



Charter Commission Meeting

October 02, 2023

7:00 PM

Fridley Civic Campus, 7071 University Ave N.E.

Agenda

Call to Order

Roll Call

Approval of Agenda

Approval of Meeting Minutes

- [1.](#) Approval of May 1, 2023 Charter Commission Meeting Minutes

Administrative Matters

- [2.](#) Chapter No. 10, Franchises and Public Utilities
- [3.](#) 2024 Charter Commission Meeting Dates
- [4.](#) Upcoming Terms Expiring: Pam Reynolds and Avonna Starck
- [5.](#) 2023 Annual Report

Old Business

- [6.](#) Review of Chapter 4

New Business

Future Meeting Topics/Communications

- [7.](#) Future Meeting Topics

Adjournment

Upon request, accommodation will be provided to allow individuals with disabilities to participate in any City of Fridley services, programs, or activities. Hearing impaired persons who need an interpreter or other persons who require auxiliary aids should contact the City at (763) 571-3450.



AGENDA REPORT

Meeting Date: October 2, 2023

Meeting Type: Charter Commission

Submitted By: Beth Kondrick, Deputy City Clerk

Title

Approval of May 1, 2023 Charter Commission Meeting Minutes

Background

Attached are the minutes from May 1, 2023 for the Commission's consideration.

Recommendation

Staff recommend the approval of the May 1, 2023 Charter Commission Meeting Minutes.

Attachments and Other Resources

- May 1, 2023 Charter Commission Meeting Minutes

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.



Charter Commission

May 1, 2023

7:00 PM

Fridley City Hall, 7071 University Avenue NE

Minutes

Call to Order

Chair Nelson called the Charter Commission meeting to order at 7:00 p.m.

Roll Call

Present: Mohamed Barre
Gary Braam
Ibsen Gabriel
Greg Gardner
Manuel Granroos
Steven Kisner
Ted Kranz
Rick Nelson
Val Rolstad

Absent: Kelli Brillhart, Donald Findell, Nikki Karnopp, Oluwaseyi Olawore, Pam Reynolds, Avonna Starck

Others Present: Melissa Moore, City Clerk
Beth Kondrick, Deputy City Clerk

Approval of Agenda

Motion by Commissioner Braam to approve the agenda. Seconded by Commissioner Granroos.

Upon a voice call vote, all voting aye, Chair Nelson declared the motion carried unanimously.

Approval of Meeting Minutes

1. Approval April 3, Joint Charter Commission and City Council Meeting Minutes

Motion by Commissioner Braam to approve the meeting minutes of April 3, 2023, as presented.
Seconded by Commissioner Gardner.

Upon a voice call vote, all voting aye, Chair Nelson declared the motion carried unanimously.

Administrative Matters

2. Meeting Room Change

Ms. Moore stated that due to ongoing technical issues with the equipment in the Fireside Room and the need to provide a Zoom meeting for the October and November meetings, arrangements have been made for the October and November meetings to be held in the Emergency Operations Center (EOC) where the technology has recently been upgraded. Signage will be posted to help show the Commission where to go.

3. Chapter No. 10, Franchises and Public Utilities

Ms. Moore provided an update on the FCC changes and how they relate to Franchises and Government Entities as requested by Commissioner Reynolds. Ms. Moore said she did some research and worked with the City's Cable Administrator, Brian Strand and they found they need some more time to process the information. Ms. Moore also reached out to the franchise specialist at the City Attorney's office for more information. Further updates on the Franchise chapter will be available on the Charter Commission agenda in October.

Old Business

4. Review of Chapter 4

Ms. Moore answered questions pertaining to this chapter that were brought forward at the March meeting that she was unable to attend.

Chair Nelson asked about the difference between state statute and state law and if they should be listed as the same thing throughout the chapter. Ms. Moore stated that through recodification and updates to the City Code, the City has adopted the phrase "state statute." The Body has agreed to update the language throughout the chapter to "state statute".

The Body held a discussion on section 4.06 regarding the \$10 candidate filing fee. The question was raised if the language should be changed to allow for fee changes or if now is a good time to update the filing fee. Ms. Moore asked if the Body would be interested in Staff putting together a fee comparison from other Cities with like sized populations to the City of Fridley.

Motion by Commissioner Granroos to ask Staff to put together a fee schedule of what other Cities with populations like Fridley charge Candidates to file. Seconded by Commissioner Braam.

Upon a voice call vote, all voting aye, Chair Nelson declared the motion carried unanimously.

Discussion was held on other sections of the chapter regarding election judges and write in votes and previously discussed changes to earlier sections were reviewed.

