

Minneapolis Charter Commission Minutes

October 7, 2009 - 4:00 p.m.
Room 317 City Hall, Minneapolis, Minnesota

Commissioners Present: Bernstein (Chair), Clegg, Connell, Dolan, Ferrara, Kadwell, Lichty, Metge, Rubenstein, Stade
Commissioners Excused: Bujold, Jancik, Lazarus, Remme, Street

Also Present: Dana Banwer, Assistant City Attorney

1. Roll Call

Chair Bernstein called the meeting to order at 4:09 p.m. Roll call was taken.

2. Adopt Agenda

Clegg moved adoption of the agenda. Seconded.
Adopted upon a voice vote.
Absent - Bujold, Jancik, Lazarus, Remme, Street.

3. Approve minutes of regular meeting of August 5, 2009, and special meeting of August 26, 2009.

Lichty moved approval of the minutes of the regular meeting of August 5, 2009, and the special meeting of August 26, 2009. Seconded.
Adopted upon a voice vote.
Absent - Bujold, Jancik, Lazarus, Remme, Street.

Old Business

4. Proposed Charter Revision:

Discussion of working drafts developed by the City Council/Mayor's Office.

Dana Banwer, Assistant City Attorney, explained that the City Council had requested that a Charter Revision Workgroup be formed to review the proposed Charter Revision submitted by the Charter Commission to the City Council. Council Member Hodges led the workgroup, and meetings were held with representatives from the various departments affected by the proposed Charter amendments. The City Attorney's Office has been preparing memoranda discussing the proposed changes and comparing the current Charter with the proposed Charter Revision. The workgroup has begun presenting their findings to the Intergovernmental Relations (IGR) Committee and are scheduled to continue their presentations at future meetings. After that, the City Council will determine what action to take next, and a report will be prepared for the Charter Commission to consider.

Ferrara inquired if Brian Melendez would be willing to continue to work on the Charter Revision in the future since he had the most knowledge and experience.

Former Commissioner Brian Melendez was present and stated that he was willing to continue to work on the Revision depending upon the City Council's philosophy. If the Council eventually entertained a different project than what he had been working on for the past six years, he was not really interested in signing up for that. However, if they were interested in continuing this work to a better completion than the Commission had been able

to bring it, he was on board completely. He would continue to follow the progress of the workgroup and would be happy to be a resource for the City Council or the Charter Commission. He asked that he be contacted if his presence was requested at a future meeting.

Clegg noted that although the Commission certainly wanted to work with the City Council and would prefer that the Charter Revision be passed by a 13-0 vote, if a 13-0 vote is not achieved, it is eventually up to the Charter Commission to decide what to put on the ballot, not the City Council.

Rubenstein stated that as she read through the memoranda, a lot of suggestions were very interesting and helpful, but some seemed to suggest substantive changes. Down the road, the Commission may want to separate out substantive and non-substantive changes and make sure the process is appropriate and the changes are clear.

New Business

5. Possible Charter Changes for 2010 Ballot

Bernstein stated that there may be requests to move further on issues such as the continued independence of the Park Board and the form of city governance. A group may also approach the Commission seeking changes in the length of office of the Council Members and Mayor. He inquired if there was any interest from the Commissioners in working independently to look at proposing additional changes in 2010.

Metge stated that she would like to see what the City Council decided regarding the revision first.

Ferrara stated that although he agreed with Commissioner Metge, there will always be proposed additions and changes to the Charter. He felt it would be a good idea to create a framework for the public on how to deal with Charter changes. Perhaps form a committee to determine how best to deal with proposed Charter changes whether they come from a governmental body, the public, or an individual.

Bernstein explained that he was going in a little bit different direction. Last spring and into the summer, the Commission heard from a number of individuals who had been involved in city government who offered to participate further or be involved in some additional work to study some of the issues such as the continued independence of the Park Board, the form of city governance, and even the number of council members and the powers of the mayor. He wanted to sustain that momentum and take advantage of the offered assistance so the Commission wasn't later in a situation without enough information or without having studied the issues enough.

Clegg stated that while he thought it was a good idea, he didn't think the Commission had the necessary resources. For example, to obtain the kind of information that people were asking for regarding the Park Board would probably require a study to find out what other cities were doing, studying line item budgets of both the City and the Park Board to see what savings, if any, could be achieved, etc. That was not something that volunteer Commissioners could do on a Thursday night sometime. It would require dedicated staff.

He felt that was why the Commission supported the proposal by Council President Johnson and Park Board President Nordyke to conduct a more formal study.

Bernstein noted that no action had yet been taken by the City Council and the Park Board to form that committee and none seemed to be forthcoming. He agreed that the Commission would not be able to devote the necessary time, but they had heard from citizens who said they would be happy to work on these issues.

Rubenstein suggested waiting to follow up on the idea of the proposed study group until after the election. She also inquired as to the Charter Commission's role in the redistricting process following the 2010 census.

Bernstein stated that the Charter Commission appointed the Redistricting Committee, but did not sit on the Committee.

Dolan stated that she hoped the matters of governance and the matters of the rewording of the Charter would be kept separate so as not to muddy the waters with highly political proposals.

Bernstein stated that if the proposed Charter Revision is not adopted by a 13-0 vote, the Charter Commission will have to make a decision whether to place the question on the ballot in 2010. That may be the only Charter question that should be placed on the ballot.

Connell stated that he would be interested in obtaining a reading list related to the governance issues.

Stade volunteered to work on compiling such a reading list.

Metge stated that she agreed with the idea of keeping the momentum going. Those who began the work of the Charter Revision and looking at non-substantial changes as a form of amending the Charter had stated then that they wanted to look at substantial changes in the future. This year the Commission ended up looking at both types of Charter changes. In 2010, she wanted to see all the work that the Charter Commission had done go somewhere, and if there are further Charter changes, she would like to pull from the archives the process the Commission put in place for the nonsubstantial changes because it was quite in depth and described identifying what the issues were, researching the issues, having public forums, setting up work groups, etc. If there are three or four different Charter amendments brewing, look at how to put that kind of holistic process in place as a work plan for 2010.

Clegg stated that in the past it had been mentioned that there was a significant expense incurred by the City due to the statutory requirement that the amendments be published in a financial newspaper. At the time, the Commission had discussed seeing if they could receive an exemption that would basically amend the State Statute to eliminate the publication requirement if the amendment was on the internet, available at libraries, etc. to save money and make it more palatable to council members who might object to spending money for that purpose. Clegg volunteered to investigate whether publication was still required and if so, to see if they could get a bill for the 2010 session.

Clegg moved to adjourn. Seconded.
Adopted upon a voice vote.

Absent - Bujold, Jancik, Lazarus, Remme, Street.

The meeting was adjourned at 4:57 p.m.

Peggy Menshek
Council Committee Coordinator