



Charter Commission Meeting

September 10, 2024

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 20, 2024 Charter Commission Meeting Minutes

Administrative Matters

2. Updated Member List
3. 2025 Charter Commission Meeting Dates

Old Business

4. Chapters 5 Review

New Business

5. 2024 Legislative Session Law Update

Future Meeting Topics/Communications

6. Future Meeting Topics

Adjournment

Accessibility Notice:

- If you need free interpretation or translation assistance, please contact City staff.
- Si necesita ayuda de interpretación o traducción gratis, comuníquese con el personal de la ciudad.
- Yog tias koj xav tau kev pab txhais lus los sis txhais ntaub ntawv dawb, ces thov tiv tauj rau Lub Nroog cov neeg ua hauj lwm.
- Haddii aad u baahan tahay tarjumaad bilaash ah ama kaalmo tarjumaad, fadlan la xiriir shaqaalaha Magaalada.

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 CityClerk@FridleyMN.gov or (763) 572-3450.



AGENDA REPORT

Meeting Date: September 10, 2024

Meeting Type: Charter Commission

Submitted By: Beth Kondrick, Deputy City Clerk

Title

Approval of May 20, 2024 Charter Commission Meeting Minutes

Background

Attached are the minutes from May 20, 2024 for the Commission's consideration.

Recommendation

Staff recommend the approval of the May 20, 2024 Charter Commission Meeting Minutes.

Attachments and Other Resources

- May 20, 2024 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 20, 2024

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.

Present

Mohammed Barre
Donald Findell
Greg Gardner
Clifford Johnson
Steven Kisner
Ted Kranz
Audrey Nelson
Rick Nelson
Valerie Rolstad
Doug Schmitz

Absent

Kelli Brillhart
Nikki Karnopp

Others Present

Kathy Smith, Commission Applicant
Dave Linton, Commission Applicant
Tori Kee, League of Minnesota Cities
Melissa Moore, City Clerk/Communications Manager
Beth Kondrick, Deputy City Clerk

Approval of Agenda

Motion to approve the agenda by Commissioner Kranz, seconded by Commissioner Reynolds.

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

Approval of Meeting Minutes

1. Approval of April 29, 2024, Joint City Council and Charter Commission Meeting Minutes
Commissioner Gardner made a motion to approve the April 29, 2024 meeting minutes as presented.
Seconded by Commissioner Barre.

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

Administrative Matters

2. Membership Update

Ms. Moore presented a resignation letter from Commissioner Gabriel and asked the commission to accept the resignation and approve a vacancy.

Motion to accept the resignation letter and approve vacancy by Commissioner Rolstad, Seconded by Commissioner Barre.

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

The Commission interviewed two candidates for the two vacancies on the commission, David Linton and Kathy Smith.

Motion to accept both candidates to the Commission by Commissioner Rolstad, seconded by Commissioner Kranz.

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

3. Debrief from Joint Meeting with the Fridley City Council

The Commission gave good feedback on the discussion held with the Council, felt both sides had good things to say. The Commission would like to schedule another meeting next year in April.

Old Business

N/A

New Business

4. Charter Commission Information Session with the League of Minnesota Cities

Tori Kee from the League of Minnesota Cities gave an overview on what it means to be a Charter City and what Charter Cities can and cannot do.

Future Meeting Topics/Communications

4. Future Meeting Topics

- 2025 Calendar
- Chapter 5
- Chapter 10

Adjournment

Motion by Commissioner Kranz to adjourn the meeting. Seconded by Commissioner Rolstad. Upon a voice call vote, all voting aye, Chair Nelson declared the motion carried unanimously. The meeting adjourned at 8:33 p.m.



AGENDA REPORT

Meeting Date: September 10, 2024

Meeting Type: Charter Commission

Submitted By: Beth Kondrick, Deputy City Clerk

Title

Updated Member List

Background

Attached please find an updated membership list for the Charter Commission. Please keep a copy for your records.

Recommendation

Attachments and Other Resources

- Updated Member List

Vision Statement

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



Charter Commission Membership

Item 2.

Name/Address	Ward	Phone	Email	Appointed	Term Exp.
Mohamed Barre 7509 Lyric Lane NE Fridley, MN 55432	1	(h) 612-242-1513 (w) 612-348-4997	Junlay99@aol.com	02-06-23	02-06-27
Kelli Brillhart 830 W. Moore Lake Drive Fridley, MN 55432	2	651-247-6084 (w) 763-505-4888	k340029@gmail.com	02-23-18 05-26-21	09-19-21 05-01-25
Donald Findell 6850 Siverts Lane Fridley, MN 55432	2	(h) 763-571-0467 (c) 612-867-9954	donfinder@aol.com	06-16-97 02-21-01 05-04-05 02-04-09 05-24-13 05-03-17 05-01-21	05-11-01 05-01-05 05-01-09 05-01-13 05-01-17 05-01-21 05-01-25
Gregory Gardner 5829 Hackmann Ave. N.E. Fridley, MN 55432	2	(h) 763-571-8821	gardnergregg@msn.com	03-01-22	03-01-26
Clifford Johnson 1549 Berne Road NE Fridley, MN 55421	2	651-214-1350	Roachcliff1@yahoo.com	01-10-24	01-10-28
Nikki Karnopp 482 Rice Creek Terrace N.E. Fridley, MN 55432	1	612-709-6452	nikkikarnopp@gmail.com	02-03-20 02-03-24	02-03-24 02-03-28
Steven Kisner 5871 W. Moore Lake Drive Fridley, MN 55432	2	763-300-8888	spkisner@yahoo.com	01-10-23	01-10-27
Ted Kranz 6701 Monroe Street N.E. Fridley, MN 55432	1	(h) 763-571-4387	tkranz1@comcast.net	08-11-06 03-29-10 10-21-14 04-06-18 04-22-22	04-22-10 04-22-14 04-22-18 04-22-22 04-22-26
Dave Linton 6521 Clover Place NE Fridley, MN 55432	1	(h) 763-571-7431 (c) 763-843-3415	Dwlinton99@gmail.com	05-20-24	05-20-28
Audrey Nelson 250 61 st Avenue NE Fridley, MN 55432	1	763-574-1388	audmnelson@gmail.com	01-10-24	01-10-28



