

**CITY OF FRIDLEY  
CHARTER COMMISSION MEETING  
FEBRUARY 3, 2020**

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**CALL TO ORDER:**

Vice Chair Soule called the Charter Commission meeting to order at 7:00 p.m.

**ROLL CALL:**

Members Present: Commissioners Gary Braam, Kelli Brillhart, Manuel Granroos, Richard Johnston, Nikki Karnopp, Bruce Nelson, Rick Nelson, Barb Reiland, Pam Reynolds, Cynthia Soule, Avonna Starck,

Members Absent: Commissioners Donald Findell, Ted Kranz, Courtney Rathke, Valerie Rolstad,

Others Present: Daniel Tienter, Finance Director/City Treasurer/City Clerk/Staff Liaison  
Melissa Moore, Admin. Services Coord./Deputy City Clerk/Staff Liaison  
David Ostwald, Councilmember-at-Large  
Steve Eggert, Councilmember, Ward 2

**APPROVAL OF AGENDA**

Commissioner Rick Nelson requested to amend the agenda to add item 5E to discuss the Commission agenda packet. Vice Chair Soule added the request as agenda item 5E.

Commissioner Braam MOVED and Commissioner Reynolds seconded a motion approving the meeting agenda as amended.

UPON A VOICE VOTE, ALL VOTING AYE, VICE CHAIR SOULE DECLARED THE MOTION CARRIED.

**APPROVAL OF MINUTES**

Commissioner Braam MOVED and Commissioner Rick Nelson seconded a motion approving the meeting minutes of January 6, 2020.

UPON A VOICE VOTE, ALL VOTING AYE, VICE CHAIR SOULE DECLARED THE MOTION CARRIED.

**ADMINISTRATIVE MATTERS**

## A. Updated Membership List

Mr. Tienter said a members list is in the agenda packet. The new list includes the Commission's two new members, Nikki Karnopp and Courtney Rathke.

## B. Upcoming Term Expiring: Gary Braam

Vice Chair Soule asked Commissioner Braam if he wanted to be reappointed. Commissioner Braam said he would like to be reappointed.

Commissioner Rick Nelson MOVED and Commissioner Brillhart seconded a motion to recommend the reappointment of Commissioner Gary Braam to a new four-year term to the Charter Commission to Chief Judge Meslow.

UPON A VOICE VOTE, ALL VOTING AYE, VICE CHAIR SOULE DECLARED THE MOTION CARRIED.

## C. 2019 Annual Report

Vice Chair Soule noted that this Annual Report will put the Commission in compliance with Minnesota Statute.

Commissioner Reynolds added the Annual Report had never been sent before.

Commissioner Reiland MOVED and Commissioner Johnston seconded a motion to approve the draft 2019 Annual Report and that it be sent to Chief Judge Meslow.

Commissioner Reynolds wished to amend the last bullet in the last paragraph because January 27, 2020 is when Council called for a public hearing.

Mr. Tienter asked for a friendly amendment to revise the wording of the last bullet point.

Commissioner Reynolds made a friendly amendment to restate the last sentence as: Review of Chapter 6 (Administration of City Affairs) resulting in two Charter Amendments, which the City Council began consideration of on January 27, 2020.

UPON A VOICE VOTE, ALL VOTING AYE, VICE CHAIR SOULE DECLARED THE MOTION CARRIED.

## D. Nominating Committee Report

Vice Chair Soule asked the Nominating Committee to give its report.

Commissioner Reynolds announced the Nominating Committee would like to offer the following names for 2020 officers: Val Rolstad and Rick Nelson for a contested ballot for Chair; Kelli Brillhart for the position of Vice Chair; and Barb Reiland for the position of Secretary.

Vice Chair Soule noted that with the Chair position being contested, there will be an election at the March meeting.

Commissioner Braam inquired about the Commissioners who will not be at the March meeting, and if they will be included in the election process.

