

## **KETCHIKAN CHARTER COMMISSION**

ORGANIZATIONAL MEETING

January 21, 2004

The first and organizational meeting of the Ketchikan Charter Commission commenced at 6:30 p.m., Wednesday, January 21, 2004 in the City Council Chambers.

### **A: Pledge of Allegiance**

### **Roll Call**

PRESENT: PAINTER, OTTE, THOMPSON, HARRINGTON, KIFFER, MCCARTY

ABSENT: FINNEY

Packet information regarding a Robert's Rules of Order section on "Opening the Meeting and Election of Officers" was pointed out.

At the suggestion of Commissioner Painter, introductions and remarks were given by the Commissioners prior to election of officers.

Commissioner McCarty gave some background on himself. He mentioned that due to his regular work, he doesn't have the time to serve as an officer. He indicated he was willing to be a backup if need be. He feels that his skills and desires in the process are more analytical rather than as a technician.

Commissioner Otte mentioned she has had little experience in this type of process, but she is willing to work very hard to get the best petition for the people. Her skills mentioned are more support services. She would choose not to be in a leadership position, but will do whatever is asked. Reference was made to Ms. Otte's prior employment as Georgianna Zimmerle's secretary in her tenure as the Borough Manager. Ms. Zimmerle now sits on the Local Boundary Commission. It was mentioned that the Chair of the LBC is a former Ketchikanite, as well: Darrell Hargraves.

Commissioner Thompson indicated he would stand for the Chair of the Commission if that's how everyone felt. He provided some background as to his residency, employment history and present position. He indicated his schedule takes him out of town one week a month. Mr. Thompson spoke

positively regarding the tasks facing of the Commission.

Commissioner Painter provided information on his background and current employment. He has had experience on the Shoreline Service Area Board and with the City and Borough in the Shoreline Annexation, as well as with the Local Boundary Commission. He indicated his is the KISS attitude (keep it simple stupid).

Commissioner Harrington spoke about his residency and experience on the School Board and North Tongass Fire Service Area Board. He spoke of his perspective on the Charter that while he is impatient as a rule, a measured regular pace must be adhered to and that everyone gets a chance to see everything at least two or three times before being finalized.

Commissioner Kiffer, as a member of a very long-standing family in the community, indicated he has chaired a few board and watched both the City's prior petition and the Shoreline Annexation. His current position is going to take a lot of time and he doesn't think he could put the time in to be chairman. Prior consolidation did not receive his support because the public didn't have enough input. The public was allowed to ask questions and listen to what the charters said and why they were written as they were, but the people weren't asked what they wanted. The government works for the people and he will be a huge supporter of public involvement in this process.

Commissioner Finney had spoken with Commissioner Otte prior to the meeting and indicated he was not interested in the chairmanship of the Committee because his work travel might interfere with his meeting attendance.

## **B. Nomination of Chair, Vice-Chair & Secretary**

M/S Painter/McCarty to nominate Glen Thompson as Chairman of the Commission. Thompson was elected by a unanimous voice vote.

Chairman Thompson gaveled the meeting to order. He remarked that he had never chaired a board before, but that he knew the others on the Commission would assist him. He indicated that the Commission should meet on a regular basis and formulate a plan to conduct business.

Commissioner McCarty pointed out that a vice or deputy chair should be elected, as well as a secretary. He felt that Commissioner Otte has all of the

skills for the secretary position. First we should ask her if she's willing to serve then we decide whether anyone else wants to run for the office.

Commissioner Otte indicated her willingness to be the secretary, however, she wanted it understood that she would be a part of the commission and perhaps someone could be hired half-time who could take care of all of the "secretarial" duties that are associated with the position; the typing of minutes, obtaining documents; etc. Chair Thompson concurred. The idea would be the Commission Secretary could act as a liaison with the office staff to get the Commission's desires and needs taken care of and make sure everything is handled appropriately in the office. Chair Thompson mentioned that there is no funding or budget at this time and Commissioner Otte said she would be happy to do the extra duties until such time as a staff person could be hired.

Commissioner Thompson then asked for nominations for vice-chair. Mr. Harrington and Mr. Painter were mentioned. Mr. Painter indicated his willingness to serve in the capacity as vice-chair.

M/S Otte/Thompson to nominate Mike Painter as Vice-Chair. Painter was elected by a unanimous voice vote.

#### **C: Resolution No. 1, Requirements for a Quorum**

M/S Harrington/Kiffer to adopt Resolution No. 1, Requirements for a Quorum.

There was no discussion.

Resolution No. 1 was adopted by a unanimous roll call vote.

#### **D: Resolution No. 2, Votes Required to Pass a Motion**

M/S Painter/McCarty to adopt Resolution No. 2, Votes Required to Pass a Motion

It was mentioned that in Section 2, the Commission requires four votes for passage, regardless of how many persons were present.

Resolution No. 2 was adopted by a unanimous roll call vote.

### **E: Resolution No. 3, Setting the Commission's Order of Business**

M/S McCarty/Painter to adopt Resolution No. 3, Setting the Commission's Order of Business.

#### **Discussion:**

Commissioner McCarty pointed out that the urging of the public to keep their remarks under 5 minutes has merit, as it would make the meetings too long to accomplish any Commission business. By urging people who wish to speak to keep their remarks on focus and organized. If there is more than one person to speak to a specific topic, perhaps a point person can be chosen with the others coming up with brief additions to the original persons' remarks.

Commissioner Otte indicated that when the resolution was written, it also requests that persons coming before the Commission also submit their material in writing to the Commission to become a part of the record in that manner as well as the meeting minutes.

Commissioner Harrington concurred, except that rather than just helping the persons speaking, it would give him a secondary means of digesting the information. He indicated that written documents are very important to the Commission's task.