Charter Commission Membership

Item 2.

Rick Nelson 4624 2 ½ Street N.E. Fridley, MN 55421	3	(c) 612-963-2487	rickvan16@hotmail.com	05-12-11 02-13-12 05-27-16 02-21-20 02-21-24	02-13-12 02-21-16 02-21-20 02-21-24 02-21-28
Pam Reynolds 1241 Norton Avenue N.E. Fridley, MN 55432	2	(c) 763-222-9386	fnpam@hotmail.com	05-12-05 03-22-07 04-04-11 05-04-15 11-04-19 10-02-23	05-01-07 05-01-11 05-01-15 05-01-19 11-04-23 10-02-27
Valerie Rolstad 1100 Lynde Drive Fridley, MN 55432	2	(c) 612-799-5993	valerier13@gmail.com	02-15-17 05-03-17 05-01-21	05-01-17 05-01-21 05-01-25
Douglas Schmitz 7311 Tempo Terrace NE Fridley, MN 55432	1	763-780-0541	schmitzdouglas@gmail.com	01-10-24	01-10-28
Kathy Smith 7350 Melody Drive NE Fridley, MN 55432	1	612-590-4721	ksmith1883@gmail.com	05-20-24	05-20-28



AGENDA REPORT

Meeting Date: September 10, 2024

Meeting Type: Charter Commission

Submitted By: Melissa Moore, City Clerk/Communications Manager

Title

2025 Charter Commission Meeting Dates

Background

Chair Nelson requested staff prepare a calendar to discuss meeting dates of the Commission for 2025.

Included with this item is a draft calendar the Fridley City Council (Council) is considering for their meetings next year (Exhibit A). Please note that because this calendar is a draft it is not finalized and subject to change. Staff anticipate the Council to approve the calendar sometime in October.

Recommendation

Staff recommend the Commission discuss meeting dates for 2025.

Attachments and Other Resources

- Exhibit A: City Council meeting schedule for 2025

Vision Statement

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



2025 Calendar

January						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

February						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

March						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

April						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

May						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

June						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

July						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

August						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

September						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

October						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

November						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

December						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

-  **City Council | 7 p.m.**
2nd and 4th Monday
-  **HRA | 7 p.m.**
1st Thursday
-  **Environmental Quality | 7 p.m.**
2nd Tuesday
-  **Planning Commission | 7 p.m.**
3rd Wednesday
-  **Parks & Rec Commission | 7 p.m.**
1st Monday
-  **Public Arts Commission | 7 p.m.**
1st Wednesday
-  **Charter Commission | 7 p.m.**
-  **Holiday**
City offices closed
-  **Other dates**
April 21 | Commission appreciation dinner
April 26 | Town Hall
July 17 | Employee Picnic
September 18 | Employee Breakfast
December 4 | Annual Meeting



AGENDA REPORT

Meeting Date: September 10, 2024

Meeting Type: Charter Commission

Submitted By: Melissa Moore, City Clerk/Communications Manager

Title

Chapters 5 Review

Background

At its February and March meetings the Charter Commission directed staff to draft further revisions to Chapter 5 for the Commission to consider at this evening's meeting. At the March meeting the Commission began working on Section 5.03 and then made a motion to table further review until this meeting.

The remaining revisions throughout the draft reflect both staff and the City Attorney's suggested revisions based on Statute and updated writing styles.

Recommendation

Staff recommend the Commission review the drafted revisions to Chapter 5 and provide further direction to Staff.

Attachments and Other Resources

- Chapter 5 Staff Review

Vision Statement

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

Fridley City Charter

Chapter 5. Initiative, Referendum and Recall

Section 5.01 Definitions

City Charter, Charter: The City of Fridley's (City) local constitution.

Electorate: All people in the City who are entitled to vote in an election.

Initiative: A proposed law or Charter amendment to be placed before the Electorate during a special or General Election.

Malfeasance: An illegal act by an elected official performed in their official capacity.

Nonfeasance: Neglect or refusal to perform official duties.

Ordinance: City law enacted by the Fridley City Council (Council).

Recall: A proposed initiative that seeks to remove any elected officer of the City.

Referendum: A proposed initiative that seeks to prevent an existing law or Charter amendment from taking effect.

