

CITY OF WEST ST. PAUL
1616 HUMBOLDT AVE, WEST ST. PAUL, MN 55118

CHARTER COMMISSION MEETING
MUNICIPAL CENTER LOBBY CONFERENCE ROOM
WEDNESDAY, FEBRUARY 26, 2020
5:30 P.M.

1. Call to Order
2. Roll Call
3. Adopt Agenda
4. Adopt Minutes
 - a. Minutes of September 25, 2019
5. New Business
 - a. Council Salaries
6. Old Business
7. Set Next Meeting Date
8. Adjourn

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5 business days prior to the meeting www.wspmn.gov EOE/AA*

MINUTES
WEST ST. PAUL CHARTER COMMISSION
Wed., Sept. 25, 2019
5:30 P.M.
MUNICIPAL CENTER
LOBBY CONFERENCE ROOM

MEMBERS PRESENT: Chair Mark Tessmer, Commissioners Aaron Van Moorlehem, Doug Fromm, Tim Valento, Tim Haubrich, Jim McKie, Jim Probst, Matthew Schempp, Karen Vavreck, Andrea Friesen

MEMBERS ABSENT: Wendy DeVore

OTHERS PRESENT: Council Liaison Anthony Fernandez (who left at 6:00 p.m. and was replaced by Lisa Eng-Sarne), City Attorney Kori Land, City Clerk Shirley Buecksler, City Manager Ryan Schroeder

1. CALL TO ORDER

Chair Tessmer called the meeting to order at 5:33 p.m.

2. ROLL CALL

3. ADOPT AGENDA

Motion by Probst/Haubrich to adopt the agenda. All ayes.

4. CONSENT

A. Approve Meeting Minutes of Sept. 11, 2018

Motion by Friesen/Vavreck to approve the minutes. All ayes.

5. NEW BUSINESS

A. Ranked Choice Voting

Chair Tessmer introduced the topic indicating there was a request made by Commissioner Schempp to learn more about Ranked Choice Voting.

Jeanne Massey & Liz Johnson (Executive Dir. and Dep. Dir. of FairVoteMN) explained that Ranked Choice Voting (“RCV”) is attempting to address the problem of low Primary voter turnout in nonpartisan local elections. RCV changes the ballot to let the voters rank candidates in order of preference. Rankings then allow an “instant runoff” instead of requiring a Primary plus a General Election. She mentioned in Minnesota, St. Paul, Minneapolis and St. Louis Park offer RCV in local elections because it is only available to charter cities.

Commissioner Vavreck is concerned about the length of time it takes to get results. For example, in St. Paul it took 4 days to get results. She likes having a Primary and a General Election. She is concerned that we are trying to fix something that is not broken. She said as an election judge she has seen many voters come in and just vote for state or national offices but never vote in the local elections so they do not read to the bottom of the ballot. Ms. Massey explained that there is an education piece for voters to go all the way down the ballot, but it is easy for voters to understand once given the opportunity to do it. As far as counting the ballots, Minneapolis and St. Paul's equipment was not updated to compile RCV quickly or easily. Dakota County has different voting equipment altogether, but it is capable of doing RCV but tallying the rankings would still require counting of ballots/names because there is no statewide certification process. Commissioner Vavreck pointed out there would need to be training for voters and for the election judges too. Ms. Massey said there could be community partners who could assist with the education process.

Commissioner Probst is concerned about trying to educate the senior population and the process being so frustrating for them so that they will not vote. Ms. Massey said their education piece touches all demographics at a grass roots level. She said polling numbers show that 92% "get it." Commissioner VanMoorlehem was also concerned about educating the voters and asked if FairVoteMN offers education. Ms. Massey said they help fundraise, host tables at community events, door-knock and recommend newspaper ads but if the city sends out sample ballots, that is the most effective. Ms. Massey stated that St. Louis Park allocated a budget toward RCV elections, hiring outreach and education staff. Ms. Massey recommends that the City send out a sample ballot to every voter.