Commissioner Painter pointed out that 1C that citizens are urged to utilize no more than 5 minutes for their comments. The issue of consolidation is a very serious one for both urban and rural citizens, and if the Commission were to amend this section to be a mandatory 5 minutes and persons were not allowed to speak their piece...we don't want to alienate them. We want their vote. If they are against consolidation, we want to show them the way that this can become a better community for all of us to live in, economically and everything else.

Commissioner Kiffer also spoke on item C, the public comment section. We're asking for a couple of different levels of public comment; just the public's wishes as to what they'd like to see the Commission do, but I think there is also a more specific comment based on items that are either on the agenda that evening or items that were on the agenda on the prior meeting. Possibly an amendment to Section C or an addition to have a specific area in the meeting that people could actually sign up for to speak toward a certain topic, either a topic on the current agenda or a previous one. These agendas will be publicized and they could sign up to speak at the end of the meeting to give us

some more immediate feed back on the agenda items that were discussed that meeting. I just think that again, I agree with Mike, that the public is going to be what makes this...We can do a great job, but if we don't allow the public the maximum input on this project, I don't think it's going to happen.

Commissioner Otte concurs. That's why it was not made more specific to not speak more than 5 minutes.

Commissioner Kiffer agrees that 5 minutes is a good time frame and if we have 12 people, well, you can do the math. We'd be here all night.

Chair Thompson agreed and indicated that it was the duty of the Chair to interrupt people who start repeating and ask if they have anything new to add. One of the things I've seen is that if you have a large public hearing and a lot of people who wish to speak, you have a sign up sheet. You ask what they want to talk about. Something we could consider is rather than having a situation at the beginning of the meeting where someone gets up and says they want to talk about a specific agenda item, is potentially allowing for somebody to comment at the beginning of each agenda item. Now that makes for a little more of a circus atmosphere at times because you've got people jumping up and down out of their seats, but their comments would be at the time the Commission was discussing the subject. I'm throwing it out just for thought.

Commissioner McCarty commented that other than the initial organizational stuff, he didn't feel the Commission would be doing very much specific business for awhile. Every once in awhile we'll have some specific agenda things to do. Then you start getting close to some issues and firm decisions, as opposed to just discussion. During the discussion phase, we want to encourage as much public comment as we can. In the two hour time frame, people start to get tired if you've been working a full day already. So it may not be that big of a thing for awhile, because we certainly want to make everyone feel we're willing to listen and want to digest everything. The written stuff for me, if there's much meat to it, having it ahead of time and being able to look it over, and then you come in and there's some sort of give and take on it, makes it sink in a whole lot better than trying to read it at the table, especially while somebody else is talking.

Commissioner Otte commented that having people sign up if they want to sign up for a specific thing on our agenda, that would be the proper time to speak to it rather than at the beginning of the meeting and then 10 other people talk about something else and when it comes time to deliberate on an agenda item

that we're going to take action on, then we've totally been inundated with all kinds of stuff and we won't remember specifics of what that person might have indicated.

Chair Thompson requested clarification that if someone wants to speak on a specific item and we have an agenda set up, can we suspend the order of business and allow that person to speak during that topic. Several Commissioners concurred that was allowed. That the Commission would have that option.

Commissioner Painter pointed out an example might be when we invite someone from out of town to speak in regard to the Commission's business and that person is on a time line to catch an airplane. The City's done it. The Borough's done it. I don't see why we can't do it. It's a matter about the Chairman's housekeeping. We've all seen it before when it comes to repetitive testimony. It will get nipped at the bud.

Meetings have been observed where it's been asked how many are here with the same point of view. And you indicate for the record that there were 10 hands raised.

That's not to say that somewhere down the line in our process when we get down to the thick of it that we don't decide to have a workshop session, and I don't know if I want to use the word executive session. (Others indicate no). I don't want to go there, but in the situation of a workshop session, that's not for the public, is it?

Commissioner Otte responded that because we were meeting, you would have to have public comment. The public would have to be invited.

Commissioner Harrington pointed out that since most of the Open Meetings Act exclusions for non-public don't apply to us, everything we're going to have to do would have to be in public. We don't have personnel, we don't have...

Commissioner Otte said that it's a little less formal than having an agenda, just really a discussion of a topic. You have worksessions. When you're not actually voting on anything. You're discussing. Trying to hammer out the details.

Commissioner McCarty noted that the main requirement is that it is noticed so that people can show up and at least listen. You can decide to what extent and

what manner you'll have input, but they certainly have to be able to observe and listen to what's happening.

Chair Thompson indicated we can ask for comments during these work sessions, too.

Commissioner McCarty reiterated that statement and said it's pretty wide open on that, but the main thing is you have to make sure that the meeting's wide open to the public as far as knowing where it's at and see what we do.

Information was given that this had been a discussion and there was no formal amendments.

Commissioner McCarty said he thought it was worthwhile. He thought everyone was going in the same direction.

Chair Thompson thought he'd heard someone say they'd like to make an amendment, but he didn't hear anything formal.

Commissioner Harrington, for those who were listening, read the proposed order of business. The only thing that was suggested in an email that went out was a public comment both at the beginning and the end.

Commissioner McCarty moved to amend the Order of Business and add a second public comment period which would be following the end of New Business (G). It would be the new H. Commissioner Otte provided a second to the amendment. Commissioner McCarty said that when he was on the School Board they had done that. A number of persons had said they wanted it, but he thought the second comment period was only used about twice in a year and a half. I think it's better to have it available than trying to amend the agenda. We may have to make a determination as to how much time is available if we are getting up to 9:30.

Commissioner Painter pointed out that if the meeting was going to extend beyond 9:30, the Commission would have to take a vote to extend the meeting time. He indicated that "we're all working stiffs here".

