

**City of Bemidji Charter Commission
Agenda – October 23, 2024 at 6:00 p.m.
City Hall - 317 4th Street NW**

- I. Call to Order**
- II. Attendance**
- III. Approve Agenda**
- IV. Approve Minutes**
- V. Public Comment**
Please state your name and address; please use appropriate language and no derogatory comments towards any individuals; please keep your comments limited to 3 minutes or less; and the chair may limit speakers and times accordingly.
- VI. Business**
 - a. Recap September 23 Work Session with Council**
 - i. Possible Charter Amendments**
 - ii. Moving Forward with Charter Amendments**
- VII. Commissioner Reports**
- VIII. Next Meeting**
 - a. Identify Agenda Items**
 - b. Date:**
- IX. Adjourn**

THIS MEETING IS OPEN TO THE PUBLIC

Charter Commission Meeting

May 8, 2024 – 6:00 p.m.

Members Present: Albrecht, Blashill (6:02), Dodds, Heinonen, Reitmeir

Members Absent: Meuers, Ravnikar, Faver

Staff Present: City Attorney Katie Nolting, Administrative Assistant Ainslee Krause

Vice Chair Albrecht noted a quorum and called the meeting to order at 6:00 p.m.

Public Comment Period

No appearance.

Business Items

Section 2.08 – Investigation of City Affairs.

Nolting inquired of the Charter Commission if they would like to provide clarification in that paragraph regarding how the council can do an investigation into city affairs. Upon discussion, commission members requested that the city attorney provide proposed language modifying Section 2.08 of the City Charter to allow a neutral third-party investigator to conduct investigations on behalf of the city council including subpoena power. This could help the council meet investigation needs while avoiding direct involvement in the process.

Section 2.09 – Investigation of City Affairs

Members discussed how to enforce a violation of the charter. Members discussed current knowledge of enforcing the charter through District Court. The charter for St. Louis Park was discussed but no clear language was found in their charter regarding enforcement. Members were encouraged to research item and bring back to charter commission.

Section 3.06

Proposed amendments to Section 3.03 (President Pro-Tem) was presented to replace the word “president” with “mayor”.

Proposed amendment to Section 3.06 (Procedure on Ordinances) was presented to read as follows:

Every proposed ordinance shall be presented in writing with copies given to the mayor and each councilperson. No ordinance shall contain more than one subject, which shall be clearly expressed in its title. The enacting clause shall be, "The City of Bemidji ordains." Every proposed ordinance, other than emergency ordinances, shall have three public readings by title only. Following its ~~second~~ first reading a summary of the proposed ordinance shall be published in the official newspaper. Any proposed ordinance may be amended at the first or second reading thereof by the same vote as required to pass the ordinance, and at the third reading, before the final vote thereon, by the unanimous vote of the council. No ordinance except an emergency ordinance shall be adopted at the meeting at which it is introduced and at least three weeks shall elapse between its introduction and final passage. Every ordinance shall remain on file in the office of the clerk from the time it is introduced.

Motion by Heinonen, seconded by Blashill approving the changes to Section 3.03 and 3.06 as presented. Motion carried.

Section 12.12 – Damage Suits.

Nolting will draft proposed language for consideration at the next charter commission meeting.

Section 3.06 – Procedure on Ordinances.

Jamin Carlson, Planning Director, explained how the current ordinance structure is affecting rezones and meeting the Minnesota 60 Day Rule, which is a state law that requires cities to approve or deny a written request relating to zoning within 60 days, or it is deemed approved. The purpose of the rule is to keep governmental agencies from taking too long in deciding land use issues.

Members discussed various scenarios to adjust the ordinance process as it relates to planning ordinance changes to meet the 60-day rule. Members requested that Nolting research and bring back options for modifying the city's planning and zoning ordinance processes to help ensure decisions can be made within the 60-day statutory timeline for applicants; including options for the planning board to act as the city council on first readings as well as reducing the publication period.

