

AGENDA

1. CALL TO ORDER AND ROLL CALL: Groehler, Scanlan, Allen, Bergman, Meehan, Leslie, Cameron, Hansen,
2. CONSIDERATION OF MINUTES
 - A. Approve Charter Commission meeting minutes from October 9, 2026
3. ORGANIZATIONAL BUSINESS AND CORRESPONDENCE
 - A. Election of Officers
 - B. Appointment of Recording Secretary
 - C. Review By-Laws — If needed
4. CONSENT BUSINESS
 - A. None
5. HEARINGS AND RESOLUTIONS
 - A. None
6. OTHER BUSINESS
 - A. Review Member Hansen's proposed changes
 - B. Considerations for meeting with the City Council
7. AGENDA FOR NEXT MEETING
8. ADJOURNMENT

MINUTES

CALL TO ORDER AND ROLL CALL

President Hansen called the meeting to order at 7:04 p.m.

Present: Scanlan, Allen, Bergman, Meehan, Nailon, Leslie, Hansen

Absent: Groeher, Mueller, Berg

Staff: Chase Peterson-Etem, City Clerk

CONSIDERATION OF MINUTES

- A. Approve Charter Commission Meeting minutes from July 17, 2025

Bergman Moved seconded by Allen to approve the Charter Commission meeting minutes from July 17, 2025. The vote was unanimous and the motion carried.

ORGANIZATIONAL BUSINESS AND CORRESPONDENCE

- A. None

CONSENT BUSINESS

- A. None

HEARINGS AND RESOLUTIONS

- A. None

OTHER BUSINESS

- A. Review Member Hansen's proposed changes

Allen noted the changes and asked to either table some of the items until the next meeting, set a time limit for each item, or set a time limit for the meeting as a whole.

Leslie asked about how the ideas for the changes came about and if folks in the community were asking for them.

Hansen stated simplifying language and statutory updates for a birth year column for petitions, as reasons for the suggested changes. He also noted he had also spoken with folks in the community.

Leslie noted he is not comfortable voting on these changes today.

Leslie motioned, seconded by Scanlan to table this item until the next annual meeting to allow the City Attorney time to review the changes.

Scanlan asked if the City Attorney could review these items and provide input before the commission discussed the recommendations.

Meehan asked if the City Attorney could look into if any other cities are making these types of changes.

Allen noted the suggestions appears to try and simplify the language, but was concerned about how that may alter the meaning and also noted he prefers it being reviewed by the City Attorney.

Bergman noted his concerns and potential costs and agreed to table until the next annual meeting.

Nailon also suggested tabling until the next annual meeting.

Meehan also noted he preferred to table the item and asked about the history of the changes.

Hansen reiterated making the Charter more accessible by simplifying the language as one of the main goals for the changes.

The commission noted how altered language could change legal requirements.

Leslie stated his motion again, which was to table this item for the next annual meeting to allow the City Attorney time to review the changes, which was originally seconded by Scanlan.

A roll call was taken:

Ayes: Scanlan, Allen, Bergman, Meehan, Nailon, Leslie

Nays: Hansen

B. Birth Year Petition Requirements

The commission briefly discussed this item.

Hansen noted the recommendation needs to come from the commission, not a staff member.

Leslie moved, seconded by Scanlan, to add this as Other Business agenda item D and to not vote on item B. The vote was unanimous and the motion carried.

C. Community Engagement

Peterson-Etem provided a brief update, noting that staff did outreach at the recent Chamber of Commerce Meet and Greet.

D. Birth Year Petition Requirements

Meehan asked if the Birth Year information would be public. Peterson-Etem noted he could verify this, but it could potentially be redacted.

Leslie moved, seconded by Meehan, to add a "Birth Year" column to Section 5.04 Form of Petition and of Signature Papers, Section 5.11 Referendum Petitions, and Section 5.14 Recall Petitions.

A roll call was taken

Ayes: Scanlan, Allen, Bergman, Meehan, Nailon, Leslie, Hansen

Nays: None.

AGENDA FOR NEXT MEETING

Hansen asked for members to go through the Item A proposal and provide feedback to the City Clerk. The City Clerk will forward these items to the City Attorney for review prior to the next meeting.

Allen moved, seconded by Leslie, to hold the next Charter Commission meeting on April 16, 2026, at 7 pm, at Manor Park Building. The vote was unanimous and the motion carried.

ADJOURNMENT

Allen moved, seconded by Nailon to adjourn the meeting at 8:06 pm. The vote was unanimous and the motion carried.

Chase Peterson-Etem, City Clerk

Jonathan Hansen, President

CITY OF ROBBINSDALE

BY-LAWS

ROBBINSDALE CHARTER COMMISSION

February 22, 1979

Amended: September 26, 1979; April 20, 1987; January 10, 1990; April 23, 1990;
February 24, 1994; January 29, 1997; April 26, 1999; April 23, 2002; May 20, 2002;
April 28, 2005; April 23, 2009; September 24, 2020; April 22, 2021; April 4, 2024

Section I. Meeting of the Commission

A. Time. The Commission shall hold meetings as deemed necessary by the Commission to fulfill its obligations as required by Minnesota law and by the terms of its bylaws.

