



Charter Commission Meeting

February 06, 2023

7:00 PM

Fridley Civic Campus, 7071 University Ave N.E.

Agenda

Pursuant to Minnesota Statute § 13.02 the February 6, 2023 meeting will be a hybrid meeting. Commissioner Pamela Reynolds will be attending via Zoom from 1241 Norton Avenue N.E., Fridley, MN 55432. Virtual: <https://us06web.zoom.us/j/89226223491?pwd=bm5lR0hkSzVJQlBLL1VCZkU1RVlnQT09> Meeting ID: 892 2622 3491. Passcode: 692908. Call in: 312-626-6799.

Call to Order

Roll Call

Approval of Agenda

Approval of Meeting Minutes

- [1.](#) Approval of January 10, 2023 Charter Commission Meeting Minutes

Administrative Matters

- [2.](#) 2023 Member List
- [3.](#) Election of Vacated Vice Chair Position
- [4.](#) 2023 Nominating Committee Report
- [5.](#) Review of Bylaws
- [6.](#) Establishing Agenda Topics with the City Council

New Business

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

Future Meeting Topics/Communications

- [8.](#) 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) 572-3450.



AGENDA REPORT

Meeting Date: February 6, 2023

Meeting Type: Charter Commission

Submitted By: Beth Kondrick, Deputy City Clerk

Title

Approval of January 10, 2023 Charter Commission Meeting Minutes

Background

Attached are the minutes from January 10, 2023 for the Commission's consideration.

Recommendation

Staff recommend the approval of the January 10, 2023 Charter Commission Meeting Minutes.

Attachments and Other Resources

- January 10, 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 Meeting

January 10, 2023

7:00 PM

Fridley Civic Campus, 7071 University Ave N.E.

Minutes

Call to Order

Vice Chair Rick Nelson called the meeting to order at 7:02 p.m.

Roll Call

Present: Gary Braam
 Kelli Brillhart
 Donald Findell
 Greg Gardner
 Ibsen Gabriel (arrived at 7:30)
 Manuel Granroos
 Nikki Karnopp
 Rick Nelson
 Valerie Rolstad (arrived at 7:10)
 Avonna Starck

Absent: Ted Kranz, Pam Reynolds, Oluwaysei Olawore, Cynthia Soule

Others Present: Beth Kondrick, Deputy City Clerk
 Melissa Moore, City Clerk
 Steven Kisner, Charter Commission Applicant
 Mohamed Barre, Charter Commission Applicant

Approval of Agenda

Motion by Commissioner Brillhart, approving the meeting agenda. Seconded by Commissioner Braam.

Upon a roll call vote, Braam, Brillhart, Findell, Gardner, Granroos, Karnopp, Nelson and Starck voting aye, Vice Chair Nelson declared the motion carried.

Approval of Meeting Minutes

1. Approval of October 3, 2022 Charter Commission Meeting Minutes

Motion by Commissioner Gardner approving the meeting minutes. Seconded by Commissioner Karnopp.

Upon a roll call vote, Braam, Brillhart, Findell, Gardner, Granroos, Karnopp, Nelson, Rolstad and Starck voting aye, Chair Nelson declared the motion carried.

Administrative Matters

2. Election to Vacant Office

Vice Chair Nelson asked for nominations to the open Chair position. Commissioner Starck nominated Vice Chair Nelson.

Motion by Commissioner Findell to elect Vice Chair Nelson to the office of Chair. Seconded by Granroos.

Upon a roll call vote, Braam, Brillhart, Findell, Gardner, Granroos, Karnopp, Nelson, Rolstad and Starck voting aye, Chair Nelson declared the motion carried.

Chair Nelson states that this now leaves the office of Vice Chair open. The group reviewed the Bylaws and it was not in order to appoint someone to the Vice Chair position at this meeting. The vacancy has been declared and will be on the agenda for February to be filled.

3. 2023 Nominating Committee

Chair Nelson asked for volunteers to serve on the 2023 Nominating Committee. Commissioners Rolstad, Starck and Brillhart volunteered. The group agreed to meet after this evening's meeting to make nominations.

4. Joint Meeting with the Fridley City Council

A meeting with the City Council is scheduled for April 3, 2023. Question was asked by Commissioner Karnopp if this was a separate meeting from the normal meeting schedule. Ms. Moore said this meeting is on the normal meeting schedule and was selected by the City Manager for that purpose. If the group wanted to choose a different date, it could be proposed to the Council to review.

Motion by Commissioner Karnopp to accept the meeting date as scheduled. Seconded by Commissioner Rolstad.

Upon a roll call vote, Braam, Brillhart, Findell, Gardner, Granroos, Karnopp, Nelson, Rolstad and Starck voting aye, Chair Nelson declared the motion carried.

5. Review of Bylaws

Proposed changes to the Bylaws as discussed at the October 3, 2023 meeting were included in the agenda packet. Ms. Moore distributed an article regarding mission statements from Commissioner Reynolds who

was unable to attend. The Commission discussed the Bylaws draft. Proposed amendments as follows: Section 5 (a) missing the "before Staff Liaison" in second line, Section 6 (b)(1) add the word "To" after the word responsibilities, and Section 5 (a) second sentence: All members shall inform the staff liaison of their attendance.