Registered Voter: An eligible voter who complies with voting registration procedures and requirements as established by State law.

Section 5.01-5.02 Powers Reserved by the People

~~The people of the City of Fridley reserve to themselves the power, in accordance with the provisions of this Charter, to initiate and adopt any ordinance, except an ordinance appropriating money or authorizing the levy of taxes; to require any ordinance when passed by the Council to be referred to the electorate for approval or disapproval; and to recall elected public officials. These powers shall be called the initiative, the referendum, and the recall, respectively.)~~

In accordance with the provisions of the Charter, the people of the City reserve the power to:

- Initiate a petition to adopt an ordinance (except an ordinance appropriating money or authorizing the levy of taxes) to be voted on by the electorate;
- Require an ordinance when passed by the Council to be referred (referendum) to the electorate for approval or disapproval; and
- Recall any elected officer of the City.

A petition for an initiative, referendum or recall may be submitted, signed and circulated upon the grounds authorized by State law and the Constitution of the State of Minnesota.

Section 5.02. Expenditures by Petitioners

~~No member of any initiative, referendum, or recall committee, no circulator of a signature paper, and no signer of any such paper, or any other person, shall accept or offer any reward, monetary or otherwise, for service rendered in connection with the circulation thereof. This shall not prevent the committee from paying for legal advice and from incurring an expense not to exceed \$200 for stationery, copying, printing, and notaries' fees. A sworn statement substantiating such expenses shall be turned over to the City Clerk within five (5) days following the filing of a sufficient petition. Any violation of the provisions of this Section is a misdemeanor. Any violation of this Section shall be reported by the City Clerk to the proper authorities for prosecution under State Statutes applying thereto.~~

Section 5.03. Initiative, Referendum and Recall ~~Further~~ Regulations

1. No rewards, monetary or otherwise, may be accepted by:

- Any person who is a member of an initiative, referendum or recall committee;
- Any person who circulates a petition for initiative, referendum or recall; or
- Any person who signs a petition for initiative, referendum or recall.

2. Committees for an initiative, referendum or recall may pay for legal advice and incur related committee expenses not to exceed \$200. A sworn statement substantiating such expenses must be turned over to the City Clerk within five days following the filing of a sufficient petition. Any violation of the provisions of this Section is a misdemeanor. Any violation of this Section must be reported by the City Clerk to the proper authorities pursuant to State law.

~~1.3. A lawful petition under this Charter may be submitted, signed and circulated upon an ordinance to be initiated, or upon an ordinance to be made the subject of a referendum or on a proceeding for recall upon the grounds authorized by law and required by the Constitution of the State of Minnesota. Reasons stated infor the proposed petition, are to be stated ~~and noted~~ in the petition itself. A petition for any other purpose may be made in accordance with procedures established by this Charter or under provisions of State law ~~as may be elsewhere provided~~.~~

~~2.4. A petition under this Charter shallfor an initiative, referendum or recall must be filed in the office of the City Clerk ~~as one (1) instrument, which instrument shall and contain any-all required documents (appropriate to the petition), a copy of any ordinance proposed, covered or affected, and all the-supporting signature papers and affidavits attached in support of the same.~~~~

~~3.5. A petition shall for an initiative, referendum or recall must be circulated by a registered voter of the City. A valid petition shall may only be signed by registered voters of the City. ~~All the signatures on any petition need not be on one (1) signature paper.~~ The circulator of the petition shall must be certified as the circulator of the petition by an attached notarized affidavit which states:~~

- ~~(1)~~ that the circulator has signed the petition;
- ~~(2)~~ that each signature was signed in the circulator's presence;
- ~~(3)~~ the signature is from the person who signed the petition in front of the circulator;
and
- ~~(4)~~ that each signer affirmed they were a registered voter at the residence ~~stated thereon~~ indicated on the petition.

Any ~~signature paper petition~~ lacking the notarized affidavit ~~shall be~~ is void. If ~~void~~ voided, the signatures on that paper ~~shall~~ may not be used in the calculation of the signatures needed to fulfill the petition requirement.

~~4.6.~~ The insufficiency or irregularity of a petition ~~shall~~ may not prejudice the filing of any new petition for the same purpose, nor ~~shall it~~ prevent the Council from referring any ordinance proposed to the electorate at the next regular or special election, ~~or otherwise acting favorably upon the same.~~

~~5.7.~~ The Council may provide by ordinance ~~such~~ any further regulations for ~~the~~ an initiative, referendum, ~~and or~~ recall not inconsistent with this Charter ~~as it deems necessary.~~

~~6.8.~~ ~~The City Clerk, upon receipt of documented information that any signature on any petition paper has been falsely attested to, shall promptly forward such information to the proper authority for prosecution under State Statutes applying thereto. If the City Clerk finds that any documented information or signature on any petition for an initiative, referendum or recall has been falsely attested to, must promptly forward such information to the proper authorities pursuant to State law.~~

~~9.~~ ~~The City Clerk must provide to every person circulating a petition for an initiative, referendum or recall, written instructions delineating the correct and proper procedure for circulating the petition. The instructions provided will clearly define falsification of a signature and false attestation of a signature and will cite those ordinances, laws, or statutes relating to such acts.~~

INITIATIVE

Section 5.04. ~~Initiation of Measures~~ Initiative Petition

Any five ~~(5)~~ registered voters may form a committee for the initiation of any ordinance as provided in Section ~~5.03.015.02.~~ Before circulating any petition the committee ~~shall~~ must file a copy of the proposed ordinance with the City Clerk along with the names and addresses of members of said committee. The committee ~~shall~~ must attach a verified copy of the proposed ordinance to each of the signature papers ~~herein described,~~ along with their names and addresses as sponsors ~~thereof of the petition.~~ ~~A verified copy of the proposed ordinance shall be a copy to which the~~ The City Clerk ~~must affixes~~ affix the words: "Proposed Ordinance on File. Fridley City Clerk: ____ Date: ____" to the ordinance filed.

