

CITY COUNCIL WORK SESSION
May 9th, 2023
IMMEDIATELY FOLLOWING THE REGULAR MEETING OF REDA
Robbinsdale City Hall
4100 Lakeview Avenue North

A G E N D A

1. CITY COUNCIL SPECIAL WORK SESSION CALLED TO ORDER BY MAYOR PRO TEM
2. ROLL CALL: Mayor Pro Tem Wagner, Murphy, Parisian, Webb, Blonigan
3. Discussion: Robbinsdale Fire Department Relief Association Update (2-17)
4. Discussion: Robbinsdale Fire Department – Annual Updates (18-27)
5. Discussion: Charter Commission Updates (28-36)
6. Discussion: Council Chamber Update (McCoy)
7. Discussion: Workflow Software Update (McCoy)
8. Staff Updates
 - a. DEI Discussion – May 16th, 2023
 - b. City Manager Review – May 2023
 - c. Other
9. Council Updates
 - a. Other
10. ADJOURNMENT

Robbinsdale Fire Department



Robbinsdale Fire Department

- Consists of an **all part-time, paid-on-call** staff, providing fire suppression, rescue, and public services to the citizens of Robbinsdale and surrounding communities for 114 years.

Robbinsdale Fire Relief Board

- | | |
|------------------|----------------|
| • Scott Eid | President |
| • Brent Nelson | Vice President |
| • Brian Nygard | Secretary |
| • Ciaran Murtagh | Treasurer |
| • Neil Dressel | Trustee |
| • Darren Olson | Trustee |
| • Guy Dorholt | Ex Officio |
| • Bill Blonigan | Ex Officio |
| • Tim Sandvik | Ex Officio |

Robbinsdale Firefighter Demographics

- Current Fire Department Staff 30
- Average Firefighter Age 44
- Average Years of Experience 10.3
- Fire Calls Answered in 2022 461
- 10-year annual call average 354

First Year Firefighter Training Requirements

• Firefighter I and II Classes – With State Certification	128 Hours
• First Responder Training	40 Hours
• Hazardous Material Training – With State Certification	40 Hours
• Departmental Skills Testing	<u>25 hours</u>
Total required training hours	233 hours

Public Education and Events

- Fire Prevention Month (Hundreds of students from area schools)
- Annual Public Safety Open House
- Fire Station Tours
- Vehicle Fair Participation
- Pet and Wheel Parade
- City Christmas Tree Lighting
- Whiz Bang Parade
- Hometown Meet and Greet
- Salvation Army Bell Ringing

Fire Call History



Fire Pension Fund

Current Benefit

- Effective January 1, 2022 - \$9,500 per service year (20 years of service = \$190,000).
- Partial vesting at 10 years of service, fully vested at 20 years of service. No Maximum
- Must be 50 years of age to collect.

Fire Pension Fund

Defined Benefit Pension Comparison Per Year of Credited Service Fully Vested (2022)

<u>City</u>	<u>Amount</u>
Robbinsdale	\$9,500
Plymouth*	\$12,000
Golden Valley**	\$13,000
West Metro*	\$9,368
Brooklyn Center***	\$10,000

*Defined contribution – vesting as 50% at five years, 100% at 10 years

**Defined benefit – vesting as 40% at five years, 100% at 10 years

***Defined benefit – vesting as 60% at 10 years, 100% at 15 years

Fire Pension Fund

Funding

- Funds are 100% Invested with the SBI
 - SBI Account Value \$2.48 Million (Dec 2022)
- State Aid 2022 \$97,919
- City Contribution 2022 \$66,622
- Investment Income 2022 (\$366,495)
- Funding Percentage 2023* 103%

*Calculated by actuarial effective January 1, 2023

Robbinsdale Fire Department Relief Association

2024 Pension Increase Request

- The Robbinsdale Fire Department Relief Association is requesting a pension increase from the current \$9,500 per year of service to \$11,500 per year of service, effective January 1, 2024.
- This requested increase is intended to recognize the service provided by longtime city firefighters, enhance firefighter recruitment and retention, and to keep the pension offered by Robbinsdale commensurate with those offered by nearby municipalities.
- **A benefit study prepared in April 2023 by an actuary firm projected a city contribution to the pension fund of approximately \$100,000 for 2024 based on this request.**

Proposed Road Map

Increase 2024 level to \$11,500 per year of service

- State maximum benefit level is \$15,000
- Review Pension levels with Council every 2 years hereafter.

Benefits to Robbinsdale

- Reduces training costs
- Decreased turnover results in retaining experienced firefighters
- Increases safety within the department membership by having and retaining experienced firefighters
- Incentive for hiring quality firefighters

Wages of Mutual Aid Responders 2023

		Apprentice/							Asst/District
	<u>Probationary</u>	<u>2nd Year</u>	<u>Firefighter</u>	<u>Firefighter</u>	<u>Technician</u>	<u>Inspector</u>	<u>Lieutenant</u>	<u>Captain</u>	<u>Chief</u>
Brooklyn Center	\$ 11.79	\$ 12.85	\$ 17.52		\$19.14			\$ 20.90	\$ 23.16
Golden Valley	\$ 12.93	\$ 16.07	\$ 18.91				\$ 21.77	\$ 23.47	\$ 25.34
Robbinsdale	\$ 12.91		\$ 16.00		\$ 20.13	\$ 21.81			
West Metro Fire	\$ 12.88	\$ 15.45	\$ 18.63				\$ 20.79	\$ 24.15	\$ 26.30
Plymouth	\$ 13.84	\$ 15.45	\$ 16.97				\$ 19.48	\$ 22.48	\$ 28.48

Questions ?