6. New Member Interviews

Ms. Moore welcomed the two candidates present to interview with the Commission for the seat vacated by Commissioner Bruce Nelson in 2022. Chair Nelson facilitated a discussion with each of the candidates.

The Commission discussed the applicant's qualifications and reviewed their answers to questions.

Motion by Commissioner Starck to nominate Steven Kisner for appointment to the Fridley Charter Commission with Mohamed Barre to be offered appointment at the next vacancy. Seconded by Commissioner Rolstad.

Upon a roll call vote, Braam, Brillhart, Findell, Gabriel, Gardner, Granroos, Karnopp, Nelson, Rolstad and Starck voting aye, Chair Nelson declared the motion carried.

Future Meeting Topics

7. Future Meeting Topics

The Commission discussed topics for next meeting should be Vice Chair opening, accepting the report of the Nominating Committee, review and approval of the Bylaws, and begin a review of Chapter 4.

Motion by Commissioner Starck to have City Attorney review and provide feedback for updates in Chapter 4. Seconded by Commissioner Rolstad.

Upon a roll call vote, Braam, Brillhart, Findell, Gabriel, Gardner, Granroos, Karnopp, Nelson, Rolstad and Starck voting aye, Chair Nelson declared the motion carried.

Adjournment

Motion by Commissioner Rolstad, to adjourn. Seconded by Commissioner Findell.

Upon a roll call vote, Braam, Brillhart, Findell, Gabriel, Gardner, Granroos, Karnopp, Nelson, Rolstad and Starck voting aye, Chair Nelson declared the motion carried.

The meeting adjourned at 8:29 p.m.



AGENDA REPORT

Meeting Date: February 6, 2023

Meeting Type: Charter Commission

Submitted By: Beth Kondrick, Deputy City Clerk

Title

2023 Member List

Background

Attached is a list of members of the Fridley Charter Commission.

Recommendation

None.

Attachments and Other Resources

- 2023 Member List

Vision Statement

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



2023 Charter Commission Membership

Item 2.

Name/Address	Ward	Phone	Email	Appointed	Term Exp.
Gary Braam 1436 66th Avenue Fridley, MN 55432	2	(h) 763-571-9582 (w) 763-528-1214	gbraam@msn.com	06-01-04 02-05-08 02-13-12 05-27-16 05-31-20	05-31-08 05-31-12 05-31-16 05-31-20 05-31-24
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
Manuel Granroos 1114 63rd Avenue N.E. Fridley, MN 55432	2	(h) 763-571-0811 (c) 612-710-0332	mannyjg2389@gmail.com	10-21-14 09-14-22	09-02-22 09-02-26
Nikki Karnopp 482 Rice Creek Terrace N.E. Fridley, MN 55432	1	612-709-6452	nikkikarnopp@gmail.com	02-03-20	02-03-24
Steven Kisner 5871 W. Moore Lake Drive Fridley, MN 55432	2	763-300-8884	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



2023 Charter Commission Membership

Item 2.

Ibsen Gabriel Maldonado 209 Rice Creek Blvd. N.E. Fridley, MN 55432	3	(h) 612-226-8544	dni2194@msn.com	02-01-22	02-01-26
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	02-13-12 02-21-16 02-21-20 02-21-24
Oluwaseyi Olawore 554 Lafayette Street N.E. Fridley, MN 55432	3	(c) 952-855-2094	oluwaseyi@siagtl.com	05-01-21	05-01-25
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	05-01-07 05-01-11 05-01-15 05-01-19 11-04-23
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
Cynthia Soule 7838 Firwood Way Fridley, MN 55432	3	(h) 763-572-9666 (c) 612-414-5319	cindyjs76@live.com	06-16-97 02-04-09 05-24-13 05-03-17 05-01-21	05-01-09 05-01-13 05-01-17 05-01-21 05-01-25
Avonna Starck 650 67 th Avenue N.E. Fridley, MN 55432	1	(h) 612-423-6939	avonna.caroline@gmail.com	05-22-15 11-04-19	05-04-19 11-04-23



AGENDA REPORT

Meeting Date: February 6, 2023

Meeting Type: Charter Commission

Submitted By: Beth Kondrick, Deputy City Clerk

Title

Election of Vacated Vice Chair Position

Background

At its January 6th meeting the Fridley Charter Commission (Commission) elected then Vice Chair Rick Nelson to the vacant position of Chair. Pursuant to Section No. 5 of the Bylaws, an "[e]lection to vacant offices shall be made from the floor at the next meeting following the meeting at which the vacancy is declared."

A new Vice Chair will be duly elected by a simple majority vote of the Commission. If there is a contested race for the office of Vice Chair, staff will provide a written ballot to the Commission to complete. At that time the Chair should ask for a teller committee of two to count and read each member's ballot so they may be reflected in the minutes.

Recommendation

Staff recommend nominations from the floor to the office of Vice Chair.

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: February 6, 2023

Meeting Type: Charter Commission

Submitted By: Beth Kondrick, Deputy City Clerk

Title

2023 Nominating Committee Report

Background

Pursuant to Section 6 of the Charter Commission Bylaws, Chair Nelson appointed three or more members to the 2023 Nominating Committee (Committee). The Committee consisted of Commissioners Starck, Rolstad and Brillhart.

