



Charter Commission Meeting

September 02, 2025

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 5, 2025 Charter Commission Meeting Minutes

Administrative Matters

2. Resignation of Clifford Johnson

Old Business

3. Review Bylaws
4. Chapters 5 Review

New Business

Future Meeting Topics/Communications

5. 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 2, 2025

Meeting Type: Charter Commission

Submitted By: Beth Kondrick, Deputy City Clerk

Title

Approval of May 5, 2025 Charter Commission Meeting Minutes

Background

Attached are the minutes from May 5, 2025 for the Commission's consideration.

Recommendation

Staff recommend the approval of the May 5, 2025 Charter Commission Meeting Minutes.

Attachments and Other Resources

- May 5, 2025 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

May 5, 2025

7:00 PM

Fridley City Hall, 7071 University Avenue NE

Minutes

Call to Order

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

Present

Mohammed Barre
Brad Bremener
Donald Findell
Greg Gardner
Clifford Johnson
Nikki Karnopp – Remote Attendance
Audrey Nelson
Pam Reynolds
Valerie Rolstad
Doug Schmitz
Kathy Smith

Absent

Steve Kisner
Dave Linton
Rick Nelson

Others Present

Beth Kondrick, Deputy City Clerk

Approval of Agenda

Motion to approve the agenda as presented by Commissioner Gardner, seconded by Commissioner Rolstad

Upon a roll call vote, with Commissioners Barre, Bremener, Findell, Gardner, Johnson, Karnopp, Nelson, Reynolds, Rolstad, Schmitz and Smith voting aye, Chair Johnson declared the motion carried unanimously.

Approval of Meeting Minutes

1. Approval of April 7, 2025, Charter Commission Meeting Minutes

Motion to approve the April 7, 2025 Meeting Minutes by Commissioner Barre. Seconded by Commissioner Rolstad.

Upon a roll call vote, with Commissioners Barre, Bremener, Findell, Gardner, Johnson, Karnopp, Nelson, Reynolds, Rolstad, Schmitz and Smith voting aye, Chair Johnson declared the motion carried unanimously.

Administrative Matters

Old Business

2. Chapter 5 Review

Commissioners were presented with a couple of different options for continuation of Chapter 5, they can form a committee to work through the questions proposed by the City Council, they can push it through to an ordinance as is or they can table it.

Motion to table Chapter 5 until September meeting by Commissioner Kranz. Seconded by Commissioner Barre.

Upon a roll call vote, with Commissioners Barre, Bremener, Findell, Gardner, Johnson, Karnopp, Nelson, Reynolds, Rolstad, Schmitz and Smith voting aye, Chair Johnson declared the motion carried unanimously.

3. Commission Onboarding Manual

Commissioners continued discussion on the Commissioner Onboarding Manual and the various options that could be considered.

Motion to table decision on Commission Onboarding Manual until Bylaw discussion by Commissioner Bremener. Seconded by Commissioner Kranz.

Upon a roll call vote, with Commissioners Barre, Bremener, Findell, Gardner, Johnson, Karnopp, Nelson, Reynolds, Rolstad, Schmitz and Smith voting aye, Chair Johnson declared the motion carried unanimously.

Future Meeting Topics/Communications

4. Future Meeting Topics

- Candidate Interview Process
- Adding Language to the Charter for who can and cannot serve on the Commission, specifically section 2.013 of Chapter 2
- Next Chapter to Review
- Bylaws, specifically the last section proposed by Commissioner Reynolds
- Chapter 5
- Commission Onboarding Manual
- Meeting schedule cadence

Adjournment

Motion by Commissioner Reynolds to adjourn the meeting. Seconded by Commissioner Rolstad. Upon a roll call vote, with Commissioners Barre, Bremener, Findell, Gardner, Johnson, Karnopp, Nelson, Reynolds, Rolstad, Schmitz and Smith voting aye, Chair Johnson declared the motion carried unanimously. The meeting adjourned at 7:57 p.m.



AGENDA REPORT

Meeting Date: September 2, 2025

Meeting Type: Charter Commission

Submitted By: Beth Kondrick, Deputy City Clerk

Title

Resignation of Clifford Johnson

Background

Chair Johnson has submitted a resignation from the Charter Commission (attached).

Recommendation

Staff recommend a motion to accept the resignation of Chair Johnson. Staff recommend the Commission direct staff to advertise an opening on the Commission and call for applications.

