

**City of Moorhead  
Charter Commission  
Meeting Minutes  
November 16, 2011 at 7:30 AM  
City Hall Boardroom**

**Roll call of the members was made as follows:**

Board Member:	James Danielson	Present
Board Member:	Eileen Hastad	Absent
Board Member:	Roger Buscher	Present
Board Member:	Kenneth Tangen	Present
Board Member:	Russell Hanson	Present
Board Member:	Darvin Landa	Present
Board Member:	Patricia Staples	Absent
Board Member:	Ronald Hagemann	Absent
Board Member:	Travis Reimche	Absent
Board Member:	Douglas Fagerlie	Present
Board Member:	Thomas Krabbenhoft	Absent
Board Member:	Richard Bolton	Present
Board Member:	Yoke-Sim Gunaratne	Absent

**Charter Commission Meeting**

1. Call to Order

Minutes: Chair Danielson called the meeting to order.

2. Roll Call

Minutes: Roll call and introductions were conducted.

3. [Approval of Minutes](#)

Minutes: It was requested that the Commissioner Orientation/Representation Discussion be conducted prior to Unfinished Business.

It was requested that a New Business item related to Oakport Annexation/Redistricting be added to the agenda.

A. [August 3, 2011 Charter Commission Meeting Minutes](#)

Motion made to Approve made by Douglas Fagerlie and seconded by Kenneth Tangen  
**Motion to Approve Minutes of August 3, 2011**

**Motion Passed**

For: 7 - James Danielson, Roger Buscher, Kenneth Tangen, Russell Hanson, Darvin Landa, Douglas Fagerlie, Richard Bolton

Absent: 6 - Eileen Hastad, Patricia Staples, Ronald Hagemann, Travis Reimche, Thomas Krabbenhoft, Yoke-Sim Gunaratne

4. [Reports of the Chair, Officers, Commissions and Committees](#)

Minutes: No reports were presented.

5. [Public Comment](#)

Minutes: No citizens addressed the Commission.

6. Unfinished Business

A. [Discussion of Timeline for City Council to Act on Charter Commission Recommendations](#)

Minutes: It was noted that John Shockley, Assistant City Attorney, provided information to Commissioners following the August 3, 2011 Charter Commission meeting regarding time limits for Charter Commission recommendations to the City Council as set forth in Minnesota State Statutes.

Jill Wenger, City Clerk, reported that Moorhead Public Service (MPS) has delayed their cost of service analysis which will assist in determining revised hydrant rate charges to the City of Moorhead. It is now anticipated that the study will not be conducted until 2012.

Shockley clarified the following in response to Commissioner questions:

- According to Minnesota State Statute the City Council has a duty to act on Charter recommendations; however, Statutes are not clear when Charter Cities require a second reading for final ordinance approval.
- Generally City Councils are allowed to table a recommendation for a valid reason but only for a reasonable amount of time. In the current situation, the City Council did have a valid reason to table.
- The Charter has the ability to express to the Mayor and Council whether they believe a reasonable amount of time has lapsed.

Charter Commission Members noted the following:

- Concern was expressed regarding continued delays of the Council to act on a Charter Commission recommendation.
- It is believed that a decision to repeal the fixed hydrant rate charge should not be postponed in order for City and MPS staff to determine a revised hydrant rate and that the Council has a duty to act upon the Charter recommendations.
- Concern was expressed regarding the Council setting a precedent on delaying Charter recommendations.

Charter Commissioners directed Shockley to draft an initial letter on behalf of the Charter urging the Mayor and Council to conduct second reading of the ordinance citing Minnesota State Statute authority. The letter will be provided to Chair Danielson for review and additional commentary. A draft copy will be forwarded to all Charter Commissioners for feedback before it is provided to the Mayor and Council. City Manager Michael Redlinger and MPS General Manager Bill Schwandt will be provided with a copy of the

letter when it is submitted.

Motion made to Approve made by Darvin Landa and seconded by Richard Bolton  
**Motion to draft a letter to the Mayor and Council urging them to act upon Charter Commission Recommendations in a timely matter**

**Motion Passed**

For: 7 - James Danielson, Roger Buscher, Kenneth Tangen, Russell Hanson, Darvin Landa, Douglas Fagerlie, Richard Bolton

Absent: 6 - Eileen Hastad, Patricia Staples, Ronald Hagemann, Travis Reimche, Thomas Krabbenhoft, Yoke-Sim Gunaratne

B. [Discussion of Council Composition & Elections by Ward](#)

Minutes: Charter Commission Members noted the following:

- The current ward model is preferred. Moorhead residents do not indicate concern over the current arrangement.
- The current ward model appears to safeguard against single interest groups.
- Conducting an at-large election campaign may be too costly for some citizens interested in becoming a Council Member.
- Current ward sizes make it difficult for an individual to reach every constituent during an election campaign. It is preferred that the wards be further divided into eight areas.
- Concern was noted on further dividing wards as two Council Members per ward provides some variety in representation.
- Some interest was noted in allowing the Mayor to be a regular voting member as the only at-large representative elected to the City Council.
- It is believed that strengthening the voting voice of the Mayor may expedite decisions of the Council.

Shockley noted that a voting Mayor may effect voting requirement provisions outlined in the City Charter, particularly as it relates to decisions requiring a super-majority vote. Shockley stated that he would provide a background memo to the Charter Commission.

It was determined that further discussion on Council composition and Mayoral voting be conducted at a Charter Commission meeting with larger attendance prior to any action.

7. New Business

A. [Commissioner Orientation/Representation Discussion \(Chair Danielson\)](#)

Minutes: Chair Danielson spoke to Commissioners regarding concepts of representation. Danielson recommended that Commissioners elect a "Trustee Model" form of representation to serve the best interests of the community.

B. Oakport Annexation/Redistricting

Minutes: Concern was noted regarding the impact of ward composition following Oakport annexation in 2015.

Shockley noted that there may be provisions that would not allow a City to redistrict an annexed territory until congressional and legislative boundaries are redistricted following the 2020 census. Shockley stated that he would research whether cities have the authority to redistrict between census years and provide an update to the Charter Commission.

Shockley noted that City staff recently developed a report related to Oakport annexation issues and that the information would be provided to Charter Commission members.

8. [Adjourn](#)

Motion made to Adjourn made by Douglas Fagerlie and seconded by Darvin Landa  
Motion Passed

For: 7 - James Danielson, Roger Buscher, Kenneth Tangen, Russell Hanson, Darvin Landa, Douglas Fagerlie, Richard Bolton

Absent: 6 - Eileen Hastad, Patricia Staples, Ronald Hagemann, Travis Reimche, Thomas Krabbenhoft, Yoke-Sim Gunaratne

Minutes: It was determined that the Charter Commission would meet on December 14, 2011.

Meeting adjourned at 8:32 a.m.

*Respectfully submitted by:  
Jill Wenger, City Clerk*