Chair Nelson mentioned that there are two sections for Nominations by Petition and if it would make sense to combine sections 4.06 and 4.07 instead of keeping them separate. Discussion was

held to change the headings of each section instead of combining. Staff will provide a re-write of section 4.07. An updated draft will be provided in the October agenda packet.

New Business

5. Debrief from Joint Meeting with the Fridley City Council

Discussion held on joint meeting held with the Fridley City Council on April 3, 2023. As a result of that meeting a resolution was passed by the Council asking the Charter Commission to meet eight times a year and to continue work on revisions to Chapter 4. Feedback from the City Council about the meeting was overwhelmingly positive.

Future Meeting Topics/Communications

6. Future Meeting Topics

Continued discussion on Chapter 4 and a report back from Staff on Chapter 10.

Commissioner Kisner asked about any type of upcoming trainings. Chair Nelson asked if the video from the Attorney's training session from January 2023 could be routed to Commission members or if there are other past videos to re-share and discuss. Staff will review and make recommendations at the October meeting.

Adjournment

Motion by Commissioner Gardner to adjourn the meeting. Seconded by Commissioner Granroos

Upon a voice call vote, all voting aye, Chair Nelson declared the motion carried unanimously and the meeting adjourned at 8:14 pm.



AGENDA REPORT

Meeting Date: October 2, 2023

Meeting Type: Charter Commission

Submitted By: Melissa Moore, City Clerk/Communications Manager
Brian Strand, Cable Administrator

Title

Chapter No. 10, Franchises and Public Utilities

Background

At its April meeting, the Commission asked staff to provide an update related to Chapter No. 10 of the Charter. Staff consulted with the City Attorney who reported that litigation related to the FCC is mostly resolved so they do not have any concerns with the Commission reviewing the Chapter for updates.

The City's only existing franchise is with Comcast for cable tv service. The current franchise agreement was adopted in November of 2020 and has a term of 10 years.

Recommendation

If the Commission wish to review Chapter No. 10, staff recommend the Commission approve a motion directing staff to ask the City Attorney for a full legal review of the Chapter.

Attachments and Other Resources

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.



AGENDA REPORT

Meeting Date: October 2, 2023

Meeting Type: Charter Commission

Submitted By: Beth Kondrick, Deputy City Clerk

Title

2024 Charter Commission Meeting Dates

Background

Chair Nelson requested staff prepare a calendar to discuss meeting dates of the Commission for 2024 (Exhibit A). At its October 9, 2024 meeting, the Fridley City Council (Council) will discuss and approve its 2024 calendar (Exhibit B). Staff request the Commission also review the 2024 Election Dates as those will be days the Fireside Meeting room is not available. The Election Days are March 5, 2024, August 13, 2024 and November 5, 2024.

Staff request the Commission does not meet on evenings the Council meets. The City Clerk's Office is often required at Council meetings and Council conference meetings.

Recommendation

Staff recommend the Commission discuss meeting dates for next year and approve a motion to set meeting dates for 2024.

Attachments and Other Resources

- Exhibit A: 2024 calendar
- Exhibit B: City Council meeting schedule for 2024

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.

2024

Charter Commission Meetings

Meetings held at 7:00 pm
Fridley Civic Campus
7071 University Avenue N.E.

Melissa Moore, City Clerk
763-572-3526
melissa.moore@fridleymn.gov

Beth Kondrick, Deputy City Clerk
763-572-3573
beth.kondrick@fridleymn.gov

To ensure a quorum, please RSVP by 10 a.m. on the meeting date.

No meetings will be held in June, July, August, September, or December unless called by the Chair.

JANUARY

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DECEMBER

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DRAFT City of Fridley Calendar

2024

IMPORTANT DATES

JANUARY

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FEBRUARY

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MARCH

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APRIL

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MAY

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JUNE

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JULY

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AUGUST

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SEPTEMBER

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OCTOBER

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NOVEMBER

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24	25	26	27	X	X	30

DECEMBER

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22	23	24	X	26	27	28
29	30	31				

January

- 1 **New Year's Day**
- 8 Conference Meeting
City Council Meeting
- 15 **Martin Luther King Jr. Day**
- 22 Conference Meeting
City Council Meeting

February

- 12 Conference Meeting
City Council Meeting
- 19 **Presidents' Day**
- 26 Conference Meeting
City Council Meeting

March

- 11 Conference Meeting
City Council Meeting
- 25 Conference Meeting
City Council Meeting

April

- 8 Conference Meeting
City Council Meeting
- 15 Comm. App. Dinner
- 20 Town Hall Meeting
- 22 Conference Meeting
City Council Meeting