ROBBINSDALE FIREMEN'S RELIEF ASSOCIATION

Addendum to January 1, 2022 Actuarial Valuation

Projected Cost of Benefit Increases

Monthly benefit for active members:	\$12.50	\$12.50	\$12.50
Lump sum benefit for active members:	\$9,500	\$11,500	\$11,500
Vesting schedule:	60% at 10 years, 100% at 20 years	60% at 10 years, 100% at 20 years	75% at 10 years, 100% at 15 years
Benefit effective January 1:	Current Benefit	2024	2024
Liability measurement date:	1/1/2023	1/1/2023	1/1/2023

A. Actuarial accrued liability (AAL)

1. Active members	\$ 2,542,941	\$ 2,895,845	\$ 2,925,296
2. Vested terminated members	95,950	95,950	95,950
3. Retired members	0	0	0
4. Spouses receiving benefits	29,456	29,456	29,456
5. Disabled members receiving benefits	0	0	0
6. Total actuarial accrued liability	2,668,347	3,021,251	3,050,702

7. AAL change from current benefit rate	352,904	382,355
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B. Special fund assets	2,745,014	2,745,014	2,745,014
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C. Unfunded actuarial accrued liability (A.6. - B.)	(76,667)	276,237	305,688
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D. Credit for surplus	(7,667)	0	0
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E. Amortization payment

1. Amortization period	0	20	20
2. Payment	0	21,110	23,361

F. Normal cost	130,163	155,942	159,629
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G. Annual contribution payable:	<u>2024, 2025</u>	<u>2024, 2025</u>	<u>2024, 2025</u>
1. Preliminary contribution (D.+E.+F.)	122,496	177,052	182,990
2. Admin expense (prior year x 1.035)	<u>19,581</u>	<u>19,581</u>	<u>19,581</u>
3. Annual contribution (1.+2., not less than \$0)	142,077	196,633	202,571
4. Estimated State Aid	<u>(95,919)</u>	<u>(95,919)</u>	<u>(95,919)</u>
5. Estimated City contribution (3.+4., not less than \$0)	46,158	100,714	106,652

6. Estimated change in City contribuion	54,557	60,495
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H. Funded ratio	103%	91%	90%
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Other than the potential benefit increases shown above, all results in this exhibit are based on the census data, assumptions, methods, plan provisions and additional risk assessment disclosed in the 1/1/2022 actuarial valuation report dated 3/10/2022. All liability results, assets, and estimated contributions are presented as of 1/1/2023. Please note that results calculated using updated assets and liabilities may be substantially different. Additional pension risk information is included in the 2022 actuarial funding report.



Attachment 2



Robbinsdale Fire Department

Serving Our Community Since 1909

2022 Annual Report

Welcome by the Chief

At the close of each year, I take time to reflect on the amount of progress our department makes each year. And, each year I am grateful for the commitment and professionalism displayed by our firefighters. 2022 saw significant changes in the area of response model, call volume and recruitment and hiring.

Change is sometimes considered a bad word in the fire service, however, firefighters that have the privilege to be around long enough know that “Change Always Happens.” In 2022, the department made a significant change to our response model by adding the role of a Duty Officer (DO) to supplement command response. The DO Shift coverage begins 1800hrs Friday and concludes 0600hrs Monday.

Meeting the emergency needs of our community is something the department proactively monitors on an annual basis. Last year ended up being the busiest year in departmental history. Responding to a total of 461 calls (Up 25.5% vs. PY) created challenges for all of our firefighters but we came through with flying colors.

Finally, I am excited to announce we have successfully hired five probationary firefighters. We wish our probationary firefighters much success as they begin their journey with us.

In closing, I would like to thank our firefighters, and more importantly, the families of our firefighters for the incredible job they continue to accomplish. Without your commitment, dedication and professionalism, we would not be able to maintain the level of service our community has depended on for so many years.