Commissioner Kiffer agreed. He indicated he was a big supporter of having a second public comment section, although my suggestion would be prior to New Business (G) in an attempt to limit and keep the public's comments direct to point would be have that session be a sign-up session and only allow

comments on agenda items of that meeting so that if there was something that came up on the agenda that folks wanted to speak directly to, they could have that opportunity and then we could consider their comments before we took action on those agenda items. To get into two complete public comment sections in a random area, I'm not too keen on, but if it's right directly to the point and something that is on the agenda, then I think that has some merit.

Commissioner Otte asked if Commissioner Kiffer wanted to make that an amendment to the amendment.

Commissioner McCarty said we could change that. We could first decide if we want to have another comment section, then we could decide which one.

Commissioner Otte asked Commissioner McCarty if he wanted to change his amendment. He said he'd like to change his amendment to "I move to add an additional comment period to the agenda". And if there is a second, then someone can move to amend that to say specifically where he/she wants it.

Chair Thompson asked if there was a second. He thought there was a second.

Commissioner Otte indicated she concurred with the change to the motion (as the original second).

Commissioner McCarty said that now the motion would be that we add an additional comment section. That could be amended if somebody wanted to do that, Mr. Kiffer?

Commissioner Kiffer requested an amendment to the amendment that the second public comment period occur directly after Item F and to add that comment section to be established by a sign-up list and only to entertain comments on the New Business section of that particular meeting. This was seconded by Commissioner Harrington.

Chair Thompson indicated there was a motion and a second. He wanted to point out we do have to have a caveat there that comment should be limited in some way so as to get through all the business by 9:30. So if we have 30 people sign up to talk about an agenda item and it sounds like they are all going to say the same thing, we could be having a problem. He indicated that the other question he had there, because we're not going to have a lot of formal business to conduct under A, B, C, D, & E, unless we have a lot of Unfinished Business from the previous session, those comments will be coming almost



back to back. He thought that perhaps the comments would be best, again, as Commissioner McCarty said, right before the Commission's final comments. And do it after we do the new business. He said he believed it was not a bad idea to have a second comment period, but his concerns were 1) is there enough time and 2) should it be at the beginning and the end, so there's like a rebuttal for the public at the end and then the Commissioner's final comments.

Commissioner Painter indicated he would be more supportive of that because it seemed to him the Commission was straying away from his KISS philosophy.

Chair Thompson indicated that the Commission would know after the finish of the New Business whether or not there would be time for the second public comment period and the Commission's final comments. If the New Business isn't concluded by 9:15, the Commission will have to vote to extend the meeting or there won't be time for the comments.

Commissioner Harrington indicated there was 8 months to get the job done. He felt that there wasn't the need to be quite as formal in the processes as the Assembly, the School Board or the Council. He felt that the Chairman should be empowered to take public comment at any time during the course of the meeting. That if someone expresses interest or deems it appropriate, that it should be left up to judgment of the Chairman.

Commissioner Otte mentioned that before another possible solution, the amendments already made should be dealt with.

First to be dealt with was the amendment to the amendment which said to amend the Order of Business and add a Public Comment session after Item F with a sign-up list and comments to be directed specifically to New Business items. That was moved and seconded.

Chair Thompson agreed that it was getting confusing. He then recognized Commissioner McCarty.

Commissioner McCarty said that was one of the reasons for bringing the amendment up in the first place to get the discussion going. He felt that there weren't going to be any "meaty" action items that would generate a lot of comments. The thought he had, and had when he was on other boards when there was discussion about limiting, if there were that many people who were that energetic and really wanted to speak, that would be a signal that there might be something there to listen to and maybe another meeting or a longer

meeting would be warranted. He said he was going to vote against all these motions at the time and he said he agreed with Commissioner Harrington that the Commission is relatively informal and that a motion from one of the Commissioners or the general power of the Chair, whether it would be suspending the rules, or whatever, the Commission was there to get a lot of public comment before making decisions. He felt that if the idea that the Commission is going to listen was made apparent to the public, and if and when it comes up that it appears there's a need for more comment, the Commission can deal with it at that time and leave the proposed agenda as it is.

Chair Thompson called for a vote on the amendment to the amendment. The amendment to the amendment read, " To have a second public comment session after Item F, with a sign up list and comments directed specifically to those items on the New Business Section."

At the call of the roll, the amendment to the amendment failed unanimously.

The original amendment was then brought forward to "Add an additional public comment period to the agenda." The addition of the phrase "at the discretion of the chair" was suggested for insertion at the end of the amendment ,with no objection from Commissioner McCarty, who had originally made the amendment because that was the clear direction of the Commission's discretion.

Roll Call on the amendment to "Add an additional public comment period to the agenda at the discretion of the Chair":

Yes: Kiffer, McCarty, Harrington

No: Painter, Otte, Thompson

The amendment failed due to a tie vote.

Roll call on the original Resolution No. 3, Commission's Order of Business was unanimous for approval.

## **F: Discussion of Budget for Commission activities**

Commissioner Otte indicated that in the meeting packet was a single sheet, very quickly done sheet of items needed. Advertising was omitted, for one and other items were described. She indicated that an office assistant had been

discussed earlier during the discussion of the Secretary position, but in order to have an office assistant, a half-time person at \$12.50/hr would be \$8,000 for the eight months, March through September. A full-time position would be \$12,000, but there would also need to be an office rented, unless there would be one donated to the Commission for their use. Other equipment that would need to be rented or leased were also noted: a copier, printer, computer, telephone service with email access, and all the other supplies that go along with the type of thing the Commission will be doing. It was noted there would be a lot of duplication of materials. She felt that the Commission needed to decide if it were feasible to put all this down on paper and what would be done with that paper once the projected costs were calculated.

