



TO: Charter Commission Members
FROM: Deb Skogen, City Clerk and Staff Liaison
Date: December 21, 2017
Re: Charter Commission Meeting of January 2, 2018

This is a reminder to you that the next Charter Commission meeting will be held on **TUESDAY**, January 2nd at 7:00 p.m. in Conference Room A on the Upper Level.

In order to ensure a quorum, please remember, the Charter Commission policy requires each member to call or e-mail staff before 10:00 a.m. TUESDAY, January 2nd. Please contact me by phone at (763) 572-3523 or e-mail me at deb.skogen@fridleymn.gov about your attendance.

If we do not have a quorum by 10:00 am, I will send out an e-mail to see if additional members will attend. If by Noon there will not be a quorum, I will send out a follow-up e-mail to all members of cancellation of the meeting and post a cancellation notice on the door for those Commissioners who did not contact me, but came to the meeting.

The Commission recommended an amendment by Ordinance of Chapter 7 to the City Council on November 6th. The amendment was published in the Fridley SunFocus and the public hearing was held on December 18th. A 1st Reading is scheduled for Monday, January 8, 2018.

Commissioner Walch provided his resignation so at this time we have one vacancy.

I have enclosed a copy of Chapter 8 showing the proposed amendments from the last meeting. Prior to the meeting I might suggest you review the language and come with questions that you may have about the remainder of the Chapter. We have to remember that we are not required to continually rewrite the Charter or make amendments.

In addition, a calendar of City Council meeting dates is enclosed for your review for scheduling your 2018 meetings.

If you have any other questions or concerns pertaining to this meeting, please contact me.



CITY OF FRIDLEY CHARTER COMMISSION

AGENDA

**TUESDAY, JANUARY 2, 2018
7:00 P.M.**

LOCATION: FRIDLEY MUNICIPAL CENTER
CONFERENCE ROOM A – UPPER LEVEL

- 1. CALL TO ORDER:**
- 2. ROLL CALL:**
- 3. APPROVAL OF AGENDA:**
Motion approving the January 2, 2018 meeting agenda
- 4. APPROVAL OF MINUTES**
Motion approving the November 6, 2017 meeting minutes
- 5. ADMINISTRATIVE MATTERS**
A. Commission Vacancy
- 6. OLD BUSINESS**
A. Continued Discussion of Chapter 8
- 7. NEW BUSINESS**
- 8. FUTURE MEETING TOPICS/COMMUNICATIONS**
A.
- 9. ADJOURNMENT**
Motion to adjourn the meeting

**Next Regular Commission Meeting
Date: February 5, 2018**

CITY OF FRIDLEY
CHARTER COMMISSION MEETING
NOVEMBER 6, 2017

CALL TO ORDER:

Chairperson Ostwald called the Charter Commission meeting to order at 7:00 p.m.

ROLL CALL:

Members Present: Commissioners Gary Braam, Zach Crandall, Don Findell, Manuel Granroos, Richard Johnston, Ted Kranz, Bruce Nelson, David Ostwald, Barb Reiland, Valerie Rolstad,

Members Absent: Commissioners Rick Nelson, Pam Reynolds, Cindy Soule, Avonna Starck and Richard Walch

Others Present: Deb Skogen, City Clerk/Staff Liaison
Shelly Peterson, Finance Director
Councilmember Bob Barnette

APPROVAL OF AGENDA

Commissioner Granroos MOVED and Commissioner Rolstad seconded a motion approving the meeting agenda.

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

APPROVAL OF MINUTES

Ms. Skogen recommended changing the attendance to reflect that Rick Nelson was not at the meeting, however, Bruce Nelson was.

Commissioner Braam MOVED and Commissioner Findell seconded a motion approving the Charter Commission meeting minutes of October 2, 2017 with the recommended changes.

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

ADMINISTRATIVE MATTERS

A. 2018 Meeting Dates

Chairperson Ostwald asked if the Commission would like to meet quarterly instead of monthly as they had been doing. He said they did not have a big agenda and thought fewer meetings would be okay. He said more meetings could be called if needed.

Commissioner Braam suggesting scheduling meetings dates for the whole year and felt meetings could be cancelled if there were no topics or issues to discuss.

