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Vice-Chair Botham called the meeting of the Charter Commission to order at 6:07 p.m.

ROLL CALL

Members present: Elaine Ambrose, Mary Bader, Brian Botham, David Hill, Kent Howe, Dr. David McGill, and Todd Pearson

Members absent and excused: Mary Fadden

Members absent: Paul Klapprich

City Staff present: Deputy City Clerk Becky Malone

APPROVAL OF MINUTES – MINUTES OF MAY 8, 2014

Commissioner Hill made a motion, seconded by Commissioner Bader, to approve the May 8, 2014 meeting minutes as presented. The motion carried 6/0/1 (Howe abstained)

NEW BUSINESS

a. Acceptance of Steven Tyacke's Resignation

Commissioner Howe made a motion, seconded by Commissioner McGill, to accept the resignation of Steven Tyacke dated January 14, 2015 and effective January 31, 2015. The motion carried unanimously.

b. Election of Officers (Chair, Vice-Chair, Secretary)

Commissioner Howe nominated Vice Chair Botham to serve as Chair.

Vice Chair Botham stated he would like to remain in the position of Vice Chair.

Commissioner Hill made a motion, seconded by Commissioner Howe to nominate and elect Commissioner McGill for the position of Chair.

Commissioner McGill accepted the nomination.

There being no other nominations the motion was called to a vote. The motion carried unanimously.

Commissioner McGill made a motion, seconded by Commissioner Howe, to nominate and elect Commissioner Botham for the position of Vice Chair.

Vice Chair Botham accepted the nomination.

There being no other nominations the motion was called to a vote. The motion carried unanimously.

Commissioner McGill nominated Commissioner Bader for the position of Secretary.

Commissioner Bader declined the nomination.

1 Commissioner Howe nominated Commissioner Ambrose.

2
3 Commissioner Ambrose declined the nomination.

4
5 Commissioner Bader nominated Commissioner Hill.

6
7 Commissioner Hill declined the nomination.

8
9 Commissioner Bader nominated Commissioner Pearson.

10
11 Commissioner Pearson declined the nomination.

12
13 Commissioner Bader made a motion, seconded by Commissioner McGill, to nominate
14 and elect Commissioner Fadden for the position of Secretary.

15
16 There being no other nominations the motion was called to a vote. The motion carried
17 unanimously.

18
19 c. Policy for Communication Between Boards, Commissions, Committees
20 and the City Council

21 Deputy City Clerk Malone explained that the City Council adopted a policy for a more
22 formal structure for communication between the City Council and the City's Boards,
23 Commissions, and Committees. The Chair of the Commission is requested to provide a
24 report to the City Council in the form of a mid-year joint workshop and an end-of-year
25 report at a regular City Council meeting.

26
27 Vice Chair Botham stated the Charter Commission only meets once a year. He asked if
28 the minutes from the meeting were forwarded to the City Council.

29
30 Deputy City Clerk Malone explained that an annual report is provided to the Chief Judge
31 of Hennepin County at the end of the year. This is a statutory requirement (MN Statute
32 410.05 subdivision 2) so the Judge has an idea of the body of work that has been done.
33 This report could also be submitted to the City Council as the Commission's end-of-year
34 report to the Council.

35
36 Vice Chair Botham asked if the Commission could provide one annual update to the
37 City Council since the Commission only meets once during the year.

38
39 Deputy City Clerk Malone stated the Commission should provide a report to the City
40 Council at a mid-year joint workshop. The Commission would provide a report to the
41 City Council during one of their meetings and the Chair would stand for questions.

42
43 Commissioner Bader explained the City Council sees value in the Commission having a
44 formal public appearance at a City Council meeting. This educates residents on the
45 Commissions and the City's government. It also provides an opportunity for the City to
46 provide direction to the Commission. She stated the Commission should endorse the
47 Policy of annual reporting.

48

1 Commissioner Bader made a motion, seconded by Commission McGill, to endorse the
2 Policy for Communication Between Boards, Commissions, Committees, and the City
3 Council and recommend one brief annual report for the Charter Commission and bi-
4 annual workshop as needed.

5
6 After further discussion the motion was called to a vote. The motion carried
7 unanimously.