Commissioner Painter pointed out that it was mentioned in the newspaper that the Borough had set aside \$10,000 for the Charter Commission and there had been some discussion by the Assembly about matching funds from the City. He indicated that he'd had some ideas about what to approach both governmental bodies for. What he wanted to know if it was proper for him to offer his chair for a person in the audience to speak in this matter. Other Commissioners answered in the affirmative. Commissioner Painter then asked City Manager, Karl Amylon, to answer some questions. He then mentioned how much effort, time and money the City had put into their 2000-2001 consolidation petition. He pointed out that their petition is regarded as a model consolidation plan by the LBC. He mentioned the amount of money the City had put into the petition. He said that this Commission did not need to reinvent the wheel. He requested Mr. Amylon's comment on the proposed monetary needs of the Commission.

Mr. Amylon indicated that the City had put in considerable time and effort, in the context of staff time, than outright additional dollar outlay. He said he wasn't in a position to give the Commission a projection as to what the overall cost is going to be, if the Commission was going to rely on outside professional help to put the petition together. He said that if that's the approach that the Commission desires to take, he didn't think that it would be cheap, just based on the experience of the time and resources that were required to put the City's petition together. He stated he didn't know if that answered Painter's question, but that would be his sense of things.

Painter indicated he would probably be leaning more toward using the City's petition and not reinvent the wheel. He stated that he felt that the City's plan or the Haines consolidation plan might require a little bit of tweaking. He said he didn't think it would be as difficult as what the Commission thinks now to polish

it up, update the figures. He stated that the Commission is after voter approval and not here to spend a lot of the government's money and make a very drawn out process. He said he was just trying to get an idea of what to approach the City and the Borough to get things rolling.

Mr. Amylon said that he was at the meeting as an observer, not in his role as City Manager and that he couldn't speak on behalf of the Council. He said that this issue had not come before them in any official manner. He said that he thought Commissioner Painter's assessment was right; that there are sections of the City's petition that probably can be tweaked with a very minor effort. He said he feels that there are two or three sections above and beyond the Charter that are probably going to require considerably more effort. He went on to say that how that translates into a dollar analysis, he could not give that information.

Commissioner McCarty spoke to Mr. Amylon and said that as an experienced administrator and having been through the process, Mr. Amylon's thought, without any commitment of the City, would be appreciated. For example, does the Commission need a staffer for live contact? He mentioned the mechanics of doing the task; i.e. copying numerous documents. He went on to say that if the City had extra copies of some of these things, it would mean the Commission wouldn't have to make copies. He said that maybe the Chamber or somebody out in the community may have a corner we could put a staffer, but he didn't know how much need there would be to have a point person, someone sitting at a desk. He asked Mr. Amylon if he could give any input on that issue.

Mr. Amylon responded that he didn't think it was an issue of having a half-time or full-time office person from the get-go. He said that a lot of the work has been done and that the work that's going to be required down the road to put together the petition, that effort is going to be determined by some of the issues the Commission has to decide relative to the Charter other matters. He indicated that Mr. McCarty was right. That the City's complete petition files for the Annexation and the Consolidation are at the library. It wouldn't be that difficult a task for someone to go copy what is needed. Those documents are also on the State internet. He said that it's easily available. He continued that the question is that the assumptions and decisions that the Commission makes down the road depending how the structure the vision for the consolidated Borough and how the Commission wants to tweak the powers is going to dictate to a certain extent, how much of those documents are going to have to be manipulated, if that the chosen approach.

Commissioner Painter spoke that the Commission was going to have to rely upon, and somewhat task, the City administration as well as the Borough's administration for factual data that will be required during the process, whether it's financial information.

Mr. Amylon responded that he was in an awkward position. He said that what he would suggest to the Commission is that if there are specific requests, either in terms of financial resources, staff time, office, or whatever, they should be reduced to writing and get it to him or the City Clerk and it can be conveyed to the Council because ultimately, just like the Assembly, they are going to be the ones how they want to respond to the Commission's requests. He said he was not in a position to do that because the issue has not been discussed.

Commissioner McCarty said to Mr. Amylon that Mr. Amylon, speaking as an administrator, that a good way to approach this would be for the Chair to send a letter to Mr. Amylon and the Borough Manager saying the Commission had a shopping list of things and would there be things they could help us with, or people the Commission could contact and then Mr. Amylon could talk to the Council and request to know how much input, how much effort should the City make.

Mr. Amylon responded that he thought that was a reasonable beginning. He said that obviously, he couldn't commit any kind of City resources without consultation of the Council and that's what he would have to do.

Commissioner Painter then queried Mr. Amylon that some of the City's contribution could be, for example, the Council Chambers' use, could be use of a copy machine?

Mr. Amylon said that he didn't want to represent something he couldn't commit. He said he felt it was better for the Commission to put down in writing those things that the Commission desires and it could be taken back to the Council and the Council would have to review that and make decisions accordingly, just like the Assembly, if the Commission were going back to them.

The Commissioners thanked Mr. Amylon for his input.

Commissioner Otte suggested that the Chair put two people on the Commission on the budget for the Commission and at the next meeting it comes back as an action item with a sample letter to each of the entities.

Commissioner McCarty thought it was a little more basic than that. What does the Commission need and then it can be released. There are certain organizations: the Borough Assembly, potentially the School District or any Service Areas; the Chamber. He indicated there is a fairly limited amount of groups that the Commission could address with their needs. Perhaps someone could give the Commission some copy time, they've got a Vista volunteer or they may have a corner in the office that could be used, and once that information is distributed and responses come in, then the list of items to be purchased and what could be allocated. He said that the Commission has a rough idea of some things that are going to need to get done.

Chair Thompson spoke and brought up the subject of when the Commission would be meeting. It had been discussed to meet weekly initially. He wanted to know if the Commission had the use of the Council Chambers.

Commissioner Otte replied that as long as there is no conflict on dates the room is reserved for the Council, the Assembly, the School Board and the Planning Commission. She said that all the Commission needed to do was pick a day that there is nothing scheduled and it is reserved for the Commission. There is no charge as long as there is prior notice.