The Committee met on January 10, 2023 following the Charter Commission meeting. The Nominating Committee offered the following nominations to serve as the 2023-2024 Charter Commission Officers:

Chair: Rick Nelson

Vice Chair: Manuel Granroos

Secretary: Valerie Rolstad

Pursuant to Section 5 of the Bylaws, nominations may be made from the floor. If two or more Commissioners wish to serve in a particular office, the Commission will hold a contested election at its March meeting.

Recommendation

Staff recommend a motion accepting the 2023 Nominating Committee Report.

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: February 6, 2023

Meeting Type: Charter Commission

Submitted By: Beth Kondrick, Deputy City Clerk

Title

Review of Bylaws

Background

At its October 3, 2022 and January 10, 2023 meetings the Commission reviewed the Bylaws and discussed potential changes. Many of the proposed changes are stylistic updates. These changes reflect an update to the Bylaws into the City's style guidelines for written documents. Such style guidelines were created to ensure uniformity of the City's documents to increase understanding and accessibility for members of the public.

At its January meeting, the Commission directed the following revisions:

Section	Change
Section No. 5, Membership	In subd. (a): All Commission members shall be expected to attend all meetings and will inform the Staff Liaison of their attendance.
Section No. 6, Officers	In subd. (b)(1): The Chair shall have the following responsibilities to..."

Pursuant to Section 9 of the Bylaws, staff emailed these proposed revisions to the Commission on January 11, 2023.

Also attached is a document with all revisions accepted (Exhibit B). This document is to demonstrate what the Bylaws would look like if all proposed changes in Exhibit A were approved.

Recommendation

Staff recommend a review of the contemplated amendment to the Bylaws and a motion to approve.

Attachments and Other Resources

- Exhibit A: Proposed changes from January 10, 2023
- Exhibit B: Bylaws with all changes accepted

Vision Statement

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

Fridley Home Rule Charter Commission

~~By Laws~~ BylawsApproved ~~October 5, 2020~~ To Be Determined

1. Name – the name of the organization shall be the Fridley Home Rule Charter Commission (Commission).

~~2. Purpose -- the purpose of this organization shall be to frame and amend the Charter to meet the needs of the residents of Fridley.~~

2. Mission – To collaboratively evaluate and propose changes to the Fridley City Charter (Charter) that reflect the importance of the Charter, to enable effective government operations and reflects the values of the residents of Fridley.

3. Strategic Values

<u>Strategic Value</u>	<u>Attained Through</u>
<u>Collaboration</u>	<u>1. Active communication with the City Council.</u> <u>2. Respecting differing opinions on matters and working to find consensus.</u> <u>3. Continuous refinement and improvements to the Charter to ensure it is a document which best serves the residents and City government.</u>
<u>Stewardship</u>	<u>1. Maintaining responsibility for the applicability and efficacy of the Charter.</u> <u>2. Ensuring the directives of the Charter reflect the will of Fridley residents.</u>
<u>Engagement</u>	<u>1. Educating the residents of Fridley on the role of the City Charter and Charter Commission.</u> <u>2. Participating in community events to listen and learn how residents feel about certain issues.</u> <u>3. When Commission openings occur, actively recruit new voices that reflect the changing demographics of Fridley.</u>

34. Meetings

(a) Commission meetings will be held ~~in the at~~ Fridley ~~Municipal Center~~ City Hall; or a designated public location upon proper notice.

(b) The annual meeting of the Commission shall be held in March of each year. The election of officers of the Commission shall take place at the annual meeting.

(c) Special meetings may be called by the ~~chair~~Chair. In addition, the Chair shall call a special meeting within ~~ten~~(10) days upon receipt of a written request signed by at least five ~~(5)~~ members. Such special meeting shall require proper notice to the commissioners and the public as required by Minnesota Statutes Chapter 13D.

(d) A quorum to conduct business shall be determined according to the following schedule:

Number of Appointed <u>appointed</u> Charter Commission Members <u>members</u>	Quorum
15, 14, 13	7
12 or 11	6
10 or fewer	5

(e) Except as provided in these ~~by-laws~~Bylaws, all meetings shall be governed in accordance with Rosenberg's Rules of Order ~~Newly~~(Revised 2011).

(f) The ~~time of the~~ meeting shall be called to order by the ~~chair~~Chair. If there is not a quorum within ~~ten~~10 minutes after the ~~meeting time of the meeting~~ is to commence, the Commission members shall be dismissed by the Chair. ~~However, if the chair felt there was important business to be addressed, the chair would have the discretion to ask members to stay longer, but may not exceed an additional ten minutes past the specified time. However, if in the sole discretion of the Chair, there is business that should be addressed, the Chair may require that the Commission members stay up to an additional 10 minutes in order to see if a quorum can be met. If no quorum is met within the additional 10-minute timeframe, the Chair shall dismiss the Commission members.~~

45. Membership – The membership of ~~this organization~~the Commission shall be 15 members.

(a) All Commission members shall be expected to attend all meetings and will inform the Staff Liaison of their attendance. ~~If unable to attend, the member shall inform either the chair or the secretary as to the reason.~~

(b) Any member missing three ~~(3)~~ consecutive meetings without ~~an adequate excuse, notifying the Liaison,~~ or failing to perform the duties of the office shall be subject to a discharge from the Commission upon a written request to the District Court, supported by ~~two-thirds~~(2/3) of the Commission members present and voting.

