



**MINUTES OF THE
MINNETONKA CHARTER COMMISSION**

July 7, 2020

1. CALL TO ORDER

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

Members absent: None.

3. APPROVE MINUTES OF JUNE 23, 2020 MEETING

Wiersum requested a change in wording at page 5 of the minutes, to clarify that the city receives data from the various media it uses. Anderson moved, Larson seconded, to approve the minutes of the June 23, 2020 meeting as revised. By roll call vote, all voted in favor.

4. DISCUSSION: WHAT PROBLEM(S) IS MINNETONKA WORKING TO SOLVE WITH RANKED CHOICE VOTING?

Northrup briefly summarized the topics covered by the charter commission in its previous meetings in May and June. City Attorney Heine briefly summarized the structure of the staff report.

Schneider said the commission needs to discuss each problem, but that the list of topics should not be used as a checklist, where all problems must be addressed in order for the commission to recommend the use of ranked choice voting.

Northrup identified the first identified problem, which is low voter turnout. He asked whether the commission perceived low turnout as a problem in Minnetonka. Schneider said that the city does experience low voter turnout, part of which might be due to holding elections in odd-numbered years. He noted that Minneapolis had boosted its voter turnout, but that might be attributed to increased voter outreach and not only the adoption of RCV. Schneider said the city had chosen odd-year elections in order to avoid partisan politics that occur during elections in even-numbered years. With odd-year elections, the city gets steadfast voters who are engaged in city affairs and

regularly turn out for elections. Schneider noted that when he was mayor, he would check the voting records of applicants for commission positions, and he was amazed at the number of people who did not vote in city elections. He would ask people why they did not participate in local elections, and they often responded that they did not see a need to vote because they were happy with the way the city was run.

Cheleen indicated that his experience was that the council has always done a solid job and has stayed away from partisan politics. He noted that there is housing turnover, and younger families are moving in. He felt that one way to increase voter turnout would be to work together with schools to promote voting in elections. Anderson said it would be nice to have greater voter turnout, especially at primaries. She did not feel that RCV was the only way to increase turnout. She noted that the number of candidates and competitive races can improve voter turnout. Moving to even-year elections would improve voter turnout, but the downsides outweigh the benefits of that change. The downsides would be the introduction of partisan politics and also the fact that the city elections would be at the end of a long ballot and might not gain voter interest.

Sodergren said there was not solid evidence that RCV by itself increases voter turnout. She noted that Minneapolis City Clerk Casey Carl had talked about the voter outreach that city had done. She felt that voter education is important. Wiersum stated that Minnetonka had fairly good turnout compared to other cities of similar size with odd-year elections. Regardless of what happens with RCV, the city may want to look at what other things could be done to increase voter turnout. He agreed with others that moving to even-year elections would not be a good idea.

Allendorf said the research papers did not seem to indicate that RCV made a difference in voter turnout. He agreed with others that the city should look at ways to improve voter turnout, but not necessarily RCV. Larson said that the quality of mayors the city has had with its existing voter turnout has been excellent. He believes voters are comfortable that the city is well run.

Schneider noted that FairVote had commented on the voter turnout as being unrepresentative. He was not sure whether that meant a lack of diversity or whether it meant the city did not have a large enough sampling. With respect to turnout, he tends to focus on thoughtful engaged citizens who do their homework rather than those who do not do their research and vote only as a means of checking a box.

Northrup agreed with Sodergren that a communication plan could be a great way to improve voter turnout. He felt there was mixed evidence about the effectiveness of RCV alone, but he saw a great deal of evidence that a communications plan like what Minneapolis and St. Louis Park are doing would be effective. He did not know whether

that was the commission's charge, but the commission may want to recommend that type of plan when it makes its report to the council.

Northrup noted that the second problem identified was an insufficient number of candidates. Anderson said it is a problem, but she was not sure that RCV would increase the number of candidates. The data suggested that the number of candidates increases when an incumbent was not running. She said she had run five times and always had opposition. She thinks it is healthy to have opposition and would like to see more candidates. However, she was not sure RCV would accomplish that – perhaps in the first two cycles but not over time. Schneider said that the city has received many applications when it has filled vacancies by appointment, but that the applicants were not inclined to run for election for various reasons. He believes that, for a number of reasons, people are more engaged today and interested in getting involved in their community. He foresees that more people will be interested in running for office. He's not certain RCV is the answer.

Sodergren said that applicants for appointment to vacancies typically point out that they do not have to do the work of campaigning for office. She said RCV would provide a longer time period for candidates to get organized and campaign for office, and in that respect, RCV could encourage more people to run. Wiersum commented that Minnetonka's filing date was in May, because there was the potential for an August primary. In St. Louis Park, the filing deadline was July, because there would not be a primary due to that city's adoption of RCV. He felt that elimination of a primary might encourage more people to run because the candidates would not have a lengthy period of time that they need to campaign. Minnetonka does not have a lot of primaries because some candidates who are not as committed drop out when they realize there will be a primary. Wiersum was not certain that eliminating primaries would be the decisive factor in increasing the number of candidates, because deciding to run for office is a daunting prospect, especially for people who have never run before.

