

# Charter Commission

## June 21, 2011 - 6:00 p.m.

Members Present: Casey McCarthy, Chuck Stombaugh, Michael Meuers, Nancy Erickson, Rod Witt, Jaclyn Ryder (6:25 p.m.)  
Members Absent: Ben Stowe, Charlene Fisher  
Staff Present: City Attorney Alan Felix, City Clerk Kay Murphy

Vice Chair McCarthy called the meeting to order at 6:00 p.m.

### Approval of Minutes

The minutes from the November 16, 2010 meeting were presented for approval. Motion by Stombaugh, seconded by Meuers, to approve the minutes as presented. Motion carried.

### Election of Officers

McCarthy opened nominations for Charter Commission Officers. Motion by Stombaugh, seconded by Meuers, to nominate Ryder as Chair, McCarthy as Vice Chair and Fisher as Secretary. Motion carried.

### Recall

Felix stated that on June 14, 2011, he submitted a letter to the District Court Bench for their review and consideration regarding their proposed involvement in reviewing and issuance of findings of fact regarding allegations in deed constitute malfeasance or nonfeasance in the performance of the alleged offender/officer's duties. He stated that to date no response has been received.

Ryder joined the meeting at 6:25 p.m. McCarthy turned the Chair over to Ryder.

Meuers stated that he was not in favor of a judge deciding the outcome of a petition. He felt that the voters should get the opportunity to vote on the recall petition. Discussion continued in this regard.

Felix stated that the Commission should rethink the language before forwarding to the Council as there is nothing set in stone at this time.

McCarthy commented that he liked the idea of a judge reviewing for malfeasance or nonfeasance as they would provide due diligence.

**Motion by McCarthy, seconded by Witt, recommending that the proposed language be brought forward and timeline July 15. Motion failed with the following vote: Ayes: Witt, McCarthy, Stombaugh. Nays: Erickson, Meuers, Ryder.**

### Instant Runoff Voting (IRV)

The Commission briefly discussed e-mails sent to the Charter Commission regarding the pros and cons for IRV. No action was taken and the item was tabled for future discussion.

### Other Items

Stombaugh commented that he would like the Charter Commission to meet with the Council to discuss the recall language. The City Clerk will add it to a future work session.

Commission expressed concerns about Stowe's attendance. Murphy will check the Charter Commission By-laws in this regard.

Next Meeting Date: August 16, 2011 at 6 p.m.

Adjourn

With no further business, a motion was made by Stombaugh, seconded by Erickson, to adjourn. Motion carried unanimously. The meeting adjourned at 7:20 p.m.

Respectfully submitted,



Kay M. Murphy  
City Clerk