



Charter Commission Meeting

November 06, 2023

7:00 PM

Fridley Civic Campus, 7071 University Ave N.E.

Agenda

Call to Order

Roll Call

Approval of Agenda

Approval of Meeting Minutes

1. Approval of October 2, 2023 Charter Commission Meeting Minutes

Administrative Matters

2. Resignation of Oluwaseyi Olawore
3. 2024 Charter Commission Meeting Dates

Old Business

4. Ordinance No. 1417, Amending the Nominations and Elections Chapter of the Fridley City Charter

New Business

Future Meeting Topics/Communications

5. Future Meeting Topics

Adjournment

Upon request, accommodation will be provided to allow individuals with disabilities to participate in any City of Fridley services, programs, or activities. Hearing impaired persons who need an interpreter or other persons who require auxiliary aids should contact the City at (763) 571-3450.



AGENDA REPORT

Meeting Date: November 6, 2023

Meeting Type: Charter Commission

Submitted By: Beth Kondrick, Deputy City Clerk

Title

Approval of October 2, 2023 Charter Commission Meeting Minutes

Background

Attached are the minutes from October 2, 2023 for the Commission's consideration.

Recommendation

Staff recommend the approval of the October 2, 2023 Charter Commission Meeting Minutes.

Attachments and Other Resources

- October 2, 2023 Charter Commission Meeting Minutes

Vision Statement

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



Charter Commission

October 2, 2023

7:00 PM

Fridley City Hall, 7071 University Avenue NE

Minutes

Call to Order

Chairperson Nelson called the Charter Commission meeting to order at 7:02 p.m.

Present

Mohammed Barre
Kelli Brillhart
Donald Findell
Greg Gardner
Nikki Karnopp
Steven Kisner
Ted Kranz
Rick Nelson
Pam Reynolds
Val Rolstad
Avonna Starck

Absent

Gary Braam
Ibsen Gabriel
Manuel Granroos
Oluwaseyi Olawore

Others Present

Melissa Moore, City Clerk
Beth Kondrick, Deputy City Clerk
Dave Ostwald, City Councilmember

Approval of Agenda

Chairperson Nelson requested to add an item to the agenda to accept the resignation of Gary Braam.

Melissa Moore, City Clerk, noted that Commissioner Braam moved outside of Fridley and therefore is ineligible to serve on the Commission and has submitted a letter of resignation.

Motion by Commissioner Reynolds to approve the meeting agenda as amended. Seconded by Commissioner Karnopp.

Upon a voice vote, all voting aye, Chair Nelson declared the motion carried unanimously.

Approval of Meeting Minutes

1. Approval May 1, 2023, Charter Commission Meeting Minutes

Motion by Commissioner Rolstad to approve the meeting minutes of May 1, 2023 as presented.
Seconded by Commissioner Gardner.

Upon a voice vote, all voting aye, Chair Nelson declared the motion carried unanimously.

Administrative Matters

2. Chapter No. 10, Franchises and Public Utilities

Ms. Moore reviewed the direction of the Commission at the last meeting and the information that was provided in response.

Chairperson Nelson noted that this could be added to future meeting topics.

Commissioner Reynolds asked the City Code portions that are currently in effect on this topic.

Ms. Moore replied that the current cable franchise is addressed under 405B, Ordinance 1385.

3. 2024 Charter Commission Meeting Dates

Chairperson Nelson noted that staff provided information on potential meeting dates for 2024.

It was the consensus of the Commission to set the following meeting dates for 2024: January 9, February 5, April 29, May 20, September 10 and October 7 with a joint meeting with City Council to take place on April 29.

4. Upcoming Terms Expiring: Pam Reynolds and Avonna Starck

Chairperson Nelson noted that Commissioners Reynolds and Starck have expiring terms and confirmed that both members would like to continue to serve on the Commission.

Motion by Commissioner Findell to recommend the reappointment of Commissioner Reynolds.
Seconded by Commissioner Nelson.

