



CHARTER COMMISSION MEETING

MUNICIPAL CENTER COUNCIL CHAMBERS
1616 HUMBOLDT AVENUE, WEST ST. PAUL, MN 55118
THURSDAY, FEBRUARY 24, 2022
5:30 P.M.

1. Call To Order

2. Roll Call

3. Adopt Agenda

4. Adopt Minutes

4.A. Meeting Minutes Of September 28, 2021

Documents:

[CHARTER MINUTES 9-28-21.PDF](#)

5. New Business

5.A. Charter Amendments To Sections 6.05, 6.06 And 7.09

Documents:

[MEMO TO CHARTER COMMISSION WITH AMENDMENTS 2-24-22.PDF](#)

6. Old Business

6.A. Expiring Terms And Appointment Process

Documents:

[MEMO TO CHARTER COMMISSION REPORT FOR EXPIRING TERMS AND APPOINTMENT PROCESS 9-28-21.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 at least 5 business days prior to the meeting
www.wspmn.gov *EOE/AA*

MINUTES
WEST ST. PAUL CHARTER COMMISSION
Tuesday, September 28, 2021
5:30 P.M.
MUNICIPAL CENTER
COUNCIL CHAMBERS
AND

MEMBERS PRESENT IN COUNCIL CHAMBERS:

Chair Aaron VanMoorlehem, Commissioners Mark Tessmer, Doug Fromm, Jim Probst, Matthew Schempp, Tim Valento

MEMBERS ABSENT: Andrea Friesen, Kae Jae Johnson, Jim McKie, Tim Haubrich, Karen Vavreck

OTHERS PRESENT IN COUNCIL CHAMBERS:

City Attorney Kori Land, City Manager Nate Burkett, Councilmember Liaison Eng-Sarne.

1. CALL TO ORDER

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

2. ROLL CALL

3. ADOPT AGENDA

Motion by Probst/Tessmer to adopt the agenda. Motion passed 6-0.

4. ADOPT MINUTES

Motion by Tessmer/Valento to approve the minutes. Motion passed 6-0.

5. NEW BUSINESS

A. Recap

B. Charter Amendments

Land and the Commission discussed the various Charter Amendments proposals.

3.07. Reading resolutions aloud. Commission agrees with repealing.

6.05 Increasing \$25,000 spending limit. Commission supports increasing the spending limit to \$50,000.

6.06. Public bidding. Commission supports changing the threshold to \$175,000.

7.09. Paying bills prior to council meeting. Commission recommends modifying the language to give flexibility for payment of invoices in advance of a Council meeting.

Land to prepare amendments for next meeting.

C. Redistricting

Commission asked if City can we take into account the new apartment populations that are coming when we redistrict. Attorney Land to confirm that we cannot. Commission wants to see a map of the prior wards (2010) compared to the current wards for the next meeting. Probst discussed an at-large system and the benefits of it.

D. Charter Commission Members Expiring Terms and Appointment Process

Chair asked about members whose terms are expiring in 2022.

- Friesen (not present)
- McKie (not present)
- VanMoorlehem
- Probst

Commission to consider appointments after redistricting is completed.

E. Election of Officers

Chair: Nomination for Fromm. *Motion by VanMoorlehem/Probst.* Motion passed 6-0.

Vice-Chair: Nomination for Schempp. *Motion by Tessmer/Valento.* Motion passed 6-0.

6. OLD BUSINESS - NONE

7. SET NEXT MEETING DATE

It was decided that the next Charter Commission meeting should be on Feb. 17 at 5:30 p.m.

8. ADJOURNMENT

Motion to adjourn by VanMoorlehem/Probst. Unanimous. The meeting was adjourned at 6:30.

To: Chair Fromm and Members of the West St. Paul Charter Commission

From: Kori Land, City Attorney

Through: Nate Burkett, City Manager

Date: February 24, 2022

Subject: Charter Amendments to Sections 6.05, 6.06 and 7.09

The Charter Commission met on September 28, 2021 and discussed several sections of the City Charter that could be amended. The Council discussed these same Charter amendments at its January 10, 2022 meeting and was in support of all of the amendments. It should be noted that after some research, it was discovered that correct version of Section 3.07 was not reflected in the published version of the Charter. Section 3.07 actually reads:

Sec. 3.07. Procedure on Resolutions. Every resolution shall be presented in writing before a vote is taken thereon, unless the written requirement is dispensed with by unanimous consent.

A prior version of this Charter section stated that resolutions had to be read aloud. Since the actual language simply requires that resolutions be in writing, no changes are needed.

Section 6.05

This Section limits the City Manager's spending to \$25,000. Anything beyond that amount requires Council approval and the Mayor/Manager signature. Recognizing that the City Manager cannot spend any funds outside of the City's authorized budget, the Council supported increasing the spending limit to \$50,000.

Section 6.06

This section requires the City to bid all contracts for supplies, materials and equipment for any contract that will be more than \$50,000. Minn. Stat. §471.345 has a threshold of \$175,000 before public bidding is required. The Council supported increasing the bidding threshold to \$175,000.

Section 7.09

This Section requires prior Council approval before any bills can be paid. While the City is obligated to pay all bills within 30 days, there are times that invoices must be paid in order to receive certain goods and services but prior to a Council meeting. The Council supported adding flexibility for the City Manager to pay claims in advance of a Council meeting if necessary, which can then be ratified by the Council.

Attached are the Charter Amendments for your consideration.

