

## UNAPPROVED MEETING MINUTES

### AFTON CHARTER COMMISSION

SEPTEMBER 11, 2008

**PRESENT:** John Barclay, Tony Berg, Julianne Berg, Bonnie Blackley, Mike Frichol, Tom Giannetti, Daniel Oehlke, Carol Wiessner (7:15)

1. **CALL TO ORDER:** Vice Chair Tony Berg called the meeting to order at 7:00 PM
2. **ROLL CALL:** Tony Berg performed roll call.
3. **APPROVAL OF MINUTES:** Blackley moved to adopt the minutes with one change, which was changing “A. Berg” to “T. Berg” in the “Call to Order” for consistency with the rest of the minutes. The motion was seconded by \_\_\_\_\_? Motion passed.
4. **TREASURER’S REPORT:** There was no report.
5. **OLD BUSINESS:**
  - A) **Elect new secretary** No commission member in attendance was willing to take on the secretary role. Barclay moved to delay discussion and election of a new secretary until the next meeting. The motion was seconded by \_\_\_\_\_? Motion passed.
  - B) **Status of member resignations with Judge.** T. Berg reported that Judge Schurrer was no longer the Chief Judge for the Tenth Judicial District, as his term expired. The position of chief judge rotates to different judges in the district. The new chief is Timothy Bloomquist, and T. Berg had not been able to reach him before the meeting. T. Berg moved to delay this agenda item. Barclay seconded the motion. Motion passed.
  - C) **Final review of Subcommittee work:**
    - (1) **Taxation & Finances:** Section 8.09 had a typo; it should read “...of at least 1.5%”, not 5% as found in the draft. Section 8.10 also had a typo in the first sentence. Giannetti moved to approve this version as amended. T. Berg seconded the motion. Motion passed.
    - (2) **Bonds and Debt Limit:** Section (b) first sentence-- The words “may” and “its” were replaced and subsection (b) is amended to read “...resolution regarding bond issuance must be approved by a unanimous vote of all City Council members.” Barclay moved to approve as amended. T. Berg seconded the motion. Motion passed.
    - (3) **Adoption of Comp Plan--** This section was approved at the Aug. 28, 2008 meeting.
6. **New Business**
  - (A) **Web inquiries.** There were no new inquiries as of one week before the meeting.

**(B) Informal meeting with Mayor Welter.** Wiessner reported that she met with the mayor, informally, to discuss the following concerns of the Charter Commission :

League of MN Cities(LMC) review policy

Submitting Charter Commission info in the city's newsletter

Budget item for special election in 2009

Wiessner explained to Mayor Welter that LMC would not review Afton's Charter without the consent of the Afton City Council, as that was the LMC's policy (not state law). Wiessner stated that without the City's approval, it would be much more expensive to obtain a legal review. The mayor expressed her understanding that a \$750 legal review by the LMC would be more economical than hiring a private lawyer or law firm. It was her opinion that the LMC would be a more objective, impartial body to review a charter proposal than a private lawyer or law firm. She suggested we prepare a packet of information to present to the city council. Regarding the newsletter, she said anything submitted by the Charter Commission would likely not be welcome and would not get approval to go into the newsletter. Regarding the budget, she stated that the amount dedicated to the election in 2007 was \$6500 and that the amount for the 2008 election is \$7500.

Discussion: T.Berg noted that even November may be too soon to go to the city Council to ask for its approval for a LMC legal review. Blackley added that we may as well just wait until after this election as the composition of the council will change with three seats up for election. No action was taken.

**(C)Special Laws Section** T. Berg moved to delay discussion of this item until the next meeting. Barclay seconded. Motion passed.

**(D) Discuss Finish Date and Plan to Complete Charter** T.Berg stated he will be working on putting together a final complete version of the charter based on the subcommittee work for the commission's review at the next meeting, Oct. 23, 2008. Discussion continued as how best to facilitate this. T. Berg suggested sending out a completed draft version to all commission members and mailing a hard copy to those without email and then receiving comments back from members. Blackley believed this would be a violation of the Open Meeting Law and did not want to participate if this would result in a violation of the law. Wiessner agreed to review the Open Meeting Law and report back. To avoid any possible violation, it was agreed that a subcommittee consisting of 5 or fewer members—so as to avoid a quorum--could complete a review prior to the next meeting and thereby remain with the requirements of the Open Meeting Law.

T. Berg moved to form a Review Subcommittee. Seconded by Frichol. Motion passed.

Discussion continued as to who would like to be on the Review Subcommittee.

Barclay moved to appoint the following members to a Review Subcommittee: T. Berg, Wiessner, Frichol, McGinn and Farley. Seconded by Oehlke. Motion passed.

**(E) Form Presentation Subcommittee.** Giannetti moved to delay discussion of forming a presentation subcommittee until the next meeting. Seconded by Blackley. Motion passed.

## 7. Wrap –up

**(A)** Next meeting date. Thursday, Oct. 23, 2008

**(B)** Agenda for next meeting. Review complete draft charter proposal; re-visit Open Meeting law; Discuss status of new commission members.

**(C) Assignments.** T. Berg will compile subcommittee work and prepare a complete document for review. Review Subcommittee members will review document and send comments to T. Berg. Wiessner will report back on Open meeting Law.

**8. Adjourn** T. Berg moved to adjourn. Seconded by Giannetti. Motion passed. Meeting adjourned at 8:00 PM