Section 5.05. Form of Initiative Petition ~~and of Signature Papers~~

The completed petition for the adoption of any ordinance not yet in effect, ~~shall~~ must consist of the ordinance, ~~together with~~ all the signature papers and affidavits ~~thereto~~ attached. ~~Such petition shall not be~~ Petitions are not complete unless signed by at least ~~fifteen percent (15%)~~ of the total number of votes cast ~~at in~~ the last ~~state general election~~ General Election in the City. Each signature paper ~~shall page must~~ be in substantially the following form:

INITIATIVE PETITION

Proposing an ordinance to _____ (stating the purpose of the ordinance), a copy of which ordinance is ~~hereto~~ attached. This ordinance is sponsored by the following committee of registered voters:

Name (Please Print)	Address (Please Print)
1.	
2.	
3.	
4.	
5.	

The undersigned registered voters, understanding the terms and the nature of the ordinance ~~hereto~~ attached, petition the Council for its adoption, or, ~~in lieu thereof,~~ for its submission to the electorate for their approval.

Name (Please Print)	Birth Year	Address (Please Print)	Signature

At the end of each group of signatures papers ~~shall be appended~~ must be the affidavit of the circulator ~~mentioned detailed~~ in Section ~~5.03.03~~ 5.03.05.

Section 5.06. Filing of Initiative Petitions ~~and Action Thereon~~

Within ~~ten (10)~~ days after the filing of the completed petition, the City Clerk ~~shall ascertain by examination will determine if~~ the number of signatures ~~appended thereto~~ submitted ~~and whether this number is~~ at least ~~fifteen percent (15%)~~ of the total number of votes cast at the last ~~state general election~~ General Election in the City. If the City Clerk finds the petition insufficient or irregular, the City Clerk ~~shall~~ must at once notify one ~~(1)~~ or more members of the petition committee of that fact, stating the reasons for the insufficiency or irregularity. The committee ~~shall~~ will then be given ~~ten (10)~~ business days in which to file additional signature papers and to correct the petition in all other particulars with the City Clerk. The calculation of the ten business days begins on the date the letter is postmarked. The City Clerk ~~shall~~ may have five ~~(5)~~ business days to verify the sufficiency of the additional signature papers or corrected petition. If at the end of that period the petition is found to

be still insufficient or irregular, the petition ~~shall must~~ be filed ~~in the City Clerk's office with the City Clerk~~ and no further action ~~shall will~~ be taken. The City Clerk ~~shall must~~ notify one ~~(1)~~ or more members of the petition committee of that fact.

Section 5.07. Action of the Council on Sufficient Initiative Petitions

A-1. Completed Petition With Signatures Under 25%

~~When the completed petition is found to be sufficient, with~~If the number of signers of the petition ~~is not less than fifteen percent (15%) and less than twenty-five percent (25%) between 15% and 25%~~ of the total votes cast ~~at in~~ the last ~~state general election~~General Election, the City Clerk ~~shall must~~ transmit the initiative petition to the Council at its next meeting, ~~stating the~~ The notification to the Council must include the number of petitioners and the percentage of the total number of registered voters which they constitute. The Council ~~shall must at once~~ read the ordinance and ~~shall thereupon provide call~~ for a public hearing ~~upon regarding~~ the ordinance. After holding the public hearing, the ordinance ~~shall must~~ be finally acted upon by the Council ~~not no~~ later than ~~sixty-five (65)~~ days after the date upon which it was submitted to the Council by the City Clerk. If the Council passes the ordinance as submitted, the ordinance ~~shall will~~ become effective and need not be submitted to the electorate. If the Council fails to pass the proposed ordinance, or passes it in a form different from that set forth in the petition ~~and unsatisfactory to a majority of the petition committee~~, the proposed ordinance ~~shall must~~ be submitted by the Council to the electorate at the next regular municipal election.

B-2. Completed Petition With Signatures of 25% or More

~~When the completed petition is found to be sufficient with~~If the number of signers of the petition ~~equal equals to at least twenty-five percent (25%)~~ or more of the total votes cast ~~at in~~ the last ~~state general election~~General Election, the City Clerk ~~shall must~~ transmit the initiative petition to the Council at its next meeting, ~~stating the~~ The notification to the Council must include the number of petitioners and the percentage of the total number of registered voters which they constitute. The Council ~~shall must at once~~ read the ordinance and ~~shall thereupon provide call~~ for a public hearing ~~upon regarding~~ the ordinance. After holding the public hearing, the ordinance ~~shall must~~ be finally acted upon by the Council ~~not no~~ later than ~~sixty-five (65)~~ days after the date upon which it was submitted to the Council by the City Clerk. If the Council passes the ordinance as submitted, the ordinance ~~shall will~~ become effective and need not be submitted to the electorate. If the Council fails to pass the proposed ordinance or passes it in a form different from that set forth in the petition, the Council ~~shall must~~ call for an election and place the question on the ballot. If the petition is submitted by July 1st of an even year, the question ~~shall must~~ be placed on the next regular municipal election ballot. If the petition is submitted after July 1st of an even year or during an odd year, the Council ~~shall may~~ call for a special election subject to ~~Minnesota Election Law~~State law.