Upon a voice vote, all voting aye, Chair Nelson declared the motion carried unanimously.

Motion by Commissioner Rolstad to recommend the reappointment of Commissioner Starck.
Seconded by Commissioner Karnopp.

Upon a voice vote, all voting aye, Chair Nelson declared the motion carried unanimously.

5. 2023 Annual Report

Ms. Moore noted that once approved by the Commission, staff would mail the letter to the Chief Judge.

It was noted that the dates in the report should be corrected.

Motion by Commissioner Reynolds to approve the 2023 Annual Report. Seconded by Commissioner Kisner.

Upon a voice vote, all voting aye, Chair Nelson declared the motion carried unanimously.

Old Business

6. Review of Chapter 4

Chairperson Nelson reviewed the proposed changes.

Commissioner Findell left the meeting.

Motion by Commissioner Rolstad to direct staff to prepare the final draft of Chapter 4. Seconded by Commissioner Brillhart.

Further discussion: Ms. Moore asked and received confirmation that ordinance format would be acceptable.

Upon a voice vote, all voting aye, Chair Nelson declared the motion carried unanimously.

New Business

7. Accept Resignation of Gary Braam

Ms. Moore noted that the Commission would need to accept the resignation of Commissioner Braam and then advertise for the vacant seat. She read the letter submitted by Commission Braam.

Motion by Commissioner Starck to accept the resignation of Commissioner Braam. Seconded by Commissioner Kranz.

Upon a voice vote, all voting aye, Chair Nelson declared the motion carried unanimously.

Motion by Commissioner Reynolds to advertise the vacant position on the Commission. Seconded by Commissioner Barre.

Upon a voice vote, all voting aye, Chair Nelson declared the motion carried unanimously.

Future Meeting Topics/Communications

8. Future Meeting Topics

Chairperson Nelson commented that when staff provides the agenda to members, a response is needed by each member of the Commission by the deadline of noon on Friday. He noted that staff should not have to continue to reach out to determine if there will be a quorum.

Commissioner Reynolds requested to remove Chapters 5 and 7 from the list.

Ms. Moore reviewed the next two members with expiring terms in February of 2024.

Adjournment

Motion by Commissioner Kranz to adjourn the meeting. Seconded by Commissioner Reynolds.

Upon a voice vote, all voting aye, Chairperson Nelson declared the motion carried and the meeting adjourned at 7:46 p.m.



AGENDA REPORT

Meeting Date: November 6, 2023

Meeting Type: Charter Commission

Submitted By: Beth Kondrick, Deputy City Clerk

Title

Resignation of Oluwaseyi Olawore

Background

Chair Olawore has submitted his resignation from the Charter Commission (attached). This brings the total current vacancies on the Commission to two.

Recommendation

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

Attachments and Other Resources

- Oluwaseyi Olawore Resignation Letter

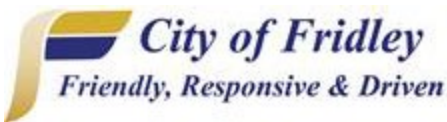
Vision Statement

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

From: [Moore, Melissa](#)
To: [Kondrick, Beth](#)
Subject: FW: residency rules: Charter Commission- Resignation
Date: Friday, October 13, 2023 8:47:01 AM

Melissa Moore, MCMC

City Clerk/Communications Manager
City of Fridley
Direct: 763-572-3523
7071 University Ave. N.E., Fridley, MN 55432
Melissa.Moore@FridleyMN.gov | FridleyMN.gov



From: Oluwaseyi (Shay) <oluwaseyi@siagtl.com>
Sent: Friday, October 13, 2023 8:05 AM
To: Moore, Melissa <Melissa.Moore@fridleymn.gov>
Subject: residency rules: Charter Commission- Resignation

Melissa

I'm writing to inform you that we have moved out of the City of Fridley. In compliance to the commission membership residency rules, I am officially resigning from the Charter Commission because of my residency change.

