

MINUTES
WEST ST. PAUL CHARTER COMMISSION
Tuesday, January 26, 2021
5:30 P.M.
MUNICIPAL CENTER
COUNCIL CHAMBERS

AND
WEB-EX DUE TO COVID-19 PANDEMIC LOCAL EMERGENCY DECLARATION

MEMBERS PRESENT IN COUNCIL CHAMBERS:

Chair Aaron VanMoorlehem, Commissioners Mark Tessmer, Doug Fromm, Jim Probst, Tim Haubrich, Kimetha Johnson, Jim McKie

MEMBERS PRESENT VIA WEB-EX:

Matthew Schempp, Karen Vavreck, (Commissioner Friesen joined the meeting at 6:40)

MEMBERS ABSENT: Tim Valento

OTHERS PRESENT IN COUNCIL CHAMBERS:

City Attorney Kori Land, City Manager Ryan Schroeder, Councilmember Liaison Eng-Sarne.

1. CALL TO ORDER

Chair VanMoorlehem called the meeting to order at 6:30 p.m.

2. ROLL CALL

3. ADOPT AGENDA

Motion by Schempp/Haubrich to adopt the agenda. Motion passed 9-0.

4. ADOPT MINUTES

Motion by Probst/Tessmer to approve the minutes. Motion passed 9-0.

5. NEW BUSINESS

A. Charter Amendment Increasing the Number of Members

Attorney Land outlined her memo. Commissioners Haubrich and McKie offered their opinions about keeping the membership at 11 members. Commission Fromm explained the historical

perspective that the reduction of the members was based on the inability to fill the seats. He sees an opportunity to fill additional seats with women and to educate more people about the Charter. He noted that the Commissions top 3 choices were women. Commissioner Schempp supports adding more people because there are significant issues that will need to be addressed, such as redistricting. Commissioner Vavreck also supports expanding because it will engage more people. Commissioner Johnson agrees.

Commissioner Probst said that historically when the Commission was larger, there was a harder time to fill the seats so while the trend now is that there might be a significant interest, he is concerned that the interest may wane. He would like to wait a couple of years to see how it develops. Commissioner Tessmer expressed his history on the Charter and how it used to be difficult to get people to apply, however, this round he saw the interest of quality applicants and would support 13 but not 15. He said 13 is a manageable number.

Commissioner McKie is confused as to the need for an increase. He does not see any major change on the horizon, so if the goal is to increase the membership because there is a need for a significant number of changes to the Charter itself, then the Commission should first address what changes are needed before the membership is increased.

Commissioner Vavreck said the reason to increase the membership is to give an opportunity for different views and perspectives. People want to get active and engaged. Commissioner McKie embraces bringing voices forward and allowing people to get engaged but stated it does not have to include increasing the members on the Charter Commission because there are plenty of other opportunities for people to be heard through Council meetings and social media.

Commissioner Probst wanted to know the exact process for approval. Attorney Land outlined the process. Chair VanMoorlehem offered his perspective and history that he applied because there were no other applicants at the time.

Motion by Johnson/Probst to recommend the Council adopt the Charter Amendment to increase the membership from 11 to 13. 7-2 (Haubrich, McKie voted no)

B. Charter Amendment Regarding Mayor's Vote

Attorney Land outlined the two proposed options of allowing a new exception of voting in the case of a limited circumstance when there are 3 affirmative votes, but the vote would fail because there is no fourth vote. The first option added the ability of the Mayor to vote in the above-mentioned scenario. The second option gave the Mayor the right to vote on everything but removed the veto power. Commissioner Tessmer liked the first option. Commissioner Fromm concurred. They both agreed that the second option of having the Mayor vote on everything but removing the veto would likely not get a 7-0 vote at the Council.

Motion Probst/Schempp to recommend approval of the first option. 9-0

C. Charter Amendment to Address Conflicts of Interest

Attorney Land outlined the proposal to clarify that in a conflict of interest scenario, the members on the Council is reduced for that vote. She indicated that the suggested language was used by the City of Minnetonka in its Charter. The Charter Commission supported the clarification language.

Motion by Johnson/Fromm to recommend the amendment to Section 3.04.

D. Discussion on City Manager Form of Government

Attorney Land outlined the City Manager form of government. There was a healthy discussion on the form of government. Good questions were asked about the City Manager's powers duties as well as interference by the Council and whether or not there should be more community involvement in the hiring of the police chief. Attorney Land said that the Council cannot direct the appointment of any employee Chair VanMoorlehem asked what was wrong with the police chief hiring process. Commissioner Johnson offered that people of color were not given an opportunity to provide community input. Commissioner Friesen said that while general information was requested, not a lot of people provided input so there was not the transparency that was intended. Chair VanMoorlehem summarized what the Charter Commission can and cannot do and stated that this discussion does not really require a Charter change. He suggested letting the idea rest for now. Commissioners Haubrich said he did not believe there would be a unanimous decision of the Council to change the form of government. Commissioner Vavreck said she did participate in the community process for the hiring of the Police Chief but felt that it was not completely fulfilling. Councilmember Eng-Sarne mentioned that the Police Chief has expressed his intention to hold community forums and be more interactive with the community. The general consensus of the Commission was not to make any changes to the Charter regarding this topic.

E. Discuss Charter Section V Regarding Initiative and Referendum

Attorney Land summarized her memo on the Initiative and Referendum process that was in the Charter and clarified that while it differs from State law on the percentage of votes required, the Charter provision does not have the same result as State law. The Charter allows an initiative or referendum to go to the Council before it would go to a ballot question. State law requires it to go directly to the ballot, costing extra time and expense. There were general questions from the Commissioners. The item was informational only.

F. Discussion on Charter Commission Orientation

It was decided that the Charter Commission orientation should be scheduled for Feb. 23, 2021 at 5:30.

6. OLD BUSINESS - NONE

7. SET NEXT MEETING DATE

It was decided that the next Charter Commission meeting should be on Sept. 14, 2021 at 5:30. Items for the agenda would be the appointment of new members (if applicable), Bylaws amendment (if applicable), redistricting and election of officers.

8. ADJOURNMENT

Motion to adjourn by Johnson/McKie. The meeting was adjourned at 7:22.

DRAFT