Allendorf said that he does not think that when there are more people running, you have better people running. He ran six times and always had opposition. The candidates who have run have been quality candidates. He did not think that increasing the number of candidates would increase the quality of candidates.

Northrup felt that the data showed that RCV does tend to increase the number of candidates who run. He felt RCV generally achieves its objectives on this issue.

Northrup introduced the next issue, which is the lack of majority winners. Schneider said that when the city has a vacancy that it has to fill, it is a challenge because there could be multiple candidates running with no primary. He believes the RCV model would be appropriate in those instances. He thinks that using it in special elections would be a

way to introduce RCV to Minnetonka voters. Anderson said she disagrees with trying RCV for special elections only. If the city is going to use RCV, it should not be piecemeal. She looked at the issue of majority support for candidates from the perspective of exhausted ballots. RCV does not always result in winners who have a majority of all votes cast.

Wiersum said he agreed with both Schneider and Anderson. It is challenging to look at RCV on a piecemeal basis, but he also sees the lack of a primary in special elections as a big problem. Sometimes the council will appoint a candidate rather than risk low voter turnout at a special election held in the winter months. When the council does appoint, the council often uses a ranking process to select the person to be appointed. Special elections are the one area where Wiersum has the least comfort with the current system, but he is also concerned about piecemeal application.

Sodergren said she wanted to go back to the number of candidates. She felt RCV might possibly address an issue of lack of diversity of candidates. Some residents had raised the issue of racism. Other than data from Minneapolis, the studies in the packet did not address whether RCV increased diversity of candidates. She believes the commission should be able to address the issue of candidate diversity. Northrup stated that the commission could wrap up the issue of special elections and then come back to diversity.

Anderson asked whether there was a problem with conducting RCV special elections in even-numbered years. Heine responded that holding an RCV election in an even-numbered year raises the issue of ballot conformity. State law requires a specific order for listing offices on ballots for state elections. The RCV ballot cannot appear on the same page as the other offices. A special election held in August or November of an even-numbered year might require a second ballot. Hennepin County election staff had previously stated that there were potential legal issues. On the other hand, Minneapolis is holding a special election for one of its council seats in August of this year, and the Minneapolis city clerk had indicated that Minneapolis was looking at moving its elections to even-numbered years.

Northrup returned to the issue of diversity of candidates. Schneider said it is an important issue. He would guess that RCV might increase the diversity of candidates. His personal feeling is that the best way to increase diversity is to increase participation in boards and commissions and to encourage talented persons to run for office. He said it is hard to get people to make a commitment to run for council because it is a big commitment. There are more things the city can do to encourage people to run, which have nothing to do with RCV. Larson said that diversity is broad-ranging, not just racial diversity, but gender, sexual orientation, disability and other demographic groups. He is concerned about exhausted ballots and does not see that as a fair election.

Wiersum said that having more candidates is positive, and the likelihood of having a more diverse pool of candidates is greater when the number of candidates increases. The city should work toward increasing the number of candidates regardless of what voting system the city uses.

Northrup agreed with Schneider's statement that getting involved in city commissions is a good way to see how city governance works.

The next topic was costly primaries. Northrup and Schneider both noted that the commission would be talking about costs of implementing RCV later in the meeting.

The next topic was a lack of civility in campaigning. Schneider said he had followed local elections since the 1970's and in all that time he could only recall one instance of negative campaigning. The city has hardly any negative campaigning. He was proud of how the council had handled diverse opinions over the years, and he pointed out one comment from the public that was contrary to that tradition. Anderson said that the data indicates RCV could help promote civility in campaigns, but she had never seen that as a problem in Minnetonka. She suggested that lack of civility could become a problem in the future, because lack of civility is more common with use of social media. She's not certain RCV would solve that problem, the data suggested RCV improves civility.

Wiersum said he has not had a problem with people being uncivil. People who run for office in Minnetonka love their city, and at the council level, the council members focus on being respectful of each other and of staff. He sees odd-year elections as a benefit because the city stays out of partisan rancor. Social media is a problem, because anonymity creates opportunities for people to say things that they would never say to your face. He sees merit to the argument that RCV helps with civility, but it has not been a problem in Minnetonka.

Allendorf said that in 23 years on the city council, he could only remember one person who was negative toward the council and staff. He thinks that was an anomaly that RCV would not have addressed.

Northrup moved back to the question of costly primaries. He noted that Moranda Dammann had included information about the cost of primaries and the potential costs of implementing RCV. He referred to page 11 of the packet addendum.

Schneider asked for clarification of the numbers in the report. Heine stated that for every \$400,000 increase in the budget is a 1% increase in the budget. Page 11 shows the increase in the city budget that is attributable to the use of RCV and then correlates that to the percentage increase in budget. For example, a \$67,000 increase in the

budget is a budget increase of .17%. That page also shows how the budget increase impacts the tax bill for an averaged value home of \$378,500. The same information is shown for future budget years, with the assumption that there is no change in the overall budget amount or the value of an averaged-value home.