Thank you all for the opportunity, debates and accommodation. I wish I could continue much longer but I will continue to support the most peaceful, generous and welcoming City of Fridley.

Thank you.

Oluwaseyi Olawore



AGENDA REPORT

Meeting Date: November 6, 2023

Meeting Type: Charter Commission

Submitted By: Beth Kondrick, Deputy City Clerk

Title

2024 Charter Commission Meeting Dates

Background

At the October 2, 2023 Charter Commission Meeting, the Commission discussed meeting dates for 2024 and created a draft schedule. The Commission directed Staff to seek City Council approval on the proposed schedule, specifically for the Joint City Council and Charter Commission meeting set for April 2024. The City Council has approved this proposed schedule and joint meeting.

The meeting schedule for 2024 is as follows: January 9, February 5, April 29, May 20, September 10 and October 7 with a joint meeting with City Council to take place on April 29.

Recommendation

Staff recommend the Commission approve a motion to set meeting dates for 2024.

Attachments and Other Resources

- 2024 Meeting Calendar

Vision Statement

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

Charter Commission Meetings

Meetings held at 7:00 pm
Fridley Civic Campus
7071 University Avenue N.E.

Melissa Moore, City Clerk
763-572-3526
melissa.moore@fridleymn.gov

Beth Kondrick, Deputy City Clerk
763-572-3573
beth.kondrick@fridleymn.gov

To ensure a quorum, please RSVP by 10 a.m. on the meeting date.

No meetings will be held in June, July, August, September, or December unless called by the Chair.

JANUARY

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AGENDA REPORT

Meeting Date: November 6, 2023

Meeting Type: Charter Commission

Submitted By: Melissa Moore, City Clerk/Communications Manager

Title

Ordinance No. 1417, Amending the Nominations and Elections Chapter of the Fridley City Charter

Background

At its October 2 meeting the Charter Commission (Commission) reviewed its revisions to Chapter 4 of the Fridley City Charter (Charter) and directed staff to draft an ordinance.

A draft of Ordinance No. 1417 (Ordinance) is attached. If approved by the Commission, the timeline for the Ordinance is as follows:

- November 13 - staff will submit a resolution to the Fridley City Council (Council) recommending a public hearing to consider the Ordinance;
- November 27 - the Council will conduct a public hearing and first reading of the Ordinance;
- December 11 - the Council will conduct the second reading and approve the Ordinance;
- December 14 - the Ordinance will be published in the Official Publication;
- March 13, 2024 - pursuant to Minnesota Statute § 410.12 subd. 7, "an ordinance amending a city charter shall not become effective until 90 days after passage and publication."

Recommendation

Staff recommend the Commission make a formal motion to approve Ordinance No. 1417 to be recommended to the City Council for consideration.

Attachments and Other Resources

- Ordinance No. 1417

Vision Statement

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

Ordinance No. 1417

Amending the Nominations and Elections Chapter of the Fridley City Charter

The Fridley City Charter Commission has completed its review of Fridley City Charter Chapter 4 and has recommended an amendment of the City Charter by Ordinance to the City Council on November 6, 2023. The Fridley City Council hereby finds after review, examination and recommendation of the Charter Commission that the Fridley City Charter should be hereby amended and the City of Fridley does ordain:

Fridley City Charter Chapter 4. Nominations and Elections

Section 4.01. General Election Laws to Apply

Except as hereinafter provided, the general laws of the State of Minnesota pertaining to registration of eligible voters and the conduct of primary and general elections ~~shall~~will apply for all municipal elections of such ~~officers—office~~ as are specified in this Charter. The Council ~~shall~~will, through ordinances duly adopted in compliance with ~~such state laws~~ Minnesota Statute (M.S.) and this Charter, adopt suitable and necessary regulations for the conduct of such elections.

