

**MINUTES**  
**CHARTER COMMISSION**  
City Council Chambers  
March 20, 2019  
5:00 p.m.

**I. ROLL CALL**

Present: Commissioners S. Johnson, Britton, Matheson, Stauber,  
Mangan, Greene, Nys, President Poole, Vice President Ness - 9

Absent: Commissioners Lyttle - 1

**II. ACCEPTANCE OF REQUESTED EXCUSED ABSENCES:**

Received: Commissioners Seim, Anderson, D. Johnson, Kimber, Gardner - 5

**III. APPROVAL OF MINUTES:**

A. January 9, 2019 – unanimously approved.

**IV. COMMUNICATIONS:**

A. CORRESPONDENCE FROM INDEPENDENT SCHOOL DISTRICT #709,  
SCHOOL BOARD CHAIR LOEFFLER-KEMP, REGARDING MUNICIPAL  
ELECTION CYCLES STUDY (#19-05) - Received

**V. UNFINISHED BUSINESS:** None

**VI. NEW BUSINESS:**

A. MUNICIPAL ELECTION CYCLES STUDY, COMMUNITY STAKEHOLDER  
DISCUSSION.

Poole: I will start with kind of an overview to get some background and summary as to why we are here today. I think that this relates back to October 10 2018; there was a meeting of the Duluth Charter Commission and at that meeting there was a proposal made by Commissioner Anderson, and that proposal was that we potentially evaluate the advantage and disadvantages of moving our municipal elections cycles. As a result of that proposal a study group was made to further explore the pros and cons of such a move. The next meeting was January 9, 2019 and the study group did precisely that. During the January 9<sup>th</sup> meeting Commissioner Anderson relayed to the group a recommendation which is in essence that this proposal be considered by the entire Charter Commission. In order to do that, a timeline was established to help in that regard. Pursuant to that timeline

we are here today for a meeting with potential stakeholders and to that end correspondence was sent by myself with Ms. Helmer with certain stakeholders we identified: members of the County Board, Superintendent, School Board President, Christina Woods who is President of the League of Women Voters, they were notified of our interest regarding this proposal. I think today and in response to that request we do have two members of the County Board here today: Commissioner Jewell and Commissioner Olsen. We otherwise have not heard from any of the other individuals. Today we would hopefully have a productive discussion with the people we have identified as stakeholders. I think the intention of our regularly scheduled April meeting was to elicit public feedback at that time and hope that in May we will make a further determination as to a recommendation.

S. Johnson: I also believe we identified other Cities that have moved to even-year elections to reach out to.

Helmer: Commissioner Johnson and President Poole, I did reach out to the city of Maplewood, Minnesota. I did speak with their City Clerk and perhaps after the Commission has had a chance to ask the County Commissioners questions I can expand on that conversation.

Poole: Again, that said, that leads us to where we are now. This session is to receive thoughts or feedback on this proposal. I don't know if the County Commissioners have thoughts, thank you for coming.

Commissioner Olson: Thank you...I would say that as to media coverage in the even year, it would be downright almost impossible because of the cost and the competition to get onto those media airwaves. That doesn't necessarily have to be a bad thing, that can be a good thing. It would get us out of the media and out on doorsteps talking to people more directly. I think it would impact that significantly especially in the bigger races. I think that in those bigger races that are partisan, the Democrats or Republicans, the two parties that we have, are fighting each other and have ads against each other, and in the non-partisan race, we try to stay out of that. That would also draw in a little more of that decisiveness I think. On the pro side, with the higher voter turnout and higher engagement, we might have more engagement in the political process all the way around. More people participating in campaigns and learning more about candidates because the year after year cycles I think leads to a little bit of voter burnout. For people who are interested in participating more actively in the political process may not want to do that every single year and having that year in between would help for organizing and recruiting and volunteering. Those aspects of engaging in political process I think could potentially improve.