Campaign Finance Law

Tabled until next meeting.

Commissioner Reports

No reports.

Next Meeting and Topics

The next meeting is scheduled for Wednesday, May 8, 2024 at 6:00 p.m. in City Hall. The following topics were identified as Chapters 2.08, 2.09, 3.06, 12.12 and Campaign Finance Laws.

Adjourn

With no further business, a motion by Heinonen, seconded by Meuers, to adjourn. Motion carried unanimously. The meeting adjourned at 7:46 p.m.

Respectfully submitted,

Ainslee Krause
Administrative Assistant

Charter Commission

Annual Meeting

June, 2024 – 6:00 p.m.

Members Present: Albrecht, Blashill, Dodds, Faver, Heinonen, Meuers, and Reitmeir

Staff Present: City Attorney Katie Nolting, Deputy City Clerk Rachelle Barckholtz, Planning Director Jamin Carlson, Assistant Planner Melissa Fahrenbruch

Vice Chair Albrecht noted a quorum and called the meeting to order at 6:00 p.m.

Approval of Agenda

Vice Chair Albrecht requested a motion to approve the agenda. Motion by Heinonen, seconded by Meuers approving the agenda as presented. Motion carried by unanimous voice vote.

Election of Officers

Vice Chair Albrecht opened nominations for Charter Commission Officers.

Meuers nominated Albrecht for Chair. Nomination carried by unanimous voice vote.

Meuers nominated Dodds for Vice Chair. Nomination carried by unanimous voice vote.

Rita Albrecht was elected Chair and James Dodds was elected Vice Chair

Meuers nominated Reitmeir for secretary. Reitmeir declined the nomination. Dodds nominated Blashill for Secretary. Nomination carried by unanimous voice vote.

Public Comment Period

No appearance.

Business Items

Section 2.08 – Investigation of City Affairs.

Nolting inquired of the Charter Commission if they liked the language or if they would like it changed. Proposed amendment to Section 2.08 was presented to read as follows:

*The council may make investigations into the affairs of the city and the conduct of any city department, office or agency **by hiring an independent third (3rd) party investigator to conduct said investigation with a two-thirds (2/3) majority of council members present and voting. The investigator shall have the power to administer oaths, take testimony, and require the production of evidence.***

The council shall provide for an audit of the city's accounts at least once a year by the state department in charge of such work or by a certified public accountant. At any time, the council may provide for an examination or audit of the accounts of any city officer or agency and it may provide for any survey or research study of any subject of municipal concern.

Motion by Heinonen, seconded by Blashill to approve the language as presented for 2.08 Investigation of City Affairs. Motion carried by unanimous voice vote.

Section 3.06 – Procedure on Ordinances.

On May 8, 2024 the following was presented and the changes were approved through a motion:

Every proposed ordinance shall be presented in writing with copies given to the mayor and each councilperson. No ordinance shall contain more than one subject, which shall be clearly

expressed in its title. The enacting clause shall be, "The City of Bemidji ordains." Every proposed ordinance, other than emergency ordinances, shall have three public readings by title only. Following its ~~second~~ first reading a summary of the proposed ordinance shall be published in the official newspaper. Any proposed ordinance may be amended at the first or second reading thereof by the same vote as required to pass the ordinance, and at the third reading, before the final vote thereon, by the unanimous vote of the council. No ordinance except an emergency ordinance shall be adopted at the meeting at which it is introduced and at least three weeks shall elapse between its introduction and final passage. Every ordinance shall remain on file in the office of the clerk from the time it is introduced.

Nolting was asked to research and bring back options for modifying the city's planning and zoning ordinance processes to help ensure decisions can be made within the 60-day statutory timeline for applicants. Nolting's question for the commission is "How much time do you want between the first reading and the final adoption?". 14 days or 10 days is what most Charter Commission's use as time between readings. Albrecht chose to break the discussion up by paragraph. Commission members agreed that a Public Hearing should be at the first reading of an ordinance. Commission members jumped to the second paragraph and chose to stricken the word "full" from the first line. The discussion moved to how many days in-between ordinance readings. Commission members agreed to "at least 10 days" between ordinance readings. Commission members tabled this discussion to the next meeting, giving Nolting a chance to update the changes agreed upon.

