



City of Northfield

Meeting Minutes - Final

Charter Commission

City Hall
801 Washington Street
Northfield, MN 55057
northfieldmn.gov

Thursday, September 12, 2024

6:00 PM

Council Chambers

6:00 PM - REGULAR AGENDA CALL TO ORDER AND ROLL CALL

The meeting was called to order at 5:58PM.

Also Present: Meetings Associate Edward Malnar, City Administrator Ben Martig

Present: 7 - Commissioner Scott Jensen, Commissioner C C Linstroth, Commissioner Jack Hoschouer, Commissioner James Prichard, Commissioner Scott Oney, Lance Heisler and Commissioner Amy Gernon

APPROVAL OF AGENDA

1. 24-550 Approval of September 12, 2024 Meeting Agenda.

A motion was made by Commissioner Linstroth seconded by Commissioner Prichard to approve the agenda. The motion carried by the following vote:

Yes: 7 - Commissioner Jensen, Commissioner Linstroth, Commissioner Hoschouer, Commissioner Prichard, Commissioner Oney, Chair Heisler and Commissioner Gernon

Enactment No: M2024-139

APPROVAL OF MINUTES

2. 24-551 Approval of July 11, 2024 Meeting Minutes.

A motion was made by Commissioner Jensen, seconded by Commissioner Linstroth, to approve the July 11 meeting minutes. The motion carried by the following vote:

Yes: 7 - Commissioner Jensen, Commissioner Linstroth, Commissioner Hoschouer, Commissioner Prichard, Commissioner Oney, Chair Heisler and Commissioner Gernon

Enactment No: M2024-140

COMMISSION ABSENCES

3. 24-552 Excuse meeting absences.

OPEN PUBLIC COMMENT

No members of the public were present. (Commissioner Oney said that the Commission is operating in "darkness" as the issue of Charter section 3.5 is being worked by a subcommittee.)

OLD BUSINESS**4. 24-553****Committee Report on Charter Section 3.5.**

Commissioner Prichard said that the issue has been "challenging to an unexpected degree." He presented a chart to attempt to clarify various situations which could arise in cases of Council vacancies in relation to election schedules. These have different relevancies regarding the statute.

Prichard continued by explaining the subcommittee's attempt to compare the Northfield situation to the statute as a "framework to follow." Using the text of the statute, he added footnotes showing where the statute applies to Northfield and identified portions of the statute that do not apply to us.

Regarding the issue of special elections, he distinguished them from elections to fill a vacancy held at the same time as a normally scheduled election.

He suggested that, before going to meet with the Council we should have a working session with the entire Commission to clarify issues and solicit any additional input/ideas from Commission members.

Chairman Heisler commented that before we meet as a plenum, we should identify the concerns. One concern is special elections; another is how long an appointment period should be before a special election would be called. Should there be a provision as to whether an appointed person should be allowed to run? He suggested that we make a chart which depicts as many possibilities as we can identify/imagine to work with when we discuss the issue in the Commission.

The question(s) that must be addressed are what to do if a vacancy occurs in January, June or November: does it require a special election?

Linstroth asked whether other charter cities have addressed this problem. Gernon said that several other cities have been asked and there is no consensus or perfect solution that we could copy. The two points are to define when there should be a special election and define when it is really special, i.e. occurring outside the normal election, and to ensure that if a vacancy occurs after the filing period the persons who have filed should be on the ballot regardless.

Prichard said that a poll of other cities would probably result in as many ambiguities as we are now facing and the statute itself is ambiguous in several places. He said that the Council should be given some flexibility, for there may be situations where a special election

is not the solution that the Council wants and should not be required.

Jensen asked if it makes sense to move away from the statute as a guide since it is vague in important areas. Prichard said that the hope was to use the statute to make the situation clearer. When we do our own drafting, we are creating many new possibilities at could go awry.

Jensen said that he likes the idea of getting a white board or chart that shows the contingencies and addressing/explaining them.

Chairman Heisler noted that it might still be possible that we cannot arrive at a solution after everything that is considered. We should have a meeting to figure it out.

5. 24-554**Review and Approval of 13.01 Charter Commission Administrative Process Policy.**

At the July meeting Linstroth had questioned why the Commission Chairperson had to work together so many times since the Commission is appointed separately from the mayor-council procedure for other situations. Several paragraphs specify that the mayor will prepare letters of appreciation to Commission members leaving office. As the purpose of the Commission's being appointed by the county judge is to distance it from

the city government the mayor should not be involved in the appointment process. Linstroth referred to Section 2.3 of the Charter which does not mention the mayor having any role in the application process.

Prichard said that he has not problem with the way the section is written as it seems to make the mayor's position more like a figurehead without authority in the application process.

Jensen said that the Charter should exclude the mayor from having any role/ influence as that could possibly lead to the mayor contacting the judge to influence the appointment decision.

Hoschouer said that he would have no problem with informing the mayor of who the applicants are as long as there is a caveat that it is for information only.

Heisler said that if the mayor were to know who the candidates are, the temptation to contact the judge with comments would exist. Keeping the mayor out of the process prevents any real or assumed interference with the appointment process.

Gernon suggested that we have a final draft before we vote on the topic. Heisler said that he would redraft the section before the next meeting.

Prichard asked what information the judge gets before deciding whom to appoint. Heisler said that, based on his experience the judge only has the information that applicants supply in their application form where the person would be expected to make the best possible case for themselves.

Prichard's motion is tabled until the next meeting.

NEW BUSINESS

ADJOURNMENT

A motion was made by Commissioner Hoschouer, seconded by Commissioner Prichard, to adjourn the meeting at 7:00PM. The motion carried by the following vote:

Yes: 7 - Commissioner Jensen, Commissioner Linstroth, Commissioner Hoschouer, Commissioner Prichard, Commissioner Oney, Chair Heisler and Commissioner Gernon