

Charter Commission

November 16, 2010 - 5:30 p.m.

Members Present: Casey McCarthy, Chuck Stombaugh, Jaclyn Ryder, Michael Meuers, Charlene Fisher, Rod Witt
Members Absent: Ben Stowe
Staff Present: City Attorney Alan Felix, City Clerk Kay Murphy
Other Present: Nancy Erickson

Chair Ryder noted that there was a quorum and called the meeting to order at 5:30 p.m.

Approval of Minutes

The minutes from the June 15, 2010 meeting were presented for approval. Motion by Stombaugh, seconded by Witt, to approve the minutes as presented. Motion carried.

Vacancy

Murphy stated that she received an application from city resident, Nancy Erickson, to fill the unexpired term of Bieberdorf.

Motion by Stombaugh, seconded by Witt, to accept Ms. Erickson's application on the Charter Commission. Motion carried unanimously.

Recall

Stombaugh stated that he met with Felix and Murphy to discuss recall language. He stated that they reviewed three other cities and ultimately he recommended Brainerd's language which does not require a District Court Judge.

Felix noted that the benefit of Brainerd's recall language was that it combined the recall process with an election which, in essence, streamlines the replacement process. Discussion continued on the pros and cons of the proposed recall language. Felix stated that the Commission members should consider how many voters are needed to be a threshold to recall an officer. Witt stated that a filter mechanism needs to be in place to prove malfeasance or nonfeasance.

Motion by Witt, seconded by Stombaugh, recommending that the following items be incorporated into recall/removal language: 1) no removal petition shall be filed against any officer until the officer has held office at least six (6) months; 2) removal petition shall be reviewed by District Court Judge; 3) if found sufficient by the court a removal election shall be held; and 4) in the event that an officer is removed, follow Charter Section 2.05 (Vacancy). Motion carried unanimously.

Motion by Witt, seconded by Stombaugh, recommending that 20 percent of the registered voters of the City or ward that the councilor represents be required for a recall petition. Motion carried unanimously.

Felix will prepare recall language which will be e-mailed to Commission members for their review prior to their next meeting.

Instant Runoff Voting (IRV) – tabled for future discussion.

Other Items

Commission discussed meeting with the Council at a work session to discuss the proposed recall language and to meet with new councilors. City Clerk will follow-up.

Next Meeting Date

The Commission will meet after review of the draft recall language in January or February. The City Clerk was directed to set the meeting.

Annual meeting date is June 21, 2011.

Adjourn

With no further business a motion was made by Stombaugh, seconded by Meuers, to adjourn. Motion carried unanimously. The meeting adjourned at 7:15 p.m.

Respectfully submitted,


Kay M. Murphy
City Clerk