Allendorf said that the cost information is easier for people to understand when they understand the impact that it has on the budget and the levy. Allendorf said that the voters should know that RCV would be more expensive than the current system.

Tolliver commented that the chart shows the current costs of an election, but if the city increases the costs for voter education, that could also increase the costs of an election, independent of RCV.

Schneider said it is clear that the costs are higher. He wondered if the city had an extra \$70,000 to \$100,000 to spend, it might be better to spend it on voter outreach than on RCV. Northrup said he was also surprised by the costs. Allendorf said the ballot question should make clear to the voters that the cost might be higher.

Sodergren said that if the commission were to recommend that RCV be placed on the ballot, the staff should look at other ways to potentially reduce the costs. Anderson said it is difficult to assess based on a hypothetical. RCV could save money if the city did not hire additional staff, but that could result in a longer delay in obtaining election results. Minnetonka will expend costs on voter outreach, and it will cost more money, even if the commission can't identify the precise cost.

Northrup asked if the commission wanted to develop any consensus around the issue of what problems RCV is trying to solve. Schneider felt that the commission had discussed each issue thoroughly.

5. REVIEW OF CHARTER AMENDMENT PROPOSED BY CITY COUNCIL

Heine gave the staff report.

Northrup asked whether the charter commission would have a role in determining the rules for the ballot and breaking a tie. Heine responded that no city has established detailed rules in its charter but has left that to the city council to determine by ordinance. Anderson asked whether the ordinance would address the number of candidates that would be ranked, and Heine responded in the affirmative.

Tolliver asked what wording would go on the ballot. Heine responded that the ordinance is published in full so that the voters know what the amendment to the charter states.

However, the amendment does not go on the ballot. The city council must determine the wording of the ballot question and do that in an impartial fashion.

Cheleen asked whether the council could change rules in the ordinance after the ordinance is adopted. Heine responded in the affirmative and noted that Minneapolis had amended its ordinance several times in order to make improvements that expedited the process for determining the winners.

Allendorf asked whether the charter commission would have input on the ballot question. Heine responded that the charter commission could provide its input, but the wording of the ballot question is up to the city council and the commission has no formal role in that process.

Schneider would like to discuss the pros and cons of implementing RCV only for special elections and not for all elections.

Sodergren asked if there would be an opportunity to have more discussion about the education plan, because that would be an important issue if RCV goes forward. Heine indicated that the communication plan was geared to each step in the process. Right now the focus is on letting people know what the commission is doing and how to participate. If the issue is put on the ballot, the communications plan will shift to informing voters in a neutral fashion. That communications plan would come from the city's budget and would be up to the city council to oversee.

Wiersum suggested that the commission should consider the option of recommending RCV for special elections only. Heine stated that the city staff would prepare whatever amendment the commission requests, but that she and the elections staff had reservations about using RCV only for special elections, which occur only infrequently. She noted that it would require educating election judges and voters on two different systems and could result in voter confusion. Schneider and Wiersum agreed and withdrew the suggestion to look at RCV for special elections only.

Anderson also agreed. She noted that another option for the commission would be to extend the time frame. She is inclined to think that an extension is not needed, but thinks it should be discussed. She also asked the city attorney to confirm that, in order to pass, the ballot question would require 51% of all voters who cast ballots to vote yes, and not just 51% of those who vote on that question. Heine indicated she believed that to be correct.

Schneider mentioned that a resident's email, where the resident complained about doing this work in a pandemic. He had concern about the ability of the public to provide comment and get information. Heine explained that the *Minnetonka Memo* article could

not include detailed information because of publication deadlines but that it included a website link so that updated information could be made available at that link. She also noted that the city would be pushing out information through numerous subscription lists. Northrup said that a little bit of information in the email would be helpful as well.

Allendorf said that RCV will cost more than the current system. He wants to know where the opportunity would be to present that information to the city council. Northrup responded that would be part of the commission's report to the council.

6. FUTURE MEETING SCHEDULE

Northrup reviewed the upcoming schedule of meetings. July 14 is the public comment meeting. He noted that the city is trying to explore going to a hybrid-style meeting, with some members of the commission attending in person at council chambers and some participating remotely. Heine indicated the plans were not finalized, but that it was not physically possible to have all nine members attend, maintain required distancing, and have audio and video work for all nine.

Northrup indicated that the commission will work on developing its report and recommendation to the council at the July 21 meeting. He asked commission members to be thinking about what the report might include, to make that meeting efficient. The July 28 meeting would be utilized if needed.

7. ADJOURNMENT

Schneider moved, Allendorf seconded, to adjourn the meeting. By roll call voted, all voted in favor. The meeting was adjourned at 9:05 p.m.

Respectfully submitted,

LuAnn Tolliver
Secretary