Section 4.02. Regular Municipal Elections

On the first Tuesday after the first Monday in November, municipal general elections ~~shall~~must be held, at such place or places as the City Council may designate by resolution. General municipal elections ~~shall~~must be held every even numbered year. The Council may divide the City into as many voting precincts as it may from time to time deem necessary. Each ward ~~shall~~will constitute at least one ~~(1)~~ voting precinct and no precinct ~~shall~~may be in more than one ~~(1)~~ ward. At least ~~fifteen (15)~~ 14 days' notice ~~shall~~must be given by the City Clerk of the time and places of holding such election, and of the ~~officers—offices~~ to be elected, by posting a ~~notice thereof~~ Notice of Election in at least one ~~(1)~~ public place in each voting precinct and by publishing a ~~notice thereof~~ Notice of Election at least once in the ~~official newspaper~~ Official Publication of the City, ~~but failure~~ Failure to give such notice ~~shall~~will not invalidate such election.

Section 4.03. Primary Elections

There ~~shall~~must be a primary election, on the date established by ~~Minnesota State Law~~ M.S., for the selection of two ~~(2)~~ nominees for each elective office at the regular municipal election, unless only two ~~(2)~~ nominees file for each elective office. Primary municipal elections shall be held every even numbered year, if necessary.

Section 4.04. Special Elections

The Council may by resolution order a special election, fix the time of holding the same, and provide all means for holding such special election, provided that a Notice of Election was published in the Official Publication three (3) weeks' published notice shall be given of prior to said special election. The procedure at such elections ~~shall must conform with all election regulations established in M.S. as nearly as possible to that herein provided for other municipal elections and Minnesota Election Laws.~~ Special elections for vacancies in the City Council ~~shall will~~ be held in accordance with provisions of Section ~~2.062.07.~~

Section 4.05. Judges of Election

- ~~The Council shall must~~ at least ~~twenty five (25)~~ days before each municipal election appoint ~~two (2) three~~ eligible voters for each voting precinct to be ~~election judges~~ Election Judges and one (1) registered voter to be ~~head election judge~~ Head Election Judge; or as many ~~election judges~~ Election Judges as may be determined by the ~~city clerk~~ City Clerk. ~~No person signing or circulating a petition of nomination of candidate for election to office or any member of a committee petitioning for a referendum or recall shall be eligible to serve as a judge of such election.~~ A person is ineligible to serve as an Election Judge if they:
 - Signed a Nomination Petition;
 - Circulated a Nomination Petition; or
 - Was a member of a committee petitioning for a referendum or recall.

Pursuant to M.S. § 204B.19, the City may establish additional requirements that are not inconsistent with State law M.S. and which relate to the ability of an individual to perform the duties of an Election Judge.

Section 4.06. ~~Nominations by Petition~~ Nominations of Municipal Candidates

The mode of nomination of all elective officers provided for by this Charter ~~shall must~~ be by petition. The name of any eligible voter of the City ~~shall must~~ be printed upon the ballot whenever a ~~petition as hereinafter prescribed shall have properly filed~~ Nomination Petition been filed ~~in on~~ that person's behalf with the City Clerk. Such petition ~~shall must~~ be signed by at least ~~ten (10)~~ registered voters qualified to vote for the office in question. No ~~elector shall~~ person may sign more than one ~~petition~~ Nomination Petition for any office for which there is an election. Should such a case occur, the signature ~~shall be void as to the petition or petitions~~ will be voided on the Nomination Petition last filed. All ~~nomination petitions~~ Nomination Petitions ~~shall must~~ be filed with the City Clerk in accordance with ~~Minnesota State Statutes~~ M.S. Each ~~petition~~ Nomination Petition, when presented, must be accompanied by a ~~ten dollar (\$10.00)~~ filing fee.

