



City of Northfield

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

Meeting Minutes - Final Charter Commission

Thursday, May 11, 2023

6:00 PM

Council Chambers

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

Chairman Heisler called the meeting to order at 5:59 p.m.

Also present: Meetings Associate Edward Malnar, David Ludescher

A motion was made by Commissioner Prichard, seconded by Commissioner Jensen to excuse the absence of Commission Linstroth. The motion carried by the following vote:

Yes: 6 - Commissioner Jensen, Commissioner Hoschouer, Commissioner Prichard, Commissioner Oney, Chair Heisler and Commissioner Gernon

APPROVAL OF AGENDA

1. [23-1140](#) Approval of May 11, 2023 Meeting Agenda.

Attachments: [05-11-23 Charter Commission Meeting Agenda](#)

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

Yes: 6 - Commissioner Jensen, Commissioner Hoschouer, Commissioner Prichard, Commissioner Oney, Chair Heisler and Commissioner Gernon

APPROVAL OF MINUTES

2. [23-1141](#) Approval of March 9, 2023 Charter Commission Meeting Minutes

Attachments: [03-09-23 Charter Commission Minutes](#)

A motion was made by Commissioner Jensen, seconded by Commissioner Gernon, to approve the March 9 meeting minutes. The motion carried by the following vote:

Yes: 6 - Commissioner Jensen, Commissioner Hoschouer, Commissioner Prichard, Commissioner Oney, Chair Heisler and Commissioner Gernon

CITIZEN COMMENT

Mr. David Ludescher accused Mayor Pownell of falsifying an official document by stating that she and other Council members had voted on a Charter Amendment issue before the City Council when they in fact had not. Mr. Ludescher said that he wants the Charter Commission to take action and that he would demand Mayor Pownell resign.

OLD BUSINESS

3. [23-1142](#) Resolution by Charter Commission on Procedure Recommended to City Council Regarding Action on Charter Provisions.

Attachments: [6.A Resolution by Charter Commission on Procedure Recommended to City Council Regarding Action on Charter Provisions](#)

Chair Heisler reported that the Council has changed procedure and will vote on charter amendments by roll call vote.

4. [23-1143](#) Remote Appearance at Charter Commission Meetings.

Attachments: [6.B Remote Appearance at Charter Commission Meetings](#)

Discussion of remote access to Commission meetings. City Administrator Martig stated at the 9 March meeting that providing remote access would be technically and manpower expensive but said he would look into the issue. Commissioner Oney suggested that Zoom could be a way to deal with the issue.

Commissioner Prichard questioned whether public comment on Zoom would meet the requirements for a public meeting. If a meeting must be in a public space, would a Zoom participation qualify?

Commissioner Oney questioned why/what role the City Administrator would play. Chairman Heisler said that he wants to be sure that all the legal and procedural bases are covered.

A motion was made by Commissioner Hoschouer, seconded by Commissioner Prichard, to direct City Administrator Martig to come back with specifics on what would/would not be required to implement remote participation without a lot of staff work and money. The motion carried by the following vote:

Yes: 5 - Commissioner Jensen, Commissioner Hoschouer, Commissioner Prichard, Chair Heisler and Commissioner Gernon

No: 1 - Commissioner Oney

5. [23-1144](#) Committee Report on Charter Section 3.5.

Attachments: [6.C Committee Report on Charter Section 3.5](#)

Commissioner Prichard reported on the Chapter 3.5 subcommittee's work to clarify what happens if a Council seat becomes open after the cutoff for registering for election. Current language is based off a ten-year-old statute and thus does not reflect the current situation. Intent is to align with the state's procedure for determining the cutoff date, and also, to ensure, as much as possible, that our Charter provisions are not in conflict with the statute. There is a statute that states that if there is a conflict, the Charter takes precedence. Third point is that under state law, it would be possible for an appointee to serve up to three years before having to stand for election. Commissioner Gernon added that a further goal is to ensure that Council positions retain their staggered terms. Chairman Heisler noted that Section 3.5 applies to the whole City Council, including the mayor. If the mayor's position becomes vacant that would leave the Council in a tie 3-3 vote for appointment of a new acting mayor. Commissioner Gernon noted that Section 3.9 provides for the Council choosing a president pro-tem from its members.

Summary of the question: If there is a vacancy before the filing date for election, the person appointed would serve until the election. If they want to continue on the Council, they would have to file and run for election in the normal manner. If there is a vacancy

after the filing date, the appointed person would serve the rest of that year and until the election in the following year.

The issue was added to the agenda for the next meeting to allow time for the provisions of section 3.9 to be studied for applicability.

6. [23-1145](#) Committee Report on Review of Charter Commission Policies.

Attachments: [6.D Committee Report on Review of Charter Commission Policies](#)

Review of Charter Commission policies. One issue is that of a liaison between the Commission and the Council. What are the liaison's responsibilities? This will be included in the review/update of Charter commission policies.

NEW BUSINESS

7. [23-1146](#) Charter Commission Conduct Policy.

A general resolution on January 14, 2021 states that Commissioners are expected to maintain a "respectful work environment." This is related to Commission Oney's comment at the last meeting that City Administrator Martig has not been honest in dealing with the Commission.

Commissioner Oney said that he stands by his comment. Heisler noted that the business of the Commission is public and he does not want issues that don't pertain to Commission business to detract from what we are supposed to be doing.

ADJOURN

A motion was made by Commissioner Jensen, seconded by Commissioner Prichard, to adjourn the meeting at 6:49 p.m. The motion carried by the following vote:

Yes: 6 - Commissioner Jensen, Commissioner Hoschouer, Commissioner Prichard, Commissioner Oney, Chair Heisler and Commissioner Gernon