Attachments and Other Resources

- Clifford Johnson resignation letter

Vision Statement

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

From: [Moore, Melissa](#)
To: [Kondrick, Beth](#)
Subject: FW: Hi Cliff
Date: Friday, August 01, 2025 11:08:51 AM

From: c johnson <roachcliff1@yahoo.com>
Sent: Thursday, May 15, 2025 7:37 PM
To: Moore, Melissa <Melissa.Moore@fridley.mn.gov>
Subject: Re: Hi Cliff

Hello Melissa,
No need to worry about that.
After much contemplation I am submitting my resignation from the Charter Commission. I am not able to find the time my appointment deserves, and I don't like doing things half ass, the city and committee deserve better. It doesn't have anything to do with being chairman, to be honest I was going to submit it after the January meeting, but when I was asked to be chairman, I was flattered, and thought I could manage the time, but that doesn't seem to be so.
The commission is in good hands with the members at hand. It has been a pleasure to work with you and Beth, you are both so kind and knowledgeable.
I hate to make more work for you, but I feel it is the best thing to do. I do not feel right not being able to give it the attention it needs, and knowing there are others who want to serve.
Thank you
Clifford Johnson



AGENDA REPORT

Meeting Date: September 2, 2025

Meeting Type: Charter Commission

Submitted By: Beth Kondrick, Deputy City Clerk

Title

Review Bylaws

Background

Historically the Commission has reviewed its Bylaws at its March meeting each year. The attached Bylaws document was approved by the Commission on March 18, 2024.

Recommendation

Staff recommend the Commission review its Bylaws.

Attachments and Other Resources

- Charter Commission Bylaws
- Proposed Bylaws changes by Commissioner Reynolds

Vision Statement

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

Fridley Home Rule Charter Commission
Bylaws
Approved March 18, 2024

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	<ol style="list-style-type: none"> 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	<ol style="list-style-type: none"> 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	<ol style="list-style-type: none"> 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.

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.~~

2.Purpose--The purpose of this organization shall be to frame and amend the Charter to meet the needs of the people.

~~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.

3. Mission--(as adopted 5/23/05) The Fridley home rule charter is the fundamental law which defines the powers the citizens agree to give their city government. The Charter Commission is comprised of court appointed citizens under Minnesota state law. The Commission, in response to the needs of the community or state legislature, discusses and refines the charter. Changes to the charter can also be initiated by the citizens.

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

Fridley Charter Commission Bylaws Approved: [Mo] [Day], [Year]

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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.

g) Remote attendance shall be allowed with proper notice. /

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 **Staff** 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.

c) Vacancies in the commission membership shall be filled as follows:

1) Volunteer must be an eligible voter, residing in the city.

2) Interest form must have Charter selected as first choice.

3) Volunteer will be chosen based on date interest form is submitted, so as to maintain an adequate representation of citizens. One opening, one candidate.

4) Interest forms will be maintained, by the Staff Liaison for one year. If needed the Commission will direct the Staff Liaison to advertise for interest. /

5

6. Officers

a) 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.

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- 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, ***unless elected to fulfill a term created by a vacancy.***
 - 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) B) Duties of Officers and ***Staff*** 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 **Staff** Liaison shall be designated by the ~~City Clerk~~ recording secretary at all meetings of the Commission. The **Staff** 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

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~~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.

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- 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 **Staff** 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

Fridley Charter Commission Bylaws Approved: [Mo] [Day], [Year]

Page 5

- 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. ***Amendments must be made by a duly appointed member of the commission.***

Appendix and Other Resources:

Rosenberg's Rule of Order

Open Meeting Law

Commission Meeting Calendar

Results of SOAR training

Commission Onboarding Manual



AGENDA REPORT

Meeting Date: September 2, 2025

Meeting Type: Charter Commission

Submitted By: Melissa Moore, Assistant City Manager/City Clerk

Title

Chapters 5 Review

Background

The Commission began reviewing Chapter 5 of the City Charter in 2024. Attached to this report is the Commission’s most recent draft. At the suggestion of the Commission, and the direction of the Chair, staff sent the attached draft to the City Attorney for a secondary legal review.

Legal review

The City Attorney offered an additional revision to Section 5.02 in the third bullet. They recommend the third bullet be revised to say: “Recall any elected city officer and remove such officer from office by vote of the electorate of the City.” This suggested revision is for clarification.