ORDINANCE NO. _____
CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA

AN ORDINANCE AMENDING WEST ST. PAUL CHARTER SECTION 6.05
INCREASING SPENDING LIMIT OF CITY MANAGER FROM \$25,000 TO \$50,000

The City Council of West St. Paul does ordain:

SECTION 1. AMENDMENT. West St. Paul City Charter VI, Section 6.05 is hereby amended as follows:

Sec. 6.05. Purchases and Contracts. The City Manager shall be the chief purchasing agent of the City. All City purchases and contracts shall be made and signed by the City Manager when the amount of the purchase or contract does not exceed ~~-\$25,000~~\$50,000. All purchases and contracts that exceed ~~\$25,000~~\$50,000 shall be approved by the Council, after the recommendation of the City Manager has first been obtained, and shall be signed by the Mayor and the City Manager on behalf of the City.

SECTION 2. SUMMARY PUBLICATION. Pursuant to Minnesota Statutes Section 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance:

City Charter section 6.05 limits the spending limit of the City Manager to \$25,000 without Council approval. The amendment increases the limit to \$50,000.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this _____ day of _____, 2022.

Ayes: Nays:

Attest:

David J. Napier, Mayor

Nicole Tillander, City Clerk

ORDINANCE NO. _____
CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA

AN ORDINANCE AMENDING WEST ST. PAUL CHARTER SECTION 6.06 SUBD. 1
REGARDING CONTRACTS HOW LET

The City Council of West St. Paul does ordain:

SECTION 1. AMENDMENT. West St. Paul City Charter Section 6.06 is hereby amended as follows:

Subd. 1. *General Rule.* For the sale or purchase of supplies, materials, equipment or the rental thereof, or the construction, alteration, repair or maintenance of real or personal property where the amount involved is more than ~~\$50,000.00~~ \$175,000, unless the Council shall by emergency ordinance otherwise provide, the City Manager shall advertise for bids in such manner as may be required by law. Contracts of this magnitude shall be let only by the Council to the lowest responsible bidder after consideration of the recommendation of the City Manager. The Council shall require every bid to be accompanied by a bond or certified check in such sums and with such surety and conditioned as the Council may prescribe. The Council may however, reject any and all bids.

SECTION 2. SUMMARY PUBLICATION. Pursuant to Minnesota Statutes Section 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance:

City Charter section 6.06 is amended to be consistent with the state law regarding public bidding.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this _____ day of _____, 2022.

Ayes: Nays:

Attest:

David J. Napier, Mayor

Nicole Tillander, City Clerk

**CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA
ORDINANCE NO.**

**AN ORDINANCE AMENDING
WEST ST. PAUL CHARTER CHAPTER VII, SECTION 7.09
REGARDING DISBURSEMENTS: HOW MADE**

The City of West St. Paul does ordain:

SECTION 1. AMENDMENT. West St. Paul City Charter Section 7.09 subd. 1 is hereby amended as follows:

Sec. 7.09. Disbursements: How Made.

Subd. 1. All disbursements shall be made only upon the order of the City Manager or designees, who have been duly authorized by a resolution or motion of the Council in accordance with federal or state law, ordinances, or City Council resolutions and regulations, unless a disbursement must be made prior to a Council meeting, pursuant to an emergency declaration or other reasonable cause as determined by the City Manager, in which case, the disbursement may be made in advance and ratified by the Council thereafter. ~~The City Treasurer shall issue no check upon any city funds except upon such order. In the discretion of the Council the order and check may be a single instrument.~~ No claim against the City shall be allowed unless accompanied by either an itemized bill, or a payroll, or time sheet, each of which shall be approved and signed by a responsible city officer who vouches for the correctness and reasonableness thereof. The Council may by ordinance or resolution, make additional regulations for the safekeeping and disbursement of the City funds and shall annually adopt a resolution that authorizes an appropriate expenditure amount by designees. The Council may provide for the regular payment without specific individual authorization by the Council of salaries and wages of regular employees, laborers, and fixed charges which have previously duly and regularly incurred.

SECTION 2. SUMMARY PUBLICATION. Pursuant to Minnesota Statutes Section 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance:

The City Charter amendment to Section 7.09 provides flexibility for the City Manager to make a payment for a City expenditure in advance of a Council meeting, when such circumstances so require it. The expenditure must be ratified by the Council.

SECTION 3. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this _____ day of _____, 2012.

Ayes: Nays:

Attest:

David J. Napier, Mayor

Nicole Tillander, City Clerk

To: **Chair VanMoorlehem and Members of the Charter Commission**
Through: **Nate Burkett, City Manager**
From: **Kori Land, City Attorney**
Date: **September 28, 2021**

Charter Commission Expiring Terms and Appointment Process

BACKGROUND INFORMATION:

There are currently no vacancies on the Charter Commission. However, several existing members have terms that expire February 28, 2022:

- Andrea Friesen
- Jim McKie
- Jim Probst
- Aaron VanMoorlehem

It would be helpful to know if the existing members will be requesting reappointment so that the Commission can determine how many vacancies will result. Then, the City can begin advertising for any vacancies and the Commission can conduct interviews in early 2022 so that the appointments could be made by the Chief Judge and become effective March 1, 2022.

In the event there will be vacancies, the interview questions that were used in the last appointment process is attached. Please review and confirm that these questions should be used again.

ATTACHMENTS:

- Roster
- Interview Questions

STAFF RECOMMENDATION:

Discussion about potential number of vacancies and if there will be vacancies, when to hold interviews.

WEST ST. PAUL CHARTER COMMISSION

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

Updated: 01.27.21

COUNCIL LIAISON

Councilmember
Lisa Eng-Sarne
651.757.7090

lengsarne@wspmn.gov

**RECORDING
SECRETARY**

Attorney Kori Land

COMMISSION MEETS **TERM LIMIT**
As Called 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?