Mr. Tienter informed the Commission that the Open Meeting Law (OML) would likely prevent any absent Commissioners from participating remotely in an election. The Commission's bylaws control when the annual meeting takes place and when the election must occur. The rules of order would allow a suspension of bylaws if by a 2/3 majority vote if it was passed. The election would need to be held over until all members were present.

Commissioner Reynolds responded that the bylaws allow for a secret ballot for contested offices and asked if the absent commissioners could be allowed to submit a ballot because there will be an actual ballot for the Chair position.

Mr. Tienter answered that pursuant to the OML, all action would need to take place within the meeting proper. Anyone absent could not present a ballot and have it read at the meeting. The OML prohibits remote participation except in certain circumstances. If they voluntarily remove themselves from the meeting, the Commission cannot make an accommodation under state law for balloting purposes. However, staff would research the issue further to confirm this interpretation of the law.

Commissioner Reiland asked who would not be at the March meeting.

Commissioner Reynolds noted that Commissioner Findell will not be back until April. Commissioner Starck will check with Commissioner Kranz.

Mr. Tienter noted the bylaws are very clear when the annual meeting occurs. All members not in attendance for that meeting would have been aware of the election well in advance, and if there is a contested ballot, they knew they would not be able to participate.

Commissioner Reynolds asked if they would receive notification of this report.

Mr. Tienter answered yes. With the next agenda packet, staff will release it with the timing consistent with the bylaws. Commissioner Reynolds noted it was ten days before the election. Mr. Tienter agreed.

Mr. Tienter clarified that staff will anticipate proceeding with the election in March, and participation would be required in person at the meeting. Staff will notify the Commission if that understanding changes.

Commissioner Reynolds wished to add that prior to the election in March, there will still be an open nomination. The Commission agreed. Nominations from the floor will be accepted.

Commissioner Reiland asked Mr. Tienter if an absent Commissioner felt very strongly for or against a candidate for Chair, if they could call in to the meeting.

Mr. Tienter said no, that would be a violation of the OML. Commissioner Rick Nelson noted that unless it was advertised prior, it would not be permissible.

Mr. Tienter noted there are a few exceptions that would allow Commissioners to attend remotely. They would need to participate in the meeting in a public place, must be visible in addition to a few other requirements. Likely, the members who are absent would not meet the threshold. The OML is quite restrictive, and every year there is an effort to revise it to allow for these types of situations.

Commissioner Reynolds raised her concern for Chair Rolstad participating this evening in the Nominating Committee.

Mr. Tienter answered that the Minnesota Supreme Court has ruled that if a committee meeting occurs with a number of attendees that are below the number of a quorum, they may conduct a meeting without public notice because there is not the opportunity to take official actions. The Courts are also very particular in prohibiting serial meetings.

Commissioner Reiland MOVED and Commissioner Johnston seconded a motion to accept the 2020 Nominating Committee report.

UPON A VOICE VOTE, ALL VOTING AYE, VICE CHAIR SOULE DECLARED THE MOTION CARRIED.

#### E. Charter Commission Agenda Packets

Vice Chair Soule began the discussion of agenda item 5E to discuss the agenda packet.

Commissioner Rick Nelson asked if the Commissioners could receive the packet sooner.

Mr. Tienter acknowledged the timeliness issues of the packets. Typically, staff mail the packets on Wednesday before the meetings. Some Commissioners report they do not receive their packets until the day of, or after, the meeting. Staff will attempt to mail the packets sooner.

Commissioner Rick Nelson felt that for the Commissioners to receive their packet with only one day to review is a disservice to the community.

Commissioner Reynolds added she looked at part of the agenda online, but when she got to the pages on Chapter 12, the print was too small.

Commissioner Brillhart asked if members of the Commission could opt out of receiving a paper copy of the packet to save the City the cost of printing and supplies.

Mr. Tienter was fine with sending packets electronically to those Commissioners who request that. Staff will send an email to the Commission for their feedback.

