

UNAPPROVED MINUTES
MEETING OF AFTON CHARTER COMMISSION
May 18, 2009
7:00 p.m.

Present: Mike Frichol, Rock Gjermo, Jon Kingstad, Kenn Kopitzke ; Kathleen McGinn (7:30); Carol Wiessner.

Absent: John Barclay, Tony Berg, Julianne Berg, Bonnie Blackley, Lynn Farley, Tom Giannetti, Debbie Nelson, Dan Oehlke.

Without a quorum present, a motion was made to conduct the meeting as a working subcommittee on revision. Approved unanimously.

Picked up review of Draft charter at section 8.01.

Replace draft section 8.01 with the following:

“The duties of the city administrator shall be the duties of a city manager. The City Council shall appoint a city administrator who shall be the chief administrative officer of the city. The city administrator shall be appointed in the manner provided by Minn. Stat. § 412.641 providing for the procedure for appointment of a city manager and shall exercise the powers described in section 8.02.”

Section 8.02: Strike “Subdivision 1” and renumber each succeeding subsections , i.e. “subdivision 2” as “subdivision 1”; “subdivision 3” to “subdivision 2” etc.

Subdivision 3: delete the second sentence: ”The council can exclude the city administrator from any meeting at which the city administrator’s removal is considered.”

Subdivision 5: add “preliminary” to second sentence to read: “The city administrator must prepare and transmit a preliminary annual budget to the council.”

Subdivision 6: Revised to read: “The city administrator must maintain the Code of Ordinances and recommend amendments to the Code, as necessary.”

Subdivision 7: Revised to read: “The city administrator shall performs all other duties that are required by this charter or by or ordinances or resolutions adopted by the council.”

Section 8.03: merge with/add to section 2.01 “Form of Government”.

Section 8.04: strike entirely.

Section 8.05 Execution of Instruments: renumber to section 8.03.

Section 8.06 Purchases and Contracts: Renumber to section 8.04.

Section 8.07: Hiring for Personal or Professional Services Purchases Contracts.

Jon Kingstad will report back with a proposal based upon statutes.

Section 9, Taxation and Finance.

Section 9.01: subdivision 2: change “may” in first sentence to “must” to read: “A resolution regarding bond issuance must be approved by a unanimous vote of all City Council members.”

Section 9.02: no change.

Section 9.03: no change.

Section 9.04: change as follows:

The City shall have, in addition to the powers by this Charter expressly or impliedly granted, all the powers to raise money by taxation pursuant to the laws of the State which are applicable to cities of the *fourth* class ~~of which it may be a member from time to time~~, provided that the amount of taxes levied against real and personal property within the City for general City purposes shall not exceed in dollars, a tax levy that is greater than the prior year tax levy increased by an inflationary index. Said inflationary index shall be that as defined by the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index for all Urban Consumers in the Minneapolis, St. Paul metropolitan area.

Section 9.05: Budget preparation: remove language but reserve for provision of assessments, to be adopted from Minnetonka charter:

“Section 8.01. Powers. The city may make any type of public improvement not prohibited by law and may levy special assessments to pay all or part of the costs that are of local character. Special assessments must be levied according to state law.

“Section 8.02. Current Services. The council may provide by ordinance that the cost of city services to streets, sidewalks or other public or private property may be assessed against the property served and collected in the same manner as special assessments.”

Section 9.06: OK

Section 9.07. Budget Adoption: change “city clerk” to “city administrator.”

Section 9.08. Budget Enforcement. OK.

Section 9.09. Special Election Fund. Second sentence revised to read: “This fund may only be used for Special Elections . ~~In response to the citizen initiative or Referendum process.~~”

Section 9.10. Budget Reserve. OK.

Section 9.11. Disbursements. OK.

Section 9.12. Funds. OK

Section 9.13. Accounts and Reports. Revised to change first sentence “may” to “shall”.

Chapter 10. Miscellany and Transitory Provisions.

All unchanged except sections 10.05, 10.06, 10.07, 10.08 and 10.09 all renumbered to 10.04, 10.05, 10.06, 10.07 and 10.08 respectively.

Discussion about adding provision section 3.09 to require unanimous approval to amend Comprehensive Plan or to require submission for referendum.

Meeting adjourned about 9:20 with next meeting scheduled for Monday, June 8, 2009 at 7:00 p.m.