B. Place. Unless the Commission designates another place in advance, all meetings of the Commission shall be held at City Hall, and shall be open to the public to the extent of the law.

C. Meetings. In addition to the required annual meeting, the president or any four members of the Commission may call a meeting of the Commission upon notice to all members in accordance with applicable law. Such notice shall be posted in accordance with Minnesota Statutes, except that such notice shall be posted not less than 5 days prior to the proposed meeting date. In addition to posting notice as require by state law, the notice shall also be posted on the City's website as far as practicable.

D. No Smoking. Smoking or use of other tobacco products by Commissioners or other meeting attendees shall not be permitted during Commission meetings.

Section II. Organizational Meeting

The Commission shall hold an organizational meeting each year in April or as soon as practicable thereafter, but no later than August, in order to:

- a) elect a president
- b) elect a vice-president
- c) appoint a recording secretary

Nominations for these offices shall be entertained and considered at the organizational meeting and the meeting prior thereto.

In the event an elected officer submits a resignation during a term of office, a special election will be held after notice at the next Commission meeting to elect a Commission member to complete the resigned officer's term.

Section III. Agenda

The Commission, at each meeting, shall propose an agenda for its next meeting. Additional items may be added to the agenda for a meeting at the discretion of the President or upon request of any four (4) Commissioners at any time.

Section IV. Officers and Duties

A. President. The presiding officer of the Commission shall be the president. The president shall preserve order and decorum at all meetings of the Commission. The president shall state every question coming before the Commission, announce the decision of the Commission on all subjects and decide all questions of order, subject to an appeal to the Commission in which event a majority vote of the Commission shall govern and conclusively determine such questions of order. The president may vote on all questions or resolutions or contracts and shall sign all documents adopted by the Commission when the president was present.

B. Vice President. The vice-president shall assume all duties of the president if the president is absent, unable or unwilling to act.

C. Secretary. The secretary of the Commission shall keep the record of all Commission meetings. Unless two (2) Commissioners request a reading of the minutes, such minutes may be approved without reading if the secretary of the Commission had previously furnished each member with a written copy. The secretary shall prepare and submit to the Chief Judge of the District Court an annual report as required by law (See MSA Sec. 410.05, Subd. 2). The office and duties of the secretary, upon approval by a simple majority of the Commission, may be assumed by a City employee, rather than a member of the Commission.

Synopsis of Debate - When Entered in Minutes. The secretary may at the secretary's discretion or when directed by the presiding officer, enter in the minutes a summary of the discussion on any question coming regularly before the Commission.

Section V. Quorum

A majority of the membership of the Commission shall constitute a quorum at any meeting of the Commission. A small number may adjourn from time to time, provided that, where such adjournment is longer than for 48 hours, notice of the adjourned meeting shall be given to all Commission members. Except as otherwise provided, the vote of a majority of Commissioners present at a meeting at which a quorum is present shall be the act of the Commission.

Section VI. Order of Business

Before proceeding with the business of the commission, the secretary of the Commission shall check the roll of the members and the names of those shall be entered in the minutes.

Promptly at the hour set on the day of each meeting, the business of the Commission shall be taken up for consideration and disposition in the following order:

1. Call to Order
2. Approval of Minutes
3. Organizational Business and Correspondence
4. Consent Business
5. Hearings and Resolutions
6. Other Business
7. Agenda for Next Meeting
8. Adjournment

Section VII. Absences

A. Excused Absences. Commission members unable to attend a Commission meeting shall call the president, secretary or Commission staff prior to the meeting for an excused absence.

Robbinsdale Charter Commission By-laws

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B. Unexcused Absences. The third unexcused absence during one year of a Commissioner shall be deemed a resignation from the Commission, provided that such Commissioner has received, prior to such third unexcused absence, notice of the consequences of such third unexcused absence.

C. Annual Review. The Commission will review attendance records of Commissioners annually.

Section VIII. Rules of Debate

A. Presiding Officer May Vote. The presiding officer shall be entitled to vote on each issue.

B. Recognition -- Improper References to be Avoided. Every member desiring to speak shall address the Chair. Upon recognition by the presiding officer, the member shall be limited to the question under debate, and avoid all personalities and indecorous language.

C. Interruptions. A member, once recognized, shall not be interrupted when speaking unless to call the member to order or to vote on a motion to close a debate, or as herein otherwise provided. If a member, while speaking, were called to order, the member shall cease speaking until the question of order is determined and if in order, the member shall be permitted to proceed.

D. Remarks of Commission Member -- When Entered in Minutes. A Commissioner may request, through the presiding officer, the privilege of having an abstract of a statement of any subject under consideration by the Commission entered in the minutes.

E. Members May File Protests Against Commission Action. Any member shall have the right to have the reasons for the member's dissent from, or protest against, any action of the Commission entered in the minutes.

Section IX. Public Presentation to the Commission

Any person desiring to address the Commission shall first secure the permission of the presiding officer.

A. Written Communications. Interested parties or their authorized representatives may address the Commission by written communications.

B. Oral Communications. Interested parties or their authorized representatives may address the Commission by oral communications on any matter concerning the Commission's business, or any matter over which the commission has control; provided the preference shall be given to those persons who have notified the presiding officer in advance of their desire to speak in order that they may appear on the agenda.

