

Mounds View Charter Commission Minutes - APPROVED
Tuesday, September 20, 2022

1. Call to Order. Regular meeting came to order at 6:30 PM.
2. Roll Call. Present: B. Amundsen (Secretary), B. Clawson, D. Erickson, J. Peterson, G. Quick, R. Warren
Excused: R. Scholl
Absent: Bob King Jr., M. Munson
Also present: Council Liaison Gary Meehlhause, City Administrator Nyle Zikmund, and City Attorney Joe Sathe of Kennedy and Graven (K&G)
3. Approval of Agenda and Minutes.
 - A. Approve Agenda.

Chair R. Warren introduced the Preliminary Agenda.
MOTION, by J. Peterson, **and seconded**, by B. Clawson, **to adopt the Preliminary Agenda as presented.**
Discussion for changes was requested, none were offered. **Motion Adopted.**
 - B. Approve Minutes.

Chair R. Warren asked for review of the Secretary's July 19, 2022, minutes.
MOTION, by B. Amundsen, **and seconded**, by J. Peterson, **to approve the Minutes as presented.**
Discussion for changes was requested, none were offered. **Motion Adopted.**
4. Citizens Comment from the Floor.

City Administrator Zikmund and K&G Joe Sathe clarified the Open Meeting allowance for electronic meetings, now that the health emergency has ended. Electronic meetings can only occur from public locations, with only a few exceptions for military and emergencies. This means publicly elected or appointed members can not join from a private location. Public locations are where the public has free access to join the meeting and listen and see all members participating. Chair R. Warren thanked them for the clarification and direction going forward for charter commissioners.
5. Reports of Chair.

Chair R. Warren acknowledged receipt of an email from the Court about the four openings, of the Charter Commission, which will be filled from applications received by the September deadline.
6. Reports of Members.

No Commission members made reports.
7. Unfinished Business.
 - A. Chapter 4 Nominations and Elections. Chair R. Warren asked Secretary B. Amundsen to discuss the status of the resolutions regarding Chapter 4 and thanked K&G Attorney Joe Sathe for writing the exhibit documents included with each resolution. Discussion occurred on how to proceed with the resolutions. The Commission consensus was to address each resolution individually and not as a group.
 - Item 1) Resolution 2022-03 regarding definition of vacancy.
MOTION, by B. Amundsen, **and seconded**, by J. Peterson, **to approve Resolution 2022-03 amending Chapter 4.05, subdivision 1, as presented in the resolution and exhibit and recommended the Council adopt by ordinance.** Discussion occurred with review of the resolution and exhibit to amend Chapter 4.05 with a reference to vacancy determination found in Chapter 2.05. **Motion Adopted.**
 - Item 2) Resolution 2022-04 Special Election timing.
MOTION, by B. Amundsen, **and seconded**, by J. Peterson, **to approve Resolution 2022-04 amending Chapter 4.05 subdivision 1 and 2, as presented in the resolution and exhibit and recommend the Council adopt by ordinance.** Discussion occurred. Attorney Joe Sathe explained that he had updated the

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exhibit language for readability and clarity.

MOTION, by B. Amundsen, **and seconded**, by B. Clawson, **to amend the language and drop the proposed sentence regarding estimated time.** Discussion occurred. **Motion to amend adopted.** Chair R. Warren asked for any further discussion on the original motion as amended, none was made.

Original Motion as amended was Adopted.

Item 3) Resolution 2022-05 to remove Chapter 4, Section 4.02, Subdivision 2 Term Limits. **Motion**, by B. Amundsen, **and seconded**, by B. Clawson, **to approve Resolution 2022-05 amending Chapter 4.02, subdivisions 2 and 3, removing the language from the Charter, renumbering subdivision 4 to 2, and recommend the Council adopt by ordinance.** Discussion occurred that this language has been found to be unconstitutional by the MN Supreme Court and it is unlikely to ever be applicable without legal challenges. **Motion Adopted.**

8. New Business

None was presented.

9. Next Regular Meeting.

The next regular meeting of the Commission is November 15, 2022, at 6:30 PM.

Secretary B. Amundsen indicated that the Annual Report to the Court will be on the agenda.

10. Adjournment: With no other items for the Commission to consider, the Chair asked for motion to adjourn.

Motion to adjourn, by B. Amundsen, **and seconded**, by J. Peterson.

Chair R. Warren adjourned the meeting at 7:22 PM.

Respectfully submitted,

Brian Amundsen,

Secretary, Charter Commission of Mounds View MN

Approved as presented by Charter Commission, on November 15, 2022



Attesting, Brian Amundsen, Secretary, Charter Commission of Mounds View, MN