56. Officers

(a) Election of Officers

- (1) The officers of ~~this organization~~the Commission shall ~~be a~~consist of Chair, Vice Chair, and a Secretary.
- (2) The Chair, Vice Chair, and Secretary shall be elected from the membership of the Commission by the Commission members.
- (3) The Chair, Vice Chair, and Secretary shall be elected by the Commission at the Commission's annual meeting. No officer of the Commission shall serve more than two consecutive full terms in the same office.
- (4) All officers shall begin their terms of office immediately upon election to that office.
- (5) Election to vacant offices shall be made from the floor at the next meeting of the Commission following the meeting at which the vacancy is declared. Members of the Commission who are elected to vacant offices shall serve until the next annual meeting of the Commission.
- (6) Officers of ~~this organization~~the Commission shall be declared duly elected by a simple majority vote of those members of the Commission who are present and voting. Any contested race for an office shall be done by a written ballot. The acting ~~chair~~Chair will ask for a ~~teller~~ committee of two ~~(2)~~ Commission members to count the ballots. If at all possible, the members of the committee shall not include members of the Commission who are running for an officer position.

(b) Duties of Officers and ~~City Staff~~ Liaison

- (1) The Chair shall have the following responsibilities to:
 - ((a)) ~~to~~ call all regular and special meetings;
 - ((b)) preside at all meetings;
 - ((~~ee~~)) set the agenda;
 - ((d)) implement the decisions of ~~this~~the Commission; and
 - ((e)) participate in all Commission decisions as a voting member.
- (2) The Vice Chair shall assist the ~~chair~~Chair in the performance of these duties. In the event the Chair is unable to perform ~~these~~their duties, the Vice Chair shall discharge such duties.
- (3) The Secretary shall be responsible for :

~~((a)) keeping an accurate record of attendance;~~
~~((b)) recording of minutes at all meetings;~~
~~((c)) distributing minutes to members within a reasonable time;~~
~~((d)) giving notice to members who have missed two (2) consecutive meetings pursuant to Article IV, Section B, of the By-Laws;~~
~~((e)) transmitting all correspondence and related resource material concerning this Commission to the City Clerk for retention; and~~
~~((f)) presiding at meetings in the absence of the Chair and Vice Chair.~~

(4) The ~~city staff liaison~~ Liaison shall be designated by the City Clerk and serve as ~~a recording the recording secretary~~ secretary at all meetings of the ~~Charter~~ Commission. The ~~liaison~~ Liaison, with the direction of the Secretary, will have the following responsibilities:

~~((a)) serve in an advisory capacity at all~~ Commission meetings as a non-voting member;
~~((b)) assist the Commission by providing research information as requested by Officers~~ of the Commission;
~~((c)) accurately record attendance and minutes of all meetings;~~
~~((d)) distribute minutes and notices of upcoming meetings with proposed agenda in a timely manner;~~
~~((e))~~ prepare proposed Charter changes for submission to the City Council;
~~((f))~~ retain records of Commission proceedings as required by Minnesota state State law;
~~((g))~~ keep an accurate record of attendance;
~~((h))~~ recording of minutes at all meetings;
~~((i))~~ distributing notices of upcoming meetings, minutes, and agendas to Commission members within a reasonable time;
~~((j))~~ giving notice to Commission members who have missed two consecutive meetings pursuant to Section No. 4 (b) of the Bylaws; and
~~((k))~~ transmitting all correspondence and related resource material concerning the Commission to the City Clerk for retention.

67. Committees

(a) The Chair shall have the power to create committees consisting of members of the Commission, appoint members of the committees, and designate chairs of those committees.

(b) In January of each year the Chair shall appoint a ~~nominating~~ Nominating committee

Committee of three ~~(3)~~ or more Commission members who shall ~~report the nomination~~ nominate ~~of one (1)~~ or more candidates for each office of the Commission. A written report of such nominations by the Nominating Committee shall be transmitted electronically or by mail by the Liaison to each member at least ~~ten (10)~~ days before the Commission's annual meeting.

78. Voting

(a) A majority vote of Commission members present at a Commission meeting shall be sufficient to pass motions and resolutions except as provided elsewhere.

(b) There shall be no secret votes, ~~other than contested election(s) of officers.~~

89. Order of Business – The Commission shall follow the following order of business at its meetings:

- (a) Call to Order by the Chair
- (b) Roll Call
- (c) Approval of the Agenda
- (d) Approval of the Minutes
- (e) Administrative Matters
- (f) Old Business
- (g) New Business
- (h) Future Meeting Topics
- (i) Adjournment.

910. Amendment of Bylaws

~~(a) These by-laws can be amended at any regular meeting of the Commission by a two-thirds (2/3) vote of those present, provided that the amendment has been submitted in writing electronically or by mail to the members at least two (2) weeks before the vote on the amendment.~~ These Bylaws can be amended at any regular meeting of the Commission by 2/3 vote of those present, provided that the contemplated amendment has been properly noticed in writing electronically or by mail to all Commission members.