C. Reading of Protests, etc.. Interested persons or their authorized representatives may address the Commission by reading of protests, petitions or communications relating to matters then under consideration as provided in Paragraph B above.

D. Addressing the Commission -- Time Limit. A person other than a Commissioner addressing the Commission, upon permission of the presiding officer, shall step forward, shall give his or her name and address in an audible tone of voice for the records, and unless further time is granted by the Commission, shall limit the address to three (3) minutes or such other period as the Commission shall establish by majority vote. All remarks shall be addressed to the Commission as a body and not to any member thereof. No person, other than the Commission, and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Commission, without the permission of the presiding officer.

Section X. Special Committees

The presiding officer shall appoint all special Commission committees, unless otherwise directed by the Commission.

Section XI. Reports and Resolutions to be Filed with Secretary

All reports and resolution shall be filed with the secretary of the Commission and entered with the minutes.

Section XII. Waiver and Amendment

By consent of a two-thirds majority of Commission members, these rules may be waived or amended.

Section XIII. Adjournment

A motion to adjourn shall always be in order and decided without debate.

Section XIV. Robert's Rules of Order

Robert's Rules of Order, as revised from time to time, shall be accepted as an authority on parliamentary practice on matters not specifically covered.

Section XV. Publicizing Commission Action

The president or designated representative, as appointed by the Commission, is the authorized spokesperson for the Commission, except as otherwise directed by a majority of the Commission. All comments other than the authorized spokesperson are to be identified as personal and not representative of the Commission.

Section XVI. Charter Amendments

No vote shall be taken on any proposed Charter Amendment unless the proposed wording of the amendment has been included in a written notice delivered to all Commissioners at least three days prior to the meeting at which the Commission is to vote on the amendment.

Any such vote shall be made by roll call. No proposed Charter Amendment shall be approved by the commission unless there is a quorum of current Charter Commission members present to vote in favor thereof.

Section XVII. Appointments

Members can serve pursuant to State Statute 410.05. (Copy attached)

In addition to the Statute, the Charter commission will intentionally seek to improve the commission's representation and reflection of the makeup of the Robbinsdale voter community, including race and gender.

410.05 CHARTER COMMISSION.

Subdivision 1.Appointment.

When the district court of the judicial district in which a city is situated, deems it for the best interest of the city so to do, the court, acting through its chief judge, may appoint a charter commission to frame and amend a charter. Upon presentation of a petition requesting such action, signed by at least ten percent of the number of voters of the city, as shown by the returns of the last regular city election, or upon resolution of the governing body of the city requesting such action, the court shall appoint a charter commission. The commission shall be composed of not less than seven nor more than 15 members, each of whom shall be a qualified voter of the city. The size of the commission shall be determined within the above limits by the court, except that where the commission is appointed pursuant to a petition of the voters or resolution of the governing body of the city, the size of the commission shall be as specified in such petition or resolution. Any city may by charter provision fix the size of the charter commission at a figure which shall not be less than seven nor more than 15 members, and such charter provision shall prevail over any inconsistent provisions of this subdivision. Except as otherwise provided in the charter, no person shall be disqualified from serving on a charter commission by reason of holding any other elective or appointive office other than judicial. The charter may provide that members of the governing body of the city cannot serve on the charter commission.

Subd. 2.Commission members; terms, vacancies.

Charter commission members shall hold office for the term of four years, and until their successors are appointed and qualify, except that of members initially appointed after July 1, 1967, eight shall be appointed for two-year terms and seven for four-year terms. Vacancies in the commission shall be filled by appointment of the chief judge for the unexpired terms. Upon the expiration of each term, the chief judge shall appoint new or reappoint existing commission members within 60 days. Appointments shall be made by order filed with the court administrator of the district court. An appointee who neglects to file with the court administrator within 30 days a written acceptance and oath of office shall be deemed to have declined the appointment and the place shall be filled as though the appointee had resigned. The charter commission, within 30 days after the initial appointment of the commission, shall make rules, including quorum requirements, with reference to its operations and procedures. The commission shall submit to the chief judge of the district court, on or before December 31 of each year, an annual report outlining its activities and accomplishments for the preceding calendar year. The commission shall forward a copy of the report to the clerk of the city. Any member may be removed at any time from office, by written order of the district court, the reason for such removal being stated in the order. When any member has failed to perform the duties of office and has failed to attend four consecutive meetings without being excused by the commission, the secretary of the charter commission shall file a certificate with the court setting forth those facts and the district court shall thereupon make its order of removal and the chief judge shall fill the vacancy created thereby.

Subd. 3. Commission appointments; nominees.

A city council, a charter commission, or the petitioners requesting the appointment of a charter commission may submit to the court the names of eligible nominees which the district court may consider in making appointments to the charter commission.

Subd. 4. Commission meetings.

The charter commission shall meet at least once during each calendar year, and upon presentation of a petition signed by at least ten percent of the number of voters of the municipality, as shown by the returns of the last annual municipal election, or upon resolution approved by a majority of the governing body of the city requesting the commission to convene, the commission shall meet to consider the proposals set forth in such petition or resolution.

Subd. 5. Discharge.