Commissioner Jewell: So when I was thinking about this, I just finished my 4<sup>th</sup> run for the County Board so in the cycle with the governor race as Commissioner Olson said. I have also been a City Councilor and ran twice in the off years and I have worked on a number of campaigns in both off and on years. The thing I am really aware of, and this is I think maybe worse for County Commissioners than City Councilors, is that we are lost in the noise of the election. You just go to an event, and everybody gets invited up and unless

you fight really hard you're never invited up. Whereas in those off years the folks who are running are the race. So while there is lower turnout I think there is more notice to the local folks who are running. You kind-of see that just in name recognition. Beth and I are unrecognizable by most of the voters and City Councilors are very recognizable. That is partially because you fix potholes and things like that, as Don knows well, but people know the names of the folks who in charge of those things. I certainly appreciate the idea of decreasing the cost for government and it kind of makes sense on that level. But, there is something about having municipal elections noticed by people that seems to me more important in some ways than having more people voting. I think you would really notice that change if you were to move to the same year as Presidential Elections.

Ness: I really appreciate the comments by Commissioner Jewell and Commissioner Olson. I think it was very well said on both the pros and cons. Highlighting what my primary concern is-is that lack of engagement on local issues; and every other year on those odd year elections we have an opportunity to get to know our local city council, school board and mayoral candidates in a way that we wouldn't get to know them if they were running in even years. Because it is more of the horse race, and the attention is obviously going to be on those statewide races and presidential race. There is a trend of moving away from understanding local issues. The paper doesn't do as much reporting on local issues as they did even 10 years ago. There is less discussion; I think that if we made this move there would be even less opportunity to engage on those issues. There is also some real practical concerns about the transition in going to an odd year to an even year like the length of terms and some complexity there. While I do understand and appreciate the cost saving element, in my mind the cost involved is a small price to pay for allowing folks to engage and really understand and have some accountability towards the elected officials who are voted in. And there is something about - while the voter turnout is much larger in even years - a lot of the times that higher turnout is primarily motivated by the top of the ticket races. As the voters who are primarily interested in state wide offices or president, then also have all of these other races on the ballot, their level of attention to the details as they get further down the ballot, sometimes voters will peel off as they go down the ballot or sometimes will base their vote on pure name recognition or party affiliation, because they are coming in with a much more partisan mind set. In those local elections Duluth can and should be proud of our voter turnout especially in the general local elections. Those are also the voters who are spending time to pay attention to those races and coming as educated voters for the races that are on the ballot.

Commissioner Jewell: One thing in response to that, the parks referendum was a classic example of something really important to the community and it was in an odd year. So I think that it would have been completely lost in the election if you would have had it in a gubernatorial or presidential election year. It's an example of where it is very parochial and really important to folks, but it would be something that people would lose sight of.

Nys: Do we have any data regarding that, the approximate correlation between voter turnout in the statewide national years versus the amount of votes that are cast for the local candidates.

Helmer: Commissioner Nys, President Poole, I don't have that prepared with me, although, we certainly could look at that. Just to clarify so you would be looking at in an even year comparing voter turnout percentages for County Commissioners versus the State and Federal races?

Nys: This has been a great meeting to attend because I was originally thinking in my head that more voter turnout would be a good thing, but based on what the Commissioners are reporting, it sounds like that correlation may not be there. We might be getting voter turnout but that might not relate to more votes for local candidates.

Greene: I am thinking it would be helpful to get from Maplewood - have they voted under the move to even years - to see what were the percentage voted on those local ballot issues was when it was odd years and then did it increase, did it decrease, when they moved to even years. It would be helpful to know whether they are getting the extra voter turnout for those local candidates.

Helmer: Commissioner Greene, I could certainly reach out to the City Clerk and ask if they have those statistics. To answer your question, the first year of their transition was 2018. They just completed an election cycle with local races on the ballot and I can certainly reach out to her to see if she has a breakdown. They just finished a recount, so she didn't have numbers for me at the time but I can certainly request that.

Greene: Are there any other municipalities that have made this switch in the last 5 – 10 years?

Helmer: Yes there are. I did request from data from the Secretary of State's Office. I would have to back through my file but I did get that for the study group. I know off the top of my head that Maplewood, Minnesota and New Brighton, Minnesota were the most recent municipalities that switched to even years. Again, it had been discussed at the St. Paul and Minneapolis Charter Commissions but neither of those cities had a proposal brought forward.

Greene: If we could get information from New Brighton as well that would be very helpful.