Fridley Home Rule Charter Commission
Bylaws
Approved To Be Determined

1. Name – the name of the organization shall be the Fridley Home Rule Charter Commission (Commission).

2. Mission – To collaboratively evaluate and propose changes to the Fridley City Charter (Charter) that reflect the importance of the Charter, to enable effective government operations and reflects the values of the residents of Fridley.

3. Strategic Values

Strategic Value	Attained Through
Collaboration	1. Active communication with the City Council. 2. Respecting differing opinions on matters and working to find consensus. 3. Continuous refinement and improvements to the Charter to ensure it is a document which best serves the residents and City government.
Stewardship	1. Maintaining responsibility for the applicability and efficacy of the Charter. 2. Ensuring the directives of the Charter reflect the will of Fridley residents.
Engagement	1. Educating the residents of Fridley on the role of the City Charter and Charter Commission. 2. Participating in community events to listen and learn how residents feel about certain issues. 3. When Commission openings occur, actively recruit new voices that reflect the changing demographics of Fridley.

4. Meetings

(a) Commission meetings will be held at Fridley City Hall or a designated public location upon proper notice.

(b) The annual meeting of the Commission shall be held in March of each year. The election of officers of the Commission shall take place at the annual meeting.

(c) Special meetings may be called by the Chair. In addition, the Chair shall call a special

meeting within 10 days upon receipt of a written request signed by at least five members. Such special meeting shall require proper notice to the commissioners and the public as required by Minnesota Statutes Chapter 13D.

(d) A quorum to conduct business shall be determined according to the following schedule:

Number of appointed Charter Commission members	Quorum
15, 14, 13	7
12 or 11	6
10 or fewer	5

(e) Except as provided in these Bylaws, all meetings shall be governed in accordance with Rosenberg's Rules of Order (Revised 2011).

(f) The meeting shall be called to order by the Chair. If there is not a quorum within 10 minutes after the time of the meeting is to commence, the Commission members shall be dismissed by the Chair. However, if in the sole discretion of the Chair, there is business that should be addressed, the Chair may require that the Commission members stay up to an additional 10 minutes in order to see if a quorum can be met. If no quorum is met within the additional 10-minute timeframe, the Chair shall dismiss the Commission members.

5. Membership – The membership of the Commission shall be 15 members.

(a) All Commission members shall be expected to attend all meetings and will inform the Staff Liaison of their attendance.

(b) Any member missing three consecutive meetings without notifying the Liaison, or failing to perform the duties of the office shall be subject to a discharge from the Commission upon a written request to the District Court, supported by 2/3 of the Commission members present and voting.

6. Officers

(a) Election of Officers

(1) The officers of the Commission shall consist of Chair, Vice Chair, and a Secretary.

(2) The Chair, Vice Chair, and Secretary shall be elected from the membership of the Commission by the Commission members.

(3) The Chair, Vice Chair, and Secretary shall be elected by the Commission at the Commission's annual meeting. No officer of the Commission shall serve more than two consecutive full terms in the same office.

(4) All officers shall begin their terms of office immediately upon election to that office.

(5) Election to vacant offices shall be made from the floor at the next meeting of the Commission following the meeting at which the vacancy is declared. Members of the Commission who are elected to vacant offices shall serve until the next annual meeting of the Commission.

(6) Officers of the Commission shall be declared duly elected by a simple majority vote of those members of the Commission who are present and voting. Any contested race for an office shall be done by a written ballot. The acting Chair will ask for a committee of two Commission members to count the ballots. If at all possible, the members of the committee shall not include members of the Commission who are running for an officer position.

(b) Duties of Officers and Liaison

(1) The Chair shall have the following responsibilities to:

- ((a)) call all regular and special meetings;
- ((b)) preside at all meetings;
- ((e)) set the agenda;
- ((d)) implement the decisions of the Commission; and
- ((e)) participate in all Commission decisions as a voting member.

(2) The Vice Chair shall assist the Chair in the performance of these duties. In the event the Chair is unable to perform their duties, the Vice Chair shall discharge such duties.

(3) The Secretary shall be responsible for presiding at meetings in the absence of the Chair and Vice Chair.

(4) The Liaison shall be designated by the City Clerk and serve as the recording secretary at all meetings of the Commission. The Liaison, with the direction of the Secretary, will have the following responsibilities:

- ((a)) serve in an advisory capacity at all Commission meetings as a non-voting member;
- ((b)) assist the Commission by providing research information as requested by

Officers of the Commission;

((c)) prepare proposed Charter changes for submission to the City Council;

((d)) retain records of Commission proceedings as required by State law;

((e)) keep an accurate record of attendance;

((f)) recording of minutes at all meetings;

((g)) distributing notices of upcoming meetings, minutes, and agendas to Commission members within a reasonable time;

((h)) giving notice to Commission members who have missed two consecutive meetings pursuant to Section No. 4 (b) of the Bylaws; and

((i)) transmitting all correspondence and related resource material concerning the Commission to the City Clerk for retention.