May

- 13 Conference Meeting
City Council Meeting
- 27 **Memorial Day**
- 28 Conference Meeting
City Council Meeting

June

- 10 Conference Meeting
City Council Meeting
- 19 **Juneteenth Day**
- 24 Conference Meeting
City Council Meeting

July

- 4 **Independence Day**
- 5 **City Holiday**
- 8 Conference Meeting
City Council Meeting
- 22 Conference Meeting
City Council Meeting

August

- 12 Conference Meeting
City Council Meeting
- 26 Conference Meeting
City Council Meeting

September

- 2 **Labor Day**
- 9 Conference Meeting
City Council Meeting
- 23 Conference Meeting
City Council Meeting
- 26 Emp. App. Breakfast

October

- 14 Conference Meeting
City Council Meeting
- 28 Conference Meeting
City Council Meeting

November

- 11 **Veterans Day**
- 12 Conference Meeting
City Council Meeting
- 25 Conference Meeting
City Council Meeting
- 28 **Thanksgiving**
- 29 **City Holiday**

December

- 5 Annual Meeting
- 9 Conference Meeting
City Council Meeting
- 23 City Council Meeting
- 25 **Christmas**

X - Holiday ○ - City Council Meeting □ - Council Conference Meeting △ - Other Meeting



AGENDA REPORT

Meeting Date: October 2, 2023

Meeting Type: Charter Commission

Submitted By: Beth Kondrick, Deputy City Clerk

Title

Upcoming Terms Expiring: Pam Reynolds and Avonna Starck

Background

Commissioners Reynolds and Starck's appointments to the Fridley Charter Commission (Commission) expire November 4, 2023. If Commissioners Reynolds and Starck wish to be reappointed, a motion to recommend their reappointments to the Chief Judge would be required.

If either Commissioners Reynolds or Starck do not wish to be reappointed, a motion to declare an opening on the Commission would be in order.

Recommendation

Staff recommend a motion to either reappoint Commissioners Reynolds and Starck to another four-year term, or a motion to declare a vacancy on the Commission.

Attachments and Other Resources

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.



AGENDA REPORT

Meeting Date: October 2, 2023

Meeting Type: Charter Commission

Submitted By: Beth Kondrick, Deputy City Clerk

Title

2023 Annual Report

Background

Pursuant to Minnesota Statute § 410.05 Subd. 2, "the Commission shall submit to the Chief Judge of the District Court, on or before December 31 of each year, an annual report outlining its activities and accomplishments for the preceding calendar year." Attached is a draft letter outlining work done in 2023 by the Charter Commission.

Recommendation

Staff recommend the Commission review the Annual Report, provide any direction on revisions, and make a motion to approve.

Attachments and Other Resources

- 2023 Annual Report

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.



Fridley Civic Campus

October 2, 2023

Honorable Stoney Hiljus
Tenth Judicial District
Kanabec County Courthouse
18 North Vine Street, Suite 318
Mora, MN 55051

Re: Fridley Charter Commission 2023 Annual Report

Dear Honorable Judge Hiljus,

Pursuant to Minnesota Statute § 410.05 Subd. 2, please accept this 2023 Annual Report of the Fridley Charter Commission (Commission).

The Commission met on the following dates in 2023: January 10, February 6, March 6, April 4, May 1, October 2, and November 6.

At its Annual Meeting the Commission held its election of officers and selected the following members to serve as its officers: Rick Nelson as Chair, Manny Granroos as Vice Chair and Valerie Rolstad as Secretary.

In 2023 the Commission:

- Conducted interviews and recommended Commissioners Steven Kisner and Mohamed Barre for appointment to the Commission;
- Participated in parliamentary procedures training on Rosenberg's Rules of Order;
- Approved the Commission's Bylaws; and
- Began work on updating Chapter Four of the Fridley City Charter pertaining to Elections.

If you have any questions or comments, please contact me.

Respectfully submitted,

A handwritten signature in blue ink that reads 'Melissa Moore'.

Melissa Moore
Staff Liaison, Fridley Charter Commission
City Clerk/Communications Manager
763-572-3523, melissa.moore@fridleymn.gov



AGENDA REPORT

Meeting Date: October 2, 2023

Meeting Type: Charter Commission

Submitted By: Melissa Moore, City Clerk/Communications Manager

Title

Review of Chapter 4

Background

At its January meeting the Commission made a motion to begin a review of Chapter 4, Nominations and Elections. At subsequent meetings through the year, the Commission discussed the chapter and directed various changes, which are reflected in the attached draft.

