

Subject: Charter Commission Appointments by City Council
From: "Carol A. Overland" <overland@legalelectric.org>
Date: 4/24/2023, 1:38 PM
To: City of Red Wing City Council Mayor <citycouncilmayor@ci.red-wing.mn.us>
CC: "Kuhlmann, Kay" <Kay.Kuhlmann@ci.red-wing.mn.us>

All -

Regarding Charter Commission appointments, Item 9C on the Agenda:

The City Charter is our "Constitution," the governing document laying out how our City is structured and how it is run as provided by the state Constitution and statutes. I hope you'll take a look at each and every Charter Commission application and critique it as if it were a homework assignment. Do highlight and write a grade on each!! The highest grade I'd give is A-, most are a "meh" C, and a couple get an F, although many should get an incomplete! What's your take?

- Many applicants said very little in their applications, and most did not convey an understanding of the Charter. That's a problem. Most statements of "interest" referenced time lived in Red Wing, growing up here, a spouse's lifelong residence, citizen for nearly 25 years, which is non-responsive. Living a long time in Red Wing is not an "interest" or qualification nor is that justification or rationale for applying for appointment to the Charter Commission.
- **Once again, resumes are not provided in the packet by staff -- This omission is on staff and should be corrected.** Failure to attach resumes has been an issue before, which I raised with staff at the last Charter Commission meeting where people were up for appointment. Some referred to their resume as the entire answer to a question, again, a resume which was **not attached by staff**. For example, **Tom Drazkowski** refers to his resume, but it is not attached and there's no link, working or not. **Mark Hagen** referenced his resume three times but there's a link that won't open, so there's no resume to review. Looking at his application, he also referenced "Christian" in the "interest in serving" question. This could go in different directions, and while the tenets of Christianity are great and good, this is a secular position. Considering separation of church and state, and the often perversion of the notion of Christianity these days, without the referenced resume for context, that raises concerns:

Please briefly explain your interest in serving on this board or commission

I believe the core of the Christian message is a universal one: Being generous to your neighbors is the path to blessings. Therefore, I am looking for ways to give back to my community.

I also don't see how service on the Charter Commission is generosity to neighbors, though it appears that seeking a position on the Charter Commission is seeking a path to blessings! The logic of this answer evades me.

- A number of applicants demonstrated zero understanding of the Charter's Recall provisions through either being Recall principals or that they signed Recall petitions.
 - The Recall was falsely based on "250 word" statements that were false, incidents claimed to be "open meeting law violations" that were obviously not, showing lack of understanding of Open Meeting Law (and perhaps bad advice!).
 - The Recall was admittedly brought in response to Pohlman's firing, contrary to the "250 word statement" in the Petitions.
 - Claims were vociferously made that mere collection of signatures was sufficient and there was a right to recall election. There is no right to a recall election.
 - There was no acknowledgement of the "malfeasance or misfeasance" standard, which had not been met, and which was why recall was denied.
 - Recall lawsuit had to be dropped because it was frivolous and sanctions were a very real risk.

These facts about the Recall effort should disqualify Recall supporters from serving: **John Guerber, Kyle Knutson, Ann Vogel**, and in particular, **Tom Drazkowski**, who was a Recall principle and who was according to filings, solely responsible for the inflammatory flyer littered with false statements sent to ~6,500 addresses in Red Wing. **Drazkowski's** application states, "I have looked at and evaluated the RED WING Charter, and feel that I have an understanding of the document." Actions and statements prove otherwise.

- In response to the question regarding interest in serving on the Charter Commission, few provided any substantive answer. Answers with depth were a joy to see. **Ann Robertson** provided the most concrete statement of interest conveying understanding of the role of the charter and Charter Commission. **Janet Brandt's** application also had a substantive response. **Charles Richardson** succinctly stated two specific qualifications, training as lawyer and understanding of legal documents, and appears well qualified (though I don't know him or know of his legal work).
- On the other hand, the repeated statement of **Dean Adams** that "I have lived in Red Wing for 55 years" as the only response to interest (I have lived in Red Wing for 55 years"), skills and talents to bring to Charter Commission (I have lived in Red Wing for 55

years"), and "Is there anything else..."(I have lived in Red Wing for 55 years") has no substance, we learn nothing, and it looks like a sense of entitlement. Dean Adams' application shouldn't be taken seriously. **Ann Vogel's** "interest" stated in response focuses on living in RW, raising children, and no plans to leave, which has nothing to do with the Charter Commission, and her claimed "interested in the workings of our city government and would like the opportunity to help form our city's (sic) future" doesn't convey any knowledge, understanding, or experience of the Charter or how government works.

- **Jason Snyder's** desire for appointment is problematic, due to his statements during his campaign that showed lack of understanding of civic process and responsibility, and no understanding or misunderstanding of the Charter Recall provisions. These statements are bizarre, referencing the State and Federal constitutions and implies that the Charter, or City's use of the Charter, has taken away rights -- and at a candidate forum Snyder also referred to the Constitution and the "right" to Recall:

Please briefly explain your interest in serving on this board or commission

I want to ensure that the City Charter aligns with our State and Federal Constitutions and that the people have all the power to govern themselves and choose or remove their elected officials as they see fit.

What skills and talents will you bring to this board or commission?

I am a creative, outside-of-the-box thinker that can troubleshoot complex situations. I take time to consider all input and have the ability to look at both sides of an issue independently of my own bias. I can envision the big picture and enjoy putting all the pieces together to make something work. I have the ability to read and apply the Constitution as written; the City Charter cannot take away the rights protected by the State and Federal Constitutions. I also have the ability to determine the future consequences if a charter is written poorly.

- **Dean Hove** does understand how the City government works and the role of the Charter, and he also was recently the Council liaison to the Charter Commission and knows how the Charter Commission works and doesn't work. We've argued a lot over time, as have most of you, and don't see that ending anytime soon! On the other hand, I do think we need "new blood" on the Charter Commission. Despite that, with his knowledge and experience, I do think **Dean Hove** would be a good addition to the Commission.

OK, I'll shut up for now!

Carol A. Overland, Ward 2 and member of Charter Commission

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"Our lives begin to end the day we become silent about the things that matter." Dr. Martin Luther King, Jr.

Carol A. Overland
Attorney at Law
Legalelectric - Overland Law Office
1110 West Avenue
Red Wing, MN 55066

612-227-8638

overland@legalelectric.org

www.legalelectric.org
www.nocapx2020.info
www.not-so-great-northern-transmission-line.org