

CITY OF ST. FRANCIS
ST. FRANCIS MN
ANOKA COUNTY

CHARTER COMMISSION AGENDA
ST. FRANCIS CITY HALL
23340 CREE STREET NW

FEBRUARY 1, 2018

5:30 PM

1. Call to Order
2. Approve Minutes of April 27, 2017
3. Appointment of Chair and Vice Chair
4. Amendment(s) Discussion
 - a. Section 4.05 - Filing and Execution of Documents
 - b. Section 7.05 - Adopt of Budget
5. Other Items of Discussion
6. Adjournment

CITY OF ST. FRANCIS
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ANOKA COUNTY

CHARTER COMMISSION MINUTES

APRIL 27, 2017

1. **Call to Order:** The Charter Commission meeting was called to order at 5:30 pm by Randy Dressen.
2. **Roll Call:** Present were Randy Dressen, Gary Zimmerman, Steve Feldman, Steve Kane, Tim Brown. Rich Skordahl absent. Malcolm Beck arrived at 5:33 pm.

Also present City Clerk Barb Held.
3. **Approve Minutes of January 26, 2017: Motion by Brown second Kane to approve the January 26, 2017 Charter Commission Minutes.**
Motion carried unanimously.

4. **City Attorney's Memorandum – Potential City Charter Amendment to allow St. Francis Paid Per Call fire fighters to Serve on the City Council:**

Dressen stated we heard from Mr. Bauer at the last meeting. The commission received from the City Attorney's office a memorandum on the follow up research on the potential City Chart Amendment. Currently the City Charter reads:

Section 2.04 Incompatible Offices. No member of the Council shall hold any paid appointive office or paid employment for the City other than that to which the member was elected, although the member may be appointed to the office of Mayor in case of a vacancy.

The Attorney's office examined the charter provisions of approximately sixty random city charters to obtain a representative survey. In the memo is noted the clear "majority rule" for Minnesota home rule charter cities to include language that would work to prohibit a member of the Fire Department from serving on the City Council. These cities primarily mirror the current language of the St. Francis City Charter including the provision cities "not any" other appointed office or employment with the City.

Two cities have affirmatively amended their city charters to specifically allow firefighters to serve in an employment capacity as such in addition to serving on the City Council as an elected official. This has occurred in the

City of Ham Lake (“except the Fire Department”), and the City of Hastings (“except volunteer fire men”).

Discussion was held on potential conflict of interest, pension, pay per call, knowing this was in the Charter when Bauer ran for office, and not associating people with amendments. It was also noted how would or could you regulate the number of fire fighters on the commission if you move forward with the amendment.

Motion by Beck second Kane not to move forward with an amendment to the City Charter allowing fire fighters to serve on the city council. Motion carried 5-1. Feldman voting nay.

5. **Other Items of Discussion**

None

6. **Adjournment:** Motion by Beck second Feldman to adjourn the Charter Commission meeting at 5:46 pm. Motion carried 5-0.

Barbara I. Held, City Clerk



**Charter Commission
AGENDA REPORT**

Agenda Item #:

4 a

TO: Charter Commission
FROM: Joe Kohlmann, City Administrator
SUBJECT: Charter Amendment Section 4.05
DATE: February 1st, 2018

OVERVIEW:

The first housekeeping item Staff has identified in the City Charter is Section 4.05. This particular Section references that the Mayor shall sign all contracts and it will be attested by the City Clerk. As a practical matter, there are intergovernmental contracts and vendor contracts that require signatures from various Staff members. In addition, the Mayor Pro Tem addition will allow for flexibility if the Mayor is unavailable. The Mayor Pro Tem edit also allows for signatures on minutes, resolutions or ordinances when the Mayor is absent.

As a matter of practice, City Staff seeks approval of contracts through the City Council. The suggested edits are just to allow flexibility for the proper signatures as they may be applicable to contracts.

Below is the Section with suggested edits:

Section 4.05. Filing and Execution of Documents. Unless otherwise specifically provided, filing of all documents provided for in this Charter or the Ordinances of the City shall be at the administrative offices the City. All contracts with the City, Ordinances and Resolutions of the Council, and other documents, shall be executed in the name of the City and signed by the appropriate city officer such as the Mayor, Mayor Pro Tem, City Administrator or their designee and attested by the City Clerk. or their designee.

Action to be considered:

Consider and discuss the proposed amendments to Section 4.05.



**Charter Commission
AGENDA REPORT**
Agenda Item #:
4 b

TO: Charter Commission
FROM: Joe Kohlmann, City Administrator
SUBJECT: Charter Amendment Section 7.06
DATE: February 1st, 2018

OVERVIEW:

The second housekeeping item Staff has identified is regarding the date the budget will be presented. Per state law change as reflected below, the date to adopt the preliminary tax levy has been changed from September 15th to September 30th:

(From League of MN Cities)

IV. Taxation notification procedure

The table below outlines the annual taxation notification procedure and deadlines (sometimes called "truth in taxation" or "TNT"). The deadline for cities to adopt the preliminary tax levy and certify it to the county auditor is Sept. 30. New this year, the deadline for "special taxing districts," such as economic development authorities (EDAs), housing and redevelopment authorities (HRAs), port authorities, and others, is Sept. 30. Previously, the deadline for special taxing districts deadline was Sept. 15.

In order to be consistent with the flexibility provided by State Law, Staff is proposing the following edits to Section 7.06:

Section 7.06. Adoption of the Budget. The budget shall be the principal item of the business at the first regular monthly meeting ~~first or second regular monthly meeting of the Council~~ in September and the Council shall hold continued meetings from time to time until all the estimates have been considered. The budget estimates may be read in full, or copies thereof distributed, and the officer preparing the same shall explain the various items thereof as carefully as may be deemed necessary by the Council. The meetings shall be conducted so as to give interested citizens a reasonable opportunity to be heard. The annual budget finally agreed upon shall set forth in detail the complete financial plan of the City for the ensuing fiscal year for the funds budgeted. It shall indicate the funds to be raised and from what sources and the sums to be spent and for what purposes. The total sum appropriated shall not exceed the total estimated revenue. The Council shall adopt the budget, at the time required by law, by a resolution which shall set forth the total for each budgeted fund and each department with such segregation as to



objects and purposes of expenditures as the Council deems necessary for the purposes of the budget control. The Council shall also adopt a resolution levying whatever taxes it considers necessary within statutory limits for the ensuing year for each fund. The tax levy resolution shall be certified to the County Auditor in accordance with law. At the beginning of the fiscal year the sums fixed in the budget resolution shall be and become appropriated for the several purposes named in the budget resolution and no other.

Action to be considered:

Consider and discuss the proposed amendments to Section 7.06.