Section 3.10 – When Ordinances and Resolutions Take Effect

Proposed amendment to Section 3.10 was presented to read as follows:

Every resolution and ~~emergency~~ ordinance shall take effect immediately upon its passage or at such later date as it specifies. ~~Every other ordinance shall take effect 30 days after publication or at such later date as it specifies.~~ Every ordinance and resolution adopted by the voters of the city shall take effect immediately upon its adoption or at such later date as it specifies.

Commission members discussed adding a date that the council must specify that an ordinance would take effect. They decided extra verbiage does not need to be added.

Motion by Heinonen, seconded by Reitmeir to approve Section 3.10 When Ordinances and Resolutions Take Effect verbiage in red. Motion carried as stricken.

Section 12.17 – Charter Violations

At the May 8, 2024 Charter Commission Meeting it was asked what are the consequences for a Councilmember who violates the Charter. The following proposed amendment 12.17 was presented to read as follows:

A violation of this Charter by a council member or employee of the City of Bemidji may be criminally charged with Misconduct of a Public Official, under Minnesota Statute 609.43

Nolting stated that any violation of the Charter would be prosecuted by the County Attorney's Office, not the City Attorney's Office. The investigation would be done through a 3rd party.

Motion by Meuers, seconded by Heinonen to approve Section 12.17 Charter Violations. Motioned carried by unanimous voice vote.

Campaign Finance Law

Albrecht looked to Meuers, as he was the one that requested this at the beginning. The business item has been tabled many times in the past. He doesn't have much to discuss tonight, but would like to see if the possibility of a committee to monitor campaign finance reports. Discussion will be tabled for the time being and will not be added to the next agenda.

Commissioner Reports

Heinonen has requested setting a date for a joint work session with the council. Albrecht has requested that the City Manager possibly come to a Charter Commission meeting before the joint work session. Dodds has requested that meeting minutes come on a more regular basis.

Next Meeting and Topics

The next meeting is scheduled for Wednesday, August 28, 2024 at 6:00 p.m. in City Hall Council Chambers. The following topics were identified as Chapters 3.06, 3.10.

Adjourn

With no further business, a motion by Heinonen, seconded by Blashill, to adjourn. Motion carried unanimously. The meeting adjourned at 7:23 p.m.

Respectfully submitted,



Rachelle Barckholtz
Deputy City Clerk

Charter Commission Meeting

August 28, 2024 – 6:00 p.m.

Members Present: Albrecht, Blashill, Dodds, Faver, Heinonen, Reitmeir, and Schaefer

Members Absent: Meuers

Staff Present: City Attorney Katie Nolting, Deputy City Clerk Rachelle Barckholtz

Chair Albrecht noted a quorum and called the meeting to order at 6:00 p.m.

Approval of Agenda

Motion by Heinonen, seconded by Reitmeir approving the agenda as presented. Motion carried by unanimous voice vote.

Approval of Minutes

Motion by Heinonen, seconded by Reitmeir approving the minutes of October 18, 2023 and January 17, 2024 as presented. Motion carried by unanimous voice vote.

Motion by Faver, seconded by Dodds to add Public Comment section to agenda. Motion carried by unanimous voice vote.

Public Comment Period

CT Marhula, 4524 Birchmont Drive NE #10, provided comments regarding campaign finance and possible Charter Amendments.

Business Items

Section 3.06 – Procedure on Ordinances.