7. Committees

(a) The Chair shall have the power to create committees consisting of members of the Commission, appoint members of the committees, and designate chairs of those committees.

(b) In January of each year the Chair shall appoint a Nominating Committee of three or more Commission members who shall nominate one or more candidates for each office of the Commission. A written report of such nominations by the Nominating Committee shall be transmitted electronically or by mail by the Liaison to each member at least 10 days before the Commission's annual meeting.

8. Voting

(a) A majority vote of Commission members present at a Commission meeting shall be sufficient to pass motions and resolutions except as provided elsewhere.

(b) There shall be no secret votes.

9. Order of Business – The Commission shall follow the following order of business at its meetings:

(a) Call to Order by the Chair

(b) Roll Call

(c) Approval of the Agenda

(d) Approval of the Minutes

(e) Administrative Matters

(f) Old Business

- (g) New Business
- (h) Future Meeting Topics
- (i) Adjournment.

10. Amendment of Bylaws

These Bylaws can be amended at any regular meeting of the Commission by 2/3 vote of those present, provided that the contemplated amendment has been properly noticed in writing electronically or by mail to all Commission members.



AGENDA REPORT

Meeting Date: February 6, 2023

Meeting Type: Charter Commission

Submitted By: Beth Kondrick, Deputy City Clerk

Title

Establishing Agenda Topics with the City Council

Background

At its January 10, 2023 meeting the Commission approved a motion to set a joint meeting with the Fridley City Council.

This meeting was discussed at various meetings in 2022 and 2023 as the Commission contemplated adding certain Strategic Values to its Bylaws. One of those values is "Collaboration." In its deliberations of the Bylaws the Commission agreed that an ongoing, annual meeting with the Council would be a good way to stay connected with the Council on various topics.

To effectively use both group's time, staff recommend the Commission consider specific topics it would like to discuss with the Council. Doing so will also ensure the City can properly notice the topics to be discussed in its meeting notice requirements.

Recommendation

Staff recommend the Commission establish specific topics it would like to discuss with the Council on April 3, 2023.

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: February 6, 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 review of Chapter 4, Nominations and Elections. The Commission also approved a motion to direct staff to request a legal review of the Chapter from the City Attorney (Exhibit A). In staff's role to serve in an advisory capacity, a staff review of the Chapter is also attached (Exhibit B).

Recommendation

Staff recommend the Commission review Chapter 4 and discuss updates.

Attachments and Other Resources

- Exhibit A: Chapter 4 legal review
- Exhibit B: Chapter 4 staff review

Vision Statement

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

Exhibit A

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 apply for all municipal elections of such officers as are specified in this Charter. The Council shall, through ordinances duly adopted in compliance with such state laws and this Charter, adopt suitable and necessary regulations for the conduct of such elections. (Ref. Ord. 857)

Section 4.02. REGULAR MUNICIPAL ELECTIONS.

On the first Tuesday after the first Monday in November, municipal general elections shall be held, at such place or places as the City Council may designate by resolution. General municipal elections shall 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 constitute at least one (1) voting precinct and no precinct shall be in more than one (1) ward. At least fifteen (15) days' notice shall be given by the City Clerk of the time and places of holding such election, and of the officers to be elected, by posting a notice thereof in at least one (1) public place in each voting precinct and by publishing a notice thereof at least once in the official newspaper of the City, but failure to give such notice shall not invalidate such election. (Ref. Ord 1252)

Section 4.03. PRIMARY ELECTIONS.

There shall be a primary election, on the date established by Minnesota State Law, 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. (Ref Ord 1269)

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 three (3) weeks' published notice shall be given of said special election. The procedure at such elections shall conform 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 be held in accordance with provisions of Section 2.06 (Ref. Ord. 1034, 1305)

Section 4.05. JUDGES OF ELECTION.

The Council shall at least twenty-five (25) days before each municipal election appoint two (2) eligible voters for each voting precinct to be election judges and one (1) registered voter to be head election judge; or as many election judges as may be determined by the city clerk. No person signing or

Commented [SSJ1]: The statute requires only two weeks (14 days) published notice and 10 days' posted notice. The notice must also be posted in the City Clerk's office for public inspection..

Commented [SSJ2]: Should say "offices" to be filled and also "all propositions or questions to be voted upon". The notice should also give the location of each polling place. This is per Minnesota Statutes Section 205.16, subdivision 1.

Commented [SSJ3]: The statute does not say this.

Commented [SSJ4]: There are also other notice requirements in the statute. Not sure if the Commission wants to mention them or not (Secretary of State, Auditor, etc.). There is also a sample ballot requirement (posting and publication) in the statute.

Commented [SSJ5]: Statute only requires a motion, not a resolution (although Charter can be more restrictive).

Commented [SSJ6]: May want to mention that the special election must be on a subject that the voters are authorized by law or charter to pass judgment.

Commented [SSJ7]: A special election can only be held on certain dates (see Minnesota Statutes Section 205.10, subdivision 3a). A charter city cannot designate additional dates in its charter.

Commented [SSJ8]: Notice requirements are the same as for general elections (two weeks notice), but I suppose the charter can require more notice.

