

CC Work Session

2. 2.

Meeting Date: 12/10/2019

Information**Title:**

Discuss Ordinance Amending the Charter by Repealing and Replacing Chapter 4 - Nominations and Elections

Purpose/Background:

Purpose: The purpose of this case is for the City Council to discuss the recommendation of the Charter Commission to amend Chapter 4 of the City's Charter, Nominations and Elections. A public hearing was held during the City Council meeting on November 26, 2019, and five of seven Council Members voted in favor, to introduce Ordinance #19-15 to formally commence the Charter amendment. The ordinance is back on the Council agenda for this evening for formal adoption. In summary, the purpose of the ordinance amending the Charter would be to simplify and clarify City election procedures. Pursuant to State law, the Charter can be modified without going to a public vote if the ordinance receives unanimous approval by the Council.

Observations: The Charter Commission reviewed Chapter 4 in its entirety and determined the amendments suggested would clarify and simplify the elections process and come into compliance with the State election law. Not having a primary will expedite the process of filing seats with a duly elected Council member, plus the provision that allows immediate appointment by the Council of an interim Council Member keeps vacancy periods at a minimum. On the other hand, a primary election serves as a method to ensure that the final candidate receives a majority of the votes cast. Without a primary, a candidate may be elected with the most votes among multiple candidates, but it may be less than a majority of votes cast. For example, among 5 candidates, a candidate could prevail with less than 50% of the votes cast.

Alternatives: The Council must unanimously vote in favor of the ordinance for this amendment to pass. If Council does not agree with the amendments, they may make suggestions and send back to the Charter Commission for further review. Previous primary elections have suffered low voter turnout, which is even lower during a special primary election. The City Council may also consider pursuing changes to state law that would change dates and waiting period, but this is generally more difficult than making charter revisions. The Council may also consider different procedures for special elections versus general elections as recommendations back to the Charter Commission.

Timeframe:**Funding Source:****Responsible Party(ies):**

Administrative Services Director

Outcome:

This topic is for Council discussion.

Attachments[Chapter 4 Redline](#)[Ordinance 19 15](#)

Form Review

**CITY COUNCIL WORK SESSION
CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA**

The Ramsey City Council conducted a City Council Work Session on Tuesday, December 10, 2019, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Mayor John LeTourneau
Councilmember Nadine Heinrich
Councilmember Mark Kuzma
Councilmember Jeff Menth
Councilmember Debra Musgrove
Councilmember Chris Riley
Councilmember Dan Specht

Also Present: City Administrator Kurtis Ulrich
Parks and Assistant Public Works Superintendent Mark Riverblood
Administrative Services Director Colleen Lasher
Community Development Director Timothy Gladhill
City Attorney Joe Langel (arrived at 5:42 p.m.)
Representative Peggy Scott
Representative John Heinrich
Elwyn Tinklenberg, The Tinklenberg Group (arrived at 5:45 p.m.)
Charter Commission Chairperson Joe Field (arrived at 6:06 p.m.)

1. CALL TO ORDER

Mayor LeTourneau called the City Council Work Session to order at 5:36 p.m.

2. TOPICS FOR DISCUSSION

~~**2.01: Review of the City of Ramsey's Legislative Priorities**~~

~~City Administrator Ulrich reviewed the staff report.~~

~~Representative Scott asked for additional details on the manganese.~~

~~City Administrator Ulrich provided additional details and noted that the City continues to provide updates.~~

~~Mayor LeTourneau explained how the issue was mitigated during the summer to ensure the City did not reach the manganese threshold during the peak summer usage.~~

~~Councilmember Kuzma noted that the City also established a hotline for residents to reach out with concerns.~~

Representative Heinrich noted that he does not want to water down the message and will focus on the Sunfish and Ramsey Boulevard interchanges. He stated that Highway 47 and the railroad crossing is important as well, noting that it has gained the attention of the Governor.