Sincerely,
Guy P. Dorholt
Fire Chief

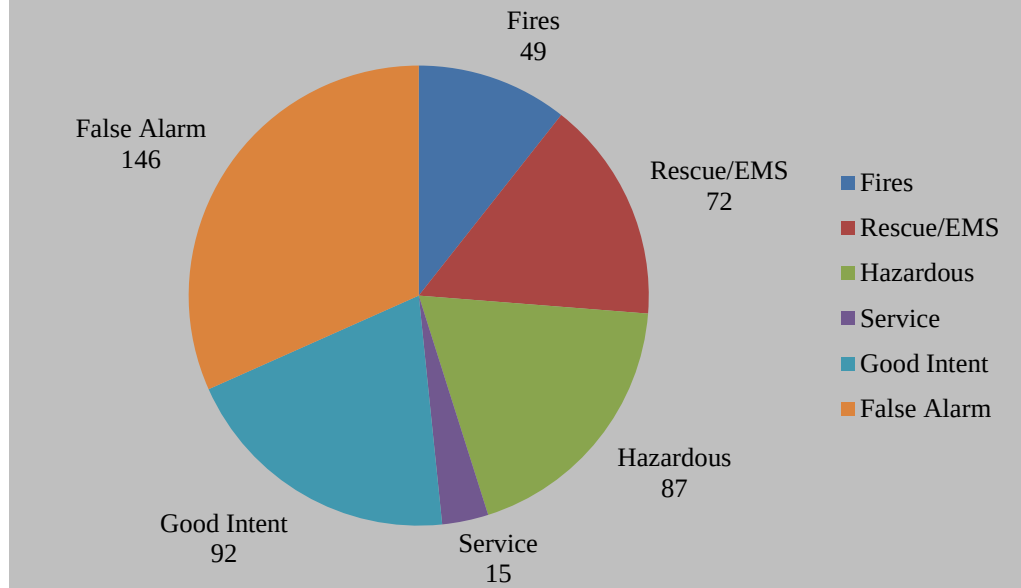
Community Demographics

Robbinsdale, Minnesota is a city of approximately 14,000 people located next to the northwest corner of Minneapolis. Set among lakes and acres of parkland, Robbinsdale offers a vibrant, suburban community setting with a small town atmosphere. While fully developed since the late 1970's, the City continues to reinvent and reinvest in itself via development of retail, restaurant and housing opportunities.

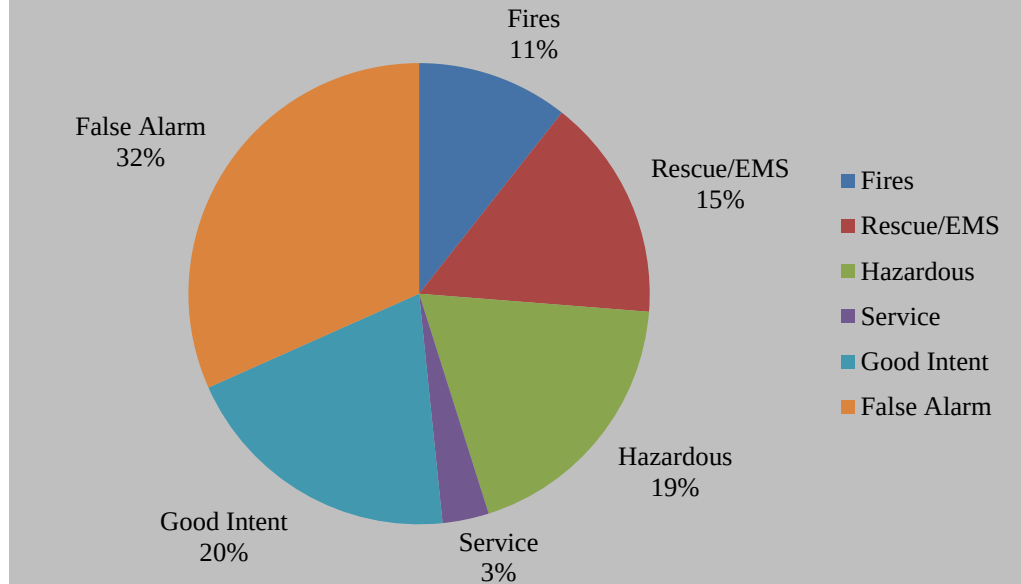
2022 At A Glance

- The Fire Department budget was \$796,141 or 6.8 percent of the overall city budget.
- The department utilized 27 paid on-call members that responded to 461 calls for service. This represents a twenty five (25%) percent increase for calls for service from 2021.
- Collectively, our firefighters dedicated 2,790 hours to departmental training.
- Cumulatively, there were 289 years of firefighting experience on the fire department in 2022.
- Years of experience average is 10
- Range of experience: 1 to 34 years
- The fire department remains at an ISO rating of 3.

