



**CHARTER COMMISSION**  
**February 01, 2021**  
**7:00 PM**  
**Fridley Civic Campus, 7071 University Ave N.E.**

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**MINUTES**

**CALL TO ORDER**

Chairperson Nelson called the Charter Commission meeting to order at 7:11 p.m.

**ROLL CALL**

Members Present: Commissioners Gary Braam, Kelli Brillhart, Manuel Granroos, Nikki Karnopp, Ted Kranz, Bruce Nelson, Rick Nelson, Courtney Rathke, Barb Reiland, Pam Reynolds, Val Rolstad, and Cynthia Soule

Members Absent: Commissioners Donald Findell, Richard Johnston, and Avonna Starck

Others Present: Melissa Moore, Admin. Services Coord./Deputy City Clerk/Staff Liaison  
Dan Tienter, Finance Director/City Treasurer/City Clerk  
Dave Ostwald, City Councilmember-at-Large

**APPROVAL OF AGENDA**

MOTION by Commissioner Rolstad approving the meeting agenda. Seconded by Commissioner Reynolds

UPON A VOICE VOTE, ALL VOTING AYE, CHAIRPERSON NELSON DECLARED THE MOTION CARRIED.

**APPROVAL OF MINUTES**

1. Approval of January 11, 2021 Charter Commission Meeting Minutes

MOTION by Commissioner Karnopp to approve the meeting minutes of January 11, 2021 as presented. Seconded by Commissioner Brillhart.

UPON A VOICE VOTE, ALL VOTING AYE, CHAIRPERSON NELSON DECLARED THE MOTION CARRIED.

**ADMINISTRATIVE MATTERS**

## 1. 2021 Nominating Committee Report

Chairperson Nelson stated that the report was submitted by the Nominating Committee and included in the Commission packet.

Melissa Moore, Admin. Services Coord./Deputy City Clerk/Staff Liaison, stated that the three names included in the packet were provided as a recommendation from the Nominating Committee. She stated that if these three members wish to be nominated/selected for these positions, the elections will take place at the next meeting.

Commissioner Bruce Nelson accepted the nomination for Vice Chair.

Commissioner Karnopp accepted the nomination for Secretary.

Chairperson Nelson accepted the nomination for Chair.

MOTION by Commissioner Reynolds to accept the 2021 Nominating Committee Report. Seconded by Commissioner Rolstad.

UPON A VOICE VOTE, ALL VOTING AYE, CHAIRPERSON NELSON DECLARED THE MOTION CARRIED.

## 2. Format of Charter Commission Meetings

Ms. Moore stated that staff attempted to schedule the meetings with the knowledge that a virtual or hybrid format would need to be used. She stated that the room being used tonight (Emergency Operations Center) to allow for the hybrid format is only available for February and March for this group due to scheduling conflicts. She reviewed the alternative options, which included holding the meetings completely virtually, changing the date of the meeting to allow for hybrid format, or canceling meetings.

Commissioner Reynolds asked and received confirmation that the decision could be made at the March meeting, which would allow more time for consideration.

Commissioner Rolstad asked and received confirmation that there is not another room that would accommodate the hybrid format.

Commissioner Reynolds asked if the Council Chambers would be large enough to accommodate in person meetings.

Ms. Moore confirmed that the Chambers would be large enough for in-person attendance but the room being used tonight is the only room equipped for hybrid format due to the interactive technology that is required.

Commissioner Karnopp asked if there would be sufficient space in the Fireside Room to allow for social distancing.

Ms. Moore commented that she believed there would be sufficient spacing but noted that she could follow up with staff to ensure, but again confirmed that the Council Chambers could be used for in-person meetings.

Commissioner Brillhart asked if the current Governor's Order limits gatherings to a limit of two households. She commented that if the Charter Commission meets in person that would be many households.

Ms. Moore noted that she could verify that information as she was unsure of the current limits.

Chairperson Nelson asked if the Commission would want to change the dates, delay the decision, or choose the virtual format through the spring and reevaluate.

Commissioner Reiland stated that she would support using the virtual format and reevaluating in the spring.

Commissioner Reynolds commented that she could participate through Zoom. She asked for clarification on how a virtual meeting could be held if this room could not be used.

Ms. Moore explained that for a fully virtual meeting, staff would participate from another location. She stated that if one or two commissioners did not have the technology to participate at home, staff could set them up in separate conference rooms with City laptops and everyone else would participate from other locations.

Commissioner Kranz suggested that this item remain on the agenda for the March meeting and staff can look into the social distancing requirements between now and then.

