

**MINUTES OF THE CITY OF COLUMBIA HEIGHTS
CHARTER COMMISSION
APRIL 20, 2017
7:00 P.M.
CITY HALL-COUNCIL CHAMBERS**

Call to Order

President Steve Smith called the meeting to order at 7:00 p.m.

Introduction of new member Tom Kaiser

Oath of Office –

Tom Kaiser

Carolyn Laine

Roll Call/Status of Membership

Members present: Steve Smith, Matt Abel, Ramona Anderson, Lee Bak, Roger Johnson, Tom Kaiser, Carolyn Laine, Mike Patiuk, Eric Penniston, Frost Simula, Gregory Sloat, Susan Wiseman

Members absent (excused): James Guy and Rob Fiorendino

Also in attendance: City Attorney Jim Hoeft, Council Liaison Connie Buesgens, City Clerk/Recording Secretary Katie Bruno, and Councilmember John Murzyn, Jr.

Approval of Agenda

Motion by Commissioner Abel, seconded by Commissioner Bak to approve the agenda as presented.

Motion passed unanimously.

Approval of Minutes

Motion by Commissioner Penniston, seconded by Commissioner Smith to approve the minutes from the January 21, 2017 meeting. Motion passed unanimously.

Correspondence

Secretary Bruno reported she received a resignation from Jeffrey Diehm, he is moving out of the City. She will notify the Chief Judge of the new vacancy.

Secretary Bruno indicated Mayor Schmitt has sent an email requesting a joint meeting between the City Council and the Charter Commission. Mayor Schmitt suggested the council could possibly attend the July 20th scheduled meeting. President Smith suggested discussing that further prior to adjourning the meeting.

President Smith reminded the group that the Charter Commission is separate from the City Governance; members are appointed by the District Court Judge. The commission is required to see that the charter complies with current law while ensuring State Statutes are not violated.

Old Business

A. Review of Charter Chapter 2, Section 9, Vacancies on the Council.

President Smith suggested discussing the item tonight; requesting members submit any recommended changes to the City Clerk or himself prior to the next meeting. The recommend changes could then be incorporated into the charter; constituting a first reading. The second reading could take place at the October meeting, followed by recommendation to the council.

President Smith requested a motion be made if the group intends to allow for public comment at tonight's meeting. Commissioner Penniston indicated it would be most appropriate to allow public comment at the City Council meeting at the time an amendment is being considered.

Commissioner Simula suggested the timeline be shortened. Councilmember Buesgens suggested the initial 45 day time period could be shortened. Hoeft indicated there are not any legal standards regarding the number of days, cautioning the commission to avoid shortening the period too much, requiring special council meetings be set to meet time frames.

Commissioner Bak questioned the basis for concern with the time frame being too long. Commissioner Simula indicated he thinks the time frame was likely set to allow ample time to attract applicants; noting with 17 applications received, the community is passionate about serving. Jim Hoeft said in the past it was difficult to get applicants. Councilmember Buesgens suggested three weeks would be enough time for the application period. Hoeft indicated the tie votes resulted in the process being lengthened on the back end of the time frame. Commissioner Laine suggested the publication period could be shortened; allowing the appointment to be made the end of February.

Commissioner Penniston stated the issues in question were a result of the Council's implementation of the process, suggesting the council be given a written plan that addresses issues that may come up; i.e. tie votes. Commissioner Simula indicated he understood the Council did meet and establish a plan that was not made known to the public. Hoeft indicated the meetings were public work sessions scheduled prior to the regular council meetings. Councilmember Buesgens agreed it would be beneficial to have a consistent plan to address the entire process.

Commissioner Simula indicated he sees two issues with the process. The first being the fact that some issues were not addressed by the council, because they were waiting to have the fifth member seated. The second being the tie votes, which implied the City Council has weak leadership.

President Smith summarized the issues include the length of the process, the lack of a detailed plan and a process to address consistent tie votes. Commissioner Anderson suggested allowing the mayor to appoint in the event of a tie.

Commissioner Penniston inquired about adopting a resolution, rather than amending the Charter. Hoeft stated the Charter is a good place to address vacancies, resolutions can change too frequently. Commissioner Laine asked the group to think about ranked choice voting.

Laine indicated it can be difficult to follow along at a meeting if items are not voted on in the prescribed manner and suggested adding the requirement that the Mayor and Council receive parliamentary procedure training. Hoeft reported that the procedure does not dictate the substance of the process.

President Smith suggested commissioners submit any suggestions or questions to him or the City Clerk prior to the July meeting.

New Business

A. Discussion of Joint Meeting between the City Council and the Charter Commission

Commissioner Bak questioned the reason for the request. Councilmember Buesgens stated Mayor Schmitt

wanted an opportunity to share Council's experiences of the appointment process with the commission. Bak expressed concern with compromising the independence of the Charter. President Smith agreed, noting he wasn't sure what would be achieved in the joint meeting. Councilmember Buesgens suggested she can serve as a liaison between the commission and the council. Commissioner Wiseman agreed. President Smith commented it is the consensus of the commission to remain independent and not hold a joint meeting with the council.

Commissioner Abel reminded the commission that there is no need to hurry the process. President Smith and Commissioner Simula agreed.

Next Meeting Date: July 20, 2017 at 7:00 P.M., City Hall Conference Room 1

Motion by Commissioner Abel, seconded by Commissioner Bak to adjourn. All Ayes, Motion carried.

Meeting adjourned at 7:55 pm.

Respectively Submitted,

A handwritten signature in cursive script, reading "Katie Bruno", is written over a horizontal line.

Katie Bruno,
City Clerk/Recording Secretary