At the June 13, 2024 meeting the commission discussed the draft language and asked staff to make a few changes. Nolting questioned if the commission wanted the public hearing before the first reading of the ordinance or after. Previously it was only discussed that the public hearing would be at the first reading. Commission members agree that the Public Hearing should be on the same day as the first reading, but should state the Public Hearing should take place before the first reading. Commission members agree that the two paragraphs in 3.06 should have titles to separate them.

Section 3.10 – When Ordinances and Resolutions Take Effect

Proposed amendment to Section 3.10 was presented to read as follows:

Every resolution and ordinance shall take effect immediately upon its passage or at such later date as it specifies. Every ordinance and resolution adopted by the voters of the city shall take effect immediately upon its adoption or at such later date as it specifies.

Nolting mentioned that everything had already been approved and the only question the commission brought from the last meeting was does the following need to remain in the language “*Every ordinance and resolution adopted by the voters of the city*”. Nolting commented that it needs to be left in.

Motion by Faver, seconded by Reitmeir to remove the word criminally for 12.17. motion carried by unanimous voice vote.

Campaign Finance Law

Back in March, the Commission was presented with an outline for Campaign Finance Suggestions. The discussion had been tabled at previous meetings and was re-presented at today's meeting. The following are some suggestions from the document presented in March:

a. Personal contribution limits: Local rules should mirror the contribution limits as spelled out in State Statute. [Sec. 211A.12 MN Statutes](#)

211A.12 CONTRIBUTION LIMITS.

A candidate or a candidate's committee may not accept aggregate contributions made or delivered by an individual or committee in excess of \$600 in an election year for the office sought and \$250 in other years; except that a candidate or a candidate's committee for an office whose territory has a population over 100,000 may not accept aggregate contributions made or delivered by an individual or committee in excess of \$1,000 in an election year for the office sought and \$250 in other years.

The following deliveries are not subject to the bundling limitation in this section:

- (1) delivery of contributions collected by a member of the candidate's committee, such as a block worker or a volunteer who hosts a fundraising event, to the committee's treasurer; and*
- (2) a delivery made by an individual on behalf of the individual's spouse.*

Notwithstanding sections [211A.12](#), [subdivision 3](#), and [410.21](#), this section supersedes any home rule charter.

b. Candidate and candidate's spouse together, can contribute 5 times the individual annual contribution limit (\$600 in an election year or \$250 in a non-election year). (Contributions by a candidate's spouse are included in the aggregate limit.)

c. For example, in a four-year term, a candidate can give themselves 5 x \$250 or \$1,250 each in years one, two, and three or \$3,750. In an election year, a candidate can give themselves \$3,000. Under this scenario, a candidate can self-fund their campaign up to \$6,750 per four-year term.

d. Loans and loan guarantees from sources other than financial institutions are subject to the contribution limits.

e. This does not limit the amount of money a candidate can raise or spend; it only limits their personal contributions.

At this time, there is a limit on State campaigns, but local campaigns are not limited on how much an individual can self-fund their own campaign. Commission members discussed the topic, but did not come to a consensus on moving forward with this. The commission has asked Nolting to make sure that it is legal to limit the amount a candidate may self-fund a city campaign.

Commissioner Reports

No Commissioner Reports. A joint meeting with the City Council is set for September 23, 2024.

Next Meeting and Topics

The next meeting is scheduled for Thursday, September 19, 2024 at 6:00 p.m. in City Hall Council Chambers. The following topics were identified as Chapters 3.06.

Adjourn

With no further business, a motion by Blashill, seconded by Heinonen, to adjourn. Motion carried unanimously. The meeting adjourned at 7:23 p.m.

