



**MINUTES OF THE
MINNETONKA CHARTER COMMISSION**

Nov. 10, 2020

1. CALL TO ORDER

Chair Northrup called the meeting to order at 6:31 p.m.

2. ROLL CALL

Members present: Dick Allendorf, Karen Anderson, John Cheleen, David Larson, John Northrup, Terry Schneider, Linnea Sodergren, LuAnn Tolliver, Brad Wiersum. Anderson joined the meeting at 6:35 p.m.

Members absent: None.

Staff present: City Attorney Corrine Heine.

3. APPROVE MINUTES OF JULY 28, 2020 MEETING

The city attorney reported that a typographical error to the July 28, 2020 minutes had been corrected on page 1. Northrup indicated that, at page 4 of the minutes, in the second paragraph, the word “process” should be added after the word “tabulation.” Allendorf moved, Schneider seconded, a motion to approve the minutes of the July 28, 2020 charter commission meeting. All voted “aye.” Anderson was absent.

4. UPDATE ON RANKED CHOICE VOTING

Anderson joined the meeting.

The city attorney provided her report regarding the results of the Nov. 3, 2020 special election on the proposed amendment to the city charter. She indicated that, at its meeting on Aug. 10, 2020, the council had voted unanimously to submit ranked choice voting to the voters at the November election. As of Nov. 3, 2020, the results were 18,456 in favor and 15,288 opposed. Under a consent decree in a litigation matter, the state was required to accept mail-in ballots until Nov. 10, due to the pandemic. The final, unofficial results were 18,475 in favor and 15,293 opposed, resulting in passage of the charter amendment. The city council will meet on Nov. 13, 2020 to canvass the results.

Commissioner Anderson mentioned that the two campaign committees had filed financial reports, and she encouraged the public to review those reports. As of the most recent report, FairVote Minnetonka had spent \$122,000, which she believed was the most expensive campaign conducted in a Minnetonka election. The commission members commented on the high voter turnout in Minnetonka.

Northrup asked what the next steps would be. Heine explained that the council would adopt an ordinance to establish the rules for ranked choice voting, and staff will prepare a voter education plan. She reported that the Administration Department would be hiring staff to assist with ranked choice voting implementation.

Schneider commented that, as a resident, he hopes the council will adopt an ordinance that only requires ranking of three candidates.

5. REPORT OF CITY ATTORNEY

The city attorney reported on legislation and court decisions in the past year that had a bearing on city charter issues.

Northrup asked a question about the legislation that had that increased the amount of charter commission expenses that city councils are required to fund, from \$1,500 to \$20,000. He wondered if that change would impact the commission. Heine indicated that she did not anticipate any change in operation, because the city has always provided staff support to the commission and covered publication expenses, even though those costs likely exceeded \$1,500 per year.

Sodergren asked why the legislature had deemed it necessary to remove the ability of city councils to make appointments when the chief judge has failed to do so. She found it odd that the legislature would act upon that issue when it has so many other matters that it should be addressing. Heine said she would determine who had sponsored the legislation and see if there was legislative testimony to indicate why the legislation had been proposed.

6. ELECTION OF OFFICERS

Sodergren commented that Northrup had done an incredible job leading the commission through the ranked choice voting study. Schneider moved, Cheleen seconded the following slate of candidates: John Northrup, Chair; Linnea Sodergren, Vice-Chair; and LuAnn Tolliver, Secretary. All voted "aye."

7. ANNUAL REPORT

Allendorf had a question about the charter commission's authority. Heine explained that the law provides four different methods for amending the charter, and the charter commission's role is different in each of those four methods. Allendorf stated that he was perplexed that the commission had worked so hard to examine ranked choice voting and made a recommendation, and yet the council ignored it.

Larson questioned what might happen if voters were dissatisfied with ranked choice voting. He noted that some cities had rejected ranked choice voting after trying it.

Wiersum stated that he understood Commissioner Allendorf's comment. He wanted to thank the commissioners for the work that the commission had done. He explained that, although he had voted with other commissioners to recommend rejection of ranked choice voting, he had voted with the council to submit the issue to the voters. He voted to put the issue on the ballot because he knew the measure was going to pass at the council level. The council did not agree with the commission, but the work of the commission was valuable, and he appreciated it.

Schneider asked whether the council could adopt an ordinance saying it did not want to do ranked choice voting. Heine responded that the charter has been amended to require ranked choice voting. If in the future, residents want to return to a primary system, that would require a charter amendment, which could be done by any of the four methods she had explained earlier.

Schneider commented that he would not be opposed to a system under which the top three vote-getters are elected. Heine stated that would involve a different amendment to the city charter.

The city attorney provided the draft annual report and indicated that relevant information from the Nov. 10 meeting would be added. Northrup commended the commission members for the number of meetings they had attended and their hard work.

Anderson moved, Wiersum seconded, a motion to authorize the city attorney to submit the annual report. All voted "aye."

8. OTHER BUSINESS

Northrup asked whether there was any business for the commission. There was none.

9. FUTURE MEETING SCHEDULE

Anderson moved, Schneider seconded to hold the 2021 annual meeting on Nov. 9, 2021. All voted "aye." The commission agreed, by consensus, that the starting time should be 6:30 p.m.

Commissioner Sodergren asked about the ability to meet virtually at future meetings. Heine explained that the Minnesota Open Meeting Law does allow remote participation by interactive television, even in the absence of a pandemic, but the law has specific requirements that must be met. Wiersum commented that the pandemic has changed the way everyone works, and it is possible the legislature might consider changes to facilitate remote participation, in light of the technology and societal changes during the pandemic.

Larson thanked Jeff Dulac and IT staff for the support and assistance.

10. ADJOURNMENT

Tolliver moved, Anderson seconded, to adjourn the meeting. All voted "aye." The chair declared the meeting adjourned at 7:38 p.m.

Respectfully submitted,



LuAnn Tolliver
Secretary