After reviewing the dates for 2018, Commissioner Braam MOVED and Commissioner Granroos seconded a motion scheduling the 2018 Charter Commission meeting dates for January 2, February 5, March 5, April 2, May 7, September 4 and October 1.

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

B. Commission Meeting Attendance

Chairperson Ostwald said he had reviewed the attendance records for the year and was concerned there were a few people who had missed 3 meetings in a row. He said he knew they wanted to serve and recommended sending letters reminding them about attendance to find out if they were still committed to the Commission.

Commissioner Reiland MOVED and Manny Granroos seconded a motion directing city staff to send letters to the commissioners who had missed 3 meetings or more in a row to reaffirm their commitment to the Commission.

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

OLD BUSINESS

A. Discussion of Chapter 7

Ms. Peterson said she had talked with the City Attorney and City Bond Counsel pertaining to the proposed amendments. She had not heard from the City Attorney but had heard from the Bond Counsel. The Bond Counsel felt the changes were appropriate and felt that Sections 7.13 and 7.14 could be omitted as they were more of a redundancy as these sections would also be covered under Section 7.12, the first paragraph, which covers the City's ability to borrow. While redundant, it was not critical and that the Commissioners could make that determination.

Commissioner Findell felt anyone reading this section of the Charter would have a better understanding if the two sections were left in.

Commissioner Reiland felt the detail was necessary.

After further discussion, Chairperson Ostwald said the consensus was to keep the two sections as part of the proposed amendment.

Commissioner Braam wondered if the City Attorney should review the amendment.

Ms. Peterson said she had done an extensive review of other charters and the state statute. In addition, as the Bond Counsel felt the language was appropriate, she was comfortable with it.

Commissioner Kranz thanked Ms. Peterson for all of her hard work and dedication in helping them to better understand this Chapter of the Charter. Commissioners Johnston and Braam also expressed their thank you.

Commissioner Rolstad MOVED and Commissioner Johnston seconded a motion approving the proposed amendments made to Chapter 7 as provided in the meeting agenda packet.

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

Commissioner Rolstad MOVED and Commissioner Johnston seconded a recommending staff provided the proposed ordinance to the City Council for their review and public hearing.

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

Ms. Peterson thanked the Commissioners for all of their hard work and dedication in reviewing and amending Chapter 7 of the Charter.

NEW BUSINESS

A. Discussion of Chapter 8

There was some discussion about Section 8.01 pertaining to the City Plan. Ms. Skogen reminded the Commissioners this section had been amended in 2013 and if they had any changes, they may want to discuss this Chapter with the departments involved. She said she understood the need to make the language easier to understand but wanted to remind them they should steer away from making changes that would affect how zoning is completed.

Commissioner Crandall wondered if in Section 8.02 the word authority should be used rather than power to remain consistent in the chapters, referring back to Chapter 7.

The commissioners reviewed the definition of authority and power and determined authority provided the power or right to govern.

Commissioner Crandall wondered if some of this section could be bullet pointed like the first section to make it easier to understand.

After further discussion, Commissioner Reiland MOVED and Commissioner Rolstad seconded a motion that Section 8.02 be amended as follows:

Section 8.02. ENFORCEMENT OF CITY PLAN.

The Council shall have ~~all necessary power~~ full authority, acting through the City Manager, to enforce complete adherence ~~by all persons~~ to the plans adopted as provided above, and to adopt and enforce a comprehensive zoning ordinance. The Council shall ~~have power to~~ pass ordinances to regulate:

- the use of private property;
- the height of buildings;
- ~~and~~ the proportion of the area of any lot which may be built upon; and
- to establish building lines.

Such ~~power~~ authority shall be exercised to promote public health, safety, morals, welfare and convenience.

FUTURE ITEM TOPICS

- Term expirations for 2018
- Discussion of Chapter 8 – having staff provide the information to the Community Development Director for his opinion on recommended changes.

ADJOURNMENT:

Commissioner Reiland MOVED and Commissioner Rolstad seconded a motion to adjourn the meeting.

UPON A VOICE VOTE, ALL VOTING AYE, CHAIRPERSON OSTWALD DECLARED THE MOTION CARRIED AND THE MEETING WAS ADJOURNED AT 8:07 P.M.

