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**MINUTES OF THE  
MINNETONKA CHARTER COMMISSION**

**Nov. 9, 2021**

1. CALL TO ORDER

Chair Northrup called the meeting to order at 6:30 p.m.

2. ROLL CALL:

Members present: Dick Allendorf, David Larson, John Northrup, Rachel Panner, Linnea Sodergren, LuAnn Tolliver, Brad Wiersum. Weissman joined the meeting at 6:32 p.m., immediately after the approval of the minutes. Members absent: Terry Schneider (excused).

3. APPROVE MINUTES OF NOV 10, 2020 MEETING

Allendorf moved, Tolliver seconded, to approve the minutes of the Nov. 10, 2020 meeting. By roll call vote, all voted in favor.

4. REPORT ON NOV. 2, 2021 ELECTION USING RANKED CHOICE VOTING

Acting Assistant City Manager Moranda Dammann gave the staff report, with assistance from Elections Specialist Kyle Salage. Northrup asked for an explanation of what constitutes absentee voting, and city staff responded that any vote cast prior to Election Day, whether by mail or by in-person early voting, is defined as absentee voting.

Weissman asked about the rate of rejected ballots, and Salage responded that the rate was fairly low, less than 20. Allendorf asked what the cost was for converting to ranked choice voting. Dammann responded that the information will be provided to the city council at a study session in 2022 but was not available at the time of the charter commission meeting.

Wiersum asked for an explanation of undervotes and overvotes. Dammann explained that an overvote is a situation in which someone attempts to cast more votes than is permissible, such as ranking two candidates as first choice. An undervote is casting fewer votes than are permitted, such as not casting any vote in the second or third choice columns. Weissman asked if one ballot could include both an overvote and an undervote, and Salage responded in the affirmative, because the overvotes and undervotes are reported for each preference column.

Northrup commented on the number of blank ballots for At Large Seat B. Dammann indicated that one explanation might be that voters only voted for the school district race and did not vote on the council race. Salage noted that there can be various reasons why a voter might not vote on a particular race. Wiersum hypothesized that voters might have skipped the Seat B race because the candidates were not well known.

Wiersum asked about the Minneapolis race, where Jacob Frey won with less than 50 percent of the total votes cast. Heine explained that Minneapolis uses a batch elimination system, so that all candidates who cannot statistically reach the threshold are eliminated in a single round. If only one person remains, that person is the winner. Salage confirmed that Minnetonka's ordinance is similar and provides that when all other candidates have been eliminated, the remaining candidate is the winner, even if that candidate did not receive more than 50 percent of the votes.

Sodergren asked for an explanation of how the tabulation process works. Dammann explained that process and indicated that it was performed between 10:30 a.m. and 1:30 p.m. on the day after the election.

Northrup mentioned a newspaper article on the Bloomington ranked choice voting process. He complimented the city staff for the work it did to tabulate votes. Sodergren asked for any staff predictions as to whether voting equipment might be certified in the future for ranked choice voting. Dammann said she did not expect that to happen in the near future but is cautiously optimistic that it might be approved sometime in the future. Salage indicated that the spreadsheet tabulation method that the city uses does not require certification. He noted that the city does use a non-certified software to double-check the results that the city obtains from its spreadsheet process.

Wiersum thanked Dammann and Salage for their work. Dammann complimented the work of the city clerk, the rest of the elections staff, and the city's election judges. She commented on the team effort that is involved, including planning staff for signs, public works for handling the voting equipment, and other staff.

#### 5. REPORT OF CITY ATTORNEY

The city attorney gave the city attorney report. Tolliver asked whether commission members could attend meetings remotely, even though there is no emergency in effect. Heine responded that the law still allows members to participate from a remote location, but there are specific requirements that must be met.

#### 6. EMAIL AND RECORDS MANAGEMENT

The city attorney reviewed two hand-outs on how to identify and report suspicious emails. She also informed commission members that emails that constitute official records should be retained as part of the city's records management system, but that they may delete any email that is not an official record.

#### 7. ELECTION OF OFFICERS

Northrup introduced the topic of electing officers. The current officers are Northrup as chair, Sodergren as vice-chair, and Tolliver as Secretary. Allendorf moved, Larson seconded, that the commission re-elect the same slate as officers. All voted "aye."

8. ANNUAL REPORT

The city attorney reviewed the draft annual report. Tolliver moved, Weissman seconded, a motion to approve the annual report. All voted "aye."

9. OTHER BUSINESS

Northrup asked if there was any other business for the commission. Sodergren asked the city attorney about a news article that had mentioned a dispute regarding campaign literature in the Minnetonka council elections. The city attorney explained that a resident had filed a complaint under the Fair Campaign Practices Act, related to a piece of campaign literature that had used a photo of a city monument sign with the city logo. The complainant alleges that the literature falsely implies that the City of Minnetonka endorsed the candidates. Heine reported that a three-person panel of administrative law judges is scheduled to hear the case on Dec. 9, 2021.

10. FUTURE MEETING SCHEDULE

The commission discussed dates for the 2022 annual meeting. By consensus, the commission selected Tuesday, Nov. 15, 2022 at 6:30 p.m. in the Minnehaha Room.

11. ADJOURNMENT

Wiersum moved, Allendorf seconded, to adjourn the meeting. All voted "aye." The meeting was adjourned at 7:55 p.m.

Respectfully submitted,



LuAnn Tolliver  
Secretary