



## **CHARTER COMMISSION MEETING**

**MUNICIPAL CENTER COUNCIL CHAMBERS**  
**1616 HUMBOLDT AVENUE, WEST ST. PAUL, MN 55118**  
**THURSDAY, JUNE 9, 2022**  
**5:30 P.M.**

1. Call To Order

2. Roll Call

3. Adopt Agenda

4. Adopt Minutes

4.A. Meeting Minutes Of February 24, 2022

Documents:

[MINUTES 02.24.22.PDF](#)

5. New Business

5.A. Mayor And Council Salaries

Documents:

[MEMO TO CHARTER RE COUNCIL SALARIES 6-9-22.PDF](#)

6. Old Business

6.A. Charter Commission Vacancies (2)

Documents:

[CHARTER COMMISSION REPORT FOR APPOINTMENTS 6-9-22.PDF](#)

7. Set Next Meeting Date

8. Adjourn

*If you need an accommodation to participate in the meeting, please contact the ADA Coordinator at 651-552-4108 or email [ADA@wspmn.gov](mailto:ADA@wspmn.gov) at least 5 business days prior to the meeting.*

*Si usted desea que alguna parte del paquete de esta agenda sea traducida al Español, por favor solicítelo al [social@wspmn.gov](mailto:social@wspmn.gov).*

*[www.wspmn.gov](http://www.wspmn.gov) EOE/AA*

MINUTES  
WEST ST. PAUL CHARTER COMMISSION  
Thursday, February 24, 2022  
5:30 P.M.  
MUNICIPAL CENTER  
COUNCIL CHAMBERS

MEMBERS PRESENT IN COUNCIL CHAMBERS:

Chair Doug Fromm, Commissioners Mark Tessmer, Aaron VanMoorlehem, Matthew Schempp, Tim Haubrich, Kae Jae Johnson, Andrea Friesen

MEMBERS ABSENT:

Jim McKie, Karen Vavreck, Tim Valento

OTHERS PRESENT:

City Manager Nate Burkett, City Attorney Kori Land, Councilmember Liaison Eng-Sarne, Jim Probst (via Web-Ex).

**1. CALL TO ORDER**

Chair Fromm called the meeting to order at 5:30 p.m.

**2. ROLL CALL**

**3. ADOPT AGENDA**

*Motion by Tessmer/Haubrich to adopt the agenda. Motion passed unanimously.*

**4. ADOPT MINUTES**

*Motion by Tessmer/Schempp to approve the minutes. Motion passed unanimously.*

**5. NEW BUSINESS**

**A. Charter Amendments**

City Manager Burkett introduced the Charter Amendments:

- 6.05 Increasing City Manager's spending limit from \$25,000 to \$50,000.
- 6.06. Changing the threshold for public bidding from \$50,000 to \$175,000.
- 7.09. Modifying the language to give flexibility for the City Manager to pay invoices in advance of a Council meeting.

*Motion by Haubrich/Friesen to recommend all three Charter Amendments to the City Council. Motion passed unanimously.*

## **B. Redistricting**

City Manager Burkett gave the background on the redistricting process. He is requesting that Charter first decide if they want to include “imminent development” and then make a recommendation to the Council on a map. The Commission supported the inclusion of imminent development. The City Manager then reviewed Option 2 and Option 3 maps. There was overall discussion about the differences between the maps and the pros and cons of each.

*Motion Johnson/Haubrich to recommend Option 3 map. Motion passed unanimously.*

## **6. OLD BUSINESS**

### **A. Charter Commission Members Expiring Terms and Appointment Process**

Chair Fromm mentioned those members with terms expiring in 2022.

- Friesen – seeking reappointment
- McKie – not seeking reappointment
- VanMoorlehem – not seeking reappointment
- Probst – seeking reappointment

A meeting will be set at a later date to review applications/conduct interviews/make appointments.

## **7. ADJOURNMENT**

*Motion to adjourn by VanMoorlehem/Tessmer. Unanimous. The meeting was adjourned at 6:20.*

## Report

To: **Chair Fromm and Members of the Charter Commission**  
Through: **Nate Burkett, City Manager**  
From: **Kori Land, City Attorney**  
Date: **June 9, 2022**

### **Council Salaries**

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#### **BACKGROUND INFORMATION:**