Mr. Tienter informed the Commission of staff's efforts to investigate the City's mail processes and figure out how the City should proceed in the future. As part of that project, he noted that the USPS is reporting historically low mail service delivery times according to their own metrics. Staff may need to change delivery dates to accommodate this.

Vice Chair Soule asked if the out of town Commissioners continue to receive mail packets. Staff confirmed they do.

Commissioner Johnston asked why the packets weren't printed on both sides. Staff agreed that all future packets will be double sided.

Commissioner Rick Nelson, revisiting the previous topic regarding the OML, indicated an absent Commission members could notify the public where they would take the meeting, and it would satisfy the requirements. Commissioner Brillhart asked even if the member was out of state. Commissioner Nelson said yes and read a portion of Minnesota Statute § 13D. If in the notice it says that people will be brought in electronically, that satisfies the requirement if it is ten days in advance.

Commissioner Brillhart noted there would be a problem with the election. The statute says votes would be required by roll call, and the Charter bylaws specifically state that contested elections must be on a written ballot. She asked how off-site attendees would provide a written ballot at the meeting?

Commissioner Rick Nelson said you could do a roll call vote by allowing them to cast their vote to the committee who would be counting the ballots.

Commissioner Brillhart noted that would not be a written ballot. Commissioner Rick Nelson agreed.

Mr. Tienter said staff will research the topic. The Department of Administration has several advisory opinions related to this topic. Staff will examine those findings.

Commissioner Brillhart added if there was not a contested election, this discussion would not be an issue.

**OLD BUSINESS**

## A. Review of Chapter 12 – Miscellaneous Procedures

Commissioner Reynolds requested the Commission go through one section at a time.

Mr. Tienter reminded the Commission that at the January meeting, the direction for staff was to look at the entire chapter. Staff went through each section and compared the language to other city charters and various State statutes. Sample language, included in the attachment, is reference material to assist with the discussion this evening.

Mr. Tienter noted that in Section 12.01, staff's comment notes the Commission could revise this section to be broader than what is currently written. He noted this section was amended the last time the Commission revised it. The examples from the cities of Hopkins and Richfield are short and broad statements to say that the Council has to annually designate a newspaper, then the Council can have things published that it deems to be in the public interest and as required by other chapters of the Charter or state law. If the Commission replaced the Charter language with something similar to the example language, it would still provide much of the spirit of what is contemplated in Section 12.01 and provide broad expanse of powers that Charters typically provide to City Councils.

Commissioner Reynolds replied she liked the current language because it provides an explanation for the general public to understand why the section is there. She likes that the Fridley language speaks to providing for the publication of city information.

Vice Chair Soule recalled the last time the group discussed this section, the wording about the ability to use electronic means for publication was added as an additional way to communicate.

Commissioner Brillhart asked if the word "may" should be replaced with "shall." Electronic communication is very important to the younger generations and if the Commission wants them involved in local government, the City must communicate that way.

Commissioner Reynolds pointed out in the second paragraph, the word "may" was used several times.

Commissioner Granroos asked if the Commission would change the word "may" to "shall" in all cases.

Commissioner Rick Nelson suggested changing the second to the last sentence to say, "In addition, the City Council shall use electronic means for publication."

Mr. Tienter recommended the word "may" remain because electronic communications is a nebulous term, and there are many different modes of communication. Additionally, with the

language being so broad and the evolution of technology over time, he would strain to understand what "electronic" could mean in the future.

Commissioner Karnopp recalled *The Life* is designated as the City's official newspaper. Would it be beneficial to note in the Charter that the City designates the web site as the official publication?

Mr. Tienter answered that state law already provides ways for electronic publication that specifically discuss the city's web site. Section 12.11 of the Charter makes those provisions supplementary to the Charter. He feels that what the Commission is trying to communicate is already permitted by state law, which permits electronic transmission. The Commission could say the city must designate annually the city's web site as its official mode of communication of public notices.