Chairperson Nelson acknowledged that some members of the Commission may have received vaccines but there may still be limits on gathering size and stated that some other members may not be vaccinated at that time. He suggested holding the meetings virtually and reevaluating in May but agreed that the decision could be made at the March meeting.

Commissioner Karnopp agreed that the issue could be continued to the next month but encouraged members to be ready to provide input at that meeting.

It was the consensus of the Commission to leave this discussion open and continue it at the March meeting.

Chairperson Nelson noted that upcoming appointments for Commissioners Findell, Rolstad and Soule would need to be addressed. Ms. Moore confirmed that the reappointments will be considered at the March meeting.

### **OLD BUSINESS**

#### 3. Chapter 12 Revisions

Commissioner Reynolds referenced that in Section 12.01, related to designation of legal newspaper, she believed additional punctuation was added to that sentence. She commented that the sentence appears to run on and would be improved with additional commas.

Commissioner Rathke commented that a style guide will be distributed and asked if the City uses Oxford commas. She stated that the text meaning remains the same, it is simply a measure of style and preference.

Commissioner Reynolds provided clarity, noting that the commas would separate thought and not be Oxford commas.

Ms. Moore stated she could review the previous minutes, but it was her recollection that all the suggested punctuation changes had been incorporated.

Chairperson Nelson noted that there was discussion during the February meeting, but no changes were suggested for that section. He stated that it was reviewed again in March, but the decision was to add additional text.

Commissioner Reynolds commented that if the group already agreed to the text as presented, she would be fine moving forward.

Ms. Moore noted that if there are proposed changes, the group can suggest those as this continues to be a working draft.

It was the consensus of the Commission to leave 12.01 as presented without adding additional punctuation.

Chairperson Nelson opened the discussion on Section 12.04.

Ms. Moore reviewed the three options the Commission could choose for that section, which were drafted by the Attorney.

Commissioner Reynolds asked if the City Attorney realizes that the Charter can be more restrictive than State Statute. She stated that the Charter Commission is tasked with amending the Charter. She stated that the City Attorney has recommended using Statute language, but the City is a Charter City and therefore can be more restrictive. She commented that if the language is all updated with State Statute language, it then takes away the benefit of having a Charter. She stated that the Charter Commission is allowed to have its own legal representation outside of the City Attorney.

Commissioner Kranz stated that as he understands it, the City Attorney was not asked to make a decision but simply to review and provide suggestions.

Commissioner Reiland commented that the Commission should review these options and have discussion as to what they would like the language to be.

Chairperson Nelson asked for input as to what the Commission would like for 12.04.

Commissioner Reynolds stated that she would prefer the bulleted format as that would be more user friendly for residents. She confirmed that she would include the modifications as proposed on page 16.

Commissioner Brillhart commented that she prefers option three.

Chairperson Nelson confirmed the consensus of the Commission to choose option three for 12.04.

Ms. Moore asked that the Commission make a formal motion for that action.

MOTION by Commissioner Billhart to keep the language as is (in Exhibit A) and adding the suggested revisions to the violation language of option three. Seconded by Commissioner Rathke.

Commissioner Reynolds referenced the final sentence of the change recommended by the Attorney related to violations. She stated that the Commission preferred to use "the City Council" but the Attorney recommended to use "the Council".

Commissioner Brillhart confirmed that the Commission had previously directed that City Council be used for consistency and therefore that reference should be updated throughout this section.

UPON A VOICE VOTE, ALL VOTING AYE, CHAIRPERSON NELSON DECLARED THE MOTION CARRIED.

Chairperson Nelson opened the discussion of Section 12.06 and reviewed the options before the Commission.

Mr. Tienter commented the idea to have multiple readings was intended to provide additional transparency. He stated option two would require the City to have a public hearing, which would require a notice to appear in the local newspaper at least ten days prior to the hearing and would require the Council to accept public input. He stated that process would provide more public input and notification, compared to multiple readings that would not require public notice or require the Council to receive public input.

Commissioner Reynolds referenced the replacement language related to the sale of real property and asked for clarification on the process that would be followed.

Mr. Tienter commented that consistent with the previous discussion he would recommend that be done by resolution.

Commissioner Brillhart asked if that specific language is left out, would that then provide the ability for the process to be done by ordinance or resolution.

Mr. Tienter replied he would prefer to clarify that it be done by resolution.

Ms. Moore commented that it does specify by resolution later in the paragraph.

