

FERGUS FALLS CHARTER COMMISSION

Meeting Minutes, April 9, 2024

Call to order: Chairperson Mark Hovland called the meeting to order at 7:00 am. A quorum was established.

Attendance:

Present: Mark Hovland, Tim Brennan, JoEllen Thacker, Desta Hunt, Mary Jo Igelstad, Dave Prazak, Kris Svingen, Dick Felstul, Al Frank

Excused Absence: Chuck Hanson, Sarah Duffy, Gary Nelson

Absent: Duane Henry, Eric Shelstad

Adoption of Agenda: Chairperson Hovland added item 6c: Reappointment of Members, to the agenda. The agenda was then adopted by consensus.

Approval of Minutes: There was a motion by Felstul to approve the minutes from the September 12, 2023 meeting, seconded by Frank. Motion carried. Thacker asked for an update to the recommendations the Charter Commission had forwarded to the City Council after our September 2023 meeting. City Attorney Nycklemoe, who was in attendance, responded that the recommendations had all been adopted by resolution.

Public Comment: There were several members of the public in attendance and seven of them spoke on two of the topics on the agenda. A brief summary of their comments follows:

Becky Schwarzhoff had previously sent an email to the Mayor and some members of the City Council questioning whether the actions of Council Member Kremeier at the March 4, 2024 council meeting met the requirements of a resignation per the City Charter, Section 2.04 and thus a vacancy of his seat should be declared. Becky Schwarzhoff spoke during the public comment portion of our meeting asserting that she felt Kremeier's actions should result in his council seat being deemed vacated.

Al Kremeier spoke on his actions at the March 4th meeting and stated he did not resign his seat on the council and his intention was to make his comments as a citizen and that he should have the same rights that a private citizen has.

Cindy Skogen spoke on the second business item on the agenda stating that she was opposed to the city council's new policy of holding the open forum portion of city council meetings prior to the official meeting and not televising that segment. She felt this new policy would result in decreased transparency.

Laurie Mullen spoke and reiterated that she felt the open forum portion of council meetings should take place during the official part of the meeting and that the 3-minute time limit might even be expanded to perhaps 5-minutes.

Debbie Smith spoke saying she concurred with both Cindy and Laurie, and felt that decreased transparency will result in more conflict.

Bob Noah spoke and said that the new policy would shut down public input and not televising the open forum was ignoring our rights. He felt we need hearings that allow citizens the opportunity to ask questions of elected officials.

Pam Ballard spoke and said the open forum portion of council meetings should be televised. She said the city needs better reporting and communication from elected officials. She suggested that perhaps a notice of upcoming issues and topics could be included in the monthly utility bills.

After hearing all of the public comments the Charter Commission moved on to the business portion of their meeting at 7:30.

Business

- The Charter Commission was asked to review the Charter and to give an opinion on whether there were grounds to declare a vacant council seat per Charter Section 2.04. During the meeting of the City Council on March 4, 2024 Council Member Kremeier left his seat on the council dais and spoke from the podium on the chamber floor during the open forum segment of the city council meeting. An assertion was made that such an action constituted a vacancy on the city council per Charter Section 2.04 and therefore the

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proper steps should be taken to fill the vacancy. The consensus of the Charter Commission members was that Council Member Kremeier's actions did not meet the requirements in the Charter that would have created a vacancy.

- Commission members were asked to review a recently adopted policy by the City Council relating to the Open Forum portion of council meetings, and perhaps rescind or revise the new policy. Charter Section 4.02 states, "The Council shall determine its own rules and order of business." Therefore, the Commission members declined to take action on this matter at this time. There was some lengthy discussion on council meetings needing to maintain a quorum throughout the meeting. There was preliminary discussion on procedures that might need to be followed in the event a member(s) were to resign or leave during a meeting that resulted in there being a lack of a quorum. Therefore, the Charter Commission may revisit this possible scenario at a future meeting.
- Chairperson Hovland reminded the Commission members that the terms of seven of the members would be expiring at the end of 2024. He asked that those affected consider continuing to serve and agree to being reappointed.
- Next Meeting: The next meeting of the Charter Commission was set for May 14, 2024, if needed, and the annual meeting is set for September 10, 2024.

Adjournment. There was a motion to adjourn by Hunt, seconded by Igelstad. Motion carried. The meeting was adjourned at 8:11 a.m.

**Respectfully submitted,
Tim Brennan, Secretary**