City Council’s request

At its April meeting the Fridley City Council attended the Commission’s meeting. The Council asked how the Commission came to their recommendation of changing the threshold for initiatives and referendums. As a follow-up Mayor Ostwald mailed the attached letter to the Commission for its consideration. At its May meeting some on the Commission suggested a sub-committee meet and draft a response to the Mayor’s letter. Staff agree this would be a worthy exercise to articulate the Commission’s rationale for lowering the threshold to demonstrate the thoughtful deliberation that has taken place. To Commissioner Gardner’s point at the May meeting, April was the first time the Council had been informed of the proposed change to the threshold, thus they are asking for the context surrounding the proposed change.

Election	Votes cast	5% (proposed for initiatives & referendum)	15% (current for initiatives & referendum)	25% (current for recall and will remain the same)
2024 Presidential Election	13,869	693	2,080	3,467
2022 General Election	10,304	515	1,545	2,576
2020 Presidential Election	15,145	757	2,271	3,786
2018 General Election	11,855	592	1,778	2,963

Vision Statement

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

Recommendation

Staff recommend the Commission review the drafted revisions to Chapter 5.

Staff recommend the acting Chair appoint a sub-committee of less than a quorum to work on a reply to the City Council.

Attachments and Other Resources

- Chapter 5 in ordinance format
- Mayor Ostwald letter

Vision Statement

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

Ordinance No. XXXX**Amending the Initiative, Referendum and Recall Chapter of the Fridley City Charter**

The Fridley City Charter Commission has completed its review of the Fridley City Charter Chapter 5 and has recommended an amendment of the City Charter by Ordinance to the City Council on [date]. The Fridley City Council hereby finds after review, examination and recommendation of the Charter Commission that the Fridley City Charter should be hereby amended and the City of Fridley does ordain:

**Fridley City Charter
Chapter 5. Initiative, Referendum and Recall**Section 5.01 Definitions

Circulator: a person who presents a petition to others for signature.

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

Committee: A group of at least five registered voters who sponsor a proposed initiative.

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).

Petitioner: a person who initiates a petition.

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 \$1,000. A sworn statement substantiating such expenses must be turned over to the City Clerk within five business 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 shall for an initiative, referendum or recall must be filed in with 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 elections special or General 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, the City Clerk must promptly forward such information to the proper authorities pursuant to State law.~~

9. The City Clerk must provide to a committee member circulating a petition for an initiative, referendum or recall, written instructions delineating the correct and proper procedure for circulating the petition.

INITIATIVE

Section 5.04 ~~Initiation of Measures~~Initiative Petitions

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 City Clerk affixes the words: "Proposed Ordinance on File. Fridley City Clerk: _____ Date: _____" A verified copy of the initiative must be a copy to which the City Clerk has affixed the words: "Proposed Ordinance on File. Fridley City Clerk _____, Date _____."~~

Section 5.05 Form of Initiative Petitions ~~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~~Presidential 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
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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.

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

Within ~~ten (10)~~ business 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 ElectionPresidential 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~~received by the City Clerk. The City Clerk ~~shall have~~has 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. Completed Petition With Signatures Under 25%~~

~~When the completed petition is found to be sufficient, with the number of signers of the petition not less than fifteen percent (15%) and less than twenty-five percent (25%) of the total votes cast at the last state general election, the City Clerk shall transmit the initiative petition to the Council at its next meeting, stating the number of petitioners and the percentage of the total number of registered voters which they constitute. The Council shall at once read the ordinance and shall thereupon provide for a public hearing upon the ordinance. After holding the public hearing, the ordinance shall be finally acted upon by the Council not 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 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 be submitted by the Council to the electorate at the next regular municipal election.~~

~~B. Completed Petition With Signatures of 25% or More~~

~~When the completed petition is found to be sufficient with the number of signers of the petition equal to at least twenty-five percent (25%) or more of the total votes cast at the last state general election, the City Clerk shall transmit the initiative petition to the Council at its next meeting, stating the number of petitioners and the percentage of the total number of registered voters which they constitute. The Council shall at once read the ordinance and shall thereupon provide for a public hearing upon the ordinance. After holding the public hearing, the ordinance shall be finally acted upon by the Council not 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 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 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 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 call for a special election subject to Minnesota Election Law.~~

1. Generally. When the completed petition is found to be sufficient the City Clerk must transmit the initiative petition to the Council at its next meeting. The notification to the Council must include the number of petitioners and the percentage of the total number of votes cast in the previous Presidential Election. The Council must read the ordinance and call for a public hearing regarding the ordinance. After holding the public hearing, the ordinance must be finally acted upon by the Council no later than 65 calendar days after it was submitted to the Council by the City Clerk. If the Council passes the ordinance as submitted the ordinance becomes effective.