Britton: I would be interested in also knowing if Minneapolis and St. Paul, if have they had considered it and then discarded it or not even brought it up for discussion?

Helmer: Commissioner Britton, I was only able to find news article from their respective Charter Commissions. I know that they were discussing a potential ballot question but there was no proposal that was brought forward on each respective city's November ballot.

Ness: On the question of the voter exhaustion, you know, so it is a term that is used that a voter starts going down the list and votes for the large statewide races and then gets to the point where they are not as sure so they give up and there is that kind of fall off. Then there is another problem that is impossible to measure, and that is how much has that voter been paying attention to the down ballot. So I will get to a Soil & Water Conservation

District and if there is a contest in that race, I am going to vote on that, but I may not know either of the candidates. I may not know what they stand on or what the differences are, and I think that problem becomes much worse. My guess is if the Soil & Water Conservation race was on an odd year I would probably know more about those candidates. I would know more about the differences than in an even year.

Matheson: I agree with Commissioner Ness, I think there is so much information that it is overwhelming to most of the population to be taking in all the difference races at one time. That would be a concern of mine.

Greene: One of the concerns that I would have that is something Commissioner Olson mentioned, these are nonpartisan races and what happens with nonpartisan races at the same time you have very partisan races. I just want to register that is a concern of mine as well.

Poole: Additional comments?

Commissioner Jewell: I'll just make a more comedic comment more than anything, this related to nonpartisan races. I run at both of the colleges, I represent both St. Scholastica and UMD. UMD really forms a precinct. Precinct 10 is largely UMD. So I have won UMD once and lost it 3 times as a County Commissioner. What is very clear is that they vote for my opponent in these cases and they do so solely based on something about their name. It has nothing to do actually, because I spend an enormous time at UMD and they don't vote for me, but they vote for Democratic candidates in huge numbers. Like 70%. If I were identified by conservative or liberal. I would certainly show up on the liberal side. So they are not voting on that, they are voting for liberals. This piece about the identification is true. When you don't have the identification and people are spending more time thinking about who the candidates are, you will have people will have better knowledge. In my case, the UMD students are voting solely on the R or the D behind the name. The impact on me is that there is no amount of work I can do at UMD that will ensure that I will win because they vote for that identifier behind the name. I worked really hard, the one time I won we just did something goofy that got my name out there.

Commissioner Olson: If I can just add something to that about non-partisan races and how important it is. The work that we do is really different than the work that is done at the federal and state level and the topics that we are taking up, and the decisions that we are making don't really fall into the traditional camps. If you look at the big issues that people say - I am democrat because of this or I am a republican because of this - those aren't really the issues that we are addressing on a day-to-day basis. So also, I want people to see me for the issues that I believe in and what I think and how I represent them and serve, versus being identified in one camp. I whispered just now to Frank that it might be nice to be in an off-year because we would be with the other non-partisan races, and engage in conversation about how the City and County work together, we would be able to have those conversations versus just trying to get your race recognized. It would be a positive of running together, it would bring attention to it, because we should be working together closely.

Ness: This is relatively small point, but it isn't insignificant. One of the other advantages for Duluth having these odd year elections, especially when so many others don't have odd year elections is that it brings a bit of state wide attention to our races. The political folks down in the Twin Cities they don't have races to cover and all of a sudden "what is happening in Duluth, what are the issues they have, they have elections going on" especially during the mayoral races, there is some attention that's given to those elections. They are promoting the results of the Duluth races. In terms of the awareness of the issue and the leaders in Duluth. It isn't a huge issue, but here is value in having a bit more attention on our races.

Greene: I have a question about the sample ballot. I noticed that there are just the Mayor and one Councilor and I am wondering if the maximum number of local offices that we would have, and the maximum number of State and Federal and how that would fit. Or would you just go to smaller print so you would make sure it would fit?

Helmer: Commissioner Greene, the reason the races are different on the ballot is because it is different by precinct. In each precinct you would have a maximum number of councilors and then the Mayor.

Greene: And we have at-large races?

Helmer: Yes, correct, so you would have at-large on the ballot and your district councilor. Minnesota Rules dictates that the minimum font you can have on the ballot is 10 pt. font. It is set out in the rules how you would adjust the ballot accordingly, but the lowest font size is 10 pt. font

Ness: There is not the ability to have a 4<sup>th</sup> column on this ballot?