Section 5.08. Initiative Ballots

The ballots used when voting upon such proposed ordinance ~~shall~~must state the substance of the ordinance and ~~shall~~must give the electorate the opportunity to vote either "Yes" or "No" on the question of adoption. If a majority of those voting on any such ordinance vote in favor of it, it ~~shall thereupon will~~ become an ordinance of the City. Any number of proposed ordinances may be voted upon ~~at in~~ the same election; ~~but the voter shall be allowed to vote for or against each separately. If there is more than one proposed ordinance on the ballot in the same election, a voter must be allowed to vote for or against each separately.~~ In the case of inconsistency between two ~~(2)~~ or more ~~initiative~~ ordinances to be approved by the ~~voters~~electorate, the ordinances ~~shall~~may not go into effect until the ~~City~~ Council has had ~~sixty (60)~~ days to resolve the inconsistencies.

Section 5.09. Initiation of Charter Amendments

~~The ways to~~Procedures to initiate amendments to this Charter are set forth in ~~Minnesota Statutes~~State law.

REFERENDUM

Section 5.10. ~~The~~ Referendum Petitions

~~If prior to the date when an ordinance takes effect a petition signed by at least fifteen per cent (15%) of the total votes cast at the last state general election in the City request that any such ordinance be repealed or be submitted to a vote of the electors, the ordinance shall thereby be prevented from going into operation.~~

An ordinance will be void if prior to the effective date of the ordinance, 15% of the total votes cast at the last General Election file a petition to request it be repealed or be submitted to a vote of the electorate.

Section 5.11. Form of Referendum Petitions

Any five ~~(5)~~ registered voters may form a committee for the purpose of petitioning for a referendum as provided in Section 5.03.01. Before circulating any petition, the committee ~~shall~~must file a copy of the proposed referendum petition and a copy of the ordinance proposed to be repealed with the City Clerk along with the names and addresses of members of said committee. The committee ~~shall~~must attach a verified copy of the referendum and the ordinance to be repealed to each of the signature papers ~~herein described~~, along with their names and addresses as sponsors ~~thereof~~. A verified copy of the ordinance proposed to be repealed to the referendum ~~shall~~must be a copy to which the ~~city clerk~~City Clerk has affixed the words: "Proposed Ordinance on File. Fridley City Clerk ____, Date ____." A referendum petition ~~shall~~must read as follows:

REFERENDUM PETITION

Proposing the repeal of an ordinance to (stating the purpose of the ordinance), a copy of which ordinance is ~~hereto~~-attached. The proposed repeal is sponsored by the following committee of registered voters:

Name (Please Print)	Address (Please Print)
1.	
2.	
3.	
4.	
5.	

The undersigned registered voters, understanding the nature of the ordinance ~~hereto~~-attached and believing it to be detrimental to the welfare of the City, petition the Council for its submission to the electorate for their approval or disapproval.

Name (Please Print)	Birth Year	Address (Please Print)	Signature
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~~At the end of each group of signatures papers shall be appended the affidavit of the circulator mentioned in Section 5.03-03. Each signature page must have the affidavit of the circulator attached.~~

Section 5.12. Filing of Referendum Petitions

1. Referendum Petition Proposing Repeal of Charter Amendment

The requirements for the purposes of petitioning for a referendum repealing a charter amendment are set forth in Minnesota State Statutes.

2. Referendum Petition Proposing Repeal of an Ordinance

Within ~~ten (10)~~ business days after the filing of the completed referendum petition, the City Clerk ~~shall~~ must ascertain by examination the number of signatures ~~appended thereto~~ and whether ~~this the~~ number is at least ~~fifteen percent (15%)~~ of the total number of votes cast at the last ~~state general election~~ General Election in the City. If the City Clerk finds the petition insufficient or irregular, the City Clerk ~~shall~~ must at once notify one ~~(1)~~ or more members of the petition committee of that fact, stating the reasons for the insufficiency or irregularity. The committee ~~will have~~ ~~shall then be given~~ ten (10) business days in which to file additional signature papers and to correct the petition in all other particulars with the City Clerk. The calculation of the ten business days begins on the date the letter is postmarked. If at the end of that period the petition is found to be still insufficient or irregular, the petition ~~shall~~ must be filed in the City Clerk's office, no further action ~~shall~~ will be taken, and the ordinance ~~will become~~ becomes effective immediately or on the date specified. The City Clerk ~~shall~~ must notify one ~~(1)~~ or more members of the petition committee of that fact.

