Subject: Final Reading - Charter Commission Recommendations

Meeting Date: March 28, 2022
Submitted/Presented by/Department: Nate Burkett, City Manager

Action Type

☐ Consent Item    ☐ Discussion/Direction
☒ Public Hearing   ☐ Informational Only
☒ Action/Motion    ☐ Report
☐ Resolution      ☐ Other:

Action

Approve the final reading of the following ordinances, these may all be passed with one motion:

Approve the final reading of an Ordinance Amending Charter Section 6.05 which amends the City Manager's spending authority for budgeted items.

Approve the final reading of an Ordinance Amending Charter Section 6.06 which aligns the Charter requirements for public bidding with MN Statute 471.345.

Approve the final reading of an Ordinance Amending Charter Section 7.09 which modifies the procedure for the payment of claims for goods and services purchased by the City.

Background

These ordinances must be approved by unanimous vote of the City Council.

The Charter Commission met on February 24, 2022 and discussed several sections of the City Charter that could be amended. The Council discussed these same Charter amendments at its January 10, 2022 meeting and was in support of all of the amendments. It should be noted that after some research, it was discovered that correct version of Section 3.07 was not reflected in the published version of the Charter. Section 3.07 actually reads:

- Sec. 3.07.
  Procedure on Resolutions. Every resolution shall be presented in writing before a vote is taken thereon, unless the written requirement is dispensed with by unanimous consent.

A prior version of this Charter section stated that resolutions had to be read aloud. Since the actual language simply requires that resolutions be in writing, no changes are needed.

- Section 6.05
  This Section limits the City Manager’s spending to $25,000. Anything beyond that amount requires Council approval and the Mayor/Manager signature. Recognizing that the City
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Manager cannot spend any funds outside of the City’s authorized budget, the Council previously supported increasing the spending limit to $50,000.

- **Section 6.06**
  This section requires the City to bid all contracts for supplies, materials and equipment for any contract that will be more than $50,000. Minn. Stat. §471.345 has a threshold of $175,000 before public bidding is required. The Council supported increasing the bidding threshold to $175,000.

- **Section 7.09**
  This Section requires prior Council approval before any bills can be paid. While the City is obligated to pay all bills within 30 days, there are times that invoices must be paid in order to receive certain goods and services but prior to a Council meeting. The Council supported adding flexibility for the City Manager to pay claims in advance of a Council meeting if necessary, which can then be ratified by the Council.

**Attachments**
- Ordinance Amending Charter Section 6.05 (redline)
- Ordinance Amending Charter Section 6.06 (redline)
- Ordinance Amending Charter Section 7.09 (redline)

**Previous Relevant Actions**
- January 10, 2022 OCWS Discussion
- March 14, 2022 First Reading and Approval

**Alternatives**

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