Respectfully submitted,

Debra A. Skogen, MMC
City Clerk/Staff Liaison

Commissioner Manuel Granroos, Secretary

FRIDLEY CITY CHARTER
CHAPTER 8. PUBLIC IMPROVEMENTS AND SPECIAL ASSESSMENTS

Section 8.01. THE CITY PLAN.

The present zoning and comprehensive plans shall be the plans for future physical development of the City. Plans may be altered from time to time. To alter a zoning plan, the City Council shall hold a public hearing and notice published fourteen (14) days prior to hearing with notices sent to affected property owners. It may include provisions for: (Ref Ord 1310)

- Zoning;
- Platting and development of new areas;
- Planning and location of public works of art;
- Public buildings;
- Parks;
- Playgrounds;
- Bridges;
- Public transportation services and facilities;
- Other public facilities;
- Designing and improving streets;
- Designing and improving public places; and
- Other matters which may seem essential to the City plan.

Section 8.02. ENFORCEMENT OF CITY PLAN.

The Council shall have ~~all necessary power~~ full authority, acting through the City Manager, to enforce complete adherence by all persons to the plans adopted as provided above, and to adopt and enforce a comprehensive zoning ordinance. The Council shall ~~have power to~~ pass ordinances to regulate:

- the use of private property_i;
- the height of buildings_i;
- ~~and~~ the proportion of the area of any lot which may be built upon_i; and
- to establish building lines.

Such ~~power~~ authority shall be exercised to promote public health, safety, morals, welfare and convenience.

Section 8.03. PUBLIC IMPROVEMENTS AND SPECIAL ASSESSMENTS.

The City shall have the power to make any and every type of public improvement not forbidden by the laws of the State and to levy special assessments to pay for all such improvements as are of a local character, in accordance with Minnesota State Statute Chapter 429, Local Improvements, Special Assessments. The amounts assessed to benefited property to pay for such local

improvements may equal the cost of the improvements, including all costs and expenses connected therewith, with interest, until paid, but shall not exceed the benefits to the property.

Section 8.04. LOCAL IMPROVEMENT REGULATIONS.

The City Council may prepare and adopt a comprehensive ordinance, prescribing the procedure which shall determine all matters pertaining to the making of local improvements thereafter, and such ordinance shall supplant all other provisions of law on the same subject and may be amended only by an affirmative vote of at least four (4) members of the City Council. Such ordinance shall provide for such notice and hearing in the ordering of improvements and the making of assessments therefore as shall be necessary to meet constitutional requirements. Such ordinance shall also require a petition of a majority in number and interest of the owners of property to be assessed for such improvement, or improvements, for the initiation thereof; provided that the City Council may proceed upon its own initiative hereunder and under such ordinance by resolution adopted by four/fifths (4/5) affirmative votes of the City Council after a proper notice and hearing. (Ref. Ord. 776)

Section 8.05. PUBLIC WORKS HOW PERFORMED.

1. Public works including all local improvements, may be constructed, extended, repaired or maintained either by contract or directly by day labor. Before receiving bids the City Manager shall, under the direction of the City Council have suitable plans and specifications prepared for the proposed material or project and estimate of the cost thereof in detail. The award of any contract amounting to more than what is allowable under Minnesota state statutes shall require an affirmative vote of at least four (4) members of the City Council. When the best interest of the City will be served thereby, the City Council may organize a public works department and provide the department with suitable equipment. (Ref. Ord. 1310)
2. The right is reserved to the City Council, upon the recommendation of an engineer, acting through the public works department, to bid on any work to be let by contract. All contracts shall be let to the lowest responsible bidder who is qualified in accordance with Minnesota State Statutes. The term "lowest responsible bidder" shall be interpreted as giving the City Council the right to accept any bid which it determines to be most advantageous to the City. The City Council shall reserve the right to reject any or all bids in accordance with Minnesota State Statute Chapter 429. The City shall require contractors to furnish proper bonds for the protection of the City, the employees and material person. (Ref. Ord. 776)



2018 Charter Commission Meeting Dates

Meetings Held at 7:00 pm
 Conference Room A
 Fridley Municipal Center
 6431 University Avenue NE

Deb Skogen, City Clerk
 763-572-3523
Deb.skogen@fridleymn.gov

To ensure a quorum, please notify
 Deb by 10 am on the meeting date

No meetings will be held in June,
 July, August, November and December
 Unless called by the Chair

JANUARY

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