

## AGENDA

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1. CALL TO ORDER AND ROLL CALL: Groehler, Mueller, Scanlan, Allen, Bergman, Meehan, Berg, Hansen, Nailon, Leslie
2. CONSIDERATION OF MINUTES
  - A. Approve Charter Commission Meeting minutes from July 17, 2025
3. ORGANIZATIONAL BUSINESS AND CORRESPONDENCE
  - A. None
4. CONSENT BUSINESS
  - A. None
5. HEARINGS AND RESOLUTIONS
  - A. None
6. OTHER BUSINESS
  - A. Review Member Hansen's proposed changes
  - B. Birth Year Petition Requirements
  - C. Community Engagement
7. AGENDA FOR NEXT MEETING
8. ADJOURNMENT

## MINUTES

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### CALL TO ORDER AND ROLL CALL

President Bergman called the meeting to order at 7:00 p.m.

Present: Groehler, Mueller, Bergman, Meehan, Hansen, Nailon, Leslie

Absent: Scanlan, Allen, Berg

Staff: Chase Peterson-Etem, City Clerk

### CONSIDERATION OF MINUTES

- A. Approve Charter Commission meeting minutes from June 6, 2024

Mueller moved second by Leslie to approve the Charter Commission meeting minutes from June 6, 2024. The vote was unanimous and the motion carried.

- B. Approve Charter Commission meeting minutes from August 15, 2024

Mueller moved second by Meehan to approve the Charter Commission meeting minutes from August 15, 2024. The vote was unanimous and the motion carried.

### ORGANIZATIONAL BUSINESS AND CORRESPONDENCE

- A. Election of Officers

Leslie motioned, seconded by Groehler to nominate Bergman as President.

Bergman motioned, seconded by Nailon to nominate Hansen as President.

Leslie moved, seconded by Meehan to appoint Hansen as President. The vote was unanimous and the motion carried.

Bergman motioned to nominated Groehler as Vice Chair. Groehler asked not to be Vice President.

Leslie motioned, seconded by Groehler to nominate Bergman as Vice President.

Nailon moved seconded by Leslie to appoint Bergman as Vice President. The vote was unanimous and the motion carried.

- B. Appointment of Recording Secretary

Leslie motioned, seconded by Groehler to appoint City Clerk, Chase Peterson-Etem as Recording Secretary.

Meehan moved, seconded by Leslie to appoint Peterson-Etem as Recording Secretary. The vote was unanimous and the motion carried.

- C. Review By-Laws

The Commission briefly reviewed the by-laws and no changes were recommended.

### CONSENT BUSINESS

- A. None

## **HEARINGS AND RESOLUTIONS**

A. None

## **OTHER BUSINESS**

A. Review the Human Rights Commission amendment to Section 1.04 Equity.

Peterson-Etem provided an overview of the item, noting the City Council has approved an equity statement that the Charter Commission recommended, and this proposal from the Human Rights Commission was presented to staff after the first reading of the ordinance went to the Council. Staff proposes having the Charter Commission review before bringing it in front of the Council.

Commission members discussed the proposal and the background of why this section was added to the Charter.

Bergman moved, seconded by Leslie to adopt the proposed changes.

The commission further discussed the recommendation and determined to keep the language as is.

The vote was unanimous and the motion failed.

B. Review Current City Charter

President Hansen stated he would like to make the Charter easier to read and noted adding lists or bullet points rather than paragraphs could help.

The Commission discussed to what extent they may want to do this and wondered if there is community interest in making changes or understanding the City Charter.

The Commission asked how they could engage with the community and wondered if there was some way to do outreach.

Groehler suggested providing outreach at the upcoming Chamber Meet and Greet to try and engage the public to see what the interest of residents is.

Peterson-Etem noted outreach could be done at the upcoming Meet and Greet to gauge this.

## **AGENDA FOR NEXT MEETING**

A. Set Next Meeting Date

Bergman moved, seconded by Leslie to set the next Charter Commission meeting for Thursday, October 9, at 7:00 p.m. at City Hall. The vote was unanimous and the motion carried.

## **ADJOURNMENT**

Bergman moved, seconded by Groehler to adjourn the meeting at 8:15 p.m. The vote was unanimous and the motion carried.

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Chase Peterson-Etem, City Clerk

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Jonathan Hansen, President



TO: Charter Commission  
PREPARED BY: Chase Peterson-Etem, City Clerk/Assistant to City Manager  
DATE: October 9, 2025  
RE: Review Member Hansen's proposed changes

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**Background:**

Earlier this summer, member Hansen submitted suggested changes to the charter. The commission noted they would discuss those changes at this meeting. The attached document outlines the proposed amendments.

**Analysis:**

None.

**Recommendation:**

Review suggested changes.

**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.

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\*\*\* 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.

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\*\*\* 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.

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\*\*\* 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.

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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.

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\*\*\* 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.

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\*\*\* 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.

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## 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.

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\*\*\* 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.

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\*\*\* 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.
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\*\*\* 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.

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\*\*\* 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.

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\*\*\* 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.

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\*\*\* 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.

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\*\*\* 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.

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### \*\*\* 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.

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\*\*\* 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.

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\*\*\* 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.

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\*\*\* 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.

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\*\*\* 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.

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\*\*\* 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.

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\*\*\* 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.

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\*\*\* 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.

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\*\*\* 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.

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\*\*\* 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, City Clerk/Assistant to City Manager  
DATE: October 9, 2025  
RE: Birth Year Petition Requirements

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**Background:**

The League of Minnesota Cities recently informed staff that under [Minnesota Rule 8205.1010](#), all petitions for elections in the state must include a space for signatories to provide their year of birth. Petitions must include each signatory's year of birth to confirm that each individual who signs the petition is in fact a qualified voter in the city.

**Analysis:**

None.

**Recommendation:**

Motion to update the City Charter adding 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.

**Attachments:**

None



TO: Charter Commission  
PREPARED BY: Chase Peterson-Etem, City Clerk/Assistant to City Manager  
DATE: October 9, 2025  
RE: Community Engagement

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**Background:**

At the July 17, 2025, Charter Commission meeting, the commission asked staff to table at the Chamber of Commerce Meet and Greet to gather information about community involvement. A QR code was used to help provide analytics for people visiting the City Charter page on the website.

**Analysis:**

Staff received little interest at the Meet and Greet related to the City Charter or the Charter Commission. The analytics show the website had about 10 hits to the charter page two weeks after that meeting, but those could have also been from inside the organization.

**Recommendation:**

None.

**Attachments:**

None