Respectfully submitted,



Rachelle Barckholtz
Deputy City Clerk

Recommended Charter Changes 2024

Rank	Section	Description	Notes
Chapter 2 FORM OF GOVERNMENT			
	Section 2.05 VACANCIES	Align process for vacancies with Minn. Stat. §205.10	
	Section 2.08 INVESTIGATION OF CITY AFFAIRS	Removes the ability of an investigator to subpoena witnesses. “The council may make investigations into the affairs of the city and the conduct of any city department, office or agency . . .	“by hiring an independent third (3rd) party investigator to conduct said investigation with a two-thirds (2/3) majority) majority of council members present and voting.”
Chapter 3 COUNCIL PROCEDURE			
	Section 3.03 PRESIDENT PRO TEM	The term “President” be replaced by “Mayor.”	
	Section 3.06 PROCEDURE ON ORDINANCES	<p>(a) General Ordinances.</p> <ul style="list-style-type: none"> • A public hearing shall take place on the same date as the first reading, and prior to the first reading. • Ten days prior to the first reading and public hearing, a summary of the proposed Ordinance and notice of the public hearing shall be published in the official newspaper. Following its first reading, a summary of the proposed ordinance shall be published in the official newspaper. • The Ordinance may be amended at the first reading by a majority of the members; or at the second (final) reading by unanimous vote. • Ten (10) days shall elapse between its introduction and final passage. The timeline between introduction and passage has been reduced from three weeks to ten days. 	

Recommended Charter Changes 2024

		<p>(b) Planning and Zoning Ordinances.</p> <ul style="list-style-type: none"> • The Planning Commission shall hold a public hearing and first reading. • Following its first reading, a summary of the proposed ordinance shall be published in the official newspaper. • The second reading shall be at the Planning Board of Adjustment and Appeal (i.e., the city council, acting as Board of Adjustment) prior to the final vote. 	
	Section 3.10 WHEN ORDINANCES AND RESOLUTIONS TAKE EFFECT	Change to meet the planning 60-day requirements. Ordinances shall take effect immediately upon passage.	
	Section 3.13 CODE OF CONDUCT	Add requirement for a council code of conduct.	“The council shall adopt a code of conduct, which may be amended from time to time.”
CHAPTER 5 INITIATIVE AND REFERENDUM			
	Section 5.07 RECALL	Align the date for holding a recall election with Minnesota State Statute as noted in Charter Section 4.03 SPECIAL ELECTIONS	“Council shall at its next regular meeting on motion, order and fix the date of a special recall election and provide all means for holding it in accordance with Minn. Statute 205.10, as the same may be revised, amended or re-codified.”
CHAPTER 6 ADMINISTRATION OF CITY AFFAIRS			

Recommended Charter Changes 2024

	Section 6.02 POWERS AND DUTIES OF THE CITY MANAGER Subd. 8	Change “person” to “persons”	
	Section 6.02 POWERS AND DUTIES OF THE CITY MANAGER Subd. 9	Add flexibility for designating a person or persons to perform city manager duties.	“If the manager cannot or will not designate a properly qualified person or persons to perform the duties of the manager during his/her absence or disability or while the office is vacant, the council may designate a properly qualified person or persons to perform said duties of the manager during his/her absence or disability or while the office is vacant.”
CHAPTER 12 GENERAL PROVISIONS			
	Section 12.12 DAMAGE SUITS	Change to align section with. Minn. Stat. 466.01-466.15	“Any tort liability action against the city, its officials or employees shall comply with Minn. Stat. 466.01-466.15, as may be amended from time to time.”
	Section 12.17 CHARTER VIOLATIONS	Charter violations are serious breaches of the public trust that have consequences.	“A violation of this Charter by a council member or employee of the City of Bemidji may be charged with Misconduct of a Public Official, under Minnesota Statute 609.43.”

The context provides details on the discussion regarding the review of proposed changes to the city charter:

- The meeting went through the proposed changes chapter by chapter, starting with Chapter 2:
 - Section 2.05 on vacancies - Aligning with state statute on special elections
 - Section 2.08 on investigations - Requiring investigations to be conducted by an independent third party authorized by a 2/3 vote of the council, and removing the ability to subpoena witnesses
- For Chapter 3 on council procedures:
 - Removing the term "president" and replacing it with "mayor"
 - Revising the ordinance process, including having the public hearing before the first reading, allowing amendments at first and second readings, and reducing the timeline
- For Chapter 5 on initiative and referendum:
 - Aligning the recall election date with state statute
- For Chapter 6 on administration of city affairs:
 - Clarifying the process to designate a city manager in cases of absence, disability or vacancy
- For Chapter 12 on general provisions:
 - Aligning with state statutes on tort liability
 - Introducing a new section on recognizing charter violations as serious breaches of public trust

The discussion involved council members and commission members providing feedback, asking questions, and debating the merits of the proposed changes.

