiences differ as to whether or not to have committees. My general preference for a nine-member body is not to have committees because what you're going to end up with is three of the nine with a vested interest in some particular wording on a particular issue. You're better off trying to develop a collective position on

the issue. You might want some committees on non-substantive issues such as the budget, interviewing consultants, publicity at the end, or how to sell the charter. But I think on the substantive issues in the charter, you're better off to meet as a committee of the whole until you get to the end of the process, and then you have to meet more formally.

Don't rush into decisions. Allow plenty of time for hearings, for discussions among yourselves. On the early decisions you make, make them tentative decisions because you may change your mind as the process goes along. You should try to come to resolution on issues as you deal with them in the substantive process, but keep an open mind that you may want to change your minds later and just make these tentative.

After you organize, I think the most important thing to do is to retain a consultant to the commission. This is not a "do it yourself" project. Those things are better done by people who are expert in doing it.

I would spend several meetings simply trying to understand the role of the charter commission, the nature of the charter, the state home rule act. (This process initiated by the Michigan Municipal League and the Michigan Association of Municipal Attorneys should produce something that will be very helpful in that regard for future commissioners.) It's important to get an understanding of the charter process: how to get from here to where you want to be at the end. It's important that you keep that timetable in mind and think through the steps from how to get from today to election day whenever that appears to be feasible.

Develop an understanding of the scope of your work: what areas you're going to have to review, what decisions you're going to have to make. Your consultant can help with this. There are checklists available. I am sure that out of this process, there will be more checklists available. But that would be very helpful to you, to know what it is that you are going to have to decide. If it's something that you don't have to decide, if you want to talk it over more, fine, but try to keep focused on "what decisions do we have to make?" Discussing the new city budget is very interesting, but it's irrelevant to your function as a charter commission.

You must develop an understanding of your present city or village and its strengths and weaknesses with respect to the charter. Hearings can help you accomplish that goal, but

again, you must focus on the relevance of the charter, to whatever the problem might be. If the mayor and council in the strong mayor system are frequently at odds, is that a personality problem, or is it something in the system of checks and balances in the charter that leads to confrontation, and is there something that should be done about it?

Lay out the sequence of tackling the job. What subjects do you want to cover first when you get down to the substantive issues? You might want to start with non-controversial issues first to get accustomed to a collegial decision-making process. Maybe you don't want to first decide on the form of your government because that may be the most controversial. Maybe looking at the election provisions might be less controversial, since much of that is governed by state law anyway. But I think if you start with some easy decisions and get used to working together and making decisions, you'll find that you'll be better able to make the hard decisions that come later. One of the most significant of those clearly is the question of the form of government because many other provisions hinge on whether you have a mayor or a manager form.

As you discuss specific areas of the charter, hold hearings so that interested parties can participate. When you discuss elections, invite the city clerk and the school district if school elections piggyback on city elections. If you're talking about pensions, be sure to invite the city actuary, the pension board, the finance director, representatives of the employee groups, and retirees.

Establish target dates for completing substantive provisions of the charter. But the schedule must be flexible. Don't just let it slide, though. Amend it. If you're not meeting the target date, then just amend your schedule so that you have a new target date to complete it.

Allow adequate time for your decision-making, for the consultant to draft the charter provisions, for review by the Attorney General's office, for any necessary revisions and public hearings on both the proposed and final versions of the charter. You may want to write a brief address to the people, or a commentary to accompany the proposed charter, to have people understand why you did what it is you did. Don't be overwhelmed by the process. Many people have completed it successfully.

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Robert L. Queller has been on the staff of the Citizens Research Council of Michigan since 1951. He has served as vice president and president and executive director for that organization since 1979. A graduate of DePaul University and Wayne State University, Mr. Queller is active in several professional organizations, including the Governmental Research Association and the American Society for Public Administration. He serves on the Board of Directors for both organizations. He has done extensive study on the problems of local government and county home rule and served on the staff of the Governor's Study Commission on County Home Rule.

The Citizens Research Council was established in 1916 as a private, non-profit organization which does studies of state and local government in Michigan. Mr. Queller was the fourth executive director of that Council. He is now retired.