Commented [SSJ9]: State law requires at least four election judges for each precinct (unless the precinct has less than 500 registered voters, then only 3 are required). One of the four election judges should be appointed the head election judge for that precinct.

Adopted 04-22-2013

FR520-8-851182.v2

Exhibit A

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**. (Ref. Ord. 592, Ord. 873, 1230, 1305)

Section 4.06. NOMINATIONS BY PETITION.

The mode of nomination of all elective officers provided for by this Charter shall be by **petition**. The name of any eligible voter of the City shall be printed upon the ballot whenever a petition as hereinafter prescribed shall have been filed in that person's behalf with the City Clerk. Such petition shall be signed by at least ten (10) registered voters qualified to vote for the office in question. No elector shall sign more than one 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 last filed. All nomination petitions shall be filed with the City Clerk in accordance with Minnesota State Statutes. Each petition, when presented, must be accompanied by a ten dollar (\$10.00) filing fee. (Ref. Special Election 4/12/60, General Election 11/3/64, Ord. 825, Ord. 857, Ord. 921,)

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 attached a notarized affidavit of the circulator stating:

- (1) the number of signers of such paper;
- (2) that each signature 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 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 shall indicate by an endorsement upon the petition acceptance of the office if elected thereto. The form of 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 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 containing signatures and that the signatures appended thereto were made in my presence and are

Commented [SSJ10]: There are additional requirements for election judges that are set forth in Minnesota Statutes Section 204B.19. These requirements are not listed in the statutory requirements but the statute does say that a city may establish additional requirements that are not inconsistent with the statute and which relate to the ability of an individual to perform the duties of an election judge.

Commented [SSJ11]: I thought that this was a little strange (that the council members/mayor must be nominated for office by petition), but Minnesota Statutes Section 410.16 seems to allow for it ("the charter commission may provide that all elective city officers, including mayor and members of the council, shall be elected at large or otherwise").

Commented [SSJ12]: May want to require that this be on each page of the petition.

Commented [MM13R12]: This introductory paragraph should be on each page of the petition.

Adopted 04-22-2013

Exhibit A

the genuine signatures of the persons whose names they purport to be."

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

This petition, if found insufficient by the City Clerk, shall be returned to _____, at Number ____ Street.

I hereby indicate my willingness to accept the office of _____ if duly elected thereto. (Ref. Ord. 857, 1305).

Section 4.08. WRITE-IN CANDIDATES

A candidate for any 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 shall provide the form to make the request. (Ref Ord 1305)

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 be nominees for the office named. Their names shall be certified by the city clerk to the county auditor who shall place them on the municipal general election ballot without partisan designation. The Council shall meet and canvas 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 be made a part of the minutes. This statement shall include:

- (a) the total number of votes cast;
- (b) the total number of individuals registered before 7:00 am on election day and the total number of individuals registering on election day;
- (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; 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. (Ref. Ord. 1269, 1305)

Commented [SSJ14]: The same office?

Commented [SSJ15]: The statute also allows the results to be canvassed on the second day (Minn. Stat. 205.065, subd. 5).

Commented [SSJ16]: This statement is not required by the statute, but the Charter can require it.

Exhibit B

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 apply for all municipal elections of such officers as are specified in this Charter. The Council shall, through ordinances duly adopted in compliance with such state laws and this Charter, adopt suitable and necessary regulations for the conduct of such elections. (Ref. Ord. 857)

Section 4.02. REGULAR MUNICIPAL ELECTIONS.

On the first Tuesday after the first Monday in November, municipal general elections shall be held, at such place or places as the City Council may designate by resolution. General municipal elections shall 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 constitute at least one (1) voting precinct and no precinct shall be in more than one (1) ward. At least fifteen (15) days' notice shall be given by the City Clerk of the time and places of holding such election, and of the officers to be elected, by posting a notice thereof in at least one (1) public place in each voting precinct and by publishing a notice thereof at least once in the official newspaper of the City, but failure to give such notice shall not invalidate such election. (Ref. Ord 1252)

Section 4.03. PRIMARY ELECTIONS.

There shall be a primary election, on the date established by Minnesota State Law, 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. (Ref Ord 1269)

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 three (3) weeks' published notice shall be given of said special election. The procedure at such elections shall conform 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 be held in accordance with provisions of Section 2.06 (Ref. Ord. 1034, 1305)

Section 4.05. JUDGES OF ELECTION.

The Council shall at least twenty-five (25) days before each municipal election appoint two (2) eligible voters for each voting precinct to be election judges and one (1) registered voter to be head election judge; or as many election judges as may be determined by the 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. (Ref. Ord. 592, Ord. 873, 1230, 1305)

Commented [MM1]: Staff recommend removing the requirement for an ordinance, and change it to "resolution." Fridley's common practice is that an ordinance is used to update the City Code. Therefore, any "regulations for the conduct of such elections" must be done via ordinance. Therefore, there is one random chapter in the Fridley City Code dealing with elections: Chapter 208, Absentee Ballot Board.

M.S. 203B.121 requires municipalities establish an Absentee Ballot Board for the purpose of accepting/rejecting absentee ballots. Statute says this may be done via resolution or ordinance. The Charter requires the City to do this action via ordinance, thus the chapter in the Code.