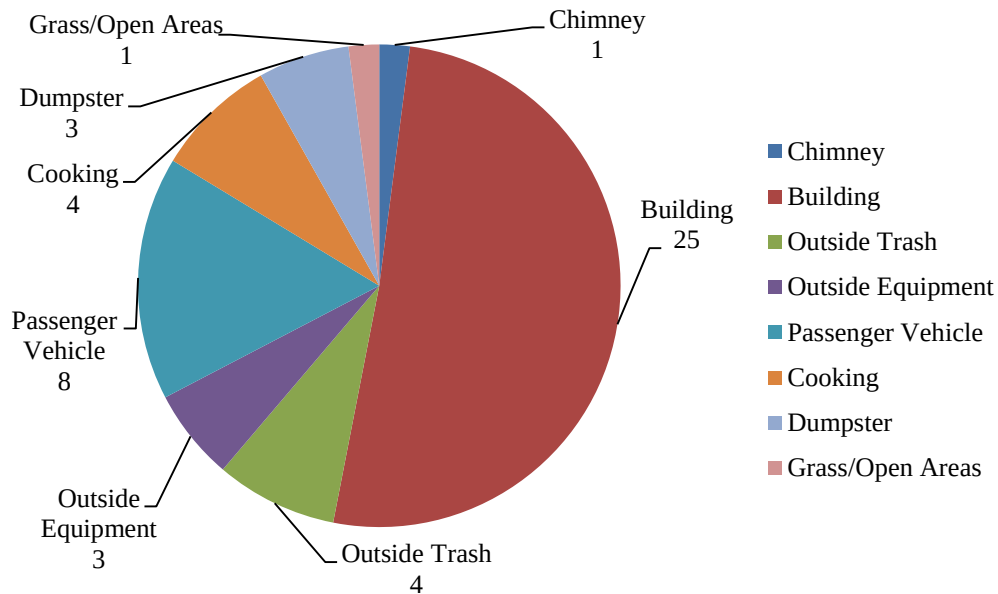
2022 Total Calls For Service



2022 Incidents-Percentage

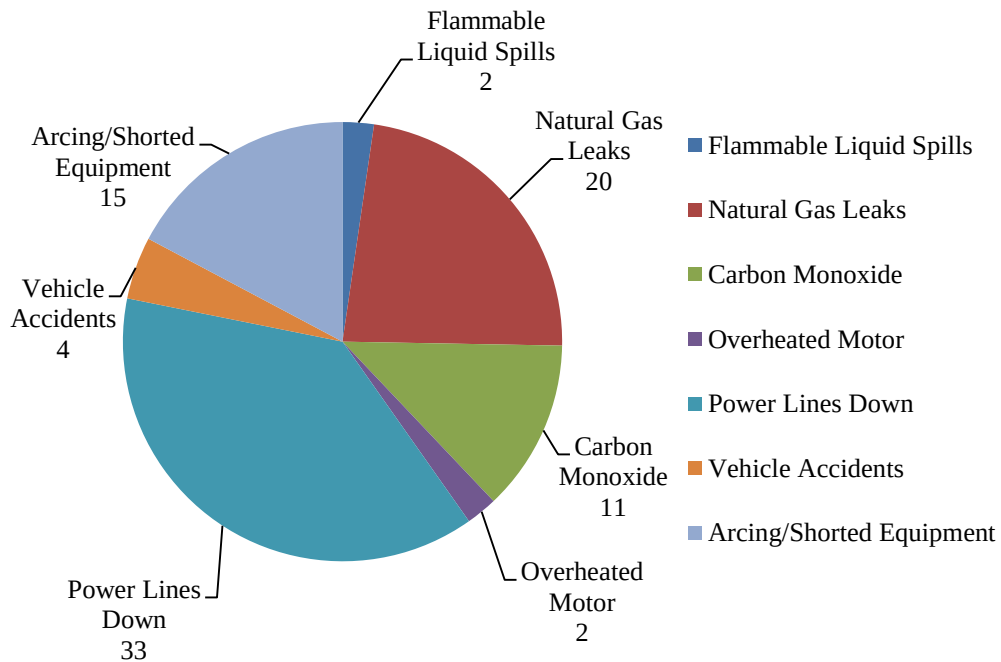


2022 Fire Related Call Breakdown

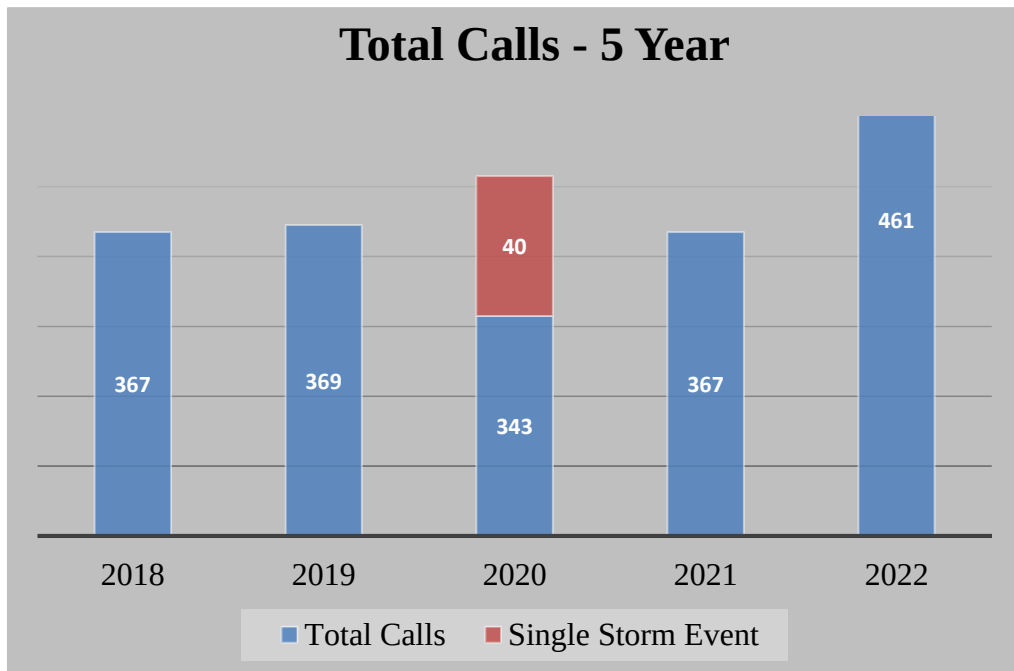


2022 Fire events decreased by fourteen (14) calls or twenty two (22) percent from 2021. This year we had no civilian fire related deaths.