Mr. Tienter asked the Commission to reconsider the last sentence of the second paragraph.

Commissioner Rick Nelson answered that sentence allows the provisions to stand that are legal, but those that are not are deemed void.

Commissioner Reynolds likened it to a savings clause.

Commissioner Rick Nelson asked if Section 12.01 could be added to the web site. The City is trying to wean itself off paper and move into the modern era with electronic communication. At a later time, the City could eventually stop publishing in a newspaper and go to electronic means only.

Mr. Tienter answered that language could be added that could require the City to publish anything on the web site that it puts in the newspaper. Staff already have generally incorporated that practice by using the Public Notice page on the City's web site.

Mr. Tienter asked the Commission to make a motion to express its intent and staff will begin drafting language for the Commission to consider.

Commissioner Starck noted the language could simply say "these matters will also be published on the web site."

Commissioner Rick Nelson added "in addition to the legal newspaper such matters shall be posted to the City website."

Commissioner Starck asked if matters would be posted for a certain time period.

Mr. Tienter answered that Charter provisions and state law control the requirements for the length of time items need to be published. Usually it is 10 or 14 days before the event is to occur.

Commissioner Rick Nelson asked if posts to the City's web site are archived.

Mr. Tienter answered that public notices from the newspaper are archived, but he is unsure of the City's web site. Currently staff receive a signed Affidavit of Publication from the newspaper along with a clipping of the notice. The Commission could revise the language of this section to include a requirement that notices be posted to the web site and archived.

Commissioner Reynolds added that public notices are archived on the online document archives of the web site.

Mr. Tienter asked for time to confirm with the Information Technology department if the City's web site is being archived in some way.

Commissioner Reynolds noted that public hearings are archived because they become a part of the record of another meeting.

Mr. Tienter does not believe staff have an internal protocol that causes staff to archive anything on the web site as they would for anything that goes in the official newspaper.

Commissioner Rick Nelson MOVED and Commissioner Starck seconded a motion to add to "In addition to the legal newspaper, such notices shall also be posted on the City website" after the last sentence.

Commissioner Granroos asked that a step to archiving be added.

Commissioner Brillhart answered that process may be addressed in Section 12.02.

Vice Chair Soule confirmed the motion is to add the above sentence to the end of the first paragraph.

UPON A VOICE VOTE, ALL VOTING AYE, VICE CHAIR SOULE DECLARED THE MOTION CARRIED.

Commissioner Reynolds brought forth a discussion of the last sentence of the second paragraph. She confirmed she sees this as a savings clause where if state law changes, the language in the Charter is void. She asked if this sentence should be contained in Section 12.01 or in a whole separate section.

Mr. Tienter answered that if the goal of the sentence is to act as a savings clause, then it should not be in the section on official publications. The way the Charter would be interpreted as currently drafted, is under the guise of applicability as it relates to publications, not to applicability of the entire Charter. This type of language fits in Section 12.11 which talks about the application of general laws. Generally, in staff's research, they have not found many Charters that have language such as this.

Commissioner Brillhart doesn't feel the language does any harm.

Commissioner Reynolds added it doesn't have anything to do with official publications.

Commissioners Brillhart and Rick Nelson agreed and both stated it should be moved to Section 12.11.

Commissioner Rick Nelson MOVED and Commissioner Brillhart seconded a motion to move the last sentence of the second paragraph of Section 12.01, to Section 12.11.

UPON A VOICE VOTE, ALL VOTING AYE, VICE CHAIR SOULE DECLARED THE MOTION CARRIED.

Vice Chair Soule opened the discussion on Section 12.02 (Publicity of Records). Commissioner Granroos asked if Section 12.02 was where the discussion should happen if data is archived. He asked if a sentence could be added.

Commissioner Brillhart answered that Section 12.02 references the Minnesota Government Data Practices Act (MGDPA), which is a state law that controls how government data is collected, stored, maintained and released.

Commissioner Granroos asked who saves City data.

