

CHARTER COMMISSION

MINUTES FOR SEPTEMBER 13, 2016

4:30 P.M. – ROOM 320 CITY HALL

A. Administrative Business

- a. Call Meeting to Order: The meeting of the Commission was held in Room 320 of City Hall and was called to order by President Kathy Meyerle at approximately 4:31 p.m.
- b. Recording of Attendance: Present were commission members Kathy Meyerle, Jane Belau, Fred Suhler, Robert Haeussinger, Stephanie Podulke, Fran Bradley, Marcia Marcoux, Carol Kamper, Dave Senjem, Vince Barry and Dick Hall. Absent were commission members Kellie Mueller and Leigh Johnson.
- c. Approval of Minutes: The minutes of May 10, 2016 were approved as submitted.
- d. Set Order of Agenda: President Meyerle set agenda as ordered with guest Barry Skolnick and Commission discussion added under Open Comment.
- e. Communications:
 - Term limit memo dated September 6, 2016 by David Goslee;
 - MINNPOST news article on minimum wage increase;
 - Presentation of Barry Skolnick

- B. Open Comment Period: Barry Skolnick addressed the Commission and indicated it was suggested to him by the Ethical Practices Board that this may be the appropriate avenue to bring forth his concerns relative to council dinner meetings and how they are run. Skolnick's concerns are that there is no set agenda or manner of record keeping and that because the venue changes for every meeting, it's difficult for the public who chooses to attend these meetings to hear discussions. Skolnick suggested that an amendment be made to the Home Rule Charter to include the following amendments: 1) that records be kept of agenda & minutes; 2) meetings take place in a general venue whereby public audience can hear what is being said; and, 3) that following State law, the council members be required to pay for their own meal.

President Meyerle opened this up for discussion amongst the Commission members. Much discussion was held and various questions asked. After thoughtful consideration the Commission came to the following conclusion: 1) there is no violation of the open meeting law as notice of meeting is properly posted, dinner is informal with an update provided on a specific topic and no other official business is discussed and no official record is required; 2) this would require a provision that all meetings take place on City property and although a recommendation could be made, the Council would need to approve that recommendation for amendment to Charter; 3) there doesn't appear to be an inappropriate expenditure of public funds as

the mayor pays for meals from money budgeted as part of his compensation.

President Meyerle indicated that should Commission decide to pursue these matters further, it is unlikely the council would unanimously approve a charter change by ordinance and timing would not allow it to be placed on the next regularly scheduled election in November. Vince Barry made a motion to thank Mr. Skolnick for his presentation but decline to consider these issues for further action. Motion seconded by Carol Kamper. Motion passes unanimously.

C. Committee Reports: None

D. Unfinished and Deferred Business:

- a. Term limit update: Dave Goslee addressed his memo regarding proposed language for term limits and included a proposal of an editor's note citing the Minnesota Supreme Court case. Discussion was held and Commission felt that it appropriately addressed the concern. President Meyerle recommended that this language be included in the hard copy of the Home Rule Charter as well as the electronic version on website to include footnote that term limits are unenforceable per proposed language.
- b. Gender neutral language: Commission member who requested this item be put on the agenda was not present for meeting. Dave Goslee suggested to Commission that a list be made of specific portions of the Charter that is of concern and send that to City Attorney for consideration. No further action taken.

E. New Business:

- a. Dave Goslee updated the Commission on the application status. Judge Thompson had yet to make any recommendation so the Commission sits at 13 members with the resignation of Joe O'Toole. President Meyerle indicated she will send a follow up letter to Judge Thompson. Member Carol Kamper asked that a note be sent to Joe thanking him for his service to the Commission.
- b. Minimum wage rule. Dave Goslee wanted to add the news article on the Minneapolis minimum wage charter amendment for informational purposes. The Minnesota Supreme Court determined that the Minneapolis City Council was legally justified in leaving the minimum wage amendment off the ballot. The formal decision will offer further guidance but clearly not every initiative offered up by a citizen petition will need to be placed on the ballot for charter amendment. After further discussion, it was decided that there is no action to be taken at this time.

F. Other business:

Clarification as to next Charter Commission meeting was discussed. Due to elections on November 8th, the next scheduled Charter Commission meeting is scheduled for Tuesday, November 15th at 4:30 p.m. in conference room 104.

Dave Goslee suggested that a nominating committee be appointed to report back at the November meeting. Vince Barry and Bob Haeussinger volunteered to bring forth recommendations for President, Vice President and Secretary on November 15th.

There are several Commission members who have terms expiring on December 31, 2016. Staff member Jody Houghton read the following names to the Commission whose terms will expire: Leigh Johnson, Jane Belau, Kathy Meyerle, Stephanie Podulke, Marcia Marcoux, David Senjem, and Vincent Barry. David Goslee indicated he will send an e-mail to those members and ask that they respond should they wish to be re-appointed. Dave reminded the Commission that they are not subject to term limits.

- G. Adjourn: The meeting was adjourned at 5:32 p.m. The next scheduled meeting will be held on November 15, 2016 at 4:30 p.m. in conference room 104.