Chair Thompson remarked that the Commission does have a room for the meetings.

Commissioner Otte said that was never a problem. She said she felt that a nook or cranny to put somebody later on, but the Commission needed someplace set. The Commissioners need to know that if they need a copy of a document, they need to know where to go to get it. Down the road all the Commissioners are going to be requesting documents, requesting updates to documents that are already created. She said that's what she envisioned the staff secretary as doing.

Chair Thompson responded that Commissioner Otte did not need to be tasked with those duties.

Commissioner Otte continued that her input would go into it.

Commissioner Painter mentioned that several people had spoken to him that because of the turmoil the community was in between urban and rural residents, i.e. City and Borough government, over the last consolidation effort,

do the Commissioners want to continue meeting in the Council Chambers.

Commissioner Otte said yes, that was her answer.

Commissioner Painter went on to say in explanation that the Commission is trying to make the consolidation happen. The Commission is trying to stay on even ground: we're after votes, we're trying to get the bugs ironed out of this to make it happen, he said he'd heard some people mention that it's just going to be another same-old same-old deal and what was brought up to him was that the Commission may want to think about not meeting at the City Council Chambers. He interjected that he didn't want to be misconstrued, that he was just asking the other Commissioner's opinion.

Chair Thompson indicated that the discussion about meetings was next on the agenda.

Chair Thompson spoke and said that the Council Chambers is used by both the Borough and the City. It's a public facility. People know where it is. It is set up to accommodate the normal amount of people. The Commission is a convened commission of the public and this is a public facility that is being offered to us for our use. He said he didn't have a problem with using the Council Chambers. It allows the Commission to get as much information back to the public; there is a good recording of what is going on; the meeting is televised. He said it is a good public venue for this type of commission. He said he realizes that this is part of the City's facility, so the Commission is already getting an in-kind donation from the City to support the Commission, but the Commission cannot be operated in a vacuum. The Commission is going to need the cooperation and support of both the City and the Borough to make the effort come together. As the Commission develops the needs list and we can then go back to the Borough and the City and request funding. He said he felt that a lot of it was going to be asking for in-kind funding. Providing a meeting place; providing staff time to chase down the figures that are needed. Financial information is going to be needed from both groups. Staff time is going to be needed. The Commission is part of the public – they are public servants. He said it kind of fits together. It would not be an unusual request. Anyone off the street could come in and ask the City for that information, but the Commission is going to be asking for a lot more than normal.

Commissioner McCarty suggested that on the budget issue what needs to be done is to first figure out what our shopping list is and find out what resources are out there that organizations or people could take care of and then the

Commission decides what portions the Commission needs to do. He said that dedication was needed to do a certain job. He said he didn't feel comfortable adopting a specific budget at that point, but what needs to be done is instead of looking at \$10,000, but \$8,000 is in-kind, a decision needs to be made about how much do we need that "nut" of serious dollars and the rest would be donated, so the Commission needs to figure out what is wanted and needed. He said that Ms. Otte had done a lot already and suggested that the Chair and Ms. Otte put their heads together and have a letter go out to some of these groups or the Commission approve the letter at the next meeting, whichever. He said he realized that there was only so far with volunteering, but the Commission really doesn't know how much money is needed and that needs to be determined. He said he was concerned about someone being dedicated to working 20 hours per week, but sometimes it would be a lot of work in two days and other times not much work would be needed. He asked how much the Commission really needed to have an information central. He said that as far as he was concerned that a lot of the stuff would be on the web and he could get just what he needed to download, so if information could be made available as to where some of the documents could be found, the Commission could give that information to the public and then it could be determined how much else there was to do.

Commissioner Otte interjected that the list of documents provided to the Commissioners in the meeting packet was of documents that are already in hand.

Commissioner Kiffer commented that he thought the Commission was trying to discuss something where the needs are still unknown. He said he agreed that a couple of member of the Commission getting together to determine a list of what is anticipated to be needed would be good. He said he had no idea what the City spent on their petition, but it had to be expensive, but that Charter failed. He said he would hate to, because the Commission didn't want to hire a half-time person, or pay for office space, that the efforts are going to suffer because of it. He said he thought that a place the Commission members could go to get documents instead of going here and there, someplace has to be established that the information can be collated and someone would have to be there to do the work. He said he'd gone down and paid for a copy of the 2000 petition and it's a huge document, and it would take one person all day to make each Commissioner a copy of it. He said that his thoughts are that a couple of Commissioners should take a look at what is thought to be needed and if this effort costs \$30,000 by September, but a Charter is presented that people will vote for, it is money well spent. He said he just didn't want to



cheapen it.

Commissioner Harrington told the Commission he had been at the airport and talked with the Borough Manager and two Assembly Members and he said he'd asked about the money and they made it very clear that it's contingent money. That the money was not there yet. Commissioner Harrington went on to say that he'd asked what the Commission could do, and the Manager indicated that if there were requests for copies, for using the copy machine, for getting disks or copies of disks, that he would arrange to get that taken care of if asked. But until there is some sense that there may be some revenues available to the Commission, Commissioner Harrington felt that adoption of a budget might not be appropriate, but to begin to figure out exactly what is need is clearly something that is going to have to happen.

Commissioner Otte indicated that she thought the office was necessary. Maybe not next week, but somewhere within the next couple of months a person would need to be hired, not only for the duplication and the public contact – so the public has a place to fax or email or whatever they want to get to the Commission, but the records need to be kept somewhere, rather than hauling them around in whatever box happens to be handy. She said that she felt it was very important that the records be kept in order so that if there were ever a question about what the Commission did or why something was done, the answering information would be readily available. She went on to say that the copier promise from the Borough would not be as convenient or as timely as having one. She said she agreed with Commissioner Kiffer that is the Commission spends \$30,000 and gets the job done right and passed, we've spent the money well. She continued that she was not saying that the budget doesn't need to be adopted right then, but someone should get together and figure out what is needed; paper clips, postage, bulk mailings, etc. The figures need to be put down so that it's known what the Commission is going to ask for as far as funding requests from the entities. She went on that maybe TBC or SE Business would donate a copier, but there has to be a place to put it.