Section 5.13. Referendum Petitions; Suspension of Effect of Ordinance

When a referendum petition is filed with the City Clerk, the ordinance sought to be reconsidered shall ~~must~~ be suspended from taking effect. Such suspension shall ~~may~~ terminate when:

- 1. There is a final determination of insufficiency of the petition; ~~or~~
- 2. The petitioner's committee withdraws the petition; ~~or~~
- 3. The ~~council~~ Council repeals the ordinance; or
- 4. Upon seven days after canvass of election is completed when a majority of those voting on any such ordinance vote in favor of it.

Section 5.14. Action of the Council on Sufficient Referendum Petitions

If the referendum petition or amended referendum petition is found to be sufficient, the City Clerk shall transmit the referendum petition to the Council at the next regular Council meeting. The Council shall thereupon reconsider the ordinance and either repeal it or by aye and nay vote re-affirm its adherence to the ordinance as passed. If the Council votes to reaffirm the ordinance by August 1st of an even year, the question shall be placed on the next regular municipal election ballot. If approved after August 1st of an even year, the Council shall immediately order a special election to be held subject to Minnesota Election Law.

Section 5.15. Referendum Ballots

The ballots used in any referendum election shall ~~must~~ conform to the rules laid down in Section 5.08 of this Charter for initiative ballots.

RECALL

Section. 5.16. ~~The~~ Recall Petitions

Any five ~~(5)~~ registered voters may form a committee for the purpose of bringing about the recall of any elected officer of the City as provided in Section 5.03. ~~0403~~.

Before circulating any petition, the committee shall ~~must~~ file with the City Clerk a copy of a statement naming the elected officer whose removal is sought, a statement of the grounds for removal in not more than ~~two hundred fifty (250)~~ words, and their intention to bring about the recall with their names and addresses as members of ~~said the circulating~~ committee. The statement of grounds for removal of the elected officer must identify malfeasance or nonfeasance of conduct in the officer's performance of official duties. ~~Malfeasance constitutes an illegal or harmful act which an elected official should not perform in an official capacity. Nonfeasance is the neglect or refusal to perform official duties.~~ The committee shall ~~must~~ also attach a verified copy of said statement to each of the signature papers ~~herein described~~, together with their names and addresses as sponsors ~~thereof~~. A verified copy of said statement shall ~~must~~ be a copy to which the ~~city clerk shall~~ City Clerk must affix the following words: "Proposed Recall Statement on File. Fridley City Clerk (Attest): ____ Date: ____.

Section 5.17 Form of Recall Petitions

~~The petition for the recall of~~ Recall petitions for any elected official ~~shall~~ must consist of the statement identical with that filed with the City Clerk together with all the signature papers and affidavits ~~thereto~~ attached. Such petition ~~shall~~ may not be considered ~~to be~~ complete unless signed by at least ~~twenty five percent (25%)~~ of the total number of votes cast in the last ~~state general election~~ General Election in the Ward or City represented by the office holder. Each signature paper ~~shall~~ must be in substantially the following form:

RECALL PETITION

Proposing the recall of _____ from office as _____ ~~which recall is sought~~ for the reasons set forth in the attached statement. This movement is sponsored by the following committee of registered voters:

Name	Address
1.	
2.	
3.	
4.	
5.	

The undersigned registered voters, understanding the nature of the charges against the officer ~~herein~~ sought to be recalled, desire the holding of a recall election for that purpose.

Name	Birth Year	Address	Signature
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At the end of each group of signatures papers ~~shall~~ must be ~~appended~~ attached the affidavit of the circulator mentioned in Section 5.03. ~~0305~~.

Section. 5.18 Filing of Recall Petitions

Within ~~thirty (30)~~ business days after the filing of the original proposed petition, the committee ~~shall~~ must file the completed petition ~~in the Office of~~ with the City Clerk. The City Clerk ~~shall~~ must examine the petition within ~~the next ten (10)~~ business days, ~~and if~~ If the City Clerk finds ~~it the petition~~ irregular, or finds that the number of signers is less than ~~twenty five percent (25%)~~ of the total number of votes cast at the last ~~state general election~~ General Election in the Ward or City represented by the office holder, the City Clerk ~~shall~~ must ~~at once~~ notify ~~one (1)~~ or more members of the petition committee advising the reasons for the insufficiency or irregularity. The committee ~~shall then be given~~ may have ~~ten (10)~~ business days in which to file additional signature papers and to correct the petition in all other respects, but they may not change the statement of the grounds upon which the recall is sought. The calculation of the ten business days begins on the date the letter is postmarked. The City Clerk ~~shall~~ will have five ~~(5)~~ business days to verify the sufficiency of the additional signature papers or corrected petition. If at the end of that time the City Clerk finds the petition still insufficient

or irregular, the City Clerk must notify at least one (1) or more of the members of the recall petition committee ~~shall be notified to that effect and the petition shall be filed in the City Clerk's office.~~ No further action ~~shall may~~ be taken ~~thereon~~.