Commissioner Valento asked if there was any limit on the number of candidates on a ballot. Ms. Massey explained that sometimes it was only limited by the mechanics of the ballot as to how many candidates could be shown, but otherwise, no, there is no limit.

There was a question about whether RCV caused more ballot errors. Ms. Massey stated that ballots are rejected if people try to vote incorrectly and there is no difference when RCV is used. Commissioner Fromm confirmed that there are a lot of ballot rejections in primaries so he suspected it would be the same for RCV elections.

Ms. Massey explained the different methods for adopting a Charter amendment, which would offer general legislative authority to allow RCV and then the specific rules around RCV would be adopted by ordinance.

It was mentioned that cities have adopted it and repealed it (Burlington ,VT and Aspen, CO).

President Tessmer asked about the cost of changing the City's voting equipment and who pays for that. Ms. Massey said she does not know if there will be a community cost.

Andy Lokken, Dakota County Elections Director stated that the County Board has taken no position on RCV. He offered clarification that there will still be a Primary in West St. Paul for state and national elections, the local candidates would be the only ones not on it. City Clerk Buecksler suggests that if RCV is considered it should start at the state or federal level. As it

stands now, West St. Paul is already different from other cities in Dakota County because the County issues all of West St. Paul's absentee ballots. Processing of those ballots still comes back to the city; however, this step of the County issuing them makes West St. Paul different than other cities. City Clerk Buecksler said the most important thing to her about working with Dakota County Elections and other cities within this county is consistency. The County expects all of the City Clerks to be consistent with one another in procedures and election processes. By being consistent, all of the cities in Dakota County are able to stand by what they do and the procedures they take and support each another, should there ever be a recount or an audit. This is not the same in every county. If West St. Paul changes to RCV, City Clerk Buecksler said it would cause West St. Paul to become an island on its own, completely different from the other cities, and the County would not be able to support the city with this type of voting. There are only 3 charter cities in Dakota County and neither Hastings nor South St. Paul are considering it. The County trains all the clerks; the clerks train all the election judges but the RCV training would be a special component just to West St. Paul and there is no general training for that.

Commissioner Probst asked what burdens would be on the city clerk. City Clerk Buecksler said she has limited part-time help for counting absentee ballots. Right now, the County issues absentee ballots so RCV would change that. Dir. Lokken commented that absentee ballots would need to be manually counted. City Clerk Buecksler said if she has to do manual counting of ballots, she does not know how she would manage it with her small staff.

Commissioner McKie thinks we are a few years off before we could implement RCV until the state decides to adopt it. He is glad for the education but does not see this as an issue that the Charter Commission needs to decide today.

Pres. Tessmer asked Dir. Lokken about the cost of the machines. Dir. Lokken said that the software used by Dakota County is certified at the federal level and is unique so the equipment would have to be adapted for RCV and then the vendor would take it through the certification process and the vendor would likely charge the local jurisdiction for the special software and the cost of certification. There would be training costs for the Dakota County election software staff as well, since the machines would be different.

Commissioner Friesen asked if Dir. Lokken has been watching St. Louis Park to see how it is working there. Dir. Lokken said they are very different election software systems so you cannot compare them.

Commissioner Valento stated he is very happy for the education but since the City will have to hold a Primary anyway, there was no benefit for West St. Paul. He agreed that this is a few years off.

Ms. Massey stated St. Paul/Minneapolis decided to do it because they have odd-numbered year local elections and wanted to eliminate the Primary for those local elections.

Commissioner Haubrich asked about the interest at the legislature. Ms. Massey said there is an interest and there is a legislator from Bloomington supporting a bill for local elections ("local options bill").

City Clerk Buecksler said she sees the advantage for those cities with odd-numbered year primaries because it eliminates one election for them. For West St. Paul, however, it would not eliminate any steps in the process because West St. Paul only holds even-year elections. If West St. Paul changes the local races to RCV but the federal and state races are not, there would be two types of voting on the same ballot, which City Clerk Buecksler believes would confuse the voter.