Mr. Tienter answered that under the MGDPA, the City and staff are the responsible authorities for maintaining all of the City's records and data consistent with the Records Retention Schedule (Schedule) from the Minnesota Department of Administration. The Schedule addresses many different types of documents and references the statutes that direct the retention period each City must adhere to. Mr. Tienter recommends the Commission remove Section 12.02 in its entirety because Section 12.11 talks about Minnesota state law as applicable to all home rule charter cities. Many city charters don't have reference to the MGDPA because data practices are already understood to be a requirement of home rule municipalities.

Commissioner Brillhart replied that it wouldn't hurt to keep the reference even if staff are engaging in the practice.

Commissioner Reynolds added she would like to keep it so that people reading the Charter will know they have access to information through the MGDPA. Commissioner Brillhart agreed that the section should stay as is.

Commissioner Rick Nelson asked if it would be helpful to list an index that lists all the different laws for people to examine things further, such as the OML or the MGDPA.

Mr. Tienter replied that Section 12.11 already accomplishes that through the application of general law.

Commissioner Rick Nelson said it would be a reference point for residents.

Mr. Tienter replied something like that would be better served as an appendix to the Charter, or introductory information on the City's website. Generally, the Charter is not a reference guide, it is the document that provides for all the powers and authorities for the City. The Commission has struggled with the idea of statutory references, so there are complicating factors that come in when adding additional references to the Charter. As a document, if those statutes change, then the Commission must amend the Charter. It is not a good or bad idea to do it that way, but he cautioned the Commission in adopting things by reference.

Commissioner Reiland expressed concerns with staff asking for references being added to Section 12.11, but then at the same time asking for the section to be broader.

Commissioner Reynolds noted staff's comments suggest deleting Section 12.02 because the topic is covered in Section 12.11 but the MGDPA does not appear in Section 12.11.

Commissioner Reiland followed up that Section 12.11 suggests a broader interpretation.

Commissioner Rick Nelson MOVED and Commissioner Reiland seconded a motion to keep Section 12.02 as it is written.

UPON A VOICE VOTE, ALL VOTING AYE, VICE CHAIR SOULE DECLARED THE MOTION CARRIED.

Vice Chair opened the discussion on Section 12.03 (Oath of Office).

Mr. Tienter noted that Councilmember-at-Large Oswald's Oath of Office was included with the agenda packet. Staff did review the language, which is recommended by the Minnesota Secretary of State's Office.

Commissioner Reynolds concern with the Oath of Office in the Charter is that it fails to have the words "City Charter" in it. She feels any commission member or Councilmember should take an oath to uphold the Charter.

Vice Chair Soule confirmed that the Commission would like to amend the Charter to include the words in Councilmember-at-Large Oswald's Oath of Office.

Commissioner Rick Nelson MOVED and Commissioner Reynolds seconded a motion to change the Oath of Office in Section 12.03 to reflect what is currently being used.

Commissioner Rick Nelson commented it is another example of staff not following the Charter. He wants to bring the practices of staff into compliance with the Charter.

Vice Chair Soule restated the Oath of Office language to say, "I, [Name], do solemnly swear to support the Constitution of the United States, the Constitution of the State of Minnesota, the Fridley City Charter and City Code; and to discharge faithfully the duties entrusted upon me as a [Official Title] of the City of Fridley to the best of my judgement and ability."

Commissioner Johnston confirmed that for each person being sworn in, their position would change accordingly in the Oath of Office.

Mr. Tienter noted that many other charters remove the parentheticals and put blanks in the oath, so it does not assume only certain people need to assume the oath.

Commissioner Rick Nelson asked if the Charter Commissioners are considered officers of the City. The group agreed they were not. Commissioner Rick Nelson asked since the City Manager is hired, why they are considered an officer of the City? Why would they be included with the oath when they are not elected to their position.

Mr. Tienter answered that generally the City Manager is sworn in because the City Manager is the only member that is appointed by the Council to faithfully discharge the Charter on their behalf. The oath has been applied to them as well.

