

ROBBINSDALE CHARTER COMMISSION

Thursday, April 25, 2019

7:00 P.M.

CITY HALL  
4100 LAKEVIEW AVENUE NORTH  
Meeting Room behind Council Chambers

MEETING AGENDA

1. Call to Order
2. Roll Call  
List of Members, Exhibit 1
3. Approval of Minutes – Regular Meeting on April 19, 2018, Exhibit 2
4. Organizational Business and Correspondence
  - a. Annual Meeting
    1. Election of Officers
    2. Appointment of Recording Secretary
    3. By-Laws Review, Exhibit 3
6. Consent Business- none scheduled
7. Hearings and Resolutions- none scheduled
8. New Business- Discuss Amendment to City Charter Section 4.06. regarding staff recommendation to increase filing fee from \$5 to \$30.
9. Agenda for Next Meeting – Set Next Meeting Date
10. Adjournment

Updated: 4/18/2019

**CHARTER COMMISSION MEMBERS**No Term Limits  
Appointed at Large**TERM EXPIRATION**

1)	Scott Allen	04/01/2023
2)	Nicholas Benham	03/25/2022
3)	Larrin Bergman	04/01/2023
4)	John Lapointe	03/25/2022
5)	Dennis Motl	04/01/2023
6)	Jeff Mueller	03/25/2022
7)	Michael Scanlan	05/01/2022
8)	Michael Meehan	11/01/2020
9)	Jacob Scharff	01/22/2022
10)	Kelly Groehler	01/22/2022
11)	Ruth Lane	08/01/2022
12)	OPEN	
13)	OPEN	
14)	OPEN	

ROBBINSDALE CHARTER COMMISSION

Thursday, April 19, 2018

CITY HALL

**MEETING MINUTES**

1. Meeting called to order at 6:30 p.m. by President Benham
2. Roll Call  
Present: Allen, Benham, Bergman, Groehler, Lapointe, Meehan, Mueller, Scanlan (6:42 p.m.), Scharff  
Absent: Giordano, Motl, Pierquet  
Staff: Marshall
3. Approval of Minutes – Regular Meeting on April 20, 2017, Mueller motioned to approve the minutes, second by Allen, all ayes.
4. Organizational Business and Correspondence
  - a. Annual Meeting
    1. Election of Officers. Mueller motioned Benham be re-elected as President, second by Allen, all ayes. Benham motioned Mueller be elected as Vice President, second by Groehler, all ayes.
    2. Appointment of Recording Secretary. Allen motioned Marshall be appointed as Recording Secretary, second by Benham, all ayes.
    3. By-Laws Review. Commissioners asked if any changes needed, Marshall stated no changes or updates were needed.
6. Consent Business- none scheduled
7. Hearings and Resolutions- none scheduled
8. New Business- Marshall reviewed the memorandum and Commissioners discussed the proposed amendment to City Charter Section 4.04. Special Elections. Mueller motioned, second by Meehan, that the Charter Commission recommend to City Council to adopt the change to City Charter Section 4.04 regarding the uniform special election dates established by state law and effective January 1, 2018. All ayes.
9. Next Meeting – Commissioners set the next meeting for Thursday, April 25, 2019, 6:30 p.m. at City Hall.
10. Adjournment. Allen motioned adjournment at 6:47 p.m., second by Scanlan, all ayes.

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Tom Marshall, Recording Secretary

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

**Section I. Meeting of the Commission**

A. **Time**. The Commission shall hold regular meetings at 7:30 p.m. on the fourth Tuesday of each month, or as otherwise determined by the Commission. The Commission shall meet as required by Minnesota law as required by activity of the Commission.

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. **Special Meetings**. The president or any four members of the Commission may call special meetings of the Commission upon written mail notice, postmarked 5 days prior to the meeting, and such oral notice as reasonably possible to all the Commissioners. Such notice shall be posted at the City Hall for a like period.

D. **No Smoking**. Smoking shall not be permitted at Commission meetings, except in designated smoking areas.

**Section II. Organizational Meeting**

The Commission shall hold an organizational meeting at its regular April meeting each year 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 its regular April meeting and the regular 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 regular Commission meeting to elect a Commission member to complete the resigned officer's term.

**Section III. Agenda**

The Commission, at its regular meeting, shall propose an agenda for its next regular meeting. Additional items may be added to the agenda for a regular 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 regular and special 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 he or she 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).

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 regular or special 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 regular 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 regular Commission meeting shall call the president, secretary or Commission staff prior to the meeting for an excused absence.

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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 Commission 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

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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 notice mailed to all Commissioners.

Any such vote shall be made by roll call. No proposed Charter Amendment shall be approved by the commission unless at least eight (8) Commissioners vote in favor thereof.

**Section XVII. Appointments**

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

**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

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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 commission members. If the chief judge fails to appoint new commission members within 30 days then thereafter the governing body of the city shall, appoint new commission members, unless within the 30 day period the chief judge indicates in writing to the governing body an intention to appoint new members, in which case the chief judge shall have an additional 60 days within which to make the appointment. 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,



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

HIST: (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

## **Memorandum**

To: City Charter Commissioners  
From: City Clerk  
Date: April 25, 2019  
Re: Discuss Charter Amendment Section 4.06. Regarding Filing Fee

### Background

Currently the candidate filing fee for the City of Robbinsdale is \$5. Staff and the City Council are recommending raising this to \$30.

### Analysis

Staff met with the City Council on January 8, 2019 and discussed raising the election filing fee to be more in line with surrounding communities and to discourage those who are not serious about running from applying. A survey of filing fees of surrounding communities was completed and is attached to this memo as Exhibit 1. After much discussion the City Council made the recommendation to move the election filing fee to \$30 effective the next time there is an ordinance to update the fee schedule.

### Recommendation

We recommend an amendment of City Charter section 4.06 regarding filing fees. This amendment will move the election filing fee from \$5 to \$30 effective the next time there is an ordinance update to the fee schedule, but no later than January 1, 2020.

## Election Filing Fees

City	Fee	Notes
Golden Valley	\$5	Or present a petition with the signatures of eligible voters in lieu of the filing fee
Crystal	\$30	
Brooklyn Center	\$25	Or Petition in place of filing fee
New Hope	\$5	There had been discussion on increasing the fee, City Council decided to keep it at \$5 for now.
St. Louis Park	\$20	
Hopkins	\$25	
Columbia Heights	\$15	
Plymouth	\$5	
Robbinsdale	\$5	