

-Unapproved-

**CITY OF MARSHALL
CHARTER COMMISSION
M I N U T E S
Wednesday, October 19, 2022**

Members Present: Stacy Frost, Richard Herder, Stephen Davis, Nathan Doose, Marc Klaith, Amanda Schroeder, Mark Mather, and Mike Fox

Members Absent: Jill Vroman, Larry Doom, and Larry Magrath

City Staff: Mayor Robert Byrnes; Sharon Hanson, City Administrator; Dennis Simpson, City Attorney; and Steven Anderson, City Clerk

Meeting called to order at 4:58pm by Chairperson Stacy Frost.

Approval of the Agenda

Motion made by Stephen Davis, seconded by Mike Fox to approve the agenda as presented. All voted in favor.

Approval of the Minutes from December 29, 2021

Motion made by Stephen Davis, seconded by Nathan Doose to approve the minutes from December 29, 2021. All voted in favor.

Consider Ordinance Amending the Marshall City Charter Regarding City Attorney and Terms of Office

Chairperson Frost called for an introduction of all members present.

Sharon Hanson, City Administrator talked briefly about the Guide for Charter Commissions included in the meeting packet. Discussion was had regarding the wording for the Terms of Office proposed changes. It was brought up that statute covers the period from January 1 to the first meeting regular council meeting where concern was had about not having a councilmember in place. The proposed wording changes brings the charter more in line with statute and should alleviate questions about when terms start and end.

Motion made by Stephen Davis, seconded by Marc Klaith to approve the proposed changes to the terms of office. All voted in favor.

Chairperson Frost introduced the new language regarding city attorney. Hanson explained the background and reason for this change. Charter language in many cities do not have a restriction on attorney services. Members had a question on the crossed-out line "The City Attorney may employ such staff and assistance as necessary with the approval of the Council." Dialog went back and forth between members and staff. Consensus was made that the crossed-out sentence should be kept but end at "as necessary." An additional point was brought up regarding the language "The City Attorney shall perform legal services for the City under direction of the City Council and is removable at the pleasure of the City Council." Many noted the dislike for the term "pleasure" in the language. Examples of pleasure being a commonly used word in legal writing from the era was brought forth. Members agreed that "discretion" was a more appropriate term in place of "pleasure."

Motion made by Stephen Davis, seconded by Marc Klaith to recommend amending the City of Marshall charter regarding language changes for city attorney and terms of office as presented with the two additional wording changes that were discussed. All voted in favor.

At 5:21pm Chairperson Frost adjourned the meeting.

Respectfully submitted,
Nathan Doose, Charter Commission Secretary