Chair Thompson made a suggestion that Commissioner Otte and he get together between then and the next meeting, which has yet to be determined, and see if a minimum needs list could be determined. Not a big budget, but a minimum budget. The paper on the table was showing him that monies had already been spent. He indicated that something would be brought back to the Commission the next meeting that could be sent to the City, the Borough, the State, the Chamber or whoever could be identified. He said he would like to have Commissioner McCarty find out what the law says. The Commission is a

public organization. There is no taxation associated with this Commission. Could we get money from the State, from the Boundary Commission? Is the Borough required to fund our activities and to what extent? Or, because the Commissioners volunteered for this, is it going to come out of our pockets?

Commissioner McCarty indicated he would try to get that started. He said one of the first things to do would be to talk to Mr. Schweppe and Mr. Brandt-Erichsen and hopefully...

Commissioner Otte then asked what time Commissioner McCarty's plane was the next day.

Commissioner McCarty responded that he had to be at the airport about 10. He said he would be in the office by about 6:30 and could make some calls. Chair Thompson indicated that if Commissioner McCarty couldn't that is a question that the Commission could ask both the City and Borough attorneys. Chair Thompson reminded the Commissioners that as the process continues, the costs will escalate and that toward the end of the process are some of the more expensive items. In order to keep the public involved and able to comment, informational meetings, similar to what the City did at the Ted Ferry Civic Center, will have to occur.

Commissioner McCarty said that one of the things that is most important is to try to do things right. Trying to run something while getting organized often does not work. Again, the Commission needs to get an idea of what is needed. Some of it would not be needed right now, but if things could be brought into place.

Chair Thompson said that what would be needed is a document at the next meeting listing what is needed right now and as the process progresses, these other items are foreseen as being needed for staff and funding. He said his intent is operating on a shoestring. That he doesn't want to go out and willy nilly spend a bunch of the public's money on the process. He said that wasn't the intent at all. Pizza was mentioned good naturedly and vetoed.

Commissioner McCarty was asked if he would be available for emails while on his vacation and he indicated he would be on his regular email. He cautioned that Word was the only program the virus control on his computer would allow to be opened.

Chair Thompson requested to know if the Commission approved of he and

Commissioner Otte compiling a list of needs and letters to the City and Borough for the next meeting. All Commissioners indicated their approval verbally. A good-natured reference to Commissioner Finney's participation was made, since he was absent.

## **G: Discussion of Frequency of Meetings**

Chair Thompson introduced the topic.

Commissioner McCarty indicated that not only the frequency, but the location of meetings should be discussed. He said that the Council Chambers is pretty busy. The City Council, Borough Assembly, various boards and commissions and that it would be best to have a certain night to try and meet whether it would be once a week, once a month, twice or three times. He said that if the Commission is desirous of being televised, that the Council Chambers is the only place that is set up to do that. He said there's a tremendous benefit to televising the meetings and he couldn't believe how many people would comment about meetings he had attended. He said a lot of people watch and that weighs really heavily on having the meetings in the Council Chambers because if it is televised, a lot of people will watch it. He said that if there's going to be a meeting, he would be there and the big factor about having the meetings in the Council Chambers is how many people would watch. He said that if the main chamber is taken, there is another meeting space just next door, but it doesn't have the cameras.

Another commissioner mentioned that the meetings also have to be handicapped accessible.

Commissioner Otte informed the rest of the commission that when talking with the City Clerk about the availability of the Chambers, she very nicely pointed out that Fridays and Saturdays are wide open. There are no meetings scheduled for either day. She went on to say that Sunday would be available, too, but there has to be one day off.

A discussion took place as to days of the week and what/when other entities have scheduled the Council Chambers.

Chair Thompson spoke about how the KEDA Board had planned how many times they wanted to meet, but did not lock themselves into a specific day of the month. They actually took a 3-month period and determined when the most members would be present. Then they tried to see if the Council Chambers

was available and if it wasn't, they still met, but they changed facilities. He said he would like to see the Commission meet weekly. He said he thought that was the only way to get the process completed.

There was a discussion of being able to use the City Council conference room, but the Borough conference room was felt to be too small and the Commission needed a fairly large room. The school was also mentioned as a potential meeting site.

Commissioner Harrington said that if the Commission desired a public forum and the public involved in the process, the handicapped access, the Council Chambers was best.

Commissioner Otte indicated she liked the idea of going through to see what dates would have the best attendance by Commissioners and that was the process used to set the date for the first meeting, but it would be very confusing if the Commission met on different days of the week. She said she thought that a day of the week should be chosen. She answered a question that maybe the Commission could meet two different days of the week in pattern with the other users. She also indicated it would be much easier to just meet on one day of the week consistently and Friday would seem to be the best choice.

Commissioner McCarty spoke about his availability due to his work travel being predicated by others' choices sometimes.

Other members indicated what days were not available due to other commitments.

Commissioner Otte voiced her preference to meet on a Saturday noon because it is not a work day, it's not late at night, you haven't worked all day and more could be accomplished, but she indicated she would be at the meetings whenever they were held, but it seemed it was pretty much decided that the Council Chambers was the forum of choice, so the deliberations and discussions should go from there.

Chair Thompson asked about other board, commission, or other meetings that would preclude this Commission's meetings. From what Commissioner Painter had said, every other Thursday was out for him.

Commissioner Kiffer indicated that Tuesdays and Thursdays were not really great. Neither would Saturday days be good. Other members indicated that it sounded like Friday night was the option. Commissioner Kiffer expressed his

concern that members of the public might not participate and Commissioner Otte responded that maybe more so than on other nights because the next day was not a workday for most.