At its May meeting the Commission approved a motion to direct staff to perform a candidate filing fee study. Below are comparable fees for cities in the metropolitan area with similar population sizes and median household incomes:

City	Population Approx.	Median Home Income	Filing Fee
Maplewood	41k	\$77,316	\$5
Richfield	36k	\$74,301	\$25
Brooklyn Center	33k	\$64,618	\$25
Fridley	29k	\$68,750	\$10
Oakdale	28k	\$78,586	\$5
White Bear Lake	24k	\$75,963	\$5
New Brighton	23k	\$77,031	\$5
Crystal	23k	\$77,117	\$30
New Hope	21k	\$64,929	\$5
Columbia Heights	21k	\$69,460	\$15

Recommendation

Staff recommend the Commission review Chapter 4 and discuss updates.

Attachments and Other Resources

- Working draft of Chapter 4 (with directed changes through May 1)

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.

Fridley City Charter

Chapter 4. Nominations and Elections

Section 4.01. General Election Laws to Apply

Except as hereinafter provided, the general laws of the State of Minnesota pertaining to registration of eligible voters and the conduct of primary and general elections ~~shall will~~ apply for all municipal elections of such ~~officers-office~~ as are specified in this Charter. The Council ~~shall will~~, through ordinances duly adopted in compliance with ~~such state laws~~ Minnesota Statute (M.S.) and this Charter, adopt suitable and necessary regulations for the conduct of such elections.

Section 4.02. Regular Municipal Elections

On the first Tuesday after the first Monday in November, municipal general elections ~~shall must~~ be held, at such place or places as the City Council may designate by resolution. General municipal elections ~~shall must~~ be held every even numbered year. The Council may divide the City into as many voting precincts as it may from time to time deem necessary. Each ward ~~shall will~~ constitute at least one ~~(1)~~ voting precinct and no precinct ~~shall may~~ be in more than one ~~(1)~~ ward. At least ~~fifteen (15)~~ 14 days' notice ~~shall must~~ be given by the City Clerk of the time and places of holding such election, and of the ~~officers-offices~~ to be elected, by posting a ~~notice thereof~~ Notice of Election in at least one ~~(1)~~ public place in each voting precinct and by publishing ~~a notice thereof~~ a Notice of Election at least once in the ~~official newspaper~~ Official Publication of the City, ~~but failure- Failure~~ to give such notice ~~shall will~~ not invalidate such election.

Section 4.03. Primary Elections

There ~~shall must~~ be a primary election, on the date established by ~~Minnesota State Law~~ M.S., for the selection of two ~~(2)~~ nominees for each elective office at the regular municipal election, unless only two ~~(2)~~ nominees file for each elective office. Primary municipal elections shall be held every even numbered year, if necessary.

Section 4.04. Special Elections

The Council may by resolution order a special election, fix the time of holding the same, and provide all means for holding such special election, provided that ~~a Notice of Election was published in the Official Publication~~ three ~~(3)~~ weeks' ~~published notice shall be given of prior to~~ said special election. The procedure at such elections ~~shall must~~ conform ~~with all election regulations established in M.S. as nearly as possible to that herein provided for other municipal elections and Minnesota Election Laws~~. Special elections for vacancies in the City Council ~~shall will~~ be held in accordance with provisions of Section ~~2.06~~ 2.07.

Section 4.05. Judges of Election

The Council ~~shall must~~ at least ~~twenty-five (25)~~ days before each municipal election appoint ~~two (2)~~

~~three~~ eligible voters for each voting precinct to be ~~election-judges~~Election Judges and one ~~(1)~~ registered voter to be ~~head-election-judge~~Head Election Judge; or as many ~~election-judges~~Election Judges as may be determined by the ~~city-clerk~~City Clerk. ~~No person signing or circulating a petition of nomination of candidate for election to office or any member of a committee petitioning for a referendum or recall shall be eligible to serve as a judge of such election.~~A person is ineligible to serve as an Election Judge if they:

- Signed a Nomination Petition;
- Circulated a Nomination Petition; or
- Was a member of a committee petitioning for a referendum or recall.

Pursuant to M.S. § 204B.19, the City may establish additional requirements that are not inconsistent with State law M.S. and which relate to the ability of an individual to perform the duties of an Election Judge.