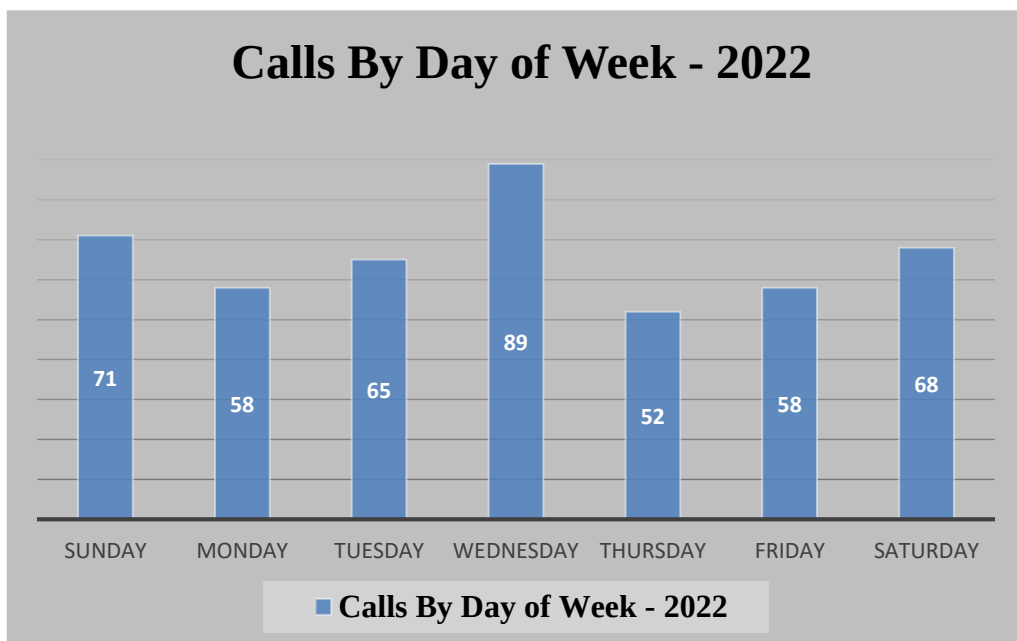
2022 Hazardous Conditions



Overall Hazardous Conditions calls increased by thirteen calls (13) or seventeen (17) percent. 2022 revealed a decrease in Vehicle Accidents by ten (10) calls or seventy one (71) percent. Natural Gas Leaks and Carbon Monoxide calls remained fairly flat.



2022 revealed a increase in Total Calls to 461 events. This represents a increase in service level requests by ninety four (94) calls or about twenty five (25) percent.



Looking at Calls By Day of Week reveals that Wednesday was the busiest day for service with 89 calls. Sunday was the next busiest with 71 calls.

Training Division

Training:

A total of 31 Monday night drills, equaling 50 hours per firefighter, were scheduled and held in 2021. In addition to our Monday night drills, the department collectively took over 1,422 hours of continuing education and In House training throughout the year.

In House Certification:

The apparatus driving and pumping process is still an integral part of our training program. The three year rotating schedule requires all members to renew their skills with designated trainers and testers. The goal of this program is to create a minimum threshold of proficiency for all members in apparatus operation.

Additional Outside Education:

We were able to resume in-person training in 2021. Many outside training classes were still offered virtually or in a hybrid learning environment. Our firefighters took advantage of these opportunities to build knowledge and understanding of the tools and tactics used in our various responses.

- One (1) firefighter took a Fire Instructor II class
- One (1) firefighter took a Fire Officer I class
- One (1) firefighter took a Fire Rescue class
- One (1) firefighter took a Fire Officer Leadership and Development class
- One (1) firefighter received state certification for Fire Inspector I
- One (1) firefighter received state certification for Fire Officer I
- Two (2) firefighters took an Incident Safety Officer class
- Two (2) firefighters took a Regional Response Training class
- Two (2) firefighters took a Live Burn Instructor class
- Two (2) firefighters received state certification for Live Burn Instructor
- Three (3) firefighters took a Fire Inspector I class



Fire Marshal Division

Fire Marshal Greg Bodin is involved in all construction projects located within the city and routinely provides plan reviews, on-site construction inspections, fire alarm and sprinkler testing.

Inspectors Brian Nygard and Matt Olson are continually working on updating the apartment complex pre-plans along with inspecting service stations, second hand goods stores, gaming licenses and existing buildings.

Larger Construction Projects Undertaken in 2022:

The Reeve Apartments – New Construction

Water Treatment Plant – Continued Construction

New Water Tower – New Construction

North Memorial Medical Center - Remodeled floors, surgery and radiological suites

Public Safety Education Highlights:

With much anticipation we held our annual open house this year along with elementary school visits, and senior facility visits. We enjoyed being back in person helping to educate our youth and our community in all areas of fire safety.







City of Robbinsdale

TO: Mayor and City Council

FROM: Tim Sandvik, City Manager

DATE: May 9, 2023

RE: Charter Commission Amendments

Background:

On April 13, 2023 the Charter Commission held its annual meeting and discussed potential amendments to the current City Charter. Under state law, a City Charter can essentially be amended in two ways: by proposal or by ordinance. In the past, charter amendments have been made via an ordinance recommendation from the Charter Commission. This method provides that the City Council is the authority in passing an ordinance related to changing the City Charter, rather than having an election. The ordinance is enacted if it receives an affirmative vote by all members of the City Council.