(a) A charter commission in a statutory city may be discharged as follows:

(1) if the charter commission of a statutory city determines that a charter is not necessary or desirable, the commission may be discharged by a vote of three-fourths of its members; or

(2) if a petition signed by registered voters equal in number to at least five percent of the registered voters in the city requesting a referendum to discharge the charter commission is filed with the city clerk, an election must be held on the issue at a general election or a special election pursuant to section [205.10](#). If a majority of the votes cast support the referendum, the charter commission shall be discharged.

(b) Another commission may not be formed sooner than one year from the date of discharge.

History:

[\(1269\) RL s 749](#); [1909 c 423](#); [1913 c 535 s 1](#); [1949 c 210 s 1](#); [1959 c 305 s 5](#); [1961 c 608 s 1](#); [Ex1967 c 33 s 1](#); [1971 c 208 s 1-3](#); [1973 c 123 art 5 s 7](#); [1976 c 44 s 20](#); [1979 c 330 s 3](#); [1986 c 444](#); [1Sp1986 c 3 art 1 s 82](#); [1987 c 51 s 1](#); [2004 c 197 s 1,2](#); [2008 c 331 s 6](#); [2020 c 87 s 1](#)



TO: Charter Commission
PREPARED BY: Chase Peterson-Etem, Assistant City Manager
DATE: May 27, 2026
RE: Review Member Hansen's proposed changes

Background:

At the October 9, 2025, Charter Commission Meeting, member Hansen submitted suggested changes for review. Ultimately, the commission tabled these items until the next annual meeting.

Analysis:

The City Attorney has had additional time to review and will be present during the discussion of this item.

Recommendation:

None.

Attachments:

1. Proposed Charter Amendments

CHARTER PROPOSALS OCTOBER 2025

*** Interference with Administration ***

Existing:

Section 2.11. Interferences With Administration. The council or any member thereof shall not dictate the appointment of any person by the City Manager. Except for the purpose of inquiry the council and its members shall deal with and control the administrative service solely through the city manager, and neither the council nor any member thereof shall give any orders to any of the subordinates of the city manager, either publicly or privately.

Proposed:

Section 2.11. Interferences With Administration. Council members shall deal with the City Manager. Except by a majority vote of the Council, Council members shall not dictate the appointments of any person by the city manager. A majority of the Council may give lawful orders to the city manager and any subordinates of the city manager.

Reasoning:

Council has asked the city manager to perform various tasks over the years – such as drafting Proclamations – that appear to violate this text. We should revise to clarify that a majority of Council may order the city manager and city staff to perform tasks.

*** Boards and commissions membership ***

Existing:

Section 2.02. Boards and Commissions. The council shall itself be and perform the duties and exercise the powers of boards and commissions. The council may, however, establish by ordinance boards or commissions to advise the council with respect to any city function or activity, to investigate any subject of interest to the city, or to perform quasi-judicial functions.

Proposed:

Section 2.02. Boards and Commissions.

The Council may perform the duties and exercise the powers of boards and commissions.

The Council may establish boards or commissions by ordinance to:

1. Advise the Council with respect on any city function or activity
2. To investigate any subject of interest to the city and make recommendations
3. Make decisions as delegated.

The membership of boards or commissions shall be as representative as possible of the population affected by the city function, city activity, or subject of interest.

Reasoning:

City council should make sure that the people on boards/commissions are relevant. For example, if you have a commission that is supposed to represent renters but none of the members are current or recent renters, that body will probably not understand how to adequately represent renters.

*** Must read resolutions ***

Existing:

Section 3.07. Procedure On Resolutions. Every resolution shall be presented in writing and read in full before a vote is taken thereon, unless the reading of a resolution is dispensed with by unanimous consent.

Proposed:

Section 3.07. Procedure on resolutions.

Every resolution shall be presented in writing and read in full before it is voted on.

Reasoning:

Council should be reading these so they are in the public record and accessible for people attending city council meetings or watching the city council meeting live, so the last phrase was removed. Added language specifying that ordinances and resolutions need to be published on the city website with enough time for people to read and react to them.

*** Publication of ordinances ***

Existing:

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 newsletter of the City. In the case of lengthy ordinances, or ordinances which include charts or maps, the title and a summary of the ordinance clearly informing the public of the intent and effect of the ordinance may be published, with notice that a printed copy of the ordinance is available for inspection by any person during regular office hours at the office of the city clerk and available to any resident by request upon the paying of a nominal fee not to exceed the actual copying cost. A copy of the entire text of the ordinance shall be posted in a public location which the council designates. Prior to the publication of the title and summary the council shall approve the text of the summary and determine that it clearly informs the public of the intent and effect of the ordinance. To the extent and in the manner provided by law an ordinance may incorporate by reference a statute of Minnesota, a state administrative rule or regulation, a code, or ordinance or part thereof without publishing the material referred to in full.

Proposed:

Section 3.08. Signing and publication of ordinances, including ordinances repealing or amending ordinances and resolutions.

Every resolution shall be presented in writing and read in full before it is voted on. Every proposed ordinance and resolution shall be published on the city website five business days before it is up for a vote along with a summary of the ordinance clearly informing the public of the intent and effect of the ordinance.

Every ordinance or resolution passed by the council shall be:

1. Signed by the mayor, or by the mayor pro tem, or by two other council members.

2. Attested by the city clerk.
3. Filed and preserved by the city clerk.

Every ordinance and resolution, along with a summary of the ordinance clearly informing the public of the intent and effect of the ordinance, shall be published on the city website within two business days after it is passed.