8
9 d. City of Wayzata Charter

10 a. Review language around election of Mayor Pro-Tem (Section 16)

11 Deputy City Clerk Malone explained the City Council requested that the Charter
12 Commission review and provide additional guidance and language on the process for
13 election of the Mayor Pro-Tem. Wayzata's Charter states, "At the first regular meeting
14 of the Council, the Council shall elect one of its own members as Mayor Pro-Tem." The
15 Mayor Pro-Tem has historically been appointed based on Council seniority with the
16 most senior Councilmember being appointed and succession after this based on
17 seniority.

18
19 Commissioner Bader stated the current Charter states should the Mayor and the Mayor
20 Pro-Tem be disabled, absent from the City, or otherwise unavailable then any member
21 of the Council may fulfill the duties of the Mayor. The City Council has traditionally had
22 an unofficial succession plan based on seniority.

23
24 Commissioner McGill stated the City Council had elected the Mayor Pro-Tem and this
25 would conform to the Charter but there is no language regarding succession. The
26 Council informally sets succession at their meeting. If the City Council follows the
27 Charter then the Charter is adequate.

28
29 Commissioner Bader asked if the Charter should include language instructing the
30 Council to establish succession after the appointing the Mayor Pro-Tem.

31
32 Commissioner McGill stated the City Attorney has advised the Commission that there
33 was value in keeping the language in the Charter simple. If the City Council decides it
34 needs succession they can determine this without it being in the Charter.

35
36 Commissioner Bader explained the issue that concerns her is if something comes up
37 when the Mayor and the Mayor Pro-Tem are not available. This year the Council set up
38 an order of succession so Staff would know who to contact if there were an emergency
39 and the Mayor and Mayor Pro-Tem are not available. The Charter currently states that
40 any of the other three Councilmembers could fill this position and this may create issues
41 with members.

42
43 Vice Chair Botham stated the Commission should decide if there is an issue that should
44 be resolved in the Charter or leave the discretion to the Council to go beyond the
45 Charter and establish an order of succession.

46

1 Commissioner McGill stated as long as the Council elects a Mayor Pro-Tem they can
2 decide on a succession plan that works for them. He would recommend making no
3 changes to the Charter at this time.

4
5 Commissioner Bader stated she would like to see the practice of establishing a
6 succession plan continued. She asked if language should be included in the Charter
7 that addresses this.

8
9 Commissioner Pearson suggested adding "unless a further succession plan is
10 established by the Council" after "any other members of the Council may fulfil the duties
11 of Mayor". If there is a succession plan established this would supersede the later part
12 of the sentence. He does not believe that Council action would be enough to override
13 the Charter so he would include additional wording.

14
15 Commissioner McGill stated the current language does not require the Council to
16 establish a succession plan. He suggested responding to the Council that the wording
17 in the Charter is acceptable and the Commission recommends the Council continue the
18 practice of voluntarily establishing a succession plan beyond the Mayor Pro-Tem.

19
20 Commissioner McGill made a motion, seconded by Commissioner Ambrose, to inform
21 the City Council that the Charter Commission sees no need to change the Charter
22 language regarding the election of Mayor Pro-Tem but the Commission supports that
23 the City Council continue the practice of establishing a succession plan during the same
24 meeting the Mayor Pro-Tem is elected.

25
26 Commissioner Bader stated she would prefer to include the language proposed by
27 Commissioner Pearson.

28
29 The motion was called to a vote. The motion carried 6/1 (Bader nay)

30
31 b. Commission input after review of current charter

32 Vice Chair Botham stated as part of the Charter Commission annual meeting the
33 Commission is asked if there are any changes, recommendations, or concerns with the
34 Charter that should be discussed.

35
36 Commissioner McGill asked for clarification on what a quorum would be in Section 17.
37 He asked if this referred to a majority of Councilmembers or a majority of
38 Councilmember present.

39
40 Commissioner Pearson stated by definition it would have to be the majority of the
41 Councilmembers.

42
43 e. Next Meeting Date (Spring 2016)

44 Commissioner McGill stated the date for the 2016 meeting would be established via
45 email communication in 2016.

46
47
48 ADJOURNMENT

1 There being no further business, Commissioner McGill made a motion, seconded by
2 Commissioner Hill to adjourn the meeting. The motion carried unanimously. The
3 meeting was adjourned at 7:08 p.m.

4

5

6 Respectfully submitted,

7

8

9

Becky Malone 05-19-2016

10 Becky Malone

11 Deputy City Clerk

12 City of Wayzata

13 Drafted by Tina Borg, *TimeSaver Off Site Secretarial, Inc.*