Commissioner VanMoorlehem said he hears 2 question – is it right and is it right for West St. Paul? He is thinking it might be right but maybe not right for now. Maybe at a later time it will be ripe. The Commission supports educating the Council on RCV.

Motion by VanMoorlehem/Valento to table the consideration of a Charter amendment for RCV and refer the draft minutes to the Council and recommend that they bring in FairVoteMN to educate them on RCV. All ayes.

B. Potential Charter Amendment – Sidewalk Assessments

City Attorney Land explained the issue for sidewalk maintenance, specifically snow removal, and seeking legislative authority at the local level in the Charter for assessing these costs.

Commissioner Haubrich asked what IGH or Rosemount do for their portion of Robert Street sidewalk. City Manager Ryan Schroeder indicated every city is different so there is no uniformity.

Commissioner VanMoorlehem would like to see draft language to address the Robert Street snow removal situation specifically. Commissioner Tessmer suggested making the language generic to address maintenance of major commercial corridors that have significant pedestrian traffic. President Tessmer would rather see language such as “maintenance” so repair and snow removal could be added to the specific City Code provision if the City Council chooses to do so.

Commissioner Fromm agreed that the language should be broad so that the Council can take it the direction they want to in the City Code without having to amend the Charter with every change.

City Attorney Land was directed to come back with language for consideration at the next meeting.

C. Election of Officers

President Tessmer said he will step down as Chair. Commissioner VanMoorlehem said he would be willing to be Chair.

Motion by Commissioners McKie/Fromm to approve Commissioner VanMoorlehem as Chair. All ayes.

Commissioner Fromm offered to step in as Vice Chair.

Motion by Commissioners McKie/Friesen to approve Commissioner Fromm as Vice Chair. All ayes.

6. OLD BUSINESS

7. SET NEXT MEETING DATE

The Commission decided to set the next meeting date for February 26, 2020 at 5:30.

8. ADJOURNMENT

Motion to adjourn by Friesen/Probst. All Ayes.

The meeting was adjourned at 7:18 p.m.

DRAFT

To: **Chair VanMoorlehem and Members of the Charter Commission**
Through: **Ryan Schroeder, City Manager**
From: **Kori Land, City Attorney**
Date: **February 26, 2020**

Council Salaries

BACKGROUND INFORMATION:

The Charter requires the Charter Commission to review Council salaries prior to June of every even-numbered year (City Charter §2.07 subd. 2). State law requires Council salaries to be adopted by ordinance (Minn. Stat. §415.11 subd. 1). West St. Paul is unique, in that Council salaries are identified in both West St. Paul City Charter §2.07 and City Code §30.04. Having the salaries in both locations allows for checks and balances. A Charter amendment requires a recommendation from the Charter Commission and unanimous vote by the Council. City Code amendments, on the other hand, only require a majority vote by the Council. Therefore, having the Council salaries in both the Charter and the City Code provides extra protection for the citizens.

Salaries must be in an amount the Council deems “reasonable” (Minn. Stat. §415.11 subd. 1). It is important to note that an increase would not take effect until *after* the next municipal election, in other words, January 2021.

Section 2.07. Salaries.

Subdivision 1. For the faithful discharge of the duties of their respective offices, the elected official shall receive the following salaries: The Mayor \$9,356 per year; each Councilperson \$7,508 per year. The City Manager and all other officers and employees of the City shall receive such salaries or wages as may be fixed by the Council.

It should be noted that the Council increased the salaries in 2018 by a COLA commensurate with City staff increases:

The ordinance increases the salaries of the Mayor and Council from \$8,920 to \$9,356 for the Mayor and from \$7,150 to \$7,508 for Council members. The salaries are included in both the City Charter and the City Code.

STAFF RECOMMENDATION:

Review and consider amending the Council salaries.