Mr. Tinklenberg commented how well served Ramsey is by these two representatives and the committees they serve. He stated that in terms of transportation, he agrees that this is a year where Ramsey can make significant progress. He provided an update on recent meetings he has held with different members of the House and Governors office. He stated that there is a lot of momentum behind the project and these representatives are helping to keep that up. He noted that the work Ramsey has done in terms of design preparation have helped to put the project in a better position for funding.

Representative Scott stated that there is movement afoot to reform the bonding bill process, which would allow members to vote on individual sections.

Mayor LeTourneau stated that the Highway 10 effort has been targeted and focused. He recognized that each piece of the puzzle will help to improve the corridor. He hoped to continue great communication between the City and the two representatives present tonight.

Representative Scott asked and confirmed that the Councilmembers subscribe to the updates.

Representative Heinrich suggested setting up a Highway 10 Coalition Day at the Capital. He stated that when people show up in numbers, it tends to catch attention.

Councilmember Heinrich referenced the TIF district and clarified that the entire Council has not yet discussed that issue and therefore that discussion would occur prior to bringing something forward to one of the representatives for assistance.

Mayor LeTourneau thanked Representatives Scott and Heinrich for attending tonight and for their continued service.

2.02: Discuss Ordinance Amending the Charter by Repealing and Replacing Chapter 4 – Nominations and Elections

City Administrator Ulrich reviewed the staff report.

Councilmember Specht commented that he had a concern with totally eliminating primaries, using an example where there are ten candidates running.

Charter Commission Chairperson Field stated that the issue was discussed in depth by the Charter Commission and the main concern in making these changes was to become compliant with State law and elimination of duplicative language. He stated that the Commission also asked what is discretionary for Charter cities. He stated that the turnout for primaries is very poor and that is a costly process, therefore the Charter Commission came to the consensus to eliminate that requirement. He stated that there was discussion that perhaps an exception should be made if a

certain number of candidates were running, but that option was problematic due to the filing deadlines. He stated that there has been a deterioration in interest in running for public office. He stated that because people are not showing up for the primaries, the consensus was to eliminate that requirement.

Councilmember Musgrove referenced the situation where a primary could be held with the general election primary.

Charter Commission Chairperson Field commented that there was less resistance to that because it would not have much of an additional cost.

Councilmember Musgrove stated that it seems that the Charter Commission recommended elimination of primary elections for city government elections.

Charter Commission Chairperson Field agreed that because the trend has been that people are not showing up for those primary elections, it would seem practical to eliminate that requirement.

Councilmember Kuzma stated that the changes seem to be mostly cost driven. He stated that the number of special elections in the past few years seem to be an anomaly. He stated that he likes the process of holding primaries. He stated that poor voter turnout is not the fault of the process and would not be in favor of eliminating that step.

Mayor LeTourneau stated that the reality of the last two special elections had a higher percentage of turnout than the City typically has for special elections. He recognized that special elections typically have an inherently low voter turnout.

Councilmember Specht asked the cost to hold a primary election.

Administrative Services Director Lasher estimated about \$25,000 for an at large seat while a ward seat would be about \$10,000.

Councilmember Menth asked if the Charter discussed right choice voting.

Charter Commission Chairperson Fields noted that was determined to be a separate discussion that the Commission will discuss in the future.

Councilmember Musgrove asked how many Charter cities choose to hold primary elections and how many do not.

Charter Commission Chairperson Fields stated that most Charter cities do not engage in primary elections.

Councilmember Riley stated that the Charter Commission was provided the detailed information, while the Council did not hear the same details. He stated that in regard to primaries it seems that the City would either need to choose to hold primaries or not hold them. He noted that if primaries are kept that seems to negate some of the work to streamline the process.

Charter Commission Chairperson Fields agreed that is an excellent point as detailed information was provided to the Commission for review by the City Attorney and excellent discussion was had. He commented that it would be helpful for the Council to have access to those meeting minutes to review the process the Commission went through to come to this recommendation.

