

Willmar Charter Commission  
Minutes of Meeting  
City Office Building  
Willmar, Minnesota

August 2, 2012

The Willmar Charter Commission was called to order by Chair Shawn Mueske. Members present were, Audrey Nelsen, Ron Andreen, Shawn Mueske, Laura Becker, Joe Thompson, and Richard Hogle. Robert Bonawitz, Richard Falk and John Sullivan were excused. Present 6 Absent 3. Also in attendance were Mayor Frank Yanish and City Clerk-Treasurer Kevin Halliday.

Commissioner Hogle moved to approve the minutes of June 21, 2012. Commissioner Thompson seconded the motion which carried.

Item 1 Chairman Mueske summarized recent developments noting, as the minutes reflect, he as Chairman was directed to go to the City Council with final recommendations from the Commission noting some members were in attendance. Pursuant to that meeting, the Chairman was directed to call a Commission meeting when the City Attorney rendered his opinion. Adequate numbers of Commission members were at the Council meeting knowing our next step was to call a meeting. The Attorney's opinion was submitted but the Chairman asked the members to refrain from selecting their choice of presenting amendments to the voters or the Council until the week of August 13-17, 2012, to allow more time for consideration and more members to attend.

Item 2 The Commission reviewed the City Attorney's letter with correlating statutes noting the requirement to publish any amendments presented to the voters twice as compared to a standard ordinance which requires a single publication. It was further noted each major amendment requires a preceding sentence detailing the proposed amendment, plus one general question for all grammatical changes.

Commissioner Mueske noted that the City Council was not incredibly enthusiastic with the Commission's inclusion of the Administrator and Attorney job descriptions and it may still be a stumbling block to a Council 8-0 vote if the option to return to them with another ordinance was chosen.

Commissioner Mueske questioned whether the City Charter can make reference to an ordinance such as listing the Administrator duties as "to enforce the City Charter and all duties listed in City Ordinance No. 989."

Commissioner Thompson opined that an amendment should be drafted in subd. 1, to take out all language of the listed duties and change it to read "The City Administrator shall perform such duties as the City Council directs by Ordinance" and that subd. 2, should read "The City Attorney(s) licensed in the State of Minnesota, shall perform such duties at the City Council directs by Ordinance".

Commissioner Nelsen voiced frustration with the constant moving agendas, noting that the discussion is centered on amending the last draft because of a few Council members' opinions when a vote of the Commission has already taken place on this issue.

Commissioner Mueske noted in his discussion with City Attorney Robert Scott, that the majority of Charter amendments are complete and he directed Mr. Scott to begin to write up ballot questions so that the Commission could possibly see a few of the questions at their next meeting.

City Clerk Halliday reported to the Commission, potential general election costs as informed by Mark Thompson, County Auditor, which were: free ballot costs if the proposed questions do not extend to another ballot sheet. The full cost of printing and programming a second ballot would be fully assessed to the City. Initial estimates for the required 13,000 ballots with M100 and Automark programming would be near \$10,000. Although the election process could cost just under \$20,000, Commissioner Becker reminded the Commission that the Council voted to support the Commission's work but not an absolute vote of a proposed ordinance amending that Charter.

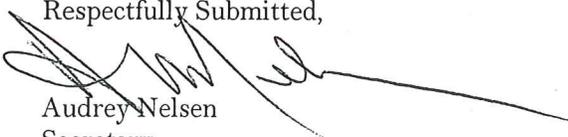
Following a full discussion of the options staff was directed to list in the minutes the options for amending the Charter with the proposed recommendations advanced by the Commission which are:

- 1) Submit to the voters at the November 6<sup>th</sup> general election all amendments, paying the publication costs once a week for two successive weeks in the official newspaper of the City and directing the City Attorney to conclude his drafts of ballot questions needed to comply with the statute requiring sufficient details to identify the amendment clearly and to distinguish the question from every other question on the ballot (an August 23, 2012 deadline); and
- 2) Submit another amending ordinance to the City Council, paying the publication costs once in the official newspaper of the City 7 days prior to the selected public hearing date (no timeframe limitations).

The Commission set the next meeting at 1:30 p.m. on August, 13, 2012.

Meeting was adjourned at 3:40 p.m.

Respectfully Submitted,



Audrey Nelsen  
Secretary

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