Section. 5.19. Recall Election Procedure

If the petition or amended petition is found sufficient, the City Clerk ~~shall~~must transmit it to the Council without delay, and ~~shall also officially~~ notify the person sought to be recalled of the sufficiency of the petition and of the pending action. ~~The Council shall at its next meeting, by resolution, provide for the holding of a special recall election subject to Minnesota Election Law. At its next regularly scheduled meeting, the Council must call for a special election, pursuant to State law.~~

~~Section. 5.20. Procedure at Recall Election~~

~~The Clerk shall include with the published notice of the election the statement of the grounds for the recall and also, in not more than five hundred (500) words, the answer of the elected officer concerned in justification of his/her conduct in office. Candidates to succeed the officer to be recalled shall be nominated in the usual way, and the election shall be conducted, as far as possible, in accordance with the usual procedure in municipal elections.~~

The City Clerk must post notice of the election including grounds for the recall petition and response of the elected officer concerned. Candidates to succeed the officer to be recalled may be nominated in the usual way and an election must be conducted in accordance with State law.

Section ~~5.21.5.20~~ Form of Recall Ballot

1. If the officer sought to be recalled resigns within ~~ten (10)~~ business days after the receipt by the Council of the completed recall petition, the Council ~~shall~~must declare the office vacant and ~~shall then~~ fill the vacancy for the unexpired term in accordance with the ~~City Charter, Section 2.06.~~
2. If the officer sought to be recalled does not resign within ~~ten (10)~~ business days after the receipt by the Council of the completed recall petition, the question to be placed on the ballot at the recall election ~~referenced in Section 5.19 of the Charter shall~~must be: "Shall _____ be recalled?"; ~~the name of the officer whose recall is sought being inserted in the blank, and these~~ Those voting ~~shall~~must be permitted to vote "Yes" or "No" upon this question. If a majority of those voting on the question of recall vote in favor of recall (a majority voting "Yes"), the officer ~~shall~~must be promptly removed from office. The Council ~~shall~~must then fill the vacancy for the unexpired term in accordance with the ~~City Charter, Section 2.06.~~ If a majority of those voting on the question of recall vote against recall (a majority voting "No"), the officer ~~shall~~will continue in office with no further action required.

~~Section 5.22. Instructions to Petitioners~~

~~The City Clerk shall provide to every person circulating a petition for the initiation of an ordinance, for the initiation of Charter amendments, for a referendum, or for the recall of an elected official, written instructions delineating the correct and proper procedure for circulating the petition. The instructions provided will clearly define falsification of a signature and false attestation of a signature and will cite those ordinances, laws, or statutes relating to such acts.~~



AGENDA REPORT

Meeting Date: September 10, 2024

Meeting Type: Charter Commission

Submitted By: Danielle Herrick, City Manager Intern

Title

2024 Legislative Session Law Update

Background

In efforts to keep the Fridley City Charter Commission updated on any legislative changes that could affect the Fridley City Charter (Charter), staff have reviewed 2024 Legislative Session Law updates in comparison with the current Charter. Below is a summary of the findings:

1. Staff have determined that none of the legislative changes appear to directly require amendments to the Charter at this time.
2. The 2024 legislative session was primarily focused on responding to and refining the vast legislative updates made in 2023.

The 2024 Legislative Session Overview by League of Minnesota Cities is attached with a more detailed summary of these changes for your review.

If any action is required, changes will be addressed through ordinances, policies, or operational adjustments as directed by the City Council.

Recommendation

None.

Attachments and Other Resources

- 2024 Legislative Session Overview by League of Minnesota Cities

Vision Statement

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

2024 Legislative Session Overview

June 24, 2024

An overview of the key legislative issues and outcomes for cities from the 2024 legislative session.

[Download a formatted pdf of this article](#)

Minnesota's 2024 legislative session wrapped up May 19 with a chaotic finish. Frustrated with Republican filibusters, the Democratic-Farmer-Labor (DFL) House and Senate majorities advanced a 1,430-page omnibus bill in the final hour before the deadline for passing bills. The omnibus bill contained policy, supplemental budget, and tax measures, as well as provisions aimed at keeping Uber and Lyft from leaving the state.

Adjournment marked the end of a consequential biennium in which more than 11,000 bills were introduced, and Gov. Tim Walz signed 126 chapters of law.

Throughout the 2024 legislative session, the League advocated for city priorities and interests. As effective dates of new laws approach, the League is here to analyze the implications for cities. Detailed information about new laws is included in the [LMC 2024 Law Summaries \(pdf\)](#). We will also share city-by-city funding estimates of various state aids to cities as they become available.

Key Outcomes for Cities

BONDING

The Legislature failed to bring a bonding bill up for a vote in either body, and also failed a last-minute attempt to pass a \$71 million general fund appropriation package to fund a few projects.

BROADBAND

Decades-old statutory barriers that made it difficult for cities to create municipal broadband networks were removed. Cities will no longer be required to obtain a supermajority voter approval to construct a network nor will cities be prohibited from constructing a network if it competes with service provided by private entities.

CANNABIS

- Social equity applicants who receive preapproval and comply with local zoning ordinances are allowed to start early cultivation; the application window opens July 24, 2024.
- Municipal cannabis retailers may bypass the lottery selection process if they meet minimum qualifications. Any municipal cannabis business would not count toward a license limit imposed by a local government.

CYBERSECURITY

Government entities will be required to report cybersecurity incidents to the Minnesota Department of Information Technology Services through a new reporting system that will be developed by Sept. 30, 2024.

