

MINUTES
WEST ST. PAUL CHARTER COMMISSION
TUESDAY, FEBRUARY 28, 2017
5:30 P.M.
MUNICIPAL CENTER
ADMINISTRATIVE CONFERENCE ROOM

MEMBERS PRESENT: Chair Mark Tessmer, Commissioners Aaron Van Moorlehem, Doug Fromm, Wendy DeVore, Nicole Paradise, Jim McKie

MEMBERS ABSENT: Commissioners Tim Valento

OTHERS PRESENT: Council Liaison Ed Iago, City Attorney Kori Land

CALL TO ORDER

Chair Tessmer called the meeting to order at 6:04 p.m.

ADOPT AGENDA

Motion by Fromm/Paradise to adopt the agenda. All ayes.

4. Adopt Minutes

A. Approve Minutes of December 13, 2016 Meeting

Motion by Van Moorlehem/ Paradise to approve the minutes. All ayes.

5. New Business

6. Old Business

A. Discussion of Charter Amendments

Sections 2.03/4.02 Elective Officers/Officers to be Elected and Terms of Office: Length of Mayor's term of office

Tessmer gave his support for the 4-year term because he felt that a 2-year term was insufficient time for a Mayor to learn the position before they have to campaign again. In addition, he felt that it was expensive to campaign that frequently. He thought more people might be interested in running if they knew it was a 4-year term. Tessmer would like to give the Council the option of choosing a 4-year term. McKie offered that with a 2-year term, it keeps the Mayor motivated to get things done. Paradise supports 4 years because it takes a while to get comfortable in the role and it provides voters more time to decide if the Mayor is doing a good job.

Motion to recommend to the Council an amendment changing the Charter to provide for a 4-year term for the Mayor. Tessmer/Paradise. All ayes.

Section 2.06: Mayor's Veto Power

Land outlined the issue with having veto language for "ordinances and resolutions" and how this has created confusion when some motions are made by voice vote only, without a written document. Tessmer suggested clarifying the language to address this issue and then deciding if the Commission wants to retain the Mayor's veto power.

For cleaning up the language, Tessmer suggested using either Minneapolis or Rochester's language. Van Moorlehem likes the Rochester language. Fromm agreed.

Motion to change the veto language in the Charter to reflect the Rochester language, which states "the Mayor possesses veto power over all ordinances, resolutions, findings of fact, conclusions of law and orders and motions of the Council." Van Moorlehem/Fromm.

McKie likes the Rochester language because it is more inclusive.

All ayes.

Land noted that the strict language of the Charter requires a reconsideration of a vetoed motion to be taken only at the next "regular meeting," which precludes the ability to call a special meeting. She requested removing the word "regular" before "meeting" to give flexibility to allow for a special meeting for the reconsideration of a veto.

Motion McKie/DeVore to remove the word "regular." All ayes.

Mayoral Veto Power

Tessmer offered his opinion that the Mayor should vote on everything. He thinks it is more transparent. Council member Iago believes the Charter Commission needs to put forward a recommendation that is in the best interest of the city, not driven by past events. McKie likes it that the Mayor can stay out of the discussion now if the Mayor does not want to get into the controversy.

Tessmer asked Land to explain the 4-vote requirement and how the fact that the Mayor could not vote impacted a recent 3/2 decision, which resulted in a failed action. Land explained that the Charter requires a majority vote of all members of the Council in order to pass a motion. The Mayor is counted as part of the Council; therefore, a majority vote is 4 votes on all actions. Because one of the council members was absent at a recent meeting, resulting in 5 voting members and the Mayor could not vote, the motion failed because it only passed on a 3/2 vote. Fromm said he wants to address the 4-vote requirement at the next meeting. Paradise wants to require the Mayor to vote for transparency reasons to know where the Mayor stands on issues. Fromm said the non-voting mayor gives flexibility of the Mayor to have a neutral, consensus-building role. McKie noted that having veto power is more powerful than having 1 vote. Tessmer said he believes that having the Mayor vote is better government. Fromm recognized

that having veto power realistically requires 5 affirmative votes because you need at least 5 votes to override the veto. It requires consensus building on the Council.

Van Moorlehem said it might be an exercise in futility because the Council will most likely not vote for a unanimous decision on this issue. Tessmer agrees. The suggestion was to hold this discussion until the next meeting and add it to the next agenda to see if there is a reason to revisit it.

B. Commissioner Vacancies

There are 8 applications for 5 positions. The applicants are as follows:

Tim Haubrich
Thomas Vavreck
Karen Vavreck
Amanda Tinsley
Jason Smock
Andrea Friesen
James Probst
Matthew Schempp

There was general discussion about the candidates, with each member identifying their own recommendations. It was decided to forward the following names to the Council for consideration of appointment to the Charter Commission:

Tim Haubrich
Karen Vavreck
Andrea Friesen
James Probst
Matthew Schempp

If the Council agrees on some of the names, those names can be forwarded to the Chief Judge. If they do not agree on all 5, then the Charter Commission can review the existing applications or solicit new applications to fill the vacancies.

Motion to move the names Van Moorlehem/McKie. All ayes.

7. Set Next Meeting Date

It was suggested that once the new people are appointed, we should have a training for all Charter Commissioners prior to a regularly scheduled meeting. No new meeting was scheduled at this time.

8. Adjournment

Motion to adjourn by Van Moorlehem/Paradise. All ayes. The meeting was adjourned at 7:03 p.m.