

CHARTER COMMISSION

PROPOSED AGENDA FOR NOVEMBER 12, 2019 MEETING

4:30 P.M. – **ROOM 320** OF CITY HALL

- A. Administrative Business
 - a. Call Meeting to Order
 - b. Recording of Attendance
 - c. Approve Minutes of September 10, 2019 meeting
 - d. Set Order of Agenda
 - e. Communications
 - Draft legislative change to Minn. Stat. §410.05
- B. Open Comment Period
- C. Committee Reports
 - Proposed legislative amendment update
- D. Unfinished and Deferred Business
 - Charter Boards Review
- E. New Business
- F. Other business
- G. Adjourn

CHARTER COMMISSION

MINUTES FOR SEPTEMBER 10, 2019

4:30 P.M. – ROOM 104 CITY HALL

A. Administrative Business

- a. Call Meeting to Order: The meeting of the Commission was held in Room 104 of City Hall and was called to order by Chair Fran Bradley at approximately 4:30 p.m.
- b. Recording of Attendance: **Present** were commission members, Fran Bradley, Leigh Johnson, Kathy Meyerle, Fred Suhler, Kellie Mueller, Marcia Marcoux, Jane Belau, Ben Harris, Bari Amadio, Jay Furst, Heather Holmes, Ray Schmitz, John Eckerman and Stephanie Podulke. **Absent** was commission member, Dave Senjem.
- c. Approval of Minutes: Meyerle moved to approve minutes of May 14, 2019; Amadio seconded. Motion approved.
- d. Set Order of Agenda: Agenda set as ordered.
- e. Communications: Chair Bradley identified the attachments as 1) Suhler e-mail with attachments on historical background of boards/commission; 2) Schmitz e-mail with attachment regarding copyright concern.

B. Open Comment Period:

With no one wishing to be heard, open comment period was closed.

- C. Committee Reports: None. Chair Bradley did address the Board and indicated he, Kellie Mueller and John Eckerman met with Chief Judge Jodi Williamson regarding the appointment process and will defer to Kellie to provide further information.

Fran did ask Leigh Johnson to Chair a Legislative Advocacy Committee regarding the legislative amendment as previously discussed. Marcia Marcoux and Dave Senjem will also serve on this Committee.

D. Unfinished and Deferred Business:

- a. Appointment Process. Chair Bradley deferred to Kellie Mueller, who stated that Judge Williamson was in agreement to the preliminary questions, felt they were applicable and should remain on application and felt that a background check would be useful.
- b. Board & Commissions Application Demo. Michon Rogers from the Mayor's office provided a demonstration of the Board/Commission application process, overview of applicable questions as it relates to the Charter Commission and how citizens may apply. Thoughtful discussion was held and questions arose on whether current members would need to re-apply through this program. Commission members

agreed that upon term expiration, members would apply through the new application process. Chair Bradley thanked Kellie Mueller and John Eckerman for their extra time in reviewing the application process.

c. Proposed legislative amendment update: Chair Bradley addressed the Board and reiterated that Judge Williamson reviewed the proposed amendment and she agreed that the appointment process and Charter Commission process remain separated from anything political. Senator Senjem agreed to draft proposed legislation.

d. Charter Boards Review: Chair Bradley mentioned this item stems from Council President Staver's previous letter inquiring how the creation of the Utility Board, Library Board & Park Board came to be and the current relevancy of each. Much discussion was held and members agreed that a review of each of these Boards would be appropriate, specifically on why they are autonomous and whether an elected official should be participating on these Boards. Member Meyerle would like to review the statute language controlling First Class Cities before suggesting changes. After further discussion, Meyerle agreed to review appropriate statutes regulating the Library as well as the Charter chapter relating to the Library Board and agreed to report back at next meeting. Member Schmitz would like to invite the City Administrator to the next meeting as well to discuss the structure of the City. Member Furst agreed to review the Park Board and the City Attorney will review the research materials pertaining to when Rochester became a City of the First Class.

E. New Business:

a. City Ordinance & Copyright Issue: Ray Schmitz addressed the Board regarding the article from the New York Times relating to copyrighting and how this pertains to the new codification of the Ordinances. City Attorney Loos addressed the concerns and after further discussion no action was taken.

F. Other business: None

G. Adjourn: Next meeting will be November 12, 2019 at 4:30 p.m. **in conference room 320** of City Hall. Meeting adjourned at 5:45 p.m.

410.05 CHARTER COMMISSION.

Subd. 2. Commission members; terms, vacancies.

Charter commission members shall hold office for the term of four years, and until their successors are appointed and qualify, except that of members initially appointed after July 1, 1967, eight shall be appointed for two-year terms and seven for four-year terms. Vacancies in the commission shall be filled by appointment of the chief judge for the unexpired terms. Upon the expiration of each term, the chief judge shall appoint new ~~members within 30 days then thereafter the governing body of the city shall, appoint new commission members, unless within the 30-day period the chief judge indicates in writing to the governing body an intention to appoint new members, in which case the chief judge shall have an additional 60 days within which to make the appointment.~~ or re-appoint existing commission members within 60 days. Appointments shall be made by order filed with the court administrator of the district court. An appointee who neglects to file with the court administrator within 30 days a written acceptance and oath of office shall be deemed to have declined the appointment and the place shall be filled as though the appointee had resigned. The charter commission, within 30 days after the initial appointment of the commission, shall make rules, including quorum requirements, with reference to its operations and procedures. The commission shall submit to the chief judge of the district court, on or before December 31 of each year, an annual report outlining its activities and accomplishments for the preceding calendar year. The commission shall forward a copy of the report to the clerk of the city. Any member may be removed at any time from office, by written order of the district court, the reason for such removal being stated in the order. When any member has failed to perform the duties of office and has failed to attend four consecutive meetings without being excused by the commission, the secretary of the charter commission shall file a certificate with the court setting forth those facts and the district court shall thereupon make its order of removal and the chief judge shall fill the vacancy created thereby.

Subd. 3. Commission appointments; nominees.

A city council, a charter commission, or the petitioners requesting the appointment of a charter commission may submit to the court the names of eligible nominees which the district court may consider in making appointments to the charter commission.