Commissioner Harrington suggested that we specify the meeting for next week and ask for the public's input on when the Commission should meet.

It was then asked how the next Wednesday was. Chair Thompson would be out of town and the School Board had the Chambers. Chair Thompson said that generally he would be out of town on business the last week of the month. He was asked what time he would be in town on Fridays and responded that he could probably be in attendance for a Friday evening meeting. Tuesday is open for the Council Chambers, but three Commissioners have other things scheduled.

Commissioner Otte suggested setting the next Friday, January 30<sup>th</sup>, advertise it and seek public comment.

Commissioner Painter suggested moving the meeting to an earlier time. Commissioner Harrington said he agreed.

5:30 pm, Friday, January 30<sup>th</sup>, in the Council Chambers was set for the next Commission meeting with no objection.

Comments were made that while Friday was not the day of the week of choice, it would provide consistency for the public and the Commission to prepare for the next meeting.

#### **H: Discussion of Webpage/Email Forum Options**

Commissioner Otte pointed out an email from Dick Kaufman of Sitnews as being one of the options.

Chair Thompson indicated that what was being attempted was to keep the Commission's meetings as open as possible and get as much input from the public as possible. One of the problems that is encountered is that these commissions are done behind closed doors in the "good ole boys" fashion and the public doesn't have input to them. If the Commission had the ability to have a webpage in order to post what is occurring with the Commission and actually have email to the commission with opinions, it just gives another avenue for input. If this can be accomplished economically, it would be a great

thing. It is also a good communication tool for the Commission to tell the public what we're doing. It could also act as a clearinghouse so the Commissioners don't have to use their personal email but one in a public forum.

Commissioner Painter mentioned that any previous or future emails between the Commissioners is public, not private. He also mentioned that whenever the Commissioners are approached by the media and asked a specific question, they should remember that unless it is something that has been voted on as a body, that anything said would be personal comments and not spoken for the Commission.

Commissioner McCarty spoke regarding chat-lines and could be potential for use down the line.

Commissioner Otte spoke to the subject of chat rooms and that perhaps that would be a murky legal area. She indicated she had a document for duplication for the next meeting regarding electronic communications between elected officials and the Open Meetings Act.

Commissioner McCarty interjected that he hadn't been think of the Commissioners, but that if people have an idea and they were discussing it, then the Commissioners could read that. He said it wouldn't be appropriate for the Commissioners as those discussions should be at the table, except if people want to approach a Commissioner individually, but there are a lot of tools out there using a computer, that the more the Commission can do to get the ideas out for discussion is better. He went on to speak about the petition documents and the benefit of having hard documents during discussion. It may be the Commission could put sections of the document on the web and inform the public the document's location and the fact that it will be discussed at the next meeting. However it is decided to handle it, it's just another way to get information out in the electronic medium is a lot less expensive than stamps or publications.

Chair Thompson spoke about watching out for running afoul of the Open Meetings Act. He then queried Commissioner McCarty about his intent in mentioning the chat rooms was just for the Commissioners to read the comments, not respond to them and Commissioner McCarty responded in the affirmative to that. It would get into a gray area if the Commissioners were to respond.

Commissioner Otte indicated that Mr. Kaufman had suggested a couple of different ways to go about having a web page that would be possible to do and would not cost us anything.

Commissioner Painter indicated that he was generally too busy to spend a lot of time at the computer.

Commissioner Kiffer spoke about prior experience and there would be a problem with the Open Meetings Act with Commissioners doing anything or responding to emails, however, a large number of people in the community are hooked up to email 8 hours a day and conduct an incredible amount of business and communicate. He said he felt that if Mr. Kaufman was willing to do this, that in his brain it's an absolute no-brainer. He said he feels that some sort of format that the public could be involved in and even have a running commentary on his (Mr. Kaufman's) page. It would be something we could observe and see what the people are talking about. He said he wouldn't suggest that commission members get involved in it, but he said it would help him a great deal even at the bare minimum to review the public comments page before a meeting would help.

Commissioner McCarty said that if Sitnews wants to put something up that it would be really worthwhile, looking at the list of documents in the packet, to the extent that they are available electronically, they could have a link to tell people how to find the documents.

Chair Thompson requested to defer this to the next meeting and have a discussion with Mr. Kaufman about this and have a look at the document from the Borough regarding electronic communications. He said we really don't want to run into a problem with the Open Meetings Act.

Other Commissioners agreed about the no response. The Commission meetings could be posted on the page.

A discussion ensued regarding doing the Commission business via email. Commissioner Harrington spoke regarding the time constraints on the Commission and it would make the job harder if emails between the Commissioners was deemed not appropriate. So long as they are part of the public process, the Commission needs to be able to converse among ourselves and the public and so long as that process is fully public.

Commissioner McCarty indicated that email communications between Commissioners should go to all the Commissioners and to the website. The

problem would arise if only a few Commissioners were included in an email and not necessarily the others. That would concern me. My other problem with emails is the virus problems I encountered and am still having trouble with the computer.

Commissioner Otte said she felt that we should talk to Mr. Kaufman and bring back the options, more detailed, at the next meeting and defer this discussion. She said she felt that everyone's feelings had been made known.

Chair Thompson said he was very much in agreement with Commissioner Harrington that the Commission would not get done with their work if email communication was not allowed between Commissioners.

Commissioner McCarty suggested that the Chair send a short letter to the City/Borough Mayors and the attorneys saying if they came to a meeting it would be appreciated if they had any thoughts on the Open Meetings Act. The attorneys actually work for the Assembly & the Council. He said this may not be needed yet, but he had dealt with both these attorneys on issues and they are fairly knowledgeable and they would be a resource to ask if the system we've set up on Sitnews would pose a problem with the Open Meetings Act.

Chair Thompson indicated that this issue would be brought back next week with more information.