Every passed ordinance shall also be published within 30 days after passage. A summary of each ordinance adopted by the Council shall be published in the next newsletter of the city. A printed copy of the ordinance shall be available for inspection by any person during regular office hours at the office of the city clerk and available to any resident by request. A copy of the entire text of the ordinance shall be posted in public locations. Prior to the publication of the title and summary the Council shall approve the text of the summary and determine that it clearly informs the public of the intent and effect of the ordinance.

An ordinance may incorporate or reference text from:

1. Minnesota state statutes
2. Minnesota state administrative rules or regulations
3. City charter
4. City code
5. City ordinances

When incorporating or referencing other text, the text that is incorporated or referenced shall be provided along with a clear summary with the text of the ordinance.

Reasoning:

Residents and stakeholders deserve to know what ordinances/resolutions are being voted on, what they mean, and what ordinances/resolutions have been passed shortly after they are passed. Two business days is plenty of time. Also, residents should not have to pay to read the text of passed ordinances/resolutions.

*** Revisions and codifications ***

Existing:

Section 3.11. Revision and Codification of Ordinances. The council may revise, rearrange, and codify its ordinances and such additions and deletions as may be deemed necessary, except as otherwise provided for under Section 5.08. Such ordinance code shall be published in book, pamphlet, or continuously revised loose-leaf form and copies shall be made available by the council at the office of the city clerk for general distribution to the public free or at reasonable charge. Publication in such a code shall be a sufficient publication of any ordinance provision not previously published if a notice is published, in a manner permitted by law, for at least two successive weeks that copies of the codification are available at the office of the city clerk.

Proposed:

Section 3.11. Revision and codification of ordinances.

The council may revise, rearrange, and codify its ordinances and such additions and deletions as may be deemed necessary, except as otherwise provided for under Section 5.08. Such ordinance code shall be published on the city website, in book, pamphlet, or continuously revised loose-leaf form and copies shall be made available by the council at the office of the city clerk for general distribution to the public free of charge. Publication in such a code shall be a sufficient publication of any ordinance provision not previously published if a notice is published, in a manner permitted by law, for at least two successive weeks that copies of the codification are available at the office of the city clerk.

Reasoning:

The public should not have to pay to read ordinances, so the 'or reasonable charge' phrase was removed. Also, it needs to be available on the city website, not just in paper format.

*** Public inclusion and participation ***

NEW:

Section 1.0x. Public inclusion and participation.

The city values inclusion and seeks public participation in city decisions.

The city shall strive to use words and phrases that the average adult can understand. When using easily understood language is not possible, a version written in clear language shall also be provided.

Reasoning:

The people who live, work, attend school, and play in Robbinsdale need to know what is expected of them under this Charter and city ordinances. Making sure that information is clear, concise, and easily understood by the average adult in Robbinsdale shows a respect for people's inherent dignity and lowers the barrier to civic participation.

CITY CHARTER CHAPTER 5 INITIATIVE, REFERENDUM AND RECALL

*** Existing:

Section 5.01. Powers Reserved By The People.

The people of the city 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 such an ordinance when passed by the council to be referred to the electors for approval or disapproval, and to recall elected public officials. These powers shall be called Initiative, Referendum, and Recall respectively. Initiative is the process for voters to propose and adopt an ordinance. Referendum is the process to require an ordinance passed by the council to be referred to the voters for approval or disapproval. Recall is the process for removing an elected public official from office. Initiative and referendum may not be used with an ordinance that involves land use or zoning.

Charter Amendment No. 18, Ordinance No. 89-11, adopted unanimously by the City Council August 8, 1989.

Charter Amendment No. 30, Ordinance No. 05-04, adopted unanimously by the City Council July 19, 2005.

*** Proposed:

Section 5.01. Powers reserved by the people

The residents of the city have the following powers:

1. Initiative – The power to propose and adopt any ordinance.

Exceptions: Initiative cannot be used to appropriate money, levy taxes, change land use, or change zoning.

2. Referendum – The power to put ordinances passed by the City Council on the ballot for voters to decide.

Exceptions: Referendum cannot be used to change land use or zoning.

3. Recall – The power to remove elected city officials from office.

Section 5.02. [NOTE: This section was deleted.]

Charter Amendment No. 18, Ordinance No. 89-11, adopted unanimously by the City Council August 8, 1989.

Charter Amendment No. 24, Ordinance No. 99-09, adopted unanimously by the City Council September 21, 1999.

*** Existing:

Section 5.03. Initiation of Measures.

The initiative is governed by Sections 5.03 through 5.09. Any five eligible voters may form themselves into a committee for the initiation of any ordinance except as provided in

Section 5.01. Before circulating any petition they shall file a verified copy of their proposed ordinance with the city clerk together with their names and addresses as members of such committee. They shall also attach a verified copy of the proposed ordinance to each of the signature papers herein described, together with their names and addresses as sponsors thereof.

*** Proposed:

Section 5.03. Initiating an ordinance

Any five eligible voters may form a petition committee to propose an ordinance.

