

DECEMBER 7, 2011
**OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY CHARTER COMMISSION
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The organizational meeting of the Marquette City Charter Commission was duly called and held at 6:00 p.m. on Wednesday, December 7, 2011, in Commission Chambers at City Hall.

ROLL CALL

The roll call of the Charter Commission was taken and the Pledge of Allegiance to the Flag was recited.

Present: Commissioners Baldini, Berube, Cambensy, Conley, Coyne, Howes, Kulisheck and Tourville.

Absent: Commissioner Mazzucchi.

It was moved by Commissioner Tourville, supported by Commissioner Berube and carried unanimously to excuse Commissioner Mazzucchi from the meeting.

ELECTION OF OFFICERS

Clerk Bleau conducted the election for Chair of the Charter Commission and distributed ballots to the Commission. On the first ballot, Commissioner Robert Kulisheck was elected Chair. City Clerk Dave Bleau asked Mr. Kulisheck to step forward, and he administered the Oath of Office as Chair of the Charter Commission to Robert Kulisheck.

Clerk Bleau then distributed ballots for the election of Vice-Chair of the Commission. On the first ballot, Commissioner Tom Baldini was elected Vice-Chair. City Clerk Dave Bleau asked Mr. Baldini to step forward, and he administered the Oath of Office as Vice-Chair of the Charter Commission to Tom Baldini.

ROLL CALL

City Clerk Dave Bleau then called the roll of the Commission:

Present: Chair Kulisheck, Vice-Chair Baldini, Commissioners Berube, Cambensy, Conley, Coyne, Howes and Tourville. Clerk Bleau then turned the meeting over to Chair Kulisheck.

RULES OF PROCEDURE

Mr. Kulisheck said the next order of business was to review the Charter Commission Rules of Procedure. He said the draft provided to the Commission was based on a version from the Port Huron Charter Commission, as they recently went through the process of a Charter revision.

It was moved by Commissioner Coyne, and supported by Commissioner Berube to approve the Rules of Procedure with an exception under Rule 6-Public Comment; changing the speaker's time from four minutes to two minutes. He also asked in addition to the explanation of what a speaker's time includes, that additional verbiage be added to include encouraging anyone wishing to further address the Commission to put their comments in writing so that the Commission may have time to review their comments.

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An amendment was offered by Martha Conley to Rule 7- Agenda Preparation to move Item #5 "Public Comment" to just before the Commissioner Comments section-making it Item #7 on the agenda. Supported by Commissioner Howes.

An amendment was offered by Commissioner Coyne to eliminate the wording under Rule 6 - Public Comment "At the Chairs discretion, such limitation could be extended." Supported by Commissioner Berube.

Vice-Chair Baldini made a motion to correct the dates of meetings under Rule 4 - Meetings (*on the second and last Wednesday's of the month*) until the meeting calendar could be reviewed. Supported by Martha Conley. Amendments approved by original motion and support: Commissioners Coyne and Berube. Carried unanimously.

Commissioner Berube then offered a motion that the verbiage under Rule 4- Meetings, should also state that meetings will be "at times established and noted by the Commission". Motion was supported by Commissioner Conley, and carried unanimously to approve the inclusion of Commissioner Berube's statement of meetings under Rule 4 – Meetings.

There were several minutes of discussion regarding the Open Meetings Act. City Attorney Ron Keefe commented on various provisions of the OMA. Mr. Keefe also said the Charter Commission is a stand-alone body, approved by the Electorate of the City, and does not need to follow City Commission requirements. Chair Kulisheck reviewed a notation under Rule 1- Charter Commission; "*Robert's Rules of Order, Newly Revised*" –that Robert's Rules of Order is intended to facilitate discussion, and to be viewed as a guideline only; he asked that the Commissioners feel free to express their opinions and be very open in their views.

RECESS

A five-minute recess was called by Chair Kulisheck at 7:02 p.m.
The Charter Commission returned into open session at 7:07 p.m.

DISCUSSION

Chair Kulisheck provided a timeline for the Commission to review. He said if this time line is followed it may be possible for the revised Charter to be placed on the November 2012 ballot. He said that language must be submitted to the State Attorney General's office by mid-May, and they have up to 90 days to review the submission and return it to the Charter Commission, who will then request that the City Commission place the question of adopting a new City Charter on the November 2012 General Election ballot. Mr. Kulisheck said that there are two issues that have already been examined; one being the outdated legal provisions that have been reviewed by the attorneys at Municipal Code Corporation, and the Administrative review, whereby the City Manager and staff have identified areas that need addressing. He then asked for comments from the Commission. Vice-Chair Baldini asked if the Michigan Municipal League could be contacted to inquire what additional municipalities may have recently updated their Charters, and

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suggested using the MML as a major resource in the review process. He said he does not know what the MML has the capacity to do, but they may have some leverage with the Attorney General's office, and suggested using video conference calls as an expedited means of communication between parties. Commissioner Berube said the Commission should look at other cities Charters, and not have to possibly reinvent the wheel. Commissioner Conley inquired about being able to review other Charters that have recently been updated. Chair Kulisheck asked the City Clerk to research the availability of other good City Charters.

Chair Kulisheck noted that Clerk Bleau advised him that according to current City Charter, the Commission must set a calendar for 2012 prior to the end of 2011. Commissioner Conley stated that she would like to see the meetings held during the day and made the following motion:

Approve the Charter Commission meeting schedule as presented, with the time of the meeting changed to 5:00 rather than 6:00. Supported by Commissioner Berube. Motion failed on a tie four-four vote.

Commissioner Coyne then made a motion that he would like the meetings to be held in the evening, but at 7:00 p.m. rather than 6:00 p.m., Commissioner Howes supported this motion. Having no further support, Commissioner Coyne withdrew his motion.

It was then moved by Commissioner Berube, supported by Vice-Chair Baldini and carried unanimously to approve the Charter Commission meeting calendar as presented:

**MARQUETTE CITY CHARTER COMMISSION
2012 MEETING SCHEDULE**

NOTICE IS HEREBY GIVEN that the Marquette City Charter Commission will hold the following regular meetings during 2012. The meetings will be held in City Commission Chambers of City Hall, 300 West Baraga Avenue, Marquette at 6:00 p.m. on the following dates:

January 4	January 18
February 1	*February 15
March 7	March 21
April 4**	April 25
May 2	May 16
*August 15	

**Scheduled for 3rd week due to February, election. **Scheduled for 1st week due to City budget sessions.*

PUBLIC COMMENT

None.

COMMISSIONER COMMENT

HOWES

Commissioner Howes said he likes the time line presented by Chair Kulisheck and looks forward to working with the Commission. He said he knows they have a lot of work ahead.

CAMBENSY

Commissioner Cambensy said she doesn't want to reinvent the wheel and that they should get the Michigan Municipal League involved.

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CONLEY

Commissioner Conley thanked Chair Kulisheck for the set up of the time line for the Commission.

BALDINI

Commissioner Baldini said that they should involve the Michigan Municipal League early on.

KULISHECK

Chair Kulisheck asked if the MCC attorney that did the Charter legal review could be involved at the next meeting; possibly by video conference and encouraged the City attorney to also attend and asked for a concise description of issues prior to the next meeting.

ADJOURNMENT

adjourned the meeting at 7:50 p.m.

Robert Kulisheck
Chair

David J. Bleau
City Clerk