

City Charter Commission

City of Faribault, MN

Minutes of August 25, 2016

1. Call to order / Roll call

The scheduled meeting of the Faribault Charter Commission was called to order by Chair Gary Kindseth on Thursday, August 25, 2016, at 7:00 p.m., in the Faribault City Hall Council Chambers. Commission members present included Chair Gary Kindseth, Kymn Anderson, Dan Behrens, Daniel Burns, John Jasinski and Pat Rice. Absent: Chuck Ackman, Joan VanDyke.

Others present: City Administrator Brian Anderson, City Attorney Scott Riggs representing Kennedy & Graven, and Deputy City Clerk Carole Dillerud.

2. Approval of minutes

Commission member Rice made a motion to approve the minutes of the September 17, 2015 Charter Commission meeting as presented. The motion was seconded by Commission member Jasinski. Motion passed unanimously.

3. Election of Officers

- A. Chair – Gary Kindseth
- B. Vice Chair – Chuck Ackman
- C. Secretary – Dan Behrens

Commission member Behrens made a motion to appoint the Charter Commission Officers as presented. The motion was seconded by Commission member Anderson. Motion passed unanimously.

4. New Business

4a. City Charter issues for review

City Attorney Riggs presented the proposed revisions to Section 7.10. The modifications encompassed the Charter's intent to support the economic development aspect. The revision would allow the City and any development entity of the City the powers to purchase, gift, or devise, and develop at the Council's discretion or otherwise granted by Minnesota law. Development promotes industry and employment opportunities, and also referenced in Section 7.13 and State Statutes Chapters 469 (development entity) and 475 (statutory bond issues).

Commissioners inquired if eminent domain was implied and allowed, per state statute for EDA core development, and if the EDA or HRA were permitted to dispose of assets. TIF and tax abatement could also be utilized as a potential incentive toward the City's economic development.

City Attorney Riggs stated the City was permitted to buy and/or sell. A separate action by the City Council controlled the enabling resolutions.

City Attorney Riggs agreed with the Commissioners that the existing language in Section 7.11 was confusing. He recommended Section 7.11 be stricken from the City Charter as the bonding authority was already addressed in Section 7.09.

Motion by Commission member Rice, seconded by Commission member Jasinski, to approve Section 7.10 and Section 7.11 recommendations as presented by the City Attorney. Motion passed unanimously.

5. Review/Creation of 2016 Annual Report

Commissioners reviewed the January 7, 2016, letter and documents mailed to Honorable Jeffrey D. Thompson, pursuant to MN Statutes Section 410.05, subd. 2.

Commission member Jasinski made a motion to update and create a new letter to be mailed to the Courts. The motion was seconded by Commission member Anderson. Motion passed unanimously.

6. Charter Commission Meeting Schedule

Minnesota State Statute requires an annual meeting of the Charter Commission. The next meeting date will be determined by the City Administrator.

7. General Discussion Item

City Attorney Riggs reported that there was nothing new presented at the State legislature affecting the City.

Commission members discussed possibly reviewing sections of the charter to retain accurate information for the City. The Commissioners want to remain current with the various provisions in the Charter.

City Attorney Riggs commented that City Staff and he regularly review the Charter's language, and has been effectively streamlined by the Commission. Staff will continue to notify the Commission when a topic affecting the Charter arises.

Commission member Jasinski made a motion to direct Staff to verify Commission member expiration dates and proceed to recruit applicants for the open positions. The motion was seconded by Commission member Burns. Motion passed unanimously.

8. Agenda Topics for Next Meeting – to be determined

9. Adjournment

Motion by Commission member Anderson, seconded by Commission member Burns, carried unanimously, to adjourn the meeting at 7:34 p.m.

Submitted by:



Dan Behrens, Secretary