Section 4.06. ~~Nominations by Petition~~Nominations of Municipal Candidates

The mode of nomination of all elective officers provided for by this Charter ~~shall~~must be by petition. The name of any eligible voter of the City ~~shall~~must be printed upon the ballot whenever a ~~petition as hereinafter prescribed shall have properly filed Nomination Petition~~ been filed ~~in-on~~ that person's behalf with the City Clerk. Such petition ~~shall~~must be signed by at least ~~ten~~ ~~(10)~~ registered voters qualified to vote for the office in question. No ~~elector shall~~person may sign more than one ~~petition~~ Nomination Petition for any office for which there is an election. Should such a case occur, the signature ~~shall be void as to the petition or petitions~~will be voided on the Nomination Petition last filed. All ~~nomination petitions~~Nomination Petitions ~~shall~~must be filed with the City Clerk in accordance with ~~Minnesota State Statutes~~M.S. Each ~~petition~~Nomination Petition, when presented, must be accompanied by a ~~ten dollar~~ ~~(\$10.00)~~ filing fee.

Section 4.07. Nomination Petitions

~~The signatures to the nomination petition need not all be appended to one (1) paper, but to each separate paper there shall be~~All Nomination Petitions must have an attached ~~a~~ notarized affidavit ~~of the circulator~~ stating:

1. the number of signers of such paper;
2. that each signature found on a Nomination Petition appended thereto was made in the circulator's presence; and
3. that it is the genuine signature of the person whose name it purports to be.

With each signature there ~~shall~~must be the printed name, birth year, and address of the signer, ~~giving the street and number or other description sufficient to identify the same.~~ The nominee must ~~shall indicate by an endorsement upon the petition acceptance of the office if elected thereto~~ sign the Nomination Petition.

The form of a Nomination Petition ~~is the nomination petition shall be substantially~~ as follows:

NOMINATION PETITION

We, the undersigned, registered voters of the City of Fridley, hereby nominate _____, whose residence is _____, for the office of _____, to be voted for at the election to be held on the ____ day of _____, ____; and we individually certify that we are registered voters and that we have not signed other ~~nomination petitions~~ Nomination Petitions of candidates for this office.

Printed Name	Birth Year	Address	Signature

_____, being duly sworn, deposes and says, "I am the circulator of the ~~foregoing petition paper~~ Nomination Petition containing signatures and that the signatures ~~appended thereto~~ provided were made in my presence and are the genuine signatures of the persons whose names they purport to be."

Subscribed and sworn to before me this ____ day of _____, ____.

This ~~petition~~ Nomination Petition, if found insufficient by the City Clerk, ~~shall~~ will be returned to _____ [Name of circulator], at ~~Number-~~ Street [mailing address].

I hereby indicate my willingness to accept the office of _____ [signature of nominee] if duly elected ~~thereto~~.

Section 4.08. Write-In Candidates

A candidate for any ~~city~~ City office who wants write-in votes for the candidate to be counted must file a written request with the filing office for the office sought no later than the seventh ~~(7th)~~ day before the primary, general or special municipal election. The ~~city clerk~~ City Clerk ~~shall~~ must provide the form to make the request.

Section 4.09. Canvass of Elections and Taking of Office

If more than two candidates filed for office, the Council must meet and canvass the primary election returns on the third calendar day after any primary election. The two candidates for each office who

receive the highest number of votes ~~shall~~will be nominees for the office named. Their names ~~shall~~must be certified by the ~~city~~City clerk~~Clerk~~ to the ~~county auditor~~County Auditor who ~~shall~~must place them on the municipal general election ballot without partisan designation. The Council ~~shall~~will meet ~~and canvass~~to canvass the general (regular) election or special election returns between the third and tenth calendar days after any regular or special election, ~~shall~~make full declaration of the results, and file a statement thereof with the City Clerk. Said statement ~~shall~~must be made a part of the minutes. This statement ~~shall~~must include:

- (a) the total number of votes cast;
- (b) the total number of individuals registered before 7:00 am on ~~election~~Election day
Day and the total number of individuals registering on ~~election~~Election dayDay;
- (c) the total votes cast for each candidate, with a declaration of those who are elected;
- (d) a true copy of the ballots used;
- (e) the names of ~~the judges of election~~Election Judges; and
- (f) such other information as may seem pertinent.

~~The City Clerk shall forthwith notify all persons elected of the fact of their election, and the persons elected shall take office at the time provided for by Section 3.01, upon taking, subscribing and filing with the City Clerk the required oath of office.~~

All persons elected will assume their new office after the Oath of Office is administered.



AGENDA REPORT

Meeting Date: October 2, 2023

Meeting Type: Charter Commission

Submitted By: Beth Kondrick, Deputy City Clerk

Title

Future Meeting Topics

Background

Future meeting topic items requested by commissioners:

- Chapter No. 5: Initiative, Referendum and Recall
- Chapter No. 7: Taxation and Finances.

Recommendation

None.

Attachments and Other Resources

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.