If the language were to change to "resolution" the Clerk's Office would add this requirement to pre-scheduled resolutions that go before the Council for approval in early summer of even numbered years. Such pre-planned resolutions include appointing Election Judges, designating polling places, and setting the Board of Canvass date to certify election results.

Ordinances are legislative tools most commonly used to establish a practice where if there were a violation of that practice, some sort of criminal punishment and/or fee would be the result. Resolutions are legislative tools most commonly used to demonstrate the governing body's approval of a practice.

Commented [MM2]: This section could be removed. The City is required to follow all State laws pertaining to elections

Or the section could say

Commented [MM3]: Already required by M.S. 205.07 subd. 1.

Commented [MM4]: Check on redistricting requirements and how they do this. Allowed only after census.

Commented [MM5]: Already required by M.S. 204B.14 subd. 1 and M.S. 204B.14 subd. 3(f).

Commented [MM6]: Already required by M.S. 205.16 subds. 1-3.

Commented [MM7]: Already required by M.S.

M.S. 205.065 Subd. 1 requires a primary for the purpose of nominating candidates to a City General Election in August of even numbered years.

M.S. 205.065 Subd. 4 establishes a threshold for when a Primary would be triggered. If no more than twice the number of candidates file for the number of seats open, then no Primary is required.

Commented [MM8]: Already required by M.S. 205.10.

Commented [MM9]: I assume this needs to be updated to Section 2.07 (Vacancies in the Council) section of the Charter.

Commented [MM10]: Already required by M.S. 204B.21.

Adopted 04-22-2013

Exhibit B

Section 4.06. NOMINATIONS BY PETITION.

The mode of nomination of all elective officers provided for by this Charter shall be by petition. The name of any eligible voter of the City shall be printed upon the ballot whenever a petition as hereinafter prescribed shall have been filed in that person's behalf with the City Clerk. Such petition shall be signed by at least ten (10) registered voters qualified to vote for the office in question. No elector shall sign more than one 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 last filed. All nomination petitions shall be filed with the City Clerk in accordance with Minnesota State Statutes. Each petition, when presented, must be accompanied by a ten dollar (\$10.00) filing fee. (Ref. Special Election 4/12/60, General Election 11/3/64, Ord. 825, Ord. 857, Ord. 921,)

Commented [MM11]: For some context, M.S. 205.121 and M.S. 205.13 say either 500 signers, or 2% of the total number of votes cast in a respective ward in the last preceding General Election, whichever is greater, is the threshold for first class cities.

Commented [MM12]: Already required by M.S. 204B.08.

Commented [MM13]: M.S. 205.13 subd. 3(b) suggests filing fees for different size cities:
First class cities (pop. greater than 100k), \$80
Second class cities (pop. 20k-100k), \$40
Third class cities (pop. 10k-20k), \$40
Fourth class cities (pop., 10k and lower) \$15

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 attached a notarized affidavit of the circulator stating:

- (1) the number of signers of such paper;
- (2) that each signature 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 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 shall indicate by an endorsement upon the petition acceptance of the office if elected thereto. The form of 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 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 containing signatures and that the signatures appended thereto 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, if found insufficient by the City Clerk, shall be returned to _____, at Number ____ Street.

I hereby indicate my willingness to accept the office of _____ if duly elected thereto. (Ref. Ord. 857, 1305).

Adopted 04-22-2013

Exhibit B

Section 4.08. WRITE-IN CANDIDATES

A candidate for any 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 shall provide the form to make the request. (Ref Ord 1305)

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 be nominees for the office named. Their names shall be certified by the city clerk to the county auditor who shall place them on the municipal general election ballot without partisan designation. The Council shall meet and 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 be made a part of the minutes. This statement shall include:

- (a) the total number of votes cast;
- (b) the total number of individuals registered before 7:00 am on election day and the total number of individuals registering on election day;
- (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; 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. (Ref. Ord. 1269, 1305)

Commented [MM14]: The Commission could consider removing this Section. All of this is restated from M.S. 205.185, which means the City must comply with certifying election results at a Board of Canvass meeting.

Commented [MM15]: Staff recommend the Commission remove this requirement. The Statement of Canvass received by Anoka County is set in a resolution format, requiring signatures from all on the Canvass Board. The document is scanned and retained by the City, State, and County on a permanent basis, as is required by Minnesota's General Records Retention Schedule.

Standard practice for minutes in the City is not to include specific attachments.

Commented [MM16]: Staff recommend the Commission remove this requirement. Pursuant to M.S. 205.16 the City must post and publish a sample ballot not more than two weeks before Election Day in the Official Publication and on the City's website. These notices are retained on a permanent basis in the City's records.

Commented [MM17]: Staff recommend the Commission remove this requirement. In/around June of an election year, Election Judges have their names included in a resolution the Council approves officially appointing those people as Election Judges for the City.

Commented [MM18]: Staff recommend the Commission remove (f), or expressly list additional items that should be included with the Statement of Canvass.

Commented [MM19]: Section 3.01, Council Meetings, of the Charter requires the Council to meet before the ninth day of January. At this meeting, all newly-elected Councilmembers will assume their duties.

Adopted 04-22-2013



AGENDA REPORT

Meeting Date: February 6, 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.