

Willmar Charter Commission
Minutes of Meeting
City Office Building
Willmar, Minnesota

October 8, 2012

The Willmar Charter Commission was called to order by Chair Shawn Mueske. Members present were, Audrey Nelsen, Ron Andreen, Shawn Mueske, Laura Becker, Joe Thompson, John Sullivan, and Richard Hogle. Richard Falk was excused. Present 7 Absent 1. Also in attendance were City Attorney Robert Scott by conference call and City Clerk-Treasurer Kevin Halliday.

Commissioner Hogle moved to approve the minutes of August 13, 2012. Commissioner Sullivan seconded the motion which carried.

Item 1 Chairman Mueske discussed the recent nomination of Richard Halterman by the City Council, noting the requested delay in the petition to the District Court to allow the Commission to advance a name for the District Court Judges' consideration. Commissioner Hogle said he talked to Pat Curry and found him to be a good citizen to work on the Charter. Following discussion Pat Curry was nominated by Commissioner Hogle. Commissioner Sullivan seconded the motion which carried.

Item 2 The Commission discussed the three pending expiration of Commissioners on December 31, 2012, and questioned if the matter could be addressed today rather than the December meeting. Following discussion Commissioner Andreen moved to nominate Joe Thompson, John Sullivan and Shawn Mueske to the District Court for reappointment to another four year term. Commissioner Hogle seconded the motion which carried.

Item 3 The Commission discussed the amending language proposed by City Attorney Scott which would add clarity to Section 2.06 regarding vacancies of Council Members. Following a back and forth exchange, via the telephone with Attorney Scott, Commissioner Sullivan moved to adopt Section 2.06 Vacancies as proposed by the Attorney. Commissioner Hogle seconded the motion. Upon further questions in another paragraph of Section 2.06, the motion and second were withdrawn.

Commissioner Thompson questioned the stringent threshold of the Council duties listed in Section 2.06 Subd 1 (G) with the writing of "any of" the duties. Upon receiving concurrent comments Commissioner Thompson moved to adopt Section 2.06 Vacancies as drafted by the City Attorney further amending Subd. 1. (G) by removing the words "any of" from the description of duties. Commissioner Andreen seconded the motion which carried.

Item 4 The Commission discussed the same matter of duties in the Mayoral section and Commissioner Thompson moved to remove the words "any of" from Section 3.07 Subd 2 (F) and Section 2.05 Subd. 1 (E). Commissioner Nelsen seconded the motion which carried.

Item 5 Commissioner Thompson voice his displeasure with no amendments to **Section 2.08 City Administrator** and still sees the need to rewrite the City Administrator section and write the City Attorney section. Chairman Mueske noted the section could be written in the Charter provision requiring the duties and responsibilities of the Administrator and Attorney to be adopted by Ordinance. Commissioner Thompson moved to amend Section 2.08 Subd. 1 to state that the City Council shall appoint a Chief Administrative Officer of the City who shall be called the City Administrator and that such person shall perform the duties required of the City Council by a simple majority vote of its' members and shall be enumerated in an Ordinance passed by the Council. Commissioner Hogle seconded the motion. Following discussion of the timing of this amendment and the desire to get

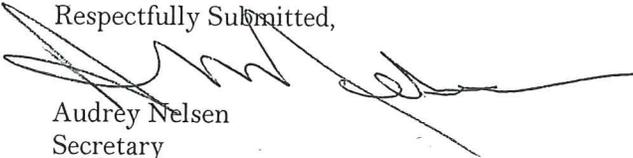
something passed without controversy, the motion failed 2-5. Nays were Commissioners Becker, Nelsen, Mueske, Andreen, and Sullivan. Following a lengthy discussion Commissioner Becker moved to approve the draft Ordinance as amended. Commissioner Nelsen seconded the motion which carried 6-1. Naye was Commissioner Thompson.

Commissioner Mueske acknowledged that he had a potential conflict with the scheduled November 5, 2012, public hearing and advised the Vice Chairman and Secretary to be prepared to attend.

The Commission set the next meeting at 1:30 p.m. on December 10, 2012.

Meeting was adjourned at 3:00 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to be 'Audrey Nelsen', written over the text 'Respectfully Submitted,'.

Audrey Nelsen
Secretary

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