



CHARTER COMMISSION MEETING AGENDA
November 16, 2011 - 7:30 AM
City Hall Boardroom

Charter Commission Meeting

1. Call to Order
2. Roll Call
3. Approval of Minutes
 - A. August 3, 2011 Charter Commission Meeting Minutes
4. Reports of the Chair, Officers, Commissions and Committees
5. Public Comment
6. Unfinished Business
 - A. Discussion of Timeline for City Council to Act on Charter Commission Recommendations
 - B. Discussion of Council Composition & Elections by Ward
7. New Business
 - A. Commissioner Orientation/Representation Discussion (Chair Danielson)
8. Adjourn

**Moorhead City Charter Commission
Meeting Minutes
August 3, 2011 – 7:30 AM
City Hall Boardroom (1st Floor)**

Charter Commission Members:

At-Large Representative	Eileen Hastad	Present
At-Large Representative	Russell Hanson	Absent
At-Large Representative	Roger Buscher	Present
At-Large Representative	Ken Tangen	Present
At-Large Representative	Jim Danielson	Present
Ward 1 Representative	Darvin Landa	Present
Ward 1 Representative	Patricia Staples	Absent
Ward 2 Representative	Travis Reimche	Present
Ward 2 Representative	Ronald Hagemann	Present
Ward 3 Representative	Tom Krabbenhoft	Present
Ward 3 Representative	Doug Fagerlie	Present
Ward 4 Representative	Yoke-Sim Gunaratne	Present
Ward 4 Representative	Dick Bolton	Present

City Staff:

City Clerk	Jill Wenger	Present
Assistant City Attorney	John Shockley	Present

Charter Commission Meeting

1. Call to Order

Minutes: Charter Commission Chair, Jim Danielson, called the meeting to order.

2. Roll Call

Minutes: Roll call of the Commission members was noted.

3. Approval of Minutes

A. May 4, 2011

Motion to Approve made by Roger Buscher and seconded by Darvin Landa

Approve minutes of May 4, 2011

Motion Passed by unanimous vote

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. Outcome of Proposed Charter Amendments

Minutes: It was reported that at the June 13, 2011 meeting the Moorhead City Council tabled the Charter Commission's proposed ordinance to repeal subdivision 2 of section 2.11 of the Charter of the City of Moorhead related to hydrant fees. The Council requested that City staff provide the Mayor and Council with a briefing memo following discussion with Moorhead Public Service (MPS) regarding revised hydrant rates prior to final consideration of the ordinance change. City staff will provide notice to the Charter Commission when the ordinance change is scheduled for further Council consideration.

Charter Commission Members noted the following:

- The Charter Commission Chair represents the Charter and brings forward any recommendations of the Charter to the Mayor and Council.
- Individual Charter Commission members can voice disagreement to any Charter recommendation as part of the "Citizens Addressing the Council" portion of the Council meeting.

B. Elections by Ward

Minutes: It was noted that City staff compiled a number of resources related to elections by ward and council composition comparisons from other cities.

Charter Commission Members noted the following:

- Moorhead residents appear comfortable with the current council composition and ward representation arrangement.
- Council members elected as at-large representatives may carry a more holistic and balanced viewpoint.
- Two Council representatives per ward allow citizens to express their viewpoint to at least two different individuals who represent the ward's point of view.
- Concern was noted regarding the cost to run for election as an at-large representative as compared to those who would campaign only to the population contained in a single ward.
- It is preferred that Council be comprised of both at-large and ward-based representatives.
- Concern was noted regarding expansion of the current Council size beyond eight Council members and one Mayor.

- An expanded number of Wards would decrease the size per ward allowing candidates to more effectively campaign and elected representatives to communicate with citizens.
- A voting mayor could better represent the at-large population.
- Currently the Mayor only votes in the case of a tie which allows the position to remain relatively impartial.
- Council members who represent the community at-large may be more effective than those interested only in the interests of a single ward.
- In recent elections, student populations and residents in rental housing appear to have an increased influence on election results, although these populations more typically vote during the presidential election and not the state or city general elections.

It was noted that the City of Moorhead population is 38,065 according to the 2010 U.S. Census.

No proposals to alter, change or modify the makeup of the Council composition were presented although the Commissioners agreed that continued discussion on the topic is important.

C. Oakport Annexation and Redistricting

Minutes: John Shockley, Assistant City Attorney, noted that redistricting is controlled by state law. The annexation of Oakport and the redrawing of ward boundaries will not require any action by the City of Moorhead until 2021 or 2022, following the next U.S. Census.

