

City of Excelsior  
CHARTER COMMISSION  
Minutes  
Wednesday, June 1, 2011

1. CALL TO ORDER

Chair Bratland called the meeting to order at 6:07 p.m.

2. ROLL CALL

**Present:** Chair Bratland, Vice Chair Crow, Commissioners Finch, Brokaw, Norman, Hartwich, Fulkerson, Harrod, Leafer, Caron and Thompson

**Absent:** Mueller, Wilson, Bolles and Viesturs

3. AGENDA APPROVAL

Brokaw moved to amend the agenda to include the approval of the April 14<sup>th</sup> minutes seconded by Bratland. Motion passes unanimously.

4. APPROVE MINUTES OF MAY 4<sup>TH</sup>, 2011 AND APRIL 14<sup>TH</sup>, 2011

After a brief discussion on the language used in the addendum written by Commissioner Viesturs to the April 14<sup>th</sup> minutes it was moved by Crow and seconded by Finch to approve the April 14<sup>th</sup> minutes with the addendum. Motion passed 8 to 1 with Harrod opposing and Leafer and Caron abstaining. The changes are as follows:

Heidi Viesturs' proposed changes to the April 14, 2011 Minutes:

**REPLACE SECTION 7. OLD BUSINESS WITH THE FOLLOWING:**

Commissioner Finch made a power point presentation, and distributed handouts that accompanied his presentation. The handout is attached and incorporated into these Minutes.

Finch described the process and objectives of the Benchmarking Exercise. He identified the cities visited, and the progress he and other members of the Commission had made.

The initial observations was that in each city with Charter changes and restrictions, the impetus to change the Charter was the citizens' unease relative to their trust, respect, and accountability of their city government. All cities agreed that to increase trust, respect, and accountability more needs to be done than just changing the language in the Charter. Change in the trust, respect and accountability has only occurred when the citizens, city government and the charter commission have had deliberate, well thought out community discussions focusing on specific actions, outcomes, and authorities. It takes a lot of work and a very high commitment level of all stakeholders – government, Charter Commission, and citizens – to effectively deal with the issues openly and commit them to the Charter. One city took three years to modify their Charter. There was some discussion of how some cities approached including a financial planning (i.e., five year financial plan) requirement in the Charter. One city's Charter Commission, city staff, and Council developed a clear process and amended their Charter to include a description and set schedule that required the

city to publish a five year financial plan each year. That city even subsequently amended the provision, without the need for a community vote, to make it more efficient for that city to accommodate the reporting objectives. In contrast, another city does not have clear objectives and schedules in their charter, and they have not been preparing a long term financial plan despite the requirements in the city Charter.

Bratland stated that approving a 5-year financial plan by resolution is weaker than having a requirement in the Charter. Discussion ensued about resolutions, as opposed to ordinances, being the mechanism to approve each year the financial plan required by the a city's Charter.

It was noted that cities with Charter language that was specific, clear and unambiguous tends toward more trust, whereas Charter language that is hurried and less clear tends toward less trust. Viesturs commented that from the discussions with other cities, that if Charter amendments are not done right, it quickens the pace of degradation of the community.

The overall observation was that the most healthy and productive result occurred when all three levels of government (staff, Charter Commission, and Council) worked together on common issues to better the City, spoke openly and respectfully of their differences of opinions and duties, and understood and respected the role of each person/entity.

PAGE 4:

Change the sentence "Viesturs offered a Motion to Clarify the Motion of March 17, 2011, and worded her Motion as follows:"

To "Finch offered a Motion to Clarify the Motion of March 17, 2011. To the extent a maker of the Motion needed to be a Commissioner that voted "yea" on the March 17, 2011 Motion, Viesturs joined in making the Motion. The Motion was worded as follows:"

Change the sentence "The Viesturs Motion to Clarify ..." to "The Finch/Viesturs Motion to Clarify..."

After a discussion regarding the May 4<sup>th</sup> minutes it was moved by Finch and seconded by Crow to continue the May 4<sup>th</sup> minutes until the next meeting. Motion passed 10 to 1 with Hartwich opposing.

5. PUBLIC COMMENTS

None offered.

6. OLD BUSINESS

Benchmarking Exercise Report Update:

Commissioner Finch is confident that the Task Force will be ready to present the Reporting and Planning portion of the Benchmarking Exercise Report to the Charter at the July 7<sup>th</sup> meeting

Task Force Update:

The Charter invited the City Council, the City Staff and the Petition Committee to participate in the Task Force. As a result, the City Council appointed Jennifer Caron and the City Staff appointed Joan Carlson. The Petition Committee declined to participate.

The Task Force has taken the Mounds View chapter 7 as a model for Excelsior only for the reporting and planning portion of the Benchmarking Exercise.

Legal Process of a Petition:

Commissioner Viesturs prepared a memo that was distributed to all the Charter Commissioners that explains the legal process of a petition in detail.

As a proactive measure the Charter decided to ask for volunteers for a subcommittee to review the Petition if one is presented to the Charter. The Commissioners on that subcommittee are: Crow, Finch and Norman.

Phase II:

The Shared Decision Making portion of the Benchmarking Exercise should be ready for discussion at the August Charter meeting.

7. NEW BUSINESS

The July meeting will focus on the Benchmarking Exercise final report and a recommendation of ordinance.

The Benchmarking Exercise will also be the focus of the August meeting

8. ADJOURNMENT

It was moved by Harrod and seconded by Leafer to adjourn the meeting. Motion passed unanimously. Adjourned at 7:30 p.m.

Respectfully submitted,

Jeannie Thompson  
Recording Secretary