



**MINUTES OF THE
MINNETONKA CHARTER COMMISSION**

Nov. 12, 2019

1. CALL TO ORDER

Chair Northrup called the meeting to order at 7:00 p.m.

Members present: Karen Anderson, John Cheleen, Sandal Hart, David Larson, John Northrup, Terry Schneider, Linnea Sodergren, LuAnn Tolliver, Brad Wiersum.

Members absent: None.

Staff present: City Attorney Corrine Heine; City Manager Geralyn Barone, Administrative Services Manager Moranda Dammann, City Clerk Becky Koosman, and Elections Specialist Kyle Salage.

Chair Northrup noted a correction to Agenda Item 4, which should have indicated the 2020 meeting schedule rather than the 2019 meeting schedule.

2. MINUTES: NOV. 20, 2018

Schneider moved, Larson seconded, a motion to approve the minutes of the Nov. 20, 2018 charter commission meeting. All voted "aye."

3. REPORT OF CITY ATTORNEY

The city attorney provided her report regarding legislation and court decisions in 2019 that had a bearing on city charter matters.

4. RANKED CHOICE VOTING AND 2020 MEETING SCHEDULE

Chair Northrup opened by indicating that the city council had held a study session in September 2019 and had asked the charter commission to consider studying the possible use of ranked choice voting. He asked what the commission members wished to do.

Anderson commented that it might be appropriate to have a subcommittee of four or five people study the issue and report to the commission. Schneider stated his preference

that the entire commission undertake the study rather than a subcommittee.

Sodergren stated a preference to hear from a panel of experts on the subject. Hart indicated that the commission should hear from St. Louis Park regarding its experience, since that city just completed its first election with ranked choice voting.

Wiersum indicated that the League of Women Voters would be holding an event in December at which David Maeda from the Secretary of State's Office would be speaking. Attorney Heine reminded the commission that they could attend an outside meeting but should not participate in the discussion if a quorum or more of the commission was in attendance, due to Minnesota Open Meeting Law concerns.

Commission members asked about costs associated with studying ranked choice voting. Administrative Services Manager Dammann introduced the elections staff in attendance and explained that the costs that were identified in the city council study session staff report were determined based on the assumption that the study would be fast-tracked, which would have required the city to hire temporary help to assist with elections duties. Dammann explained that 2020 would be a busy year for elections staff, with a presidential primary in March, state primary in August and state general and presidential election in November.

Wiersum stated that the commission should objectively look at the upsides and downsides of ranked choice voting, and ask itself whether there is a problem that needs to be solved. Wiersum mentioned special elections as an area of inquiry, and Schneider agreed. Sodergren questioned whether no-excuse absentee voting has increased participation and stated her desire to get more people involved and voting. Dammann stated that absentee voting has increased and that voter turnout in the recent municipal election was 15 percent. She did not have information as to whether the turnout in St. Louis Park increased over past years.

Tolliver asked whether it was possible to provide in the charter for multiple voting methods but to let the selected method be determined by ordinance. Heine responded that may be possible.

Wiersum suggested that commission members should be thinking of questions that they would like answered and that they could forward those questions to the chair and city attorney. Northrup suggested the commission should: first, learn what ranked choice voting is; second, review what the city charter provides; and third, determine whether ranked choice voting is preferable. The commission could then discuss how to implement ranked choice voting and how to educate voters.

Anderson indicated it is important to hear pros and cons and to hear from both sides of

the issue. The process should be deliberative and inclusive of a variety of viewpoints. Wiersum suggested that the commission should also consider, at least in a cursory fashion, other possible voting methods.

Schneider suggested that the commission direct staff to prepare a plan and process for studying ranked choice voting and bring it back to the commission. The commission discussed who might participate in providing information, including the FairVote group, representatives from cities that had decided not to pursue ranked choice voting, a political science professor or someone familiar with voting methods.

Tolliver moved, Anderson seconded, a motion to direct the city attorney to identify potential experts who could provide information to the commission on ranked choice voting and other voting methods, and to work with the chair in scheduling a special meeting of the commission within the next several months. All voted "aye."

Chair Northrup indicated that the commission needed to set a date for its annual meeting in November 2020. Wiersum moved, Hart seconded, a motion to schedule the annual meeting for Nov. 10, 2020. All voted "aye."

5. CONSIDERATION OF AMENDMENT TO SECTIONS 5.08 AND 5.09 OF THE MINNETONKA CITY CHARTER

The city attorney reviewed the draft amendment to Sections 5.08 and 5.09 of the charter. She indicated that the amendment was consistent with the amendments made to Section 2.06, which the city council approved in early 2019. Like Section 2.06, Sections 5.08 and 5.09 include requirements that elections be held within a specified time period – in this case, 60 days. However, because the Legislature adopted legislation in 2017 that sets five uniform dates for holding municipal elections, the 60-day time requirement conflicts with that legislation. In addition, the 60-day time period conflicts with state election laws, which require the city to give 74 days' notice to the county of any ballot issues.

Under the proposed language, a special election must be held at the earliest date allowed under state law. Schneider moved, Anderson seconded, a motion to recommend that the city council approve the amendment by ordinance. In response to a question from Chair Northrup regarding the wording of "earliest date possible under state law," Heine suggested that the word "permissible" could be substituted for "possible." Schneider and Anderson consented to the substitution as a friendly amendment to the motion. All voted "aye."

6. ELECTION OF OFFICERS

Hart moved, Anderson seconded the following slate of candidates: John Northrup, Chair; Linnea Sodergren, Vice-Chair; and LuAnn Tolliver, Secretary. All voted "aye."

7. ANNUAL REPORT

The city attorney provided the draft annual report and indicated that relevant information from the Nov. 12 meeting would be added. Wiersum moved, Anderson seconded, a motion to authorize the city attorney to submit the annual report. All voted "aye."

8. OTHER BUSINESS

The chair asked whether there were any issues that the commission wanted to review in the upcoming year. Commissioner Wiersum asked whether the commission would want to consider an amendment to address the filing requirements that candidates for office must meet. Wiersum commented that a neighboring city requires candidates to pay a higher filing fee and also submit a nominating petition signed by at least 50 voters. He suggested that the current filing fee of \$5 may be so low that candidates could file without having a strong desire for the office. Anderson questioned whether the need to verify signatures on the petition would create an administrative burden. The city attorney offered to report to the commission in November 2020 whether a petition requirement could be addressed by ordinance or would require a charter amendment.

9. ADJOURNMENT

Anderson moved, Hart seconded, to adjourn the meeting. All voted "aye." The chair declared the meeting adjourned at 8:16 p.m.

Respectfully submitted,

LuAnn Tolliver
Secretary