

Additions of Sections to Article XI to be Considered

Periodic Review of the Charter

Example from Pittsfield Charter *Not later than July 1, at 10-year intervals, in each year ending in a 3, the mayor and city council shall provide for a review to be made of the city charter. This review shall be made by a special committee to be determined by ordinance. All members of the committee shall be voters of the city. The special committee shall file its report with the city clerk at a date specified by ordinance. Copies of any recommendations shall be made available to the public at a cost not to exceed the actual cost of the reproduction.*

City Records to be Public

Example from Ann Arbor Michigan Charter *All record of the City shall be public, shall be kept in City Offices except when required for official reasons or for purposes of safekeeping to be elsewhere, and shall be available for inspection at all reasonable times. No person shall dispose of, mutilate or destroy any record of the city, except as provided by law, and any person who shall do so contrary to law, shall be guilty of violation of this charter.*

Prohibitions

Combine 2-4 and 4-5 and add to this section

11-6: *No member of the executive or legislative branch or of the school committee shall appear as counsel before any City officer or agency.*

2-4: *(a) Appointment After Expiration of Term—No former councilor shall hold any compensated appointive city office or city employment until 1 year after the expiration of the former councilor's service on the city council. This provision shall not prohibit a former city employee or city officer from resuming the duties of a city officer or city employee at the conclusion of such service as councilor.*

(b) Interference in Administration—No member or committee of the city council shall directly or indirectly take part in the conduct of the executive or administrative business of the city.

4-5: *No former school committee member shall hold any compensated appointive city office or city employment until 1 year after the expiration of the member's service on the school committee. This provision shall not prohibit a former city employee or city officer from resuming the duties of the city officer or city employee at the conclusion of service on the school committee.*

Sec. 9.03 (g) Manchester NH City Charter *The board of mayor and aldermen, the various boards and commissions and the board of school committee shall act in all matters as a body, and shall not seek individually to influence the official acts of any city official, or to direct or request, except in writing, the appointment or removal of any person to or from office; or to interfere in any way with the performance by such officers of their duties. This provision shall not prohibit assistance to constituents in their dealings with city officials if direct requests to the appropriate administrative officials have been unsuccessful, advocacy of particular outcomes on*

matters pending before the city when the matters are of a general nature, or submission of recommendations or references on behalf of a candidate for city employment which are not inconsistent with this code.

Public participation

From Manchester NH City Charter Sec. 8.14 All boards, commission, authorities and committees, acting together as a full body, shall provide for a period of public comment.

2 potential additions:

- Where notice is provided of any public comment period, the time that the public may speak must be noticed as well
- add to the end of the Manchester language, “at reasonable intervals, but in any case, not less than twice per year.”

Uniform Procedures Governing Multiple Member Bodies

From the Everett Charter:

*(a) Meetings - All appointed multiple member bodies of the city shall meet regularly at the times and places that they by their own rules prescribe. Special meetings of any multiple member body shall be held on the call of the chairman or by one-third of the members of the body by written notice delivered in hand, **by email**, or to the place of residence of each member at least 48 hours in advance of the time set, which shall contain notice of the subjects to be acted upon. A copy of the notice shall also be posted in accordance with law. Except as may otherwise be authorized by law, all meetings of all multiple member bodies shall at all times be open to the public.*

*(b) Rules and Journals - Each appointed multiple member body shall determine its own rules and order of business and shall provide for keeping **minutes** of its proceedings. These rules and **minutes** shall be a public record, and certified copies shall be placed on file in the office of the city clerk and in the Newton Public Library.*

*(c) Voting - If requested by any member, any vote of any appointed multiple member body shall be taken by a call of the roll and the vote of each member shall be recorded in the **minutes**, but if the vote is unanimous, only that fact need be recorded.*

(d) Quorum - A majority of the members of an appointed multiple member body shall constitute a quorum. Unless some other provision is made by the multiple member body's own rules while a quorum is present, except on procedural matters, a majority of the full membership of the body shall be required to vote on any matter representing an exercise of the powers of the multiple member body, and that General Law provisions related to any vote to meet in “executive session” shall always require a majority of members of the body.

(e) Except where otherwise provided in a body’s rules, procedures of all bodies shall be governed by Robert’s Rules of Order.

*** - All edits in bold and red.**

Conflict of Interest and Code of Ethics

the use of public office for private gain is prohibited (from various charters)

- No acting on public matter where one has a private financial interest
- No accepting gifts for a favorable decision or vote
- No acting in a private capacity on matters one deals with in an official capacity
- No using confidential info for personal gain
- No appearing before city departments on behalf of private interests
- No false statements or fraud in documentation, etc
- No disclosing privileged or otherwise private information that is not a public record