The context describes the discussion regarding the proposed changes to Section 2.08 on investigations in the city charter:

- The charter commission proposed changes to require that investigations of city affairs must be conducted by an independent third party, authorized by a two-thirds vote of the council.
- The commission also proposed removing the ability of an investigator to subpoena witnesses.
- Council Member Fiskevold Gould and Mayor Prince expressed concerns about this proposed change, as they felt it was reducing the council's authority to conduct its own investigations.
- The charter commission explained that the intent was to clarify the roles of the council and city manager, and avoid the council appearing to be investigating city staff.
- There was discussion around the legal implications of subpoenaing witnesses and the challenges of enforcing such subpoenas without going through the courts.
- Council members debated whether having a two-thirds vote requirement was necessary, as the council typically makes decisions by simple majority.
- Overall, the council seemed hesitant to endorse this proposed change, feeling it may be overly restrictive on the council's ability to investigate city affairs.

The discussion highlighted the tension between the council's oversight role and the desire to maintain clear separation between the council's policy-making function and the city manager's administrative responsibilities.

The context provides details on the council's discussion regarding the proposed changes to the city charter:

- Council Member Eaton expressed support for expediting the ordinance process, but had concerns about merging the public hearing and first reading for general ordinances, as it may limit public engagement.
- Council Member Thayer raised concerns about the use of "persons" versus "person" in designating a city manager during a vacancy, feeling "person" would be clearer.
- Council Member Johnson questioned whether past council actions appointing interim city managers were in violation of the charter, and whether legal advice at the time would protect them from consequences.
- Council Member Rivera expressed interest in understanding the rationale behind the proposed changes, particularly the merging of public hearing and first reading processes.
- Council Member Fiskevold Gould did not have specific questions but appreciated the context provided by commission members.

Overall, the council members sought clarification on the intent and implications of the proposed changes, raised concerns about potential unintended consequences, and debated the balance between efficiency and public engagement.

The context describes the council's discussion regarding the proposed addition of a code of conduct in the city charter:

- Speaker 1 (the Mayor) noted that the council had previously voted to draft a code of conduct, and suggested the charter commission consider instituting its own code of conduct, as commission members are not directly accountable to citizens in the same way as elected council members.
- Council Member Thayer expressed that she was comfortable with having a code of conduct provision in the charter, as long as it applied equitably across all city entities, including commissions.
- Commissioner Blashill and Commissioner Reitmeir voiced support for a code of conduct, noting the importance of ethical guidelines and standards for public officials.
- Commissioner Schaefer drew parallels to her experience as a licensed professional, where codes of ethics are common, and suggested exploring models used by other organizations.
- Council Member Thayer reiterated the need for consistency, suggesting that if a code of conduct is included, it should apply to all city commissions and councils.

The overall discussion highlighted the value of establishing clear ethical standards and accountability measures, while also considering the practical implementation and ensuring equitable application across all city governing bodies.