Before gathering signatures, the petition committee must:

1. File a copy of the proposed ordinance with the city clerk.
2. Provide the name, birth year, and addresses for each member of the committee.
3. Attach an identical copy of the proposed ordinance to each signature paper that has been signed and dated.

*** Existing:

Section 5.04. Form Of Petition And Of Signature Papers.

The petition for the adoption of any ordinance shall consist of the ordinance, together with all the signature papers and affidavits thereto attached. Such petition shall not be complete unless signed by a number of eligible voters equal to at least 15% 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. All the signatures need not be on one signature paper, but the circulator of every such paper shall make an affidavit that each signature appended to the paper is the genuine signature of the person whose name it purports to be. Each signature paper shall be in substantially the following form:

INITIATIVE PETITION

Proposed 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 eligible voters:

Name Address

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____

The undersigned eligible voters, understanding the terms and nature of the ordinance attached, petition the council for its adoption or, in lieu thereof, for its submission to the voters for their approval.

Signature Name (printed) Address

- 1. _____
- 2. _____
- 3. _____

At the end of the list of signatures shall be appended the affidavit of the circulator.

*** Proposed:

Section 5.04. Format of petitions and signature papers

A valid petition includes:

- 1. The full text of the proposed ordinance.
- 2. Signature papers for eligible voters to sign the petition.
- 3. Affidavit from the petition committee verifying each signature as genuine.
- 4. Signatures from at least 15 percent of registered voters as of the last city election.

Each signature paper must follow this format:

1. Title and purpose of ordinance.
 2. The names, birth years, and addresses of each petition committee member sponsoring the ordinance.
 3. The signature, printed name, birth year, and address of each eligible voter who signed the petition.
 4. Affidavit from the petition committee verifying each signature as genuine at the end.
-

*** Existing:

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 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 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.

*** Proposed:

Section 5.05. Petition filing and review

The petition must be submitted as one document to the city clerk.

Within five days of filing, the city clerk shall review and verify the number of valid signatures and if the petition complies with requirements.

If one or more issues are found in the petition:

1. The city clerk shall notify the petition committee immediately and explain the issues.
2. The petition committee has 30 days to correct issues or add signatures.

If the petition still has issues after 30 days:

1. The petition effort has not succeeded.
2. The city clerk shall notify the petition committee immediately and explain the issues.
3. A new petition can be filed.
4. Council can put the proposed ordinance on the next election ballot.

*** Existing:

Section 5.06. Action of Council On Petition.

When the petition is found to be sufficient, the city clerk shall so certify to the council at its next meeting, stating the number of petitioners and the percentage of the total number of eligible voters which they constitute, and the council shall at once read the ordinance and refer it to an appropriate committee, which may be a committee of the whole. The committee or council shall thereupon provide for public hearings upon the ordinance, after the holding of which the ordinance shall be finally acted upon by the council not later than sixty-five days after the date upon which it was submitted to the council by the city clerk. 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 more than one-fifth of the petitioners, the proposed ordinance shall be submitted by the council to the vote of the voters at the next regular municipal election; but if the number of signers of the petition is equal to at least 20 percent 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 council shall call a

special election upon the ordinance. Such special election shall be held on the next available date for a special election pursuant to Section 4.04 of this Charter, except that no special election shall be held within 30 days of the determination of the need for a special election; but if a regular election is to occur within three months, the council may submit the ordinance at that election in lieu of holding a special election hereunder. If the council passes the proposed ordinance with amendments and at least four-fifths of the committee of petitioners do not express their dissatisfaction with such amended form by a statement filed with the city clerk within ten days of the passage thereof by the council, the ordinance need not be submitted to the voters.

Charter Amendment No. 36, Ordinance No. 18-07, adopted unanimously by the City Council August 6, 2018.

*** Proposed:

Section 5.06 – Council action on petitions

If the submitted petition meets all of the requirements, the city clerk shall:

1. Certify the petition to the Council at the next Council meeting.
2. State the number of voters who signed the petition.
3. State the percentage of city voters who signed the petition.

At the Council meeting, the Council members shall:

1. Read the proposed ordinance
2. Refer the petition to a Council committee, which may be the full Council.
3. Schedule a public hearing to be held within 30 days.

After the public hearing, the Council shall vote whether or not to approve the petition. The Council shall vote within 65 days of the city clerk submitting the petition to Council.

If the Council votes to adopt the petition as written, the process is complete.

If the Council votes to adopt a modified version of the petition:

1. The petition committee members are informed of the vote and what changed.

2. If 20 percent or more petition committee members disagree with the version passed by Council, they can file a statement with the city clerk within ten days of the Council vote saying they disapprove of the changes. If that statement is submitted, the petition shall be on the ballot for public vote at the next election.

If the Council votes against adopting the petition:

1. If less than 20 percent of registered voters in the city signed the petition, the petition will be on the ballot for public vote at the next election.

2. If 20 percent or more of registered voters in the city signed the petition, a special election shall be held on the next available date for a special election. The date must be at least 30 days after the Council vote. If the next regular election is less than three months away, the Council may put the petition on the regular election ballot.

*** Existing:

Section 5.07. Initiative Ballots.

