

1 Charter Commission
2 Minutes
3 Thursday, January 20, 2022 @ 4:00 P.M.
4 Blue Earth City Hall Council Chambers
5

6
7 **Call to Order**

8
9 Chair Ron Nesbit called the meeting to order at 4:00 P.M.
10

11 **Roll Call**

12
13 **Members present:** Mayor Richard Scholtes, Glenn Gaylord, Gary
14 Armon, Frankie Bly, Lars Bierly, Bob Bromeland, and Ron Nesbit.
15 Absent Tim Juba and Bruce Hanson.
16

17 **Staff present:** City Administrator Mary Kennedy.
18

19 **Public Present**

20
21 None.
22

23 **Approval of Minutes**

24
25 ***Motion by Scholtes, second by Gaylord approving the minutes of***
26 ***Charter Commission Meeting of February 12, 2020. The motion was***
27 ***approved unanimously.***
28

29 **Old Business**

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31
32 **New Business**

33
34 Chairperson Ron Nesbit brought forth Resolutions/Process. Frundt
35 reviewed the Charter process, suggesting that when a property is
36 sold the process of the sale can take up to two months to finalize
37 the ordinance with the Charter requirements. The requirements
38 could lead into the possible loss of potential buyers for the
39 HRA/EDA. Scholtes recommended amending Section 12.02 and
40 eliminating the 60-90-day window allowing the passing of the
41 Ordinance by changing the process to a resolution allowing for the
42 reading of the resolution by the HRA /EDA and the sale of the
43 property to continue. Gaylord felt by changing this it takes away
44 authority from the Council and that too many things are being
45 changed, the Council is losing its say. Scholtes implied that
46 Council elects its committees to say what should be done, by
47 amending the Charter it will help move the process along for
48 sales.
49
50

51 **Motion by Armon, second by Bly to approve moving the**
52 **recommendation on to the Council to amend the Charter section**
53 **12.02. The motion was approved unanimously.**

54
55 SECTION 12.02 REAL PROPERTY - Fee title to real property of the
56 City may be conveyed by the Mayor and Clerk-Administrator by
57 authority of an ordinance duly adopted. The proceeds of any sale
58 of such property shall be used as far as possible to retire any
59 outstanding indebtedness incurred by the City in the purchase,
60 construction, or improvement of this or other property used for
61 the same public purpose. If there is no such outstanding
62 indebtedness, the Council may by resolution designate some other
63 public use for the proceeds. Such ordinances shall not be
64 effective until thirty (30) days after its publication. If during
65 said period a petition shall be filed signed by the greater of two
66 hundred fifty (250) qualified voters or ten percent (10%) of the
67 qualified voters voting at the last regular municipal election, a
68 special election shall be called upon the question of approval of
69 said ordinance. If approved, such ordinance shall be of full force
70 and effect. If not, it shall fail. Such ordinance may provide for
71 the conveyance of real estate to other public corporations upon
72 such terms as the Council may deem appropriate. All other real
73 property interests which convey less than fee title may be
74 conveyed by the Mayor and Clerk-Administrator by authority of a
75 resolution of the City Council without need for further
76 publication or notice.

77
78 Next, Nesbit brought forth SECTION 5.13 THE RECALL. Frundt
79 reviewed the section of the Charter that is subject to being
80 amended, suggesting that our Charter language does not specify who
81 that authorizes a recall and decides if its malfeasance or
82 Misfeasance or is an act that results in that. This being a change
83 that had been made to the constitution with the amending the
84 charter to follow what the state constitution says.

85 **Motion by Bierly, second by Armon to approve moving the**
86 **recommendation on to the Council to amend the Charter section**
87 **5.13. The motion was approved unanimously.**

88
89 SECTION 5.13 THE RECALL - Any five (5) qualified voters may form
90 themselves into committee for the purpose of bringing about the
91 recall of any elected official including City Councilmembers and
92 Board of Public Works members of the City. The committee shall
93 certify to the Clerk-Administrator the name of the official whose
94 removal is sought, a statement of the grounds for removal in not
95 more than two hundred fifty (250) words, and their intention to
96 bring about this recall. A copy of this certificate shall be
97 attached to each signature paper and no signature paper shall be
98 put into circulation previous to such certification. The Petition
99 shall require the greater of two hundred fifty (250) signatures of

100 qualified voters or ten percent (10%) of the total number of
101 qualified voters who cast their votes at the last election.

102

103 **Other Business**

104 Nothing

105

106 ***Motion by Scholtes, second by Bierly to adjourn the meeting at***
107 ***4:39 P.M. The motion passed unanimously.***