Chairperson Nelson noted another reference to the Council which should be updated to City Council.

Mr. Tienter confirmed that staff will ensure that is updated throughout to read the City Council for consistency.

Commissioner Reynolds asked for the definition of real property.

Mr. Tienter clarified that real property is real estate.

Commissioner Reiland stated she likes the proposal to have two meetings.

Chairperson Nelson commented that he likes two meetings, but the item could be placed on the consent agenda for the second meeting and therefore a public hearing may offer more transparency.

Commissioner Reiland agreed.

Ms. Moore stated that if transparency is the ultimate goal, a public hearing would be the best vehicle because of the notice provided.

MOTION by Commissioner Reiland to select option two for 12.06, which includes the requirement for a public hearing. Seconded by Commissioner Reynolds.

Commissioner Reiland suggested that additional punctuation be added.

Mr. Tienter stated that he would confirm that addition with the City Attorney and if agreed upon, that could be added.

UPON A VOICE VOTE, ALL VOTING AYE, CHAIRPERSON NELSON DECLARED THE MOTION CARRIED.

Chairperson Nelson moved on to 12.07.

Mr. Tienter stated that option two would accomplish all of the procedures under State Statute but would still require a 4/5 majority vote for vacations.

Commissioner Reynolds asked if State Statute identifies a timeline for when the recording to the County must be completed.

Mr. Tienter commented that he did not believe there was a time limit expressed in statute.

Ms. Moore confirmed that there is not a time limit identified in statute.

Commissioner Rathke explained that a title search is completed in the sale of real property to identify any outstanding issues such as that.

MOTION by Commissioner Reiland to select option two for Section 12.07. Seconded by Commissioner Bruce Nelson.

UPON A VOICE VOTE, ALL VOTING AYE, CHAIRPERSON NELSON DECLARED THE MOTION CARRIED.

Mr. Tienter commented that staff will compose a draft of Chapter 12 incorporating the actions from tonight's meeting and bring back to the Commission in March for review.

### **NEW BUSINESS**

None

### **FUTURE MEETING TOPICS/COMMUNICATIONS**

Chairperson Nelson acknowledged that Councilmember Ostwald was present and opened the floor for any questions.

Commissioner Reynolds asked why the City's budget is \$6 million more than the City of Blaine when Blaine is a larger community in terms of area and population.

Chairperson Nelson commented that Blaine has a volunteer Fire Department and has more County roads than Fridley, noting that the County maintains its own roads.

Councilmember Ostwald commented that he is not familiar with the budget of Blaine.

Mr. Tienter commented that he is not familiar with the City of Blaine's budget and therefore could not comment on that. He stated that operationally Chairperson Nelson was correct in that Blaine has a volunteer Fire Department and noted that additionally Blaine does not have municipal liquor stores as Fridley does. He commented that the liquor stores provide about \$400,000 annually back to the City of Fridley.

Commissioner Karnopp asked for an update on a potential training through the League of Minnesota Cities.

Mr. Tienter confirmed that staff is still planning to schedule that training but wanted to do so after the revisions to Chapter 12 were complete. He noted that the session is anticipated to be about 45 to 60 minutes and could potentially occur in April or May.

Ms. Moore informed the Commission that Commissioner Richard Johnston has not attended the last four meetings. She noted that he has RSVP'd for meetings, but his last attended meeting was January 2020. She asked what the typical process the Commission follows in this situation.

Chairperson Nelson commented that the typical practice would be to send a letter to ask the Commissioner if they are interested in continuing as a member of the Commission. He was unsure of the number of meetings that could be missed per the bylaws.

Ms. Moore commented that the bylaws state that absences can be excused with an "adequate excuse." She confirmed that Commissioner Johnston has been communicating that he will not be attending and therefore she wanted direction from the Commission.

It was the consensus of the Commission to direct staff to send a letter to determine if Commissioner Johnston wishes to continue as a member of the Commission.

Chairperson Nelson highlighted the topics that will be included on the March agenda including election of officers, reappointments, review of Chapter 12, and discussion of future meeting formats.

## **ADJOURNMENT**



MOTION by Commissioner Reynolds to adjourn the meeting. Seconded by Commissioner Brillhart.

UPON A VOICE VOTE, ALL VOTING AYE, CHAIRPERSON NELSON DECLARED THE MOTION CARRIED AND THE MEETING ADJOURNED AT 8:18 P.M.

Respectfully submitted,

Commissioner Reiland, Charter Commission Secretary

Amanda Staple, Recording Secretary