Analysis:

The Charter Commission identified several sections of the charter to amend; including sections 6.05, 3.08, 3.06, 5.05 and 5.15. These amendments are listed in Exhibit A of this memorandum and were approved by the Charter Commission with nine affirmative votes. Eight affirmative votes are required for approval. If there are no concerns with these amendments, staff will prepare an ordinance and present to council at the June 6, 2023, City Council meeting.

Also Discussed was “Vacancies In The Council” which dictates the process for filling vacancies that may occur in the City Council. The Charter Commission and City Manager had a productive conversation around this process and will meet again on July 13, 2023 to continue the discussion. The city attorney drafted a memo to the Charter Commission outlining why the amendment is being discussed. Included was background information and comparable charters from other cities. Attached as Exhibit B is a portion of the attorney memo and attached as Exhibit C are sample charter excerpts from other cities. The Charter Commission was most aligned with the City of Hopkins, but recognized this is only a starting point.

Recommendation:

1. Staff recommends moving forward with the proposed changes to the sections outlined in Exhibit A.
2. Review potential changes to the “Vacancy in the Council” Section of the City Charter and provide feedback for staff to bring back to the Charter Commission.

 Tim Sandvik, City Manager

CONCURRENCE:

 Chase Peterson-Etem, City Clerk

Exhibit A

1. City Manager Purchasing Authority

Section 6.05. Purchase And Contracts. The City Manager shall be the chief purchasing agent of the city. All city purchases and contracts shall be made or let by the City Manager when the amount of the intended purchase or contract does not exceed ~~twenty-five thousand (\$25,000)~~ **fifty thousand (\$50,000)** dollars, subject to the provisions of state law relating to such contracts.

2. Edit to Signing and Publication of Ordinances

Section 3.08. Signing And Publication of Ordinances, Including Ordinances Repealing or Amending Ordinances And Resolutions. Every ordinance or resolution passed by the council shall be signed by the mayor, by the mayor pro tem, or by two other members, attested by the city clerk and filed and preserved by the city clerk. Every ordinance shall be published, in a manner permitted by law, within thirty days after passage and a summary of each such ordinance adopted by the City Council shall be published in the next ~~quarterly~~ newsletter of the City. ***

3. Emergency Ordinance

Section 3.06. Emergency Ordinances. An emergency ordinance is an ordinance necessary for the immediate preservation of the public peace, health, safety, or welfare in which the emergency is defined and declared in a preamble thereto, and is adopted by a vote of all members of the council. No prosecution shall be based upon the provisions of any emergency ordinance until ~~twenty-four hours~~ **two business days** after the ordinance has been filed with the city clerk and posted in the three conspicuous places or until ~~two~~ **business days after** the ordinance has been published, unless the person charged with violation had actual notice of the passage of the ordinance prior to the act or omission complained of.

4. Filing of Petitions and Action Thereon

Section 5.05. Filing of Petitions And Action Thereon. All the signature papers shall be filed in the office of the city clerk as one instrument. Within five **business** days, after filing of the petition, the city clerk shall ascertain by examination the number of eligible voters whose signatures are appended thereto and whether this number is at least fifteen per cent of the total number of registered voters in the city at the time of the regular municipal election immediately prior to the filing of said petition. If the clerk finds the petition insufficient or irregular, the clerk shall at once notify one or more of the committee of sponsors of that fact, certifying the reasons for the finding. The committee shall then be given ~~thirty~~ **forty-five** days in which to file additional signature papers and to correct the petition in all other particulars. If at the end of that period the petition is found to be still insufficient or irregular, the city clerk shall file it in the clerk's office and shall notify each member of the committee of that fact. The final finding of the insufficiency or irregularity of a petition shall not prejudice the filing of a new petition for the same purpose, nor shall it prevent the council from referring the ordinance to the electors at the next regular or any special election at its option.

5. Filing Of Petition

Section 5.15. Filing Of Petition. Within ~~thirty~~ **forty-five** days after the filing of the original certificate, the committee shall file the completed petition in the office of the city clerk. The city clerk shall examine the petition within the next five **business** days, and if the city clerk finds it irregular in any way, or finds that the number of signers is less than

twenty-five per cent of the total number of registered voters in the city at the time of the regular municipal election immediately prior to the filing of said petition, the city clerk shall notify one or more members of the committee. The committee shall then be given ten 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. If at the end of that time the city clerk finds the petition still insufficient or irregular, the city clerk shall notify all the members of the committee to that effect and shall file the petition in the clerk's office. No further action shall be taken thereon.

Exhibit B

EDITS TO VACANCIES IN THE COUNCIL

Charter section 2.07 “Vacancies in the Council” dictates the process for filling vacancies that may occur in the City Council. Currently, if the unexpired term is for eight months or less, the City Council must appoint an eligible person to fill the office. If the vacancy is for more than eight months, a special election to fill the Council seat must be held within 60 days of the declared vacancy.