The ballots used when voting upon any such proposed ordinance shall state the substance of the ordinance and shall give the voters the opportunity to vote either "yes" or "no" on the question of adoption. If a majority of the voters voting on any such ordinance vote in favor of it, it shall thereupon become an ordinance of the city. Any number of proposed ordinances may be voted upon at the same election but the voter shall be allowed to vote for or against each separately. In case of inconsistency between two initiated ordinances approved at one election, the one approved by the higher percentage of voters voting on the question shall prevail to the extent of the inconsistency.

*** Proposed:

Section 5.07 – Initiative Ballots

Ballots shall summarize the proposed ordinance clearly and provide an accessible way for voters to review the text of the proposed ordinance.

Voters have the opportunity to vote either “Yes” or “No” to adopt the proposed ordinance. If the majority of voters who voted on the ordinance vote “Yes”, the ordinance becomes law.

If two or more initiatives are approved by voters, that may result in ordinances that contradict each other. If that happens, the initiative with the highest voter approval percentage is used for areas that are inconsistent.

*** Existing:

Section 5.08. Amendment Or Repeal.

Any ordinance adopted by the vote of the people cannot be repealed or amended except by a vote of the people.

*** Proposed:

Section 5.08. Amending or repealing initiated ordinances

An ordinance adopted by ballot measure cannot be repealed or changed except by another ballot measure.

*** Existing:

Section 5.09. Initiation of Charter Amendments. Nothing in this charter shall be construed as in any way affecting the right of the voters under the constitution and the statutes of Minnesota to propose amendments to this charter.

*** Proposed:

Section 5.09 – Charter amendments

This section does not limit voters' rights under Minnesota law to amend the city charter.

*** Existing:

Section 5.10. Referendum. The referendum is governed by Sections 5.10 through 5.12. If prior to the date when an ordinance takes effect, a petition signed by eligible voters of the city equal in number to fifteen percent 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, is filed with the city clerk requesting that any such ordinance be repealed or submitted to the voters, the ordinance shall thereby be prevented from going into operation. The council shall thereupon reconsider the ordinance at its next regular meeting and either repeal it or by "yes" and "no" vote re-affirm its adherence to the ordinance as passed. In the latter case the council shall immediately order a special election to be held thereon, or submit the ordinance at the next regular municipal election, pending which the ordinance shall remain suspended. If a majority of the voters voting thereon is opposed to the ordinance, it shall not become effective; but if a majority of the voters voting thereon favor the ordinance, it shall go into effect immediately or on the date therein specified.

*** Proposed:

Section 5.10 – Referendum procedure

If a petition requesting the ordinance be repealed or submitted to voters is:

1. Signed by 15 percent of eligible voters and filed before an ordinance takes effect, the ordinance .

The Council must:

- o Repeal the ordinance, or
- o Vote to reaffirm it and submit it to voters at a special or regular election.

The ordinance takes effect only if approved by a majority.

*** Existing:

Section 5.11. Referendum Petitions. The requirements laid down in Section 5.03 and 5.04 for the formation of committees for initiation of ordinances and the form of petitions and signature papers shall apply to the referendum as far as possible, but with such verbal changes as may be necessary. A referendum petition shall 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 eligible voters:

Name Address

1. _____
2. _____
3. _____
4. _____
5. _____

The undersigned petitioners, 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 voters for their approval or disapproval.

Signature Name (printed) Address

1. _____

2. _____

3. _____

At the end of the list of signatures shall be appended the affidavit of the circulator.

*** Proposed:

Section 5.11. Format of referendum petitions and signature papers

A valid referendum petition includes:

1. The full text of the proposed referendum.
2. Signature papers for eligible voters to sign the petition.
3. Affidavit from the petition committee verifying each signature as genuine.
4. Signatures from at least 15 percent of registered voters as of the last city election.

Each signature paper must follow this format:

1. Title and purpose of referendum.
2. The names, birth years, and addresses of each petition committee member sponsoring the referendum petition.

3. The signature, printed name, birth year, and address of each eligible voter who signed the referendum petition.

4. Affidavit from the petition committee verifying each signature as genuine at the end.

*** Proposed:

Section 5.12 – Referendum ballots

Ballots must summarize the referendum clearly. Voters choose “Yes” or “No”. If the majority votes yes, the referendum passes.

*** Existing:

Section 5.12. Referendum Ballots. The ballots used in any referendum election shall conform to the rules laid down in Section 5.07 of this charter for initiative ballots.

*** Existing:

Section 5.13. Recall. The recall procedure is governed by Sections 5.13 through 5.17. Any five eligible voters within the city may form themselves into a committee for the purpose of bringing about the recall of any officer elected by the entire City.

A City official may be subject to a Recall petition for malfeasance or nonfeasance, or both. Malfeasance means conduct that: i) affects the performance of official duties rather than the official’s personal character as a private individual; ii) substantially affects the rights and interests of the public; and iii) is wholly illegal and wrongful. Nonfeasance means the intentional repeated failure to perform acts that are required duties of the public official.

Any five eligible voters within a section or ward may form themselves into a committee for the purpose of bringing about the recall of any officer elected from their respective section or ward. Such committee shall certify to the city clerk the name of the officer whose removal is sought, a statement of the grounds for removal of not more than 250 words, and their intention to bring about this recall. A copy of this certificate shall be attached to each

signature paper and no signature paper shall be put into circulation previous to such certification.

Charter Amendment No. 42, Ordinance No. 24-08, adopted unanimously by the City Council August 20, 2024.