7. New Business

A. Timeline for Council to act on Charter Commission Recommendations

Minutes: Concern was noted regarding an uncertain deadline for decision-making when the Charter Commission brings forward a recommendation to the Mayor and Council. It is preferred that a clear procedure and timeline be determined and communicated for both groups.

John Shockley, Assistant City Attorney, stated that he would research state statute for any specific requirements and forward this information to the Charter Commission

8. Adjourn

Motion to Adjourn made by Darvin Landa and seconded by Ronald Hagemann

Approve minutes of May 4, 2011
Motion Passed by unanimous vote

Minutes: It was determined that the Charter Commission would meet in early October to further discuss council composition/elections by ward and a timeline for Council to act on Charter Commission recommendations. Notice of the meeting date will be coordinated by City staff.

Meeting adjourned at 8:36 a.m.

Respectfully submitted by:
Jill Wenger, City Clerk

DRAFT

Jill Wenger

From: Jill Wenger
Sent: Thursday, August 11, 2011 10:07 AM
To: Doug Fagerlie (dcfagerlie@gomoorhead.com); Eileen Hastad (abelhastad@mac.com); Jim Danielson (daniels@mnstate.edu); Ken Tangen (kmtangen@msn.com); Patricia Staples (patriciajstaples@gmail.com); Richard Bolton (MnNotlob@cableone.net); Ronald Hagemann (ronhagemann@yahoo.com); Russ Hanson; Tom Krabbenhoft (tomntt@aol.com); Travis Reimche (rmke16@midco.net); Yoke-Sim Gunaratne (ygunarat@hotmail.com)
Subject: Required Timeline for Charter Amendments

To: Moorhead Charter Commission Members
Fr: Jill Wenger, City Clerk
Re: Required Timeline for Charter Amendments

At the 8/3/2011 Charter Commission meeting a question was posed to City staff regarding specific timeline requirements for the Moorhead City Council to act upon proposed Moorhead Charter amendments by the Charter Commission. According to Assistant City Attorney, John Shockley, time limits are set forth in Minnesota State Statutes.

In the case of the Charter Commission's proposed amendment related to Moorhead Public Service (MPS) hydrant fees, the City has conformed to state statute requirements related to published notice of a public hearing (date) and text of the amendment, the conduct of a public hearing, and a vote on the proposed amendment (first reading was passed May 23, 2011).

Minnesota Statutes are silent in situations where a City conducts two readings of an ordinance for final approval; however, it does indicate that the Council has a duty to act upon Charter amendments proposed by the Charter Commission. According to Shockley, the Council should have a valid reason to table the second reading and bring it off the table to vote on it as soon as the issue is resolved. The Council does not have the authority under statute to table a proposed Charter amendment indefinitely. In this case it was appropriate for the City Council to table the proposed amendment.

According to City Manager, Michael Redlinger, "MPS and City staff met in July to discuss the proposed City Charter amendment and a fee rate for hydrants in the future. MPS is currently conducting a cost of services analysis that will be reviewed by the MPS Commission in September/October. MPS would like to complete this study first before entering into an agreement with the City on future hydrant charges. Given the timing of their study, I expect we will be able to revisit the tabled Council resolution later this fall after a fee rate and "phase in" schedule has been developed for the Council and Commission to consider."

It appears that this issue will be considered by the City Council this fall. Notice will be provided to the Charter Commission once a confirmed date is scheduled for second reading.

Please do not hesitate to contact me with any questions.

Jill Wenger

City of Moorhead • City Clerk

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**ELECTIONS BY WARD
City Comparisons**

City	Population (2010)	Districts / Wards	Mayor Votes	Total Council Size	Elected at Large	Elected by Ward	<i>Reps per Ward</i>	Other
Blaine	57,186	3	Yes	6	0	6	2	
Bloomington	82,893	4	Yes	6	2	4	1	
Brooklyn Center	30,104	0	Yes	4	4	0	0	
Brooklyn Park	75,781	3	Yes	6	0	6	2	
Coon Rapids	61,476	5	Yes	6	1	5	1	
Crystal	22,151	4	Yes	6	0	4	1	2 by Section*
Fridley	27,208	3	Yes	4	1	3	1	
Mankato	39,308	5	Yes	6	1	5	1	
Minnetonka	49,734	4	Yes	6	2	4	1	
Moorhead	38,065	4	Yes (if tie)	8	0	8	2	
Plymouth	70,576	4	Yes	6	2	4	1	
Richfield	35,228	3	Yes	4	1	3	1	
St. Louis Park	45,250	4	Yes	6	2	4	1	
White Bear Lake	23,797	5	No	5	0	5	1	
Winona	27,592	4	Yes	6	2	4	1	

* Section 1 - Ward 1 & 2; Section 2 - Ward 3 & 4