Commissioner McCarty then mentioned that if anyone in the listening audience had any ideas regarding the Commission's discussions about these initial set-up ideas about how the Commission can get more input from the public please get those ideas to the Commission.

## **I: Other Discussion Ideas**

Chair Thompson then asked if there were any further items for discussion.

Commissioner McCarty said that he was a little leery of the email issue. He said that if it eases communications and that basically the public is copied with everything. He cautioned that one on one is not the problem but when just a certain segment of the Commissioners talking about an issue it causes problems because some have the information and some don't.

Commissioner Otte said that was another point in favor of having an office with a computer and one email address for specifically the Charter Commission.



Chair Thompson said he was going to go around the table and asked Commissioner Otte if there was anything further. She indicated no.

Commissioner Kiffer said he had some information in the packet that when he finished reading, he would probably have comments. The Open Meeting Act and what constitutes a meeting and if four of this Commission happen to attend another meeting for another function, would that be in violation? He said he hoped that wasn't the case, but he didn't want to have even a hint of a problem. He said he's a big fan of anything the Commission can do electronically and not have an Open Meetings problem. He said he felt that the Sitnews forum was well read and he's a big supporter of it.

Commissioner Harrington said he hoped that at the next meeting we could finish getting the nuts and bolts out of the way so that the sooner the Commission gets into the meat of the matter, the sooner the public is going to say that we're doing our job and the more input will come in.

Commissioner Painter indicated he didn't really have any desire to get into the political arena, but he was there. At first, he said, he felt that this was going to be an insurmountable task with the mental horsepower and the time frame. He said he'd done a little bit of research and he had observed the City's plan and the Shoreline Annexation and he felt that even though it could get complicated, it didn't necessarily have to. He said he encouraged all the Commissioners to go the LBC web site that has a wealth of information, including historical data. After reading Mr. Bockhorst's comments to the Chamber of Commerce, it seems he's almost showing us the light and seems willing to provide a considerable amount of help. He also mentioned Georgianna Zimmerle and Darrell Hargraves on the LBC. He said he now felt, after having read some of these things, that the task wasn't as insurmountable a task as he initially thought. He pointed out that the Haines Consolidation plan was re-submitted after two years with only two changes and it passed. He gave some election data from the City's 2001 petition election and pointed out that the hill wasn't all that high to climb to get a petition passed.

Chair Thompson then spoke and indicated he too wanted to finish getting organized. He said that the Commissioners needed to come up with the how to get to where we want to go. He talked about this being the fifth attempt and that the work previously done by the City was exhaustive and there's a lot of updating that would have to be done to it and he felt that petition/charter would be the place to start. He said we should start with the 2001 material and find

out from the public what was wrong with it, see if the Commission can figure out how to resolve the parts that are deemed wrong and use that as a base-line document. He said there might be some different opinions among the Commissioners as to how to get to our goal in 8 months. Once the roadmap is figured out to our destination, all will be working on the same page and it can then be broken down into smaller chunks and move forward.

Commissioner McCarty said that what works for him when working with documents is to use what is usable from one or more documents and put them together. He suggested that by taking different colored highlighters that everyone has agreed on to represent different things, i.e. blue would be no questions, red for the hot button issues. He said he felt by using this method the things that needed to be changed could be narrowed down in a hurry. It gives everyone a format and everyone would be talking about the same thing.

Commissioner Painter then spoke about other things available on the LBC website. The City's plan is on there, the Haines effort.

Chair Thompson requested that there be a discussion at the next meeting about the starting documents and others used for reference and use. He said the Commission could vote on it, but there should be no reason not to start with the most recent petition and charter. It is the freshest and it almost passed. There are some things people didn't like and we need to identify those sections. Political and financial changes in the community need to be addressed, but we won't make the deadline if we start from scratch.

If anyone has any specific ideas for agenda items, please get them to Ms. Otte for inclusion in the agenda.

#### **J: Public Comment**

Eric Muench first congratulated the Commissioners on their election. He said he was a little thankful since the Commissioners would be going to a lot more meetings in the next few months than he would.

He said the Commission was ahead of him on some of the things he was going to suggest, including making certain these were open meetings, newspaper announcements, agenda and packet available on a website and at the library, minutes also available and the t.v. He thanked the Commissioners for being on the way toward those things.

Mr. Muench wanted to remind the Commissioners there's a real difference of opinion out in the community as to the question of consolidation. He talked about the differences in the voting percentages between the City voters and those living outside the City in the October election regarding consolidation as well as the other votes on consolidation and unification in the past. He passed out a chart of Charter Commission voter trends as it applied to the candidates. The most outspoken candidates against consolidation had the biggest differences between in-City and out-of-City voter approval.

He spoke regarding the talk about money and about facts during the campaign. The amount of taxes is uppermost in most people's minds. Getting the facts is also very important. He said he feels that this issue is not going to be decided on the fact, because the most important decisions made in our lives are not controlled by the facts, but by our preferences. Otherwise we would all be the same.

You cannot simply take number and use them to satisfy the public. The success of what the Commission is doing will be measured not by the LBC approval or even in an election that may approve the consolidation. He said he thinks the success is going to come way down the line, if the citizenry throughout the borough is happy and satisfied with the government they get years down the line.

Tom Miller thanked the Commission for placing a lot of importance on communicating with the public and keeping the process open. Earlier in the meeting he could see that it was unanimous and everyone agreed that Debby would be the Secretary, but he didn't remember any kind of voice vote or any other vote taking place.

Chair Thompson said he felt the issue should be formalized.

Moved by Commissioner McCarty to suspend the agenda and go back to New Business and vote on Ms. Otte's position.

Chair Thompson concurred and hearing no further discussion, called for the questions.

Ms. Otte was elected Secretary by unanimous voice vote.

M/S for adjournment at 8:35 pm.