Commissioner Reynolds asked if the Planning Commission swear an oath.

Mr. Tienter does not believe any of the advisory commissions swear an oath.

Commissioner Reynolds noted the Charter Commissioners swear an oath because the Chief Judge appoints them. Mr. Tienter noted there are statutory requirements which address oaths for Charter Commissions.

UPON A VOICE VOTE, ALL VOTING AYE, VICE CHAIR SOULE DECLARED THE MOTION CARRIED.

Vice Chair opened the discussion on Section 12.04 (City Officers Not to Accept Favors or Contracts).

Mr. Tienter said staff did not have any issues with Section 12.04, except for the sentence which references an offender being fired from their position for a violation. As mentioned in the comments, the Charter generally talks about how the City Manager is responsible for appointing and removing staff, so this section conflicts with the powers and authorities of the City Manager. More importantly, there are several laws that control how individuals may be removed from gainful employment. One example is the Veterans Preference Act, which requires an employee be placed on leave, attend a hearing, etc., before the employee maybe terminated. The City is also party to collective bargaining agreements, and those often contain other language as it relates to being removed from a given position. While staff are supportive of ensuring that they are rooting out corruption, waste and fraud, they also want to be consistent with the state and federal laws as well as collective bargaining agreements, and other sections of the Charter.

Commissioner Reynolds noted that even if someone is in a labor union, they may be fired.

Commissioner Rick Nelson added that a union employee is considered guilty until found innocent. Commissioner Reynolds said she understands that staff are saying it is the job of the City Manager to fire an employee for a violation, and regardless if they were covered by a labor union or not, the staff member could be discharged.

Mr. Tienter said the text does say "shall be discharged." Additionally, it does not have any of the typical sentiments of the progressive disciplinary model of modern organizations.

Commissioner Rick Nelson noted that if an employee covered by a labor union steals something, they may be suspended for two weeks, but according to the Charter they should be fired. The Commission must add provisions that say unless the employee is covered under other agreements that supersede the Charter, or it may be easier to simply take the sentence out.

Commissioner Reynolds felt the entire section should be put into bullet format and rewritten to reflect there are other controlling circumstances.

Commissioner Johnston asked why the Commission doesn't just remove the sentence.

Mr. Tienter added that was the recommendation of staff.

Commissioner Rick Nelson answered if an employee is not under a labor agreement, you are truly an at-will employee, in which case the City Manager has the discretion to terminate you. Commissioner Reynolds noted that Fridley does not have many union employees, so they could be terminated at any time. Commissioner Rick Nelson agreed there is no use for this sentence.

Commissioner Brillhart agreed the sentence is not needed.

Commissioner Rick Nelson MOVED and Commissioner Brillhart seconded a motion to strike the sentence, "A violation of any of the provisions of this Section shall disqualify the offender, if found guilty, from continuing in office or in the employment of the City, and the offender shall be removed therefrom."

UPON A VOICE VOTE, ALL VOTING AYE, VICE CHAIR SOULE DECLARED THE MOTION CARRIED.

Commissioner Reynolds agreed to further revise and simplify the language of Section 12.04.

Vice Chair opened the discussion on Section 12.05 (Official Bonds).

Mr. Tienter informed the Commission that in reviewing bond language, he provided examples from Coon Rapids and Richfield. There are a few areas staff think could be cleaned up, specifically the three sentences highlighted in pink.

Commissioner Brillhart asked if the draft language is the process that staff currently follow.

Mr. Tienter replied at this point of time, the City procures its bonds through its annual property and casualty insurance renewal. The example language does not necessarily reflect what the City currently does.

Commissioner Brillhart asked for a recommendation from staff on revised language that does reflect the process followed by the City.