Recently, the Ward 1 Council member resigned with more than 8 months left in his term, and his seat was left vacant for over 6 months, leading the City Council to request that the Charter Commission investigate this section and propose language that would prevent this scenario from occurring in the future. Based on information provided in the emails sent by Charter Commission members, it appears this was an issue because there was a redistricting in Hennepin County, which made it impossible to hold a special election for several months. Therefore, the City may not face this issue again in the near future.

However, if the Commission proposes amending this section, it will need to balance the appointment process with how much time is left in an unexpired term, as well as the timing for special elections.

Charter cities have flexibility for handling vacancies in elected seats. The following are some general examples of approaches used by other cities:

1. The cities of Plymouth, Wayzata, St. Cloud, and Duluth require the city council, after a vacancy is declared, to appoint an eligible person to fill the vacancy until the next regular/general municipal election when the office is filled by election for the remainder of the unexpired term. Plymouth and Wayzata require the council to “forthwith” make the appointment; Duluth requires the appointment be “without delay”; and St. Cloud requires an appointment within 30 days of the declaration of the vacancy.

2. Some cities require an appointment and a special election, depending on the amount of time left in the unexpired term. The amount of time left in the expired term to trigger a special election varies from charter to charter. Below are some examples:

City of Robbinsdale - requires an appointment only if the unexpired term is for eight months or less.

City of Minnetonka – requires a special election to fill a vacancy if more than two years remain in the unexpired term. The special election must be held at the earliest possible date under state law. The council may, at its option, make an interim appointment to fill the vacancy until a successor is elected at the special election. If a special election is not required, the council may either appoint an eligible person to serve until the expiration of the term or fill the vacancy by special election. Within 60 days after the vacancy occurs, the council must either appoint a person to fill the vacancy or schedule a special election. If the council does not act, the mayor may appoint a person to fill the vacancy.

City of Hopkins – when a vacancy occurs, the council must “forthwith” appoint an eligible person to fill it; if more than two years remain in the unexpired term, a special election must be held at the next regular city election and the appointed person serves

until the successor is elected; if less than two years remain in the unexpired term, no special election is necessary and the appointed person serves until a successor is elected.

City of Richfield – if less than 180 days remain in the Council member’s term after the vacancy, the Council must appoint a person to fill the vacancy for the unexpired term. If 180 days or more remain in the term, the Council must call a special election to fill the vacancy for the balance of the term. (Richfield is currently discussing amendments to their charter about council vacancies.)

Exhibit C

SAMPLE CHARTER EXCERPTS RELATED TO VACANCIES

Plymouth Charter:

Section 2.07. - Council Vacancies.

When a vacancy occurs for a reason specified, the council shall, at its next regular meeting, by a resolution stating its findings, declare the vacancy to exist. When a vacancy exists, the council must forthwith appoint an eligible person to fill the vacancy until the next regular municipal election when the office is filled for the unexpired term. If the Council does not appoint an eligible person within 60 days after the vacancy is declared, the Mayor shall appoint an eligible person to fill the vacancy on or before the next regular council meeting. If a vacancy occurs and exists in an elective office after the last day for filing affidavits of candidacy for that office, the person elected to fill that office is deemed to have been appointed for the unexpired term.

Wayzata Charter:

Section 13. - Vacancies.

Council may deem an elective office vacant in case of failure of the person elected to qualify within fifteen days after official canvass of the election at which he or she is elected, or by reason of death, resignation, removal from the city, conviction of a felony, removal from office, or failure to perform the duties of the office for a period of six weeks or for other recurring absenteeism without good cause. If a vacancy occurs in an elective office, the council shall forthwith appoint an eligible person to fill the office until the next general municipal election, when the office shall be filled by election for the remainder of the term, if any; if not, then for a full term. The council may also deem a temporary vacancy upon the request of a council member seeking a temporary leave of absence for a reasonable time period and for reasons of health, personal matters or military service. If a temporary vacancy occurs on council, the council shall forthwith appoint an eligible person to fill the council seat until such time as the council member on leave returns to resume his or her seat for the remainder of his or her term. In case of a tie vote in the council after three rounds of voting on an appointment to fill a vacancy on the council, the mayor shall make the appointment.

St. Cloud Charter:

Sec. 2.30 Vacancies

A vacancy should be deemed to exist on the Council when the person elected or appointed thereto dies before taking office or fails to qualify or when the incumbent (1) dies; (2) resigns in writing filed with the City Clerk; (3) is convicted of a felony; (4) ceases to reside in the City or in the ward from which appointed or elected; (5) is adjudged incompetent by a court of competent jurisdiction; or (6) fails, without good cause, to perform Council duties for a period of three consecutive months, in which case the Council shall, by resolution stating the grounds therefore, declare the office vacant. In each such case, the Council shall, by resolution, declare the vacancy to exist and shall, within thirty (30) days, appoint a registered voter (and qualified elector) to fill the vacancy. If, after thirty (30) days, the Council has failed to appoint such a person, the Mayor shall make the

appointment, If a vacancy is declared by the Council less than ninety (90) days before a general election or municipal election, no such interim appointment shall be made. The appointee shall serve until a successor shall be chosen by election to fill the balance, if any, of the unexpired term at the first general election or municipal election following the declaration of the vacancy.