The context provides the following details on the discussion regarding the proposed changes to planning ordinance procedures:

- Speaker 12 (the Charter Commission Chair) explained that the proposed changes were aimed at aligning the planning ordinance process with state statutes, including:
 - Holding the public hearing before the first reading, rather than after
 - Reducing the timeline between the first reading and final vote
- Council Member Peterson expressed concern that merging the public hearing and first reading for general ordinances may limit public engagement, as people often become aware of issues at the first reading.
- Council Member Rivera asked for clarification on whether the proposed changes were simply reflecting existing state statute requirements, or if the charter commission had introduced new elements.
- Speaker 12 and Speaker 13 (the City Attorney) clarified that the changes were primarily to ensure compliance with state planning statutes, and that the charter commission had aimed to keep the processes consistent between general and planning ordinances to simplify public understanding.
- Council members discussed the challenges of public notification and engagement, particularly regarding the use of the official newspaper and alternative communication methods.
- There was a general acknowledgement of the need to streamline the planning ordinance process to meet state requirements, while also ensuring sufficient public input and transparency.

The discussion focused on balancing efficiency and public participation in the planning ordinance procedures.

The context provides the following details on the discussion regarding the proposed changes related to city manager vacancies:

- The proposed changes aimed to clarify and provide more flexibility in the process for designating a city manager in cases of absence, disability, or vacancy.
- The changes would allow the council to designate a "properly qualified person or persons" to perform the city manager duties, rather than just a single person.
- Council members expressed concerns about the ambiguity and potential complications of having multiple individuals designated, rather than a single interim city manager.
- There was a discussion around the legality of appointing an interim city manager, as the charter currently requires the city manager position to be for an indefinite term.
- Council members shared past experiences of dealing with city manager vacancies and the challenges they faced, including the inability to appoint a team or external interim manager due to the charter language.
- The charter commission explained the intent was to provide the council with more flexibility in addressing leadership gaps, but acknowledged the need for clearer language and alignment with the indefinite term requirement in the charter.
- There was debate around the pros and cons of allowing multiple designees versus a single interim, and the potential impacts on staff duties, salary adjustments, and overall management of city affairs.

The discussion highlighted the need to balance flexibility, clarity, and adherence to the existing charter provisions regarding the city manager position.

The context describes the discussion regarding the proposed changes to liability and indemnification provisions in the charter:

- Speaker 12 explained that the proposed changes to Sections 12.01 and 12.05 were aimed at aligning the charter language with the relevant state statutes on tort liability for cities.
- The current charter language was described as redundant and potentially not holding up well legally, so the recommendation was to simply reference the applicable state statutes rather than replicating the language.
- Council members sought clarification on the specific changes and the implications for the city's risk management and insurance coverage.
- Speaker 13 (the City Attorney) provided legal context, explaining that the proposed changes were intended to ensure compliance with state laws and minimize unnecessary provisions in the charter.
- The discussion focused on ensuring the charter language accurately reflects the applicable state statutes on municipal liability and indemnification, without introducing any unintended consequences.
- There were no major concerns raised by the council members regarding these particular proposed changes to the liability and indemnification sections of the charter.

The overall discussion on this topic was relatively brief, with the council seeking to understand the rationale and implications of aligning the charter with the relevant state laws in this area.

The context describes the discussion regarding the proposed new section on charter violations:

- Speaker 12 introduced a proposed new section that would recognize charter violations as serious breaches of public trust and have consequences.
- This was explained as an attempt to address concerns raised by citizens about a lack of accountability for elected officials who may violate the charter.

Council members had a mixed response to this proposal:

- Council Member Johnson questioned whether this would mean any past council actions that violated the charter, even if done in good faith based on legal advice, could now be subject to consequences.
- Commissioner Blashill suggested exploring the concepts of malfeasance versus misfeasance, and whether language could be included to protect officials who make decisions in good faith.
- Other council members, such as Council Member Rivera and Council Member Fiskevold Gould, expressed openness to the idea of including charter violation language, seeing it as a way to increase transparency and accountability.
- There was discussion around the existing state statutes regarding misconduct of public officials, and whether referencing or incorporating those would be more appropriate than creating new charter-specific language.
- Overall, the council provided feedback that the proposed language may need further refinement to ensure it addresses the intent without unintended consequences.

The discussion highlighted the complexities around enforcing charter compliance and balancing accountability with protecting good-faith decision making by elected officials.