Mr. Tienter answered the City does generally follow the process that is included in the official bonds. In looking through minutes, Mr. Tienter has not found language that says the bonds were approved by the Council. The changes to Chapter 6, assuming the Council approves them, would now cause all the City's insurance renewals to be approved by the Council, if they meet the cost threshold. Generally, the language in official bonds is consistent across city charters. The language that is highlighted is somewhat different than the Fridley City Charter.

Commissioner Brillhart confirmed that the bonds will be approved by Council once the changes to Section six are approved.

Mr. Tienter confirmed. The value of the City's municipal insurance contract exceeds \$175,000 at present. If it goes down, then the insurance contract could dip below \$175,000, and the City Manager would then approve it administratively. Currently, the City's renewal is about \$190,000 per year. It does fluctuate based on claims.

Vice Chair Soule confirmed the request is to have staff look at section 12.05 and report back with suggestions on what the current process is, then the Commission will work on the wording.

Commissioner Reynolds wishes to know how staff currently do things.

Mr. Tienter answered the City goes through an annual property and casualty insurance renewal process. Included in that renewal are the official bonds. If the City renews, which it will and does every year, those renewals are signed by the City Manager because the budget already appropriates the money necessary to support the contract related to the insurance renewals.

Commissioner Rick Nelson confirmed that is a line item in the budget, so the Council has in essence already approved the renewal.

Mr. Tienter agreed and added clarification that insurance renewals are many different line items in the budget. Each department has a line item, and each roll up into the full budget.

Commissioner Rick Nelson asked if the City Clerk provides a report to Council on the bonds that have been issued, or what employees have been bonded.

Mr. Tienter answered no, there is no official report that is sent to the Council. It is possible the City Manager relays some of that information to the Council through his weekly report, but he was unsure.

Commissioner Rick Nelson thought that documentation would be beneficial for the Council's sake.

Mr. Tienter added if the Commission would like staff to draft language it could be prepared for the March meeting.

Commissioner Granroos MOVED and Commissioner Brillhart seconded a motion for staff to prepare a report of all bonded employees including their amount of coverage per division. In addition, draft new language of Section 12.05 which reflects the bonding process the City currently follows.

Commissioner Rick Nelson asked Councilmember-at-Large Ostwald if he felt a report of bonded employees and amounts would be beneficial. Councilmember-at-Large Ostwald agreed it was pertinent information for Council to have.

UPON A VOICE VOTE, ALL VOTING AYE, VICE CHAIR SOULE DECLARED THE MOTION CARRIED.

The Commission agreed to suspend the rest of the discussion of Chapter 12 until the March meeting, continuing on at Section 12.06.

## **NEW BUSINESS**

### **FUTURE MEETING TOPICS/COMMUNICATIONS**

Vice Chair Soule suggested a continuation of Chapter 12, with a revisit to section 12.04 and 12.05, and moving on to 12.06 and to continue working through that chapter.

Vice Chair Soule reminded the Commission that in March, the group will meet on March 9, 2020.

Commissioner Reynolds asked Mr. Tienter about the language in Chapter 2 and Chapter 4 and where staff is at with those.

Mr. Tienter informed the Commission he has sent a note to the new City Attorney and has not heard back yet. Mr. Biggerstaff is swamped now because during the transition, the City held off on some legal work.

Commissioner Reynolds asserted the Charter Commission should have its own attorney, per state statute. Council approval is required, but state statute allows for up to \$10,000 for legal representation.

Vice Chair Soule asked if that is a topic for a future meeting.

Commissioner Reynolds wishes to discuss the topic at a future meeting.

**ADJOURNMENT:**

Commissioner Brillhart MOVED and Commissioner Reiland seconded a motion to adjourn the meeting.

UPON A VOICE VOTE, ALL VOTING AYE, VICE CHAIR SOULE DECLARED THE MOTION CARRIED AND THE MEETING WAS ADJOURNED AT 8:22 P.M.

Respectfully submitted,

Melissa Moore  
Administrative Services Coordinator/Deputy City Clerk/Staff Liaison

Commissioner Bruce Nelson, Secretary