

Minneapolis Charter Commission Minutes

November 6, 2013 - 4:00 p.m.

Room 317 City Hall, Minneapolis, Minnesota

Commissioners Present: Clegg (Chair), Cohen, Connell, Dolan, Ferrara, Heinle, Kozak, Lickness, Metge, Peltola, Rice, Rubenstein, Sandberg, Schwarzkopf

Commissioner Excused: Johnson

Also Present: Burt Osborne, Assistant City Attorney

1. Roll Call

Chair Clegg called the meeting to order at 4:00 p.m. Roll call was taken.

2. Adopt Agenda

Sandberg moved adoption of the agenda. Seconded.

Adopted upon a voice vote.

Absent - Johnson, Kozak.

3. Approve minutes of regular meeting of October 2, 2013

Dolan moved approval of the minutes of the meeting of October 2, 2013. Seconded.

Adopted upon a voice vote.

Absent - Johnson, Kozak.

4. Chair's Report

None.

Discussion

5. Plain Language Charter Update

Clegg reported that both Charter amendments had passed by overwhelming majorities. He thanked present and past Charter Commissioners for their work, as well as former Commissioner Brian Melendez who acted as the Reporter throughout the process.

6. Proposal to amend the Charter to amend filing fees for municipal office

Clegg reported that he and Commissioner Rice had placed this item on the agenda. Minnesota Statute 205.13 states that unless the Charter of a city provides differently, the filing fee to run for a municipal office in cities of the first class is set at \$20. The statute also provides that instead of paying a filing fee, a candidate for municipal office may file a petition signed by at least 500 eligible voters, or two percent of the total number of individuals who voted in the municipality, ward, or other election district at the last preceding municipal general election, whichever is greater. The Charter Commission had considered an increase to the filing fees in March 2013, but given that

many campaigns were already underway, the City Council had decided that it would be inappropriate to adopt the change at that time.

Rice moved to refer the following amendment to the City Council for adoption by ordinance:

That the Charter be amended to include the following filing fees for municipal offices:

Mayor - \$300

City Council - \$150

Park Board and Board of Estimate and Taxation - \$100. Seconded.

Rice noted that the motion had nothing to do with determining any candidate's legitimacy or seriousness, but was intended to create transparency and that \$100 is the threshold for filing a campaign finance report.

Sandberg inquired if Commissioner Rice's proposal would include language that had been included in the Charter Commission's previous proposal to increase the filing fees (March 6, 2013 meeting) relating to adjusting filing fees at the beginning of each year ending in zero to reflect changes in the cost of living since the prior adjustment and noting that candidates are not required to pay a filing fee if they file a petition as set forth in statute. Rice accepted Sandberg's recommendation as a friendly amendment.

Ferrara suggested including a requirement for a petition with a reasonable number of signatures of registered voters in addition to the filing fee. Clegg pointed out that the statute allowed for filing fees or a petition in lieu of fees, but not both.

The Commission discussed the following:

- That threshold for filing a campaign finance report should be tied to the filing fee to allow greater transparency
- The response from voters to the number of mayoral candidates on the 2013 ballot
- Requesting that the City lobby to increase the threshold for a nominating petition and to tie increased filing fees to a petition signature requirement
- Replicating the city of St. Paul's filing fees noting that St. Paul council members are part-time with lower salaries yet pay a \$500 filing fee
- Candidates are able to use the petition process in lieu of paying a filing fee
- The current filing fees for governor, US Senate, and other offices

Connell moved to amend the proposed filing fees as follows:

Mayor - \$500

City Council - \$250

Park Board and Board of Estimate and Taxation - \$100. Seconded.

The Connell amendment was adopted by a roll call vote: Yeas - 8; Nays - 6, as follows:
Yeas - Connell, Dolan, Ferrara, Heinle, Lickness, Metge, Peltola, Rubenstein.

Nays - Cohen, Kozak, Rice, Sandberg, Schwarzkopf, Clegg.

Absent - Johnson.

Schwarzkopf moved to amend the Board of Estimate and Taxation filing fee from \$100 to \$50. Seconded.

The Schwarzkopf amendment lost by a roll call vote: Yeas - 7; Nays 7, as follows:

Yeas - Cohen, Heinle, Kozak, Peltola, Rice, Rubenstein, Schwarzkopf.

Nays - Connell, Dolan, Ferrara, Lickness, Metge, Sandberg, Clegg.

Absent - Johnson.

The Rice motion, as amended to include the language from Charter Commission's March 6 proposal reading as follows:

"Section 13. Filing for Election. (a) All candidates for election at any city election shall file their affidavit for such election and pay their fee therefor, in the same manner as provided in the general election laws of the State of Minnesota, except only that such filing shall be made with, and such fee paid to the City Clerk instead of the County Auditor.

(b) The fee for filing an application or affidavit of candidacy for city office is based on the office to which the candidate seeks election as follows:

1. Mayor - \$500

2. Council Member - \$250

3. Board of Estimate and Taxation Member - \$100

4. Park and Recreation Commissioner - \$100.

Filing fees in this section will be adjusted at the beginning of each year ending in zero to reflect changes in the cost of living since the prior adjustment, rounded to the nearest ten dollars, all as determined by the City Council.

The candidate is not required to pay the specified filing fee if the candidate files a petition or if a nominating petition is filed on behalf of the candidate and the petition meets the requirements of applicable Minnesota law." was adopted upon a voice vote.

Absent - Johnson.

Public Commentary

There was no one present wishing to address the Charter Commission.

Dolan moved to adjourn. Seconded.

Adopted upon a voice vote.

Absent - Johnson.

The meeting was adjourned at approximately 4:40 p.m.

Submitted by: Peggy Menshek, Charter Commission Coordinator