

Unapproved Minutes  
Home Rule Charter Committee  
Monday June 22, 2020 at 6:00 p.m.

The regular meeting of the City's Home Rule Charter Committee was called to order via remote video conference on June 22, 2020 at 6:01 p.m.

1) Roll Call

- a) Present: Michael Card, AJ Franken, Stacy Larson, Travis Letellier, Matt Fairholm
- b) Absent: Steve Ward
- c) Staff Present: John Prescott (City Manager), James Purdy (Assistant City Manager)

2) Approval of the Minutes

- a) Fairholm motioned to approve the minutes for the June 8 meeting, seconded by Larson, motion carried 5-0.

3) Adoption of Agenda

Moved by Fairholm to adopt the agenda as printed, seconded by Larson. Motion carried 5-0.

4) Visitors to be Heard

No comments given.

5) Old Business

A. Items missing from our draft charter as compared with other home rule communities

(1) A scheduled, systematic Charter review process or leave as is (citizen initiative, Council creates charter review committee by ordinance)?

- The committee discussed this was not needed; issues will arise organically and the Charter specifies the process for how Charter amendments may be undertaken

(2) Create or authorize the Council to create a board of ethics, or take no action on this matter?

- The committee discussed this and decided it was not needed; the State has established conflict of interest and other guidelines that most municipalities have adopted

(3) Include a provision authorizing the Council to require campaign contribution disclosures, or leave state election law to govern (current situation)?

- The committee discussed this and decided it was not needed; implementing this would require us to develop a mechanism to record and categorize all campaign contributions; there would be little efficiency to be gained from this

(4) Contain provisions for a redistricting committee, council sets election wards, or create a redistricting committee to do by ordinance?

- The committee discussed this at length, and ultimately decided this was not needed; historically the Council will direct City Staff to come up with a plan, and the general principles are approved through ordinance; Committee is urging City Council to adopt an ordinance for re-apportionment of wards (that are both contiguous and of approximately equal size) every ten years following the census or as circumstances dictate

(5) Does Article VII appropriately handle requests from Mayor and council members for civil rights protections?

- The committee approved deleting the word "gender" and replacing with the word "sex" in Section 7.02(a)(1)

B. How should we handle references to statutes that may be amended by subsequent legislatures?

- The committee decided to include a sentence in Section 9.03 which clarifies "References to specific State law refer to how they exist at the time of adoption of this Charter or may hereafter be amended or superseded."

C. Do we by citing a statute, agree to be limited by that statute? The general rule for Home Rule is that whatever is not prohibited or required to implement something that is prohibited by the federal constitution and statutes, administrative rules, and state constitution, laws, and administrative rules as minimal standards? The committee discussed this item, but no changes were made to the document.

D. Home rule allows the Charter to enact more stringent standards than are present in state statute, because statutes only establish minimum standards. So, are there areas where we believe the Charter should authorize the Council to go above and beyond state statutes? The committee discussed this item, but no changes were made to the document.

The Committee edited Section 2.13(b): Codification to clarify the definition of "ordinances" as well as specifying that resolutions are not required to be codified.

The committee also discussed the preamble, and whether or not to amend it. Discussion followed Motion by Fairholm to proceed with the preamble as is, seconded by Franken. Vote was Y-Franken, Y-Larson, Y-Fairholm, N-Card, N-Letellier; Approved

Motion to Approve this draft Charter and deliver this draft to City Attorney for review prior to City Council Noon meeting on July 6: Moved by Matt; Second by Travis; Approved

6) New Business

A. Public Listening Sessions

- Committee asked City Staff to tentatively schedule two public zoom meetings for input: one during the week of July 06 and one during the week of July 13

B. Discussion of next steps and timeline

- The City Attorney will review draft Charter and Committee re-groups if needed
- Committee will present at the Noon City Council Meeting on Monday, July 06
- City Council will discuss draft Charter at evening meeting on Monday, July 6; added as part of City Manager's report and link posted to City's website
- Two public zoom meetings will be held (the Week of July 6 and the Week of July 13)
- The City Council will vote whether or not to place the Home Rule Charter on the General ballot during the July 20 evening meeting

7) Adjourn

- a) Moved by Franken to adjourn, seconded by Fairholm. Meeting adjourned at 7:50 p.m.