EARNED SICK AND SAFE TIME (ESST)

- Paid on-call firefighters and volunteer ambulance attendants will be exempt from ESST, and use of ESST will be limited for certain employees responding to weather events.
- The law expanded application of ESST to all employee leave, including more generous benefits, used for personal illness or injury accrued after Jan. 1, 2024.
- Eligible use of ESST was expanded to allow for time off related to funeral or legal matters arising after the death of a family member.

ELECTIONS

- A new Minnesota Voting Rights Act that prohibits vote dilution and voter suppression and establishes a process for bringing and analyzing voting rights claims was enacted.
- The omnibus elections bill directed additional funding to the voting operations, technology, and election resources (VOTER) account that assists local governments with election-related expenses.
- Beginning Jan. 1, 2025, temporary pop-up polling locations for state general and odd-year city general elections may be required at certain post-secondary institutions that provide housing to 100 or more students.

EMERGENCY MEDICAL SERVICES (EMS)

- \$24 million in rural emergency ambulance service aid will be distributed to qualifying licensed ambulance services on Dec. 26, 2024.
- \$6 million will fund sprint medic pilot programs in Grant, St. Louis, and Ottertail counties.
- The Emergency Medical Services Regulatory Board will be replaced with a new Office of Emergency Medical Services in January 2025.

EMPLOYMENT

Employers will be required to include salary ranges in job postings beginning Jan. 1, 2025.

ENVIRONMENT

- New grant programs were created for community tree planting, with \$8 million for statewide use and another \$3 million dedicated to the seven-county metro area.
- Comprehensive plans are protected from Minnesota Environmental Rights Act lawsuits for all cities in the seven-county metro area.

HOUSING

- No bills that would have preempted city zoning and land use authority passed this session including the “Missing Middle Housing” bill, multifamily residential developments allowed by right in commercial areas, or the “People Over Parking Act.”

- \$50 million was authorized for housing infrastructure bonds.
- Cities receiving aid under the Local Affordable Housing Aid and Statewide Affordable Housing Aid will be required to supplement, not supplant, local funding for housing and include any reductions in housing expenditures in their annual reports for continued aid payments.
- Cities are no longer able to impose rental licensing requirements on certain group homes that are licensed by the Minnesota Department of Health or Minnesota Department of Human Services and have six or fewer residents.

OPEN MEETING LAW

No amendments to the Open Meeting Law were enacted, although several changes related to closed meetings, penalties for violations, public comment periods, and remote participation were considered.

PAID FAMILY AND MEDICAL LEAVE (PFML)

A February 2024 actuarial analysis indicated that the premium rate necessary to meet the requirements of the PFML program is 0.88%. Legislation passed in 2024 authorizes the Department of Employment and Economic Development to adjust the premium rate based on program experience and actuarial principles, so the initial 0.7% rate in statute can be changed to the rate provided in the analysis.

PUBLIC SAFETY

- A law enacted in March 2024 clarifies the duties and authority school resource officers (SROs) have when working in a school setting and requires training and model policies for SROs.
- New rules for scrap metal dealers and individuals selling copper metal that aim to reduce copper wire theft were passed.
- When making a traffic stop, peace officers are now prohibited from asking if the driver can identify the reason for the stop.

TAXES

- The Legislature did not pass an omnibus tax bill and only a few tax provisions were included in the supplemental spending bill. Outside of changes to tax forfeiture, none of the changes directly impact cities.
- Both the House and Senate passed differing versions of a local sales tax general authority, but no changes were enacted. The local sales tax moratorium remains in place through the 2025 legislative session.

TRANSPORTATION

- Cities with a population of less than 5,000 will receive revenue from a \$11.35 million, one-time appropriation for the Small Cities Assistance Program. This is intended to provide short-term relief while revenues in the permanent Transportation Advancement Account are collected.
- The Small Cities Assistance and Larger Cities Assistance funds provided through the Transportation Advancement Account can now be used for debt service on bonds for cities that borrow for transportation capital improvements.

- Dozens of policy provisions were enacted, including authority to establish pedestrian malls, a traffic safety camera system pilot, uniform disability parking signs, and new restrictions on towing.
-

Further Reading/Resources

- [Access webinars, including a full legislative recap](#), in the League's MemberLearn online learning platform.
- Learn about the new laws with the League's [2024 Law Summaries \(pdf\)](#) and the "[Focus on New Laws](#)" articles, which will be released throughout the summer.
- [Subscribe to the Cities Bulletin e-newsletter](#) to get bi-weekly issue updates outside of legislative session and weekly updates during the session.
- [Sign up for the League's policy committees and task forces](#) to get involved and work on legislative issues impacting cities across Minnesota.

[Read more news articles](#)

Your LMC Resource

The LMC Intergovernmental Relations (IGR) staff is focused on legislative advocacy for cities. Contact any IGR member with questions, concerns, or suggestions about legislative issues and League policies.

[Connect with IGR staff](#)



AGENDA REPORT

Meeting Date: September 10, 2024

Meeting Type: Charter Commission

Submitted By: Beth Kondrick, Deputy City Clerk

Title

Future Meeting Topics

Background

Future meeting topics requested by commissioners:

- Review of Chapter 10
- Review of Chapter 5
- 2025 Calendar

Recommendation

None.

Attachments and Other Resources

Vision Statement

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