The Charter requires the Charter Commission to review Council salaries prior to June of every even-numbered year. (City Charter §2.07 subd. 2) State law requires Council salaries to be adopted by ordinance. (Minn. Stat. §415.11 subd. 1) West St. Paul is unique in that Council salaries are identified in both West St. Paul City Charter §2.07 and City Code §30.04. Having the salaries in both locations allows for checks and balances. A Charter amendment requires a recommendation from the Charter Commission and unanimous vote by the Council. City Code amendments, on the other hand, only require a majority vote by the Council. Therefore, having the Council salaries in both the Charter and the City Code provides extra protection for the citizens. Salaries must be in an amount the Council deems “reasonable.” (Minn. Stat. §415.11 subd. 1) It is important to note that an increase would not take effect until *after* the next municipal election, in other words, January 2023. The current salaries are as follows:

#### **Section 2.07. Salaries.**

Section 2.07 Salaries. Subd. 1. For the faithful discharge of the duties of their respective offices, the elected official shall receive the following salaries: The Mayor \$9,613 for calendar year 2021 and \$9,878 for calendar year 2022; each Councilmember \$7,714 for calendar year 2021 and \$7,927 for calendar year 2022. The City Manager and all other officers and employees of the City shall receive such salaries or wages as may be fixed by the Council.

One city I represent recently made the following adjustment in their City Code regarding salaries:

“Thereafter, beginning in January of every odd-numbered year, the Mayor and Council shall receive a salary adjustment in an amount that equals the cost of living increase provided to the City’s non-union employees for the preceding two years.”

While this amendment could result in automatic adjustments, the Charter Commission should also recommend repealing the requirement that salaries be revisited prior to June of every even-numbered year.

#### **STAFF RECOMMENDATION:**

Review and consider amending the Council salaries



# Charter Commission

## Report

To: **Charter Commission**  
Through: **Nate Burkett, City Manager**  
From: **Kori Land, City Attorney**  
Date: **June 9, 2022**

### **Filling Vacancies**

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#### **BACKGROUND INFORMATION:**

The City has 2 vacancies on the Charter Commission left by Aaron VanMoorlehem and Jim McKie. In addition, 2 of the existing members (Commissioners Friesen and Probst) have terms that expired in Feb. 2022 and have each submitted their applications to renew their seats on the Commission.

We recommend that you review the applications and set a date for interviewing candidates to fill the vacancies.

In addition, we recommend reappointing Commissioners Friesen and Probst to another 4-year term.

#### **FISCAL IMPACT:**

		<b>Amount</b>
<b>Fund:</b>		<b>n/a</b>
<b>Department:</b>		
<b>Account:</b>		

#### **ATTACHMENTS:**

- Roster
- Interview Questions

#### **STAFF RECOMMENDATION:**

Make Appointment Recommendations to the Chief Judge to reappointment Commissioners Friesen and Probst  
Set a date for interviews

**WEST ST. PAUL CHARTER COMMISSION**

<b>NAME OF COMMISSIONER</b>	<b>PHONE</b>	<b>EMAIL</b>	<b>TERM EXPIRES</b>	<b>WARD NUMBER</b>	<b>DATE APPOINTED BY COURT</b>
Friesen, Andrea	651.457.4008	<a href="mailto:afriesen.wsp@gmail.com">afriesen.wsp@gmail.com</a>	02.28.22	3	03.01.18
Fromm, Douglas (Vice Chair)	651.453.1511	<a href="mailto:dougfromm@comcast.net">dougfromm@comcast.net</a>	02.28.25	1	03.01.21
Haubrich, Tim	612.209.8571	<a href="mailto:timhaubrich@comcast.net">timhaubrich@comcast.net</a>	02.28.24	3	12.23.20
Johnson, Kimetha (KaeJae)	651.979.5724	<a href="mailto:kimethajohnson7@gmail.com">kimethajohnson7@gmail.com</a>	02.28.24	1	01.25.21
McKie, James	651.248.6534	<a href="mailto:papamckie@earthlink.net">papamckie@earthlink.net</a>	02.28.22	2	03.01.18
Probst, James	651.230.0084	<a href="mailto:jimwstpaul@aol.com">jimwstpaul@aol.com</a>	02.28.22	2	03.01.18
Schempp, Matthew	651.307.7485	<a href="mailto:mschempp@gmail.com">mschempp@gmail.com</a>	02.28.25	3	03.01.21
Tessmer, Mark	612.910.1018 651.457.2909 (Camelot Cleaners)	<a href="mailto:mtessmer1467@comcast.net">mtessmer1467@comcast.net</a>	02.28.24	2	12.23.20
Valento, Tim	651.457.9140	<a href="mailto:t.valento@comcast.net">t.valento@comcast.net</a>	02.28.24	3	12.23.20
VanMoorlehem, Aaron (Chair)	651.455.8444	<a href="mailto:aaron.vanmoorlehem@edmn.org">aaron.vanmoorlehem@edmn.org</a>	02.28.22	1	03.01.18
Vavreck, Karen	651.253.8278	<a href="mailto:obsober@yahoo.com">obsober@yahoo.com</a>	02.28.25	2	03.01.21