Duluth Charter:

Chapter II, § 4. Vacancies in office of mayor and councilor; acting mayor.

The office of mayor or councilor shall be deemed vacant in case of failure to qualify within ten (10) days after election, or by reason of death, resignation, removal from the city or the district except as in Section 2 provided, conviction of a felony, violation of any of the duties of office, which, by provisions of this Charter, render the office vacant, or continuous absence from the city for more than thirty days, but if additional time is needed, leave may be granted by the council for a longer absence. If any such vacancy occurs (other than by recall or resignation after recall petition is filed) the council shall without delay appoint an eligible person to fill the same until the first Monday in January after the next municipal election, when the office shall be filled by election for the unexpired term. If the council vote to appoint an eligible person to fill a vacancy results in a deadlock, an eligible person will be chosen by coin toss. In the case of an absence of shorter duration than renders the office of mayor vacant, or in the event of disability of the mayor, the mayor's duties shall be filled by an acting mayor who shall be appointed by the mayor from the councilors-at-large after each general municipal election.

Minnetonka Charter:

Section 2.06. Vacancies in the Council.

Subd. 3. Procedure to declare vacancy.

- a. The council must on its own motion declare by resolution that a vacancy exists when a vacancy occurs for a reason other than death or resignation.
- b. If the council fails to act or is unaware of a vacancy, a resident who is an eligible voter in the city may submit a written request with supporting facts to the city clerk, asking the council to declare a vacancy. A request submitted within 90 days after another request for the same council position will not be considered under this section. Within 45 days after receipt of the request, the council must investigate the claim and either declare that a vacancy exists or that the request lacked adequate evidentiary support.

Subd. 4. Procedure to fill the vacancy.

- a. A special election is required to fill a vacancy when:
 - (1) The vacancy has been declared, or has automatically occurred, before the first day to file affidavits of candidacy for the next regular municipal election; and
 - (2) more than two years remain in the unexpired term.

When this subdivision 4.a. applies, the city council must adopt a resolution to set the date for the special election at the first regular or special meeting of the city council occurring after the vacancy automatically occurs or at the same meeting at which the vacancy is declared. The special election must be held in accordance with subdivision 5 of section. The person elected will serve the unexpired term for that office. The city council, at its option and at the same or a subsequent

meeting, may make an interim appointment of a person to fill the vacancy until a successor is elected at the special election and qualifies for the office.

b. If a special election is not required by subdivision 4.b. above, the council may either appoint an eligible person to serve until expiration of the position's term or fill the vacancy by special election. Upon notice of an impending resignation, the council may begin the process of determining how to fill the vacancy. No later than 60 days after a vacancy automatically occurs or is declared to exist, the council must appoint an eligible person to fill the vacancy or schedule a special election to be held in accordance with subdivision 5 of this section.

Hopkins Charter:

Sec. 2.05. – Vacancies.

1. A vacancy occurs if an elected official dies, is convicted of a felony, is in violation of the official oath, resigns, ceases to maintain a legal residence in the city, fails to qualify for office, or fails, without good cause, to perform any of the duties of his office for a period of three months. In each such case the council shall by resolution declare such a vacancy to exist and shall forthwith appoint an eligible person to fill the same.

2. If the vacancy occurs before the first day to file affidavits of candidacy for the next regular city election and more than two years remain in the unexpired term, a special election shall be held at the next regular city election and the appointed person shall serve until the qualification of a successor elected at a special election to fill the unexpired portion of the term. If the vacancy occurs on or after the first day to file affidavits of candidacy for the regular city election or when less than two years remain in the unexpired term, there need not be a special election to fill the vacancy, and the appointed person shall serve until the qualification of a successor. A person appointed to fill a vacant position can file an affidavit of candidacy to seek election to the position.

Richfield Charter:

Section 2.05. – Vacancies.

Subd. 2. Procedure Following Vacancy.

(1) If 90 days or less remain in the Council Member's term after the vacancy, the person elected to that office for the term commencing on January 1 of the next year shall be appointed by the Council to fill the remaining portion of the unexpired term at the next regular Council meeting following the declaration of the results of the election with the City Clerk. The appointment shall be the first order of business of such meeting.

(2) If less than 180 days and more than 90 days remain in the Council Member's term of office after the vacancy, the Council shall appoint an eligible person to fill the vacancy for the

unexpired term. If the Council fails to agree upon an appointee to fill the vacancy within 30 days after the vacancy, the Mayor shall appoint a person to fill the vacancy.

(3) If 180 days or more remain in the Council Member's term of office after the vacancy, the Council shall call a special election to fill the vacancy for the balance of the Council member's term. The special election shall be called at the same Council meeting at which the vacancy is declared to exist or at the next regular Council meeting following the death or resignation of a Council Member, as the case may be. The special election shall be held not less than 30 nor more than 60 days after the Council meeting at which the election is called. The election to fill the unexpired term shall be in accordance with the provisions of Section 4.02, except that there shall be no primary election and the candidate receiving the highest number of votes shall be elected to fill the unexpired term.

The term of the person so elected shall start as soon as the declaration of the results has been filed with the City Clerk and the person has qualified for office.

(**The Richfield Charter Commission is currently discussing amendments to this Section of the Charter.)