2. Signatures between 5-15%. If the Initiative Petition was submitted with the number of signatures between 5-15% of the total number of votes cast in the previous Presidential Election and the Council fails to pass the ordinance or passes it in a form different from that set forth in the petition, the committee-proposed ordinance must be submitted by the Council to the electorate at the next municipal election.

3. Signatures greater than 15%. If the Initiative Petition was submitted with the number of signatures greater than 15% of the total number of votes cast in the previous Presidential Election and the Council fails to pass the ordinance or passes it in a form different from that set forth in the petition before July 1 of an even year the committee-proposed ordinance must be placed on the next regular municipal election ballot. If the Council fails to pass the ordinance or passes it in a form different from that set forth in the petition after July 1 of an odd year the Council must call for a special election subject to 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 will~~ not go into effect until the ~~City~~ Council has had ~~sixty (60)~~ calendar 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, 5% of the total votes cast at the last Presidential 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 5.03-04. 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~~ State law.

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~~ Presidential 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~~ received by the City Clerk. 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~~ will be suspended from taking effect. Such suspension ~~shall~~ terminates 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 business 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 must transmit the referendum petition to the Council at the next regular Council meeting. The Council ~~shall thereupon must~~ reconsider the ordinance and either repeal it or ~~by aye and nay vote~~ reaffirm its adherence to the ordinance as passed. If the Council votes to reaffirm the ordinance ~~by~~ before August 1st of an even year, the question shall must be placed on the next regular municipal election ballot. If ~~approved after the Council votes to reaffirm the ordinance after~~ August 1st of an even year, the Council shall must immediately order a special election to be held subject to ~~Minnesota Election Law~~State 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~~.01~~.

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 less than 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 petitions ~~shall not be considered to be~~ are not complete unless signed by at least ~~twenty five percent (25%)~~ of the total number of votes cast in the last state

~~general election~~ Presidential 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 5.03.03.

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~~ Presidential 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~~ has ~~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-10~~ business days begins on the date the letter is ~~postmarked~~ received by the City Clerk. The City Clerk ~~shall have~~ has 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~~ will 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 those~~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.~~

Passed and adopted by the City Council of the City of Fridley on this xx day of [month], 2025.

Dave Ostwald - Mayor

Melissa Moore - City Clerk

Public Hearing:
First Reading:
Second Reading:
Publication:

DRAFT



Memorandum

Item 4.

Date: April 8, 2025

To: Fridley Charter Commission

CC: Fridley City Council, Wally Wysopal, Melissa Moore, Beth Kondrick

From: Dave Ostwald, Mayor

Re: Thank you

Dear Chair Johnson and Charter Commission members,

Thank you for last night's joint meeting. The Council and I were most pleased by your invitation and appreciative of your warm welcome. I continue to find the Commissioners to be a wonderful group of very dedicated citizens who take the responsibility for guardianship of the Charter seriously. As Mayor I applaud your dedication to its purposes and appreciate the commitment of time to the cause.

I hope that my Council colleagues and I were able to contribute positively to your mission by providing helpful insights into City priorities and by providing updates on important projects. Likewise, I appreciated learning more about your personal backgrounds and Commission priorities, including potential by-law changes and updates to Chapter Five of the Charter.

Regarding the latter, you have done a lot of good work over many months. I offer that further dialogue may be in order for the City Council to better understand the purposes for considering the threshold limitation changes for citizen lead initiatives. As Commissioner Reynolds mentioned, Chapter Five is one of the most essential chapters of the Charter. Therefore, I ask for more opportunities to understand its impact prior to considering a final recommendation by the Commission.

Thank you again for your dedication and commitment to the City of Fridley. I look forward to hearing back from you.

Sincerely,

A handwritten signature in black ink, appearing to read 'David Ostwald', with a long horizontal line extending to the right.

David Ostwald, Mayor



AGENDA REPORT

Meeting Date: September 2, 2025

Meeting Type: Charter Commission

Submitted By: Beth Kondrick, Deputy City Clerk

Title

Future Meeting Topics

Background

Future meeting topics requested by commissioners:

- Candidate Interview Process
- Proposed Charter language regarding who is (in)eligible to serve on the commission, specifically section 2.013 of Chapter 2
- Selection of next Chapter for review
- Bylaws
- Commission Onboarding Manual
- Chapter 5
- Meeting Schedule Cadance

Recommendation

None.

Attachments and Other Resources

Vision Statement

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