



**OFFICIAL MINUTES
CHARTER COMMISSION MEETING
ST. LOUIS PARK, MINNESOTA
September 10, 2008
7:00 p.m. – Westwood Room City Hall**

1. Call to Order

Chair Fillbrandt called the meeting to order at 7:02 p.m.

2. Roll Call and Attendance

Members Present: JC Beckstrand, Gary Carlson, Lynne Carper, Jim de Lambert, Terry Dwyer, Brian Fiderlein, Steve Fillbrandt, Linda Jennings, Jim Kelly, Janice Loftus, Pat Skinner and Brittney Turner.

Members Absent: Ken Gothberg, Marilyn Hoeft and John Orenstein.

Others Present: Roger Knutson, City Attorney, Campbell Knuston, Marcia Honold, Management Assistant/Charter Commission Liaison and Lisa Songle, Recording Secretary.

2a. Requests for Excused Absences

Members Excused: Ken Gothberg and Marilyn Hoeft.

3. Approval of Minutes – May 14, 2008

Chair Fillbrandt inquired if anyone had any changes to the minutes of May 14, 2008.

It was moved by Commissioner Skinner, seconded by Commissioner Loftus to approve the minutes of May 14, 2008 as presented.

4. Old Business

4a. Charter Bylaws – Housekeeping Item

Chair Fillbrandt opened up the discussion on the Housekeeping Item related to the Charter Commission Bylaws and the reference to March 1 being the annual meeting at which the election of officers must take place. Ms. Honold discussed a proposed change under Sections 9b and 9e regarding that the election shall be conducted at the March meeting. It was recommended that the language be changed to read:

9. b. The election shall be conducted at the annual meeting. The annual meeting shall take place prior to March 31 of each year.”

e. The term of officers shall be one year and begin at the conclusion of the annual meeting.

This way if the Commission does not meet in March, terms stay in place. City Attorney Knutson confirmed that would be an acceptable revision but reiterated that nothing would happen if the Bylaws remained unchanged.

The Commission discussed concerned over which meeting would be determined as the annual meeting. City Attorney Knutson indicated that it would just have to be designated which meeting was the annual meeting. City Attorney Knutson stated that Bylaws are a directory designed to provide orderly operation.

It was moved by Commissioner Skinner, seconded by Dwyer to accept the recommended change to Section 9b of the St. Louis Park Charter Commission Bylaws to read as follows: "The election shall be conducted at the Annual Meeting with the terms of office remaining through the conclusion of the Annual Meeting." The motion passed unanimously.

4b. Tennesen Warnings – Charter List of Members

Chair Fillbrandt opened the discussion on Tennesen Warnings. Ms. Honold reminded the Commission of the Tennesen Warning and the position of staff not to make available personal information, only names. The reason for this discussion is that the Commission desired to put together a roster of Commissioners of the Charter Commission. Ms. Honold informed that Commission that if they complete the Private Data Release Form, a roster would be developed to be shared between the Commission members. Ms. Honold expressed that only the names of the Commission members and meeting dates are released to the public. Commissioners could release additional information to the public.

5. New Business

5a. Amendments to City of St. Louis Park Home Rule Charter

Chair Fillbrandt opened the discussion on potential amendments to the Home Rule Charter. Ms. Honold informed the commission that the City Council wanted the Charter Commission to discuss two changes to the City's Charter, Section 3.10 *Revisions and Codification of Ordinances* and Section 5.06 *Contracts – How Let?*

Currently Section 3.10 requires that the "ordinances of the City shall be revised, rearranged and codified at intervals of not more than 10 years." It is recommended by staff and the City Attorney to delete Section 3.10 due to the fact that city ordinances are continually maintained to keep our codes in order and accurate for our business needs.

City Attorney Knutson stated that there is no state law requiring recodification and recommended that the section be deleted. Ms. Honold stated that she discussed the deletion as well with the City Clerk who agreed that recodification is not required every ten years. The City Council agreed as well.

The Commission discussed the definition of recodification and it was stated that recodification means a page-by-page review with a professional codifier. The Commission discussed availability and access to the public. City Attorney Knutson informed the Commission that it was public information available both in paper and electronic formats, but state law requires a paper copy be kept on file with the City Clerk.

It was moved by Commissioner Kelly, seconded by Carper to amend by ordinance repeal Section 3.10 of the City Charter. The motion passed unanimously.

The Commission also discussed Section 5.06. Contracts—How Let which states that "City contracts must be made in compliance with law. When competitive bids are submitted the contract must be awarded to the lowest responsible bidder. The City Council may reject any and all bids. Commissioner Carlson updated the Commission on changes to state law relating to Best Value Contracting.

It was moved by Commissioner Skinner, seconded by Commissioner Fiderlein to revised Section 5.06. of the St. Louis Park City Charter to read as follows: "City contracts must be made in compliance with law. The City Council may reject any and all bids." The motion passed unanimously.

5b. Charter Commission Bylaws – Proposed Creation of Subcommittee

Chair Fillbrandt opened the discussion on the creation of a subcommittee to review the Bylaws of the Charter Commission and reminded the Commission that the Bylaws were reviewed and adopted on October 30, 2006.

Commission did not see enough difference to warrant change.

6. Future Meetings

Chair Fillbrandt recommends setting the next meeting of the Charter Commissioner for the 2nd Wednesday in March 2009, which is March 11, as its Annual Meeting. The Commission agreed to that date. The meeting would include the Election of Officers. Commissioner Fillbrandt expressed his pleasure in serving the Commission but indicated he was not interested in running for Chair again.

7. Communications

Ms. Honold informed the Commission that Chief Judge Wieland is no longer making appointments to the Commission and currently appointments and reappointments are on hold. She indicated she would inform those Commissioners with upcoming expiration dates of the new Judge who will be making the appointments when that information becomes available.

8. Adjournment

There being no further business to discuss, Chair Fillbrandt called for a motion to adjourn.

Motion by Carlson, seconded by Fiderlein to adjourn the meeting at 8:07 p.m. The motion passed unanimously.

Respectfully submitted by:
Lisa Songle, Recording Secretary