

**CHARTER COMMISSION
CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA**

The Charter Commission conducted a regular meeting on Thursday, May 19, 2011, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: 2010 Chair/Commissioner Ben Deemer
 2011 Chair/Commissioner Joseph Field
 Commissioner Susan E. Anderson
 Commissioner Jim Bendtsen
 Commissioner Glorya Kackman
 Commissioner Harry Niska
 Commissioner Cindy Sherman

Members Absent: Commissioner Marilyn (Moe) Shea
 Vacancy

Also Present: City Administrator Kurtis G. Ulrich
 City Attorney William Goodrich
 Resident Pat Surma to present information

CALL TO ORDER

Chairperson Deemer called the regular meeting of the Charter Commission to order at 6:39 p.m.

CITIZEN INPUT

None.

APPROVE MINUTES

Motion by Commissioner Niska and seconded by Commissioner Sherman to approve the meeting minutes, dated May 5, 2010, following changing Councilmember Niska to Commissioner Niska on page 6.

Motion carried. All present voted in favor. Absent: Commissioner Shea.

APPROVE AGENDA

Consensus was to approve the agenda as presented.

COMMISSION BUSINESS

Case #1: Elect Chair and Vice Chair for 2011

Motion by Commissioner Niska, seconded by Commissioner Bendtsen to nominate/elect Commissioner Joe Field to the position of Chair for 2011.

Motion carried. All present voted in favor. Absent: Commissioner Shea.

Motion by Commissioner Anderson, seconded by Commissioner Deemer to nominate/elect Commissioner Cindy Sherman to the position of Vice Chair for 2011.

Motion carried. All present voted in favor. Absent: Commissioner Shea.

Case #2: Introduce New Charter Commission Member and Update Commission on Status of Vacancies

City Clerk Thieling introduced the new Charter Commissioner – Jim Bendtsen who replaced Frank Frederick to a term to expire December 31, 2012. Mr. Frederick resigned because he moved out of the City. She noted that Mr. Niska was reappointed to a term to expire on December 31, 2014 and that due to Terri Cleveland's resignation, the City is continuing to recruit candidates to fill that position. Mrs. Thieling reported on the term expirations of each of the Commissioners.

Case #3: Consider Resident Recommendations for Charter Amendments

City Clerk Thieling noted that Mr. Patrick Surma had dropped off some information to City staff relating to a possible preamble for the City's Charter. That information was included in the Commission's agenda for this evening. Mr. Surma was invited to attend the Charter Commission meeting to talk about his suggestions.

Mr. Surma thanked the Commission for this opportunity and read the preamble he drafted.

Chairperson Field expressed appreciation to Mr. Surma for stepping forward and inquired what motivated him to do this.

Mr. Surma expressed concern about the current Council trying to "throw" Councilmember Jeffrey off the Council. He added that he also believes that things should be written at an eighth grade level so all who read it are able to understand it.

Chair Field thanked Mr. Surma for his input. He inquired if we had a task force in the future to look at a more "friendly" Charter, would Mr. Surma consider sitting on that task force to which Mr. Surma replied he would consider that.

Commissioner Deemer stated that adding a preamble would have to be voted on by the residents. The Charter Commission could discuss further and if they desire, it could be placed on a ballot in the future.

Upon request by Commissioner Sherman, City Attorney Goodrich reviewed the options for Charter amendments.

Mr. Surma offered that another reason he wrote this preamble is that most people do not know where their rights come from and this is a subtle way of educating the public as to who they are and how they fit. He stated he has been in Ramsey for nine years and this is the first time he has had a sense of community.

Chair Field stated he is all for pioneering efforts but added that he is aware that you have to have legalese with regard to definitions.

Mr. Surma stated that he is not against all legalese but the Charter should be put into an article style format.

Commissioner Bendtsen remarked that all these things mean something to Mr. Surma but they do not mean anything to him yet, noting that he was not sure what the highlighting or the notes meant.

Mr. Surma responded that the notes were really for his own use and referred to the vagueness of how it was written.

Commissioner Sherman commented that the Charter process was a citizen based process and over time, many amendments were driven by the citizens.

City Administrator Ulrich stated that one specific section was 2.5, which deals with the vacancy of, for example, Councilmember Jeffrey – a Councilmember serving a ward and moving out of the ward. He agreed that the Charter language could be more clearly written.

Mr. Goodrich commented that the main reason determination of residency is not “black and white” is due to state statute definitions – and we really cannot write a precise definition because of the Statute.

Commissioner Niska agreed it is an issue and not one we can really fix. Section 2.5 is talking about non-residence in the City. We could look into the history and get a more definitive answer. This no-residence was written before wards were established so he felt that 2.5 should include non-residence in the ward in which you are elected to. He hoped we could get away from the discussion about Mr. Jeffrey and make it more for the future.

Mr. Surma commented that this probably was written prior to the wards but at the time, he wrote the preamble, the City Council was trying to “kick Mr. Jeffrey out of his seat”. The only time the Council should get involved is for a malfeasance.

Commissioner Deemer observed that we have spent a lot of time correcting our Charter language to coincide with wards.

Mr. Surma felt that he was more asking the Charter Commission to amend the Charter to an article format, not really to change the wording.

Case #4: Approve Summary Letter to the Judge

City Clerk Thieling read the letter to the Judge summarizing the Charter's activities for 2010.

Motion by Commissioner Sherman, seconded by Commissioner Niska to approve the year-end summary letter to Chief Judge Bloomquist and direct staff to submit it on behalf of the Charter Commission.

Motion carried. All present voted in favor. Absent: Commissioner Shea.

COMMISSION INPUT

1. Schedule Future Meeting Date(s)/Topic(s)

Commissioner Deemer stated he would like to look at Section 2.5 and discuss if we need to make modifications.

Commissioner Bendtsen stated he would like to look at amending Sections 2.3 through 2.5.

Commissioner Niska stated that 2.3.1 is defining – 2.5 is the mechanism for removing people.

Commissioner Deemer mentioned ward boundary changes.

Commissioner Sherman asked if we should have an agenda item at the next meeting to talk about responding to the suggestions by Mr. Surma.

It was stated that staff could send a notice to Mr. Surma when we are meeting to look at the Sections 2.3 through 2.5.

City Attorney Goodrich suggested maybe looking at 4.5 together with 2.3 and 2.5.

Commissioner Sherman stated that she works for the City of Brooklyn Park and they just went through a special election for Mayor – three people ran. She suggested the Charter should talk about requiring a primary for the special election.

Mr. Goodrich talked about the 120-day scenario. Upon request, he explained the special election process to fill Councilmember Jeffrey's seat. He also talked about the 90-days for a special election.

Consensus of the Charter Commission was to let Mr. Surma know when the Commission will be discussing the Charter format.

Motion by Commissioner Deemer, seconded by Commission Kackman to schedule the next Charter Commission meeting for 6:30 pm., on Thursday, October 20.

Motion carried. All present voted in favor. Absent: Commissioner Shea.

ADJOURNMENT

Motion by Commissioner Bendtsen, seconded by Commissioner Sherman to adjourn the meeting.

Motion carried. All present voted in favor. Absent: Commissioner Shea.

The regular meeting of the Charter Commission adjourned at 7:55 p.m.

Respectfully submitted,

Jo Ann M. Thieling, CMC
City Clerk

William K. Goodrich
City Attorney

Minutes drafted by Jo Thieling, City Clerk