Updated: 01.27.21

**COUNCIL LIAISON**

Councilmember  
Lisa Eng-Sarne  
651.757.7090

[lengsarne@wspmn.gov](mailto:lengsarne@wspmn.gov)

**RECORDING  
SECRETARY**

Attorney Kori Land

**COMMISSION MEETS**

As Called

**TERM LIMIT**

None

## CHARTER COMMISSION INTERVIEW QUESTIONS

1. In regards to City governance are there any issues, concerns, or changes that you think the Charter Commission should address?
2. Have you served on any other Commissions or committees in WSP or any of the other cities you have lived in?
3. Have you lived in a City that was a Charter City?
4. What are some of your strengths or best qualities that could be helpful to the Charter Commission?
5. Why did you select the Charter Commission?
6. Is the Charter Commission still your top choice?



# Print

## Application for Appointment to Commissions, Boards, Committees and Task Forces - Submission #4618

Date Submitted: 5/23/2022

Applications for Boards and Commissions are accepted year-round. As seats become vacant, the City of West St. Paul will consider all active applications for appointment. Applications are considered active for one year from submission date. To remain active after one year, applicants must re-apply.

First Name\*

Andrea

Last Name\*

Friesen

Address1\*

970 Seminole Ave

Address2

City\*

West Saint Paul

State\*

MN

Zip\*

55118

Email\*

[REDACTED]

Home Phone

[REDACTED]

Cell Phone

[REDACTED]

Work Phone

[REDACTED]

### Public Commission Directory\*

Please indicate the phone number(s) you would like published in our Public Commission Directory if you are appointed. Permission to release your phone number to the public is a requirement of the Data Practices Act.



Home



Cell



Work

Mark up to 3 committees you are interested in serving on\*



Charter Commission



Parks & Recreation Advisory Board



Planning Commission



Environmental / Greening Committee



Lower Mississippi River Watershed Management Organization



NDC4 (Cable Commission)

If you are interested in more than one committee, please list them in order of most desirable to least desirable.

**More Info**

[Learn more about each Board and Commission here...](#)

How Many Years Have You Lived in West St. Paul\*

8

Ward

Precinct

Employment / Job Title\*

Doula

Employer Name & Address\*

Self employed

List your past and present civic activities or memberships which may be helpful to this committee.\*

Currently n Charter Commission

**List two or three goals that you would like to see accomplished during your term on a commission.\***

Creating a diverse commission Listen to and support the council goals

**How did you become interested in serving on a committee?\***

When I realized that my skillset around legal documents had value to add to the position. I also wanted to see younger and more engaged representation across all of our city government.

# Print

## Application for Appointment to Commissions, Boards, Committees and Task Forces - Submission #4402

Date Submitted: 1/31/2022

Applications for Boards and Commissions are accepted year-round. As seats become vacant, the City of West St. Paul will consider all active applications for appointment. Applications are considered active for one year from submission date. To remain active after one year, applicants must re-apply.

First Name\*

James

Last Name\*

Probst

Address1\*

1592 Bellows St

Address2

City\*

W. St. Paul

State\*

MN

Zip\*

55118

Email\*

[REDACTED]

Home Phone

[REDACTED]

Cell Phone

[REDACTED]

Work Phone

N/A

### Public Commission Directory\*

Please indicate the phone number(s) you would like published in our Public Commission Directory if you are appointed. Permission to release your phone number to the public is a requirement of the Data Practices Act.



Home



Cell



Work

Mark up to 3 committees you are interested in serving on\*

- Charter Commission
- Parks & Recreation Advisory Board
- Planning Commission
- Environmental / Greening Committee
- Lower Mississippi River Watershed Management Organization
- NDC4 (Cable Commission)

If you are interested in more than one committee, please list them in order of most desirable to least desirable.

