

Charter Commission

June 11, 2013 - 6:00 p.m.

Members Present: Casey McCarthy, Chuck Stombaugh, Michael Meuers, Jaclyn Ryder, Chris Vinderslev

Members Absent: Rod Witt, Ben Stowe

Staff Present: City Clerk Kay Murphy

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

Approval of Minutes

The minutes from the December 12, 2012 meeting were presented for approval. Motion by Ryder, seconded by Vinderslev, to approve the minutes as presented. Motion carried.

Oath of Office

City Clerk Murphy administered the Oath of Office to reappoint Commission member Stombaugh (new term 06/01/2017).

Election of Officers

Ryder opened nominations for Charter Commission Officers.

- Motion by Stombaugh, seconded by Ryder, to nominate McCarthy as Chair and Witt as Vice Chair. Motion carried.
- Motion by Stombaugh, seconded by Ryder, to nominate Vinderslev as Secretary. Motion carried.

Review Revised Charter

Murphy briefly reviewed a minor correction to the primary date under Section 4.04 (Filing for Office) that was made to the Charter.

Recruitment of Charter Commission Member

There is one opening on the Charter Commission. The City Clerk will put an ad in the local paper calling for applicants.

Vinderslev noted that there seems to be lack of understanding on what the Charter Commission is. Consensus of the Commission was that they will continue to find opportunities to educate City residents regarding the Charter Commission.

Council Vacancies (Sec. 2.05)

Commission members discussed the recent vacancy that was filled by the Council. Stombaugh provided copies of Rochester's Charter regarding special elections for vacant offices. Commission members would like to replace the first paragraph of the City Charter Section 2.05 with City of Rochester's Charter as follows:

When a special election is required to fill a vacant office, the special election shall occur on a date established by the City Council. The time allowed for the filing of candidates for such office shall be not less than 14 days. The special election, or a special primary election if needed, shall be held within 70 days of the deadline for filing. A special primary election shall be held if more than two candidates file for such office, with the two

candidates receiving the most votes proceeding to the special primary election, except that if one candidate receives greater than 50 percent of all votes cast at the special primary election, that candidate shall be declared the winner and no special election shall be held. When a special election is held and no candidate receives greater than 50 percent of all votes cast, the special election shall be held not more than 53 days thereafter.

It was further discussed that the second paragraph be modified to include language regarding the length of the term remaining of the vacated seat. The following is an example of proposed language:

In the event there are 181 days or more remaining after the Council has declared a vacancy, the City Clerk shall call for a special election to be held not sooner than 90 days and not later than 120 days.

In the event there are 180 days or less remaining, the City Council must appoint a qualified replacement to complete the term of the vacated seat within 30 days of the declaration of vacancy.

The City Clerk will confer with the City Attorney regarding this and bring a draft back for further discussion at the Charter Commission's July meeting.

Other Items

Stombaugh suggested that the Commission consider modifying the Charter to require Council members in mid-term filing for Mayor, resign their seat effective December 31. City Clerk will research for next meeting.

Stombaugh expressed concerns that certain members of the City Council may be interfering with administration (Sec. 2.09). Commission discussed ideas on educating the Council, however, no action was taken at this time.

Instant Runoff Voting (IRV)

No action was taken and the item was tabled for future discussion.

Next Meeting Date:

July 16, 2013 at 5:30 p.m.

Adjourn

With no further business, a motion was made by Vinderslev, seconded by Ryder, to adjourn. Motion carried unanimously. The meeting adjourned at 7:00 p.m.

Respectfully submitted,



Kay M. Murphy
City Clerk