



# **CHARTER COMMISSION MEETING AGENDA**

## **June 08, 2016 - 8:00 AM**

### **City Hall Boardroom**

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**Call to Order**

**Roll Call**

**Approval of Minutes**

1. March 16, 2016 Minutes

**Reports of the Chair, Officers, Commissions and Committees**

**Public Comment**

**Unfinished Business**

2. Bylaws Update
3. Standard Operating Procedure for Council Appointments

**New Business**

**Adjourn**





## **New Business**

### Approval of Moorhead City Charter Commission 2015 Annual Report

Doug Fagerlie, Vice Chair, shared future meetings would be held in City Hall, but there was a conflict for today. He briefly summarized the December meeting conversation of having more detailed minutes: 1) Commission secretary can take notes, 2) hire a stenographer, or 3) further discuss the legal reasons for not taking more detailed minutes. Michelle French, City Clerk, would update the group on this topic at the June meeting. The group agreed that moving the meetings to City Hall would help with this process, as better audio recording is available. The Commission also agreed that following Roberts Rules of Order would help detail meetings by announcing who is speaking.

The Commission discussed a few bylaws changes. John Shockley, City Attorney, will note the changes and submit them to the group prior to the next meeting.

Fagerlie requested the following items be on the agenda in June: bylaw updates and SOP for Council Appointments update.

Motion to approve the Moorhead City Charter Commission 2015 Annual Report made by Hagemann seconded by Landa. Motion by Athena to amend the Minutes Policy in the report to say "detailed minutes" instead of "intense minutes," seconded by Hagemann; motion approved by unanimous vote. Motion to approve the Report as amended approved by unanimous vote.

### Election of Officers: Chair, Vice Chair, Secretary

Motion to elect Fagerlie as Chair made by Landa seconded by Hagemann. Motion by Steen to cease nominations seconded by Dahlquist; motion approved by unanimous vote. Motion to elect Fagerlie as Chair approved by unanimous vote; Fagerlie abstained from voting.

Motion to elect Friesen as Vice Chair made by Landa; Friesen respectfully declined. Motion to elect Vesta to Vice Chair made by Landa seconded by Wollman. Motion by Steen to cease nominations seconded by Dahlquist; motion approved by unanimous vote. Motion to elect Vesta as Vice Chair approved by unanimous vote.

Motion to elect Gehring to Secretary made by Steen seconded by Gracyk. Point of clarification by Gehring on the job description. Motion by Vesta to cease nominations seconded by Dahlquist; motion approved by unanimous vote. Motion to elect Gehring as Secretary approved by unanimous vote.

## **Adjourn**

Meeting adjourned at 9:06 am

*Respectfully submitted by:*  
*Stephanie Maier, Deputy City Clerk*

## POSSIBLE AMENDMENT OF BYLAWS

The Moorhead Charter Commission should consider amending its Bylaws to clarify the allowed number of unexcused absences of members at meetings. Below is a proposed amendment to Section III(F) of the Bylaws:

### **III. Membership**

\* \* \*

- F. All members shall be expected to attend all meetings, but in the event of absence shall inform the Office of the City Clerk. When any member is absent ~~four~~ \_\_\_\_\_ consecutive meetings without being excused by the Commission, the secretary of the Commission shall file a certificate with the court setting forth those facts, and the district court shall thereupon make its order of removal, and the chief judge shall fill the vacancy created thereby.

The Moorhead Charter Commission should consider amending its Bylaws to clarify the date of election of new officers. Below is a proposed amendment to Section V(A)(2):

### **V. Officers**

- A. Election of Officers

\* \* \*

2. The officers shall be elected for one-year terms at the ~~Annual Meeting in February~~ first meeting of the Charter Commission each year. No officer shall serve more than two consecutive terms, excluding filling an unexpired term.

These proposed amendments to the Moorhead Charter Commission Bylaws would not require approval of the Moorhead City Council. Instead, the amendments could be made at any meeting of the Moorhead Charter Commission by a two-thirds (2/3) vote of those Commissioners present at the meeting, provided that the proposed amendments must be submitted in writing to the Commissioners at least two weeks prior to the adoption of the amendment. *See* Bylaws, Section IX.



## Memorandum

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To: Moorhead Charter Commission  
From: Michelle French, City Clerk  
Date: May 31, 2016  
RE: Board/Commission Appointments

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The Charter Commission has discussed Board/Commission vacancies at multiple meetings and expressed concerns regarding the process.

The Mayor, City Attorney, and City Clerk have worked on creating a Standard Operating Procedure that would address all board/commission vacancies and appointments.

The City Clerk's Office has received many applications over the years, with many of those applicants inquiring as to why they were not being selected if a vacancy still exists. Previously, the City Clerk's office would respond to the applicant stating that their application has been forwarded to the specific ward including the Mayor and explained the process whereby both ward members agree upon the appointment (approved later at a City Council meeting). The proposed SOP provided standard letters for various situations. The proposed SOP would establish a process that the City Clerk's office could follow to keep applicants informed of the status of their application and provide a higher level of customer service.

The City Clerk's office provides monthly updates on the current status of membership for all boards and commissions.

On September 16, 2015, the Charter Commission directed the City Attorney and City Clerk to meet with Moorhead Mayor Williams to discuss term limits with proposed changes.

On September 22, 2015, Mayor Williams, John Shockley and I met and asked the Mayor the following questions:

***\*Do you want the term of an appointed individual to continue until reappointed or a new member is appointed or when term has expired should the individual vacate the position?***

*A resident whose term expires will continue in that position until a new member is appointed or the current member is reappointed.*

***\*Can you serve again after you serve two consecutive terms with a break?***

*Yes, however, there are many residents fully qualified to bring in new ideas and my preference is to appoint new members.*

***\*If you are serving a ward position, can you serve an at-large position after your two consecutive terms expire?***

*No, consecutive terms apply regardless of whether you serve one as at large and one as a ward position, a term would be determined as a term.*



## Memorandum

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After our meeting with Mayor Williams, a Standard Operating Procedure (SOP) had been created to keep applicants informed of the process regarding an appointment of a resident to a board/commission that is approved by the Mayor and Council.

The Mayor and City Council were set to discuss the SOP along with these questions at the January 19, 2016 Committee of the Whole. The history was provided on the board/commission term limits and I recommended moving this item to the Council Workshop in March.

During the Council Workshop, Council Members would like to add an option to extend terms as requested. John Shockley and I were directed to draft a new policy on term limits. This has not yet been completed.

Once the City Council approves a new policy, the policy will then be added to the Council Rules and Procedures that are reviewed from time to time by the Mayor and Council.