**More Info**

[Learn more about each Board and Commission here...](#)

**How Many Years Have You Lived in West St. Paul\***

**Ward**

**Precinct**

**Employment / Job Title\***

**Employer Name & Address\***

**List your past and present civic activities or memberships which may be helpful to this committee.\***

Board Member of the South Robert Street Business Association  
President of the WSP Kiwanis Club  
Present member of the WSP Charter Commission

**List two or three goals that you would like to see accomplished during your term on a commission.\***

Maintain a true and transparent city government  
Help citizens better understand and work with our city government

**How did you become interested in serving on a committee?\***

Current member of the charter commission

# Print

## Application for Appointment to Commissions, Boards, Committees and Task Forces - Submission #4626

Date Submitted: 5/28/2022

Applications for Boards and Commissions are accepted year-round. As seats become vacant, the City of West St. Paul will consider all active applications for appointment. Applications are considered active for one year from submission date. To remain active after one year, applicants must re-apply.

First Name\*

Andrew

Last Name\*

Olson

Address1\*

32 Amelia Ave

Address2

City\*

West St Paul

State\*

MN

Zip\*

55118

Email\*

Home Phone

Cell Phone

Work Phone

### Public Commission Directory\*

Please indicate the phone number(s) you would like published in our Public Commission Directory if you are appointed. Permission to release your phone number to the public is a requirement of the Data Practices Act.



Home



Cell



Work

Mark up to 3 committees you are interested in serving on\*

- Charter Commission
- Parks & Recreation Advisory Board
- Planning Commission
- Environmental / Greening Committee
- Lower Mississippi River Watershed Management Organization
- NDC4 (Cable Commission)

If you are interested in more than one committee, please list them in order of most desirable to least desirable.

**More Info**

[Learn more about each Board and Commission here...](#)

**How Many Years Have You Lived in West St. Paul\***

**Ward**

**Precinct**

**Employment / Job Title\***

**Employer Name & Address\***



**List your past and present civic activities or memberships which may be helpful to this committee.\***

I have been a member of the League of Women Voters (LWV) of Dakota County since February 2017 and have served in volunteer leadership roles including as the Advocacy/Program Coordinator and later as the Visibility Coordinator. Throughout that time I have helped organize multiple candidate forums, forums concerning various public policy issues, and meetings featuring speakers addressing issues of concern to members and the general public. I have helped monitor proposals being considered by the Dakota County Board, the Metropolitan Council, the Minnesota Legislature, and various city councils and school boards, in order to help LWV of Dakota County and members of the public take advantage of opportunities to provide input. For the past few years I have been primarily responsible for external communications including the LWV of Dakota County website and social media accounts. I have also served as an election judge in Minneapolis since 2018.

**List two or three goals that you would like to see accomplished during your term on a commission.\***

1. I would like the Charter Commission to consider clarifying portions of the City Charter that explain what constitutes a quorum of the Council. My concern is that Sections 3.03 and 3.04 do not specify whether the threshold for what constitutes a quorum is modified if one or more councilmembers is legally disqualified from participating in a meeting or voting on a matter. Those sections likewise do not specify whether the decision of a councilmember to recuse herself or himself or abstain from voting on a matter, when not legally required to do so, alters that threshold. Also, Section 3.03 refers to elected members, which could be problematic if the vote of an appointed councilmember would change the outcome of a decision. 2. I would like the Charter Commission to consider proposing revisions to various aspects of Chapter V, regarding initiatives and referenda, which conflict with Minnesota Statutes section 205.10. For example, the petition signature threshold set forth in state statute is 20 percent of the number of votes cast in the previous municipal election, while the threshold set forth in Sections 5.05, 5.06, 5.10, and 5.11 of the City Charter is 10 percent. Similarly, I think the Charter Commission should consider proposing the modification of section 5.07 of the City Charter to provide that a special election held for the purpose of voting on an initiative will not be held between 30 and 45 days after final action on a proposed ordinance, as is currently required, unless a uniform election date set forth in Minnesota Statutes section 205.10, subdivision 3a, happens to fall within that 15-day time period. The date of a special election generally must be one of the dates specified in Minnesota Statutes section 205.10, subdivision 3a, pursuant to Minnesota Statutes section 205.02, subdivision 2. 3. I would like the Charter Commission to recommend repealing Section 5.02, which prohibits compensation paid to petition circulators. That provision is unconstitutional pursuant to Meyer v. Grant, a 1988 United States Supreme Court decision in which the Court struck down a Colorado statute prohibiting the payment of petition circulators on First Amendment grounds.

**How did you become interested in serving on a committee?\***

I am interested in serving on the Charter Commission for two primary reasons. First, I am generally interested in the mechanics of good governance. I feel that my experience, skills, and knowledge as an attorney and engaged citizen would help me to be a productive member of the Commission. Second, in the time that I have lived in West St. Paul there have been instances in which I feel that a lack of clarity within the City Charter has made it more difficult for residents to understand the functioning of the Council and other aspects of city governance.