*** Proposed:

Section 5.13 – Recall of an elected city official

Any five eligible voters may form a recall committee to initiate the recall of city-wide elected officials or elected officials from their ward.

Grounds for recall include:

1. Malfeasance.

"Malfeasance" means the willful commission of an unlawful or wrongful act in the performance of a public official's duties which is outside the scope of the authority of the public official and which infringes on the rights of any person or entity.

2. Nonfeasance.

"Nonfeasance" means the willful failure to perform a specific act which is a required part of the duties of the public official.

3. Misfeasance.

"Misfeasance" means the negligent performance of the duties of a public official or the negligent failure to perform a specific act which is a required part of the duties of the public official.

The recall committee must file with the city clerk:

1. The name of the elected city official.
2. A statement explaining the grounds for recall in 250 words or less.
3. Their intent to seek recall.

*** Existing:

Section 5.14. Recall Petitions. The petition for the recall of any official shall consist of a certificate identical with that filed with the city clerk together with all the signature papers, but the circulator of every paper shall make an affidavit that each signature appended to the paper is the genuine signature of the person whose name it purports to be. Each signature paper shall 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 certificate. This movement is sponsored by the following committee of eligible
voters:

Name Address

1. _____
2. _____
3. _____
4. _____
5. _____

The undersigned eligible voters, understanding the nature of the charges against the officer sought to be recalled, and residing in the city, section, or ward (whichever is applicable) from which the officer was elected, desire the holding of a recall election for that purpose.

Signature Name (printed) Address

1. _____

2. _____

3. _____

At the end of the list of signatures shall be appended the affidavit of the circulator.

*** Proposed:

Section 5.14 – Recall Petition Format

Must include:

- o Copy of original recall certificate.
- o Sponsor names and addresses.
- o Signatures with printed names and addresses.
- o Circulator affidavit.

*** Existing:

Section 5.15. Filing Of Petition. Within thirty 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 eligible to vote on candidates for that office 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.

Charter Amendment No. 18, Ordinance No. 89-11, adopted unanimously by the City Council August 8, 1989.

Charter Amendment No. 42, Ordinance No. 24-08, adopted unanimously by the City Council August 20, 2024.

*** Proposed:

Section 5.15 – Filing Recall Petitions

Must be filed within 30 days of the original certificate.

Clerk must verify within 5 business days.

If insufficient:

o The committee has 10 days to add signatures and correct issues.

o Statement of grounds cannot be changed.

If still insufficient, no further action is taken.

*** Existing:

Section 5.16. Recall Election. If the petition or amended petition is found sufficient, the city clerk shall transmit it to the council without delay, and also shall 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 to conform as nearly as possible to that prescribed for other municipal elections. 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 500 words, the answer of the officer concerned in justification of the officer's course in office. Candidates to succeed the officer to be recalled shall be nominated in the usual way.

Charter Amendment No. 18, Ordinance No. 89-11, adopted unanimously by the City Council August 8, 1989.

*** Proposed:

Section 5.16 – Recall election

If the recall petition succeeds, the city clerk informs the Council and the official.

Council schedules a special election.

The ballot includes:

- o The reason for recall in 250 words or less.
- o The official’s response in 500 words or less.
- o A list of replacement candidates.

*** Existing:

Section 5.17. Form Of Recall Ballot. Unless the officer whose removal is sought resigns within ten days after the receipt by the council of the completed recall petition, the form of the ballot at such election shall be as near as may be: "Shall _____ be recalled?," the name of the officer whose recall is sought being inserted in the blank, and the qualified electors shall be permitted to vote separately "yes" or "no" upon this question. The ballot shall also contain the names of the candidates to be voted upon to fill the vacancy, in case the recall is successful, under the caption: "Candidates to fill the place of _____ if recalled;" but officer whose recall is sought shall not be a candidate upon such ballot. If a majority of those voting on the question of recall vote in favor of recall, the official shall be thereby removed from office, and the

candidate who receives the highest number of votes for the officer's place shall be elected thereto for the remainder of the unexpired term. If the officer sought to be recalled resigns within ten days after the receipt by the council of the completed recall petition, the form of ballot at the election shall be the same, as nearly as possible, as the form in use at a regular municipal election.

Charter Amendment No. 20, Ordinance No. 90-05, adopted unanimously by the City Council May 15, 1990.

Charter Amendment No. 40, Ordinance No. 21-05, adopted unanimously by the City Council July 6, 2021.

*** Proposed:

Section 5.17 – Recall ballot format

If the elected city official does not resign within 10 days:

- o Ballot will ask: "Shall [Name] be recalled?" with "Yes" or "No" options.
- o Includes a list of candidates to replace the official.
- o The recalled official cannot be on this list.

If a majority votes yes, the official is removed. The candidate with the most votes fills the seat.



TO: Charter Commission
PREPARED BY: Chase Peterson-Etem, Assistant City Manager
DATE: May 27, 2026
RE: Considerations for meeting with the City Council

Background:

President Hansen expressed interest in having the Charter Commission meet with the City Council to discuss options for rewriting the charter in plain language or providing a plain language alternative. He also wanted to see if the Council had topics they would like the commission to address.

Analysis:

None

Recommendation:

None

Attachments:

None