Section 4.07. Nomination Petitions

~~The signatures to the nomination petition need not all be appended to one (1) paper, but to each separate paper there shall be~~ All Nomination Petitions must have an attached a-notarized affidavit of the circulator stating:

1. the number of signers of such paper;
2. that each signature found on a Nomination Petition appended thereto was made in the circulator's presence; and
3. that it is the genuine signature of the person whose name it purports to be.

With each signature there ~~shall~~ must be the printed name, birth year, and address of the signer, ~~giving the street and number or other description sufficient to identify the same.~~ The nominee must ~~shall indicate by an endorsement upon the petition acceptance of the office if elected thereto~~ sign the Nomination Petition.

The form of a Nomination Petition ~~is the nomination petition shall be~~ substantially as follows:

NOMINATION PETITION

We, the undersigned, registered voters of the City of Fridley, hereby nominate ____, whose residence is _____, for the office of _____, to be voted for at the election to be held on the ___ day of _____, ____; and we individually certify that we are registered voters and that we have not signed other ~~nomination petitions~~ Nomination Petitions of candidates for this office.

Printed Name	Birth Year	Address	Signature

_____, being duly sworn, deposes and says, "I am the circulator of the ~~foregoing petition paper~~ Nomination Petition containing signatures and that the signatures ~~appended thereto~~ provided were made in my presence and are the genuine signatures of the persons whose names they purport to be."

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

This ~~petition~~ Nomination Petition, if found insufficient by the City Clerk, ~~shall~~ will be returned to _____ [Name of circulator], at ~~Number~~ ___ Street [mailing address].

I hereby indicate my willingness to accept the office of _____ [signature of nominee] if duly elected thereto.

Section 4.08. Write-In Candidates

A candidate for any ~~city~~City office who wants write-in votes for the candidate to be counted must file a written request with the filing office for the office sought no later than the seventh (~~7th~~) day before the primary, general or special municipal election. The ~~city clerk~~City Clerk ~~shall~~ must provide the form to make the request.

Section 4.09. Canvass of Elections and Taking of Office

If more than two candidates filed for office, the Council must meet and canvass the primary election returns on the third calendar day after any primary election. The two candidates for each office who receive the highest number of votes ~~shall~~ will be nominees for the office named. Their names ~~shall~~ must be certified by the ~~city~~City ~~clerk~~Clerk to the ~~county auditor~~County Auditor who ~~shall~~ must place them on the municipal general election ballot without partisan designation. The Council ~~shall~~ will meet ~~and canvass~~ to canvass the general (regular) election or special election returns between the third and tenth calendar days after any regular or special election, ~~shall~~ make full declaration of the results, and file a statement thereof with the City Clerk. Said statement ~~shall~~ must be made a part of the minutes. This statement ~~shall~~ must include:

- (a) the total number of votes cast;
- (b) the total number of individuals registered before 7:00 am on ~~election~~Election ~~day~~ Day and the total number of individuals registering on ~~election~~Election ~~day~~ Day;
- (c) the total votes cast for each candidate, with a declaration of those who are elected;
- (d) a true copy of the ballots used;
- (e) the names of ~~the judges of election~~Election Judges; and
- (f) such other information as may seem pertinent.

The City Clerk ~~shall forthwith~~ notify all persons elected of the fact of their election, and the persons elected ~~shall take office at the time provided for by Section 3.01, upon taking, subscribing and filing with the City Clerk the required oath of office.~~

All persons elected will assume their new office after the Oath of Office is administered.

Passed and adopted by the City Council of the City of Fridley on this xx day of [Month], 2023.

Scott J. Lund - Mayor

Melissa Moore - City Clerk

Public Hearing:
First Reading:
Second Reading:
Publication:



AGENDA REPORT

Meeting Date: November 6, 2023

Meeting Type: Charter Commission

Submitted By: Beth Kondrick, Deputy City Clerk

Title

Future Meeting Topics

Background

Future meeting topic items requested by commissioners:

Review of Chapter 10: Franchises

Recommendation

None.

Attachments and Other Resources

Vision Statement

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