Administrative Services Director Lasher noted that the draft minutes from the Charter Commission were distributed to the City Council to provide them with that information.

Mayor LeTourneau asked for information on the history and background on why Ramsey chose to use the primary system.

Charter Commission Chairperson Fields stated that he did not have that information but noted that Commissioner Deemer would perhaps have that information because of his tenure on the Commission.

Councilmember Specht stated that he has concern with the Council making direct appointments. He used the example of Big Lake, which currently has four out of five members appointed rather than elected.

Charter Commissioner Chairperson Fields stated that it was his belief that process was mandated by State law but noted that he could be mistaken.

City Attorney Langel stated that he was unsure if that exact process is mandated by State law. He noted that if there is an opening on the Council it needs to be filled as soon as possible. He noted that the timelines and allowed dates for an election have an impact on the ability to fill that position quickly and therefore the proposed guide was developed which would allow appointment dependent upon when the vacancy occurs. He stated that the guide was developed with the intent of balancing the need to fill a vacancy on the Council in a timely and cost-effective manner, while still allowing public input.

Administrative Director Lasher commented that the total cost for a special election, including the primary would be about \$30,000.

Mayor LeTourneau commented that there still seem to be a lot of questions and does not expect there to be a unanimous vote tonight at the regular meeting.

Councilmember Heinrich asked what would happen next if the vote is not passed.

City Administrator Ulrich stated that if there was clear direction and consensus of the Council, the proposed changes could be suggested to the Charter Commission. He stated that he would suggest that the Council hold another worksession, with members of the Charter Commission, to discuss options that would work for everyone. He recognized that the language needs to be amended in order to clean up the language and become compliant with State law.

Councilmember Specht asked if there are any deadlines to become compliant with State law.

City Attorney Langel stated that when there is a conflict in the Charter with State law, the City has been following State law and ignoring certain details in the Charter. He stated that staff would continue to do that until the Charter is amended.

Mayor LeTourneau agreed that it would be helpful for the Council to have further discussion on this topic with the Charter Commission.

Charter Commission Chairperson Fields noted that the Charter Commission has spent a significant amount of time on this topic and it would be helpful to have specific direction from the Council.

Councilmember Heinrich asked if any of the Councilmembers that are not in support of this are prepared to provide specific input on the topics they are struggling with.

Mayor LeTourneau stated that his concerns are that some Council members are confused and that there has not been much discussion on this topic as of yet.

Councilmember Heinrich stated that this is not the first time the Council is seeing the redline document and therefore she is surprised by that.

Charter Commission Chairperson Fields stated that bullet points would be helpful. He noted that he would need to speak with the Charter Commission to determine if there is support for a joint meeting. He noted that the topic has been beat to death for the Charter Commission and he would want specific bullet points for discussion if there is a joint meeting.

Councilmember Kuzma referenced the desire for the Charter Commission to hold a separate study on franchise fees, even though the Council spent a large amount of time researching the issue. He noted that this would be a similar situation where the Charter Commission spent a large amount of time, but the Council has not yet had that ability. He stated that he is not willing to eliminate the primary election simply because of the anomaly of the recent vacancies.

3. TOPICS FOR FUTURE DISCUSSION

3.01: Review Future Topics/ Calendar

Noted.

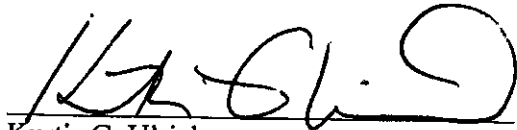
4. MAYOR / COUNCIL / STAFF INPUT

None.

5. ADJOURNMENT

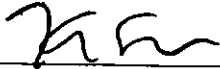
The Work Session of the City Council was adjourned at 6:56 p.m.

Respectfully submitted,



Kurtis G. Ulrich
City Administrator

ATTEST:



Katie M. Schmidt
Administrative Assistant

Drafted by Amanda Staple
TimeSaver Off Site Secretarial, Inc.