Helmer: No, correct

Ness: So to Commissioners Greene's point, there would be for our races, the potential, of not only Mayor and District Councilor, both at large city council and at large school board which are 4 candidates might get through the primary. This ballot also does not have any referendum language. School referendum, Charter referendum, other type of questions that may happen. Especially in local elections we have had a number of complex questions. It requires a lot more space and time. We have been able to get an accurate position on how folks feel about increasing sales tax to support our roads, we were able to have that on an odd year election and enough attention was given to that not to mention to the space needed on the ballot.

S.Johnson: Do you know what size this font is here?

Helmer: Commissioner Johnson, unfortunately I don't know. I can note per what Commissioner Ness said, Minn. Rule 8250.1810 dictates ballot layout and the order of offices is, for the Commission's information: federal, state, constitutional amendments,

county offices, county questions, city offices, city questions, town offices, town questions – that would not be applicable for Duluth - school district offices, school district questions, special district offices, special district questions and judicial offices.

President Poole: Questions?

Helmer: President Poole, I can make note of the materials provided from Maplewood, Minnesota. I did speak to Andrea Sindt, the City Clerk. I did invite her to speak at tonight's meeting. She was not a City Clerk at the time of the transition. As such, she felt that she wouldn't be an appropriate person to testify. She did provide the materials that I distributed. They are also available on the City of Maplewood's website. 2018 was the first year that they had a combined election and they did that through the ordinance process through their City Council. They did utilize the statutory process to transition offices, which is primarily that any Councilor whose term ends in an odd year would have 1 year added to their term. That is the default under Minnesota Statutes.

Stauber: President Poole, from the study group, I believe it was the Minneapolis Charter Commission that voted against going to even year elections because of the complexity of having two different ballots, because they use the ranked choice ballots. So I think looking at moving ourselves to the even year elections completely limits that idea going forward in the future. Whether it is approval voting or ranked choice voting. We have locked ourselves in to that position. There is also continual debate about the at-large races and the way to decide them.

Poole: To reiterate what we do from here, we have a regularly scheduled meeting in April and perhaps will generate some public feedback.

Greene: Is there a way for us to garner the public attention we need, have people actually come to that meeting, since there aren't very many people here tonight.

Poole: Is there a specific mechanism by which to do that?

Chelsea: We can certainly post a public hearing notice and then publish that notice. I would then defer to the commissioners to reach out publically to generate public participation. We will utilize our ability to publish and notice that meeting and that public hearing.

Greene: Has this been effective in the past in getting media attention so that the newspaper is aware we are looking at something? What you are describing is similar to a press release. I would think that we are not going to be able to make a really good decision unless we get turnout of people.

Britton: I would suggest that the newspaper is aware of what we are discussing and I would attribute the lack of turnout here as support of status quo. I am not really ready to go there yet, we have asked other folks to comment, the School Board, I think we need additional information.

Greene: I have a process question. I can't remember from what we were told back in January. Let's say that the Charter Commission decides that we want this as a good change. What are the next steps in the process? Does it go to council? Does it also go out on the referendum question?

Helmer: Commissioner Greene, that is a determination that can be made by the Commission. The Commission can recommend an Ordinance change. Similar to the action the Commission took at the last meeting where you adopt an Ordinance to change the charter. It would then go to the City Council. The other option is to recommend that it be placed on the ballot in November and then that would go to the City Council. Essentially the City Council would set the form of the ballot question. If the Charter Commission moves to have it placed on the ballot, the Council only sets the form of the question.

Matheson: If it is set on the ballot, I think it is going to garner more public attention versus us discussing it here. Not that I support putting it on the ballot necessarily at this point.

Nys: With regard to ranked choice voting, there was a large public turnout. There was a newspaper story in advance of the meeting. I think there is a possibility that people will show up for this.

Ness: In part, I think that our role as Charter Commission members is to spend a little bit more time on this issue and to essentially act as a gatekeeper and to say is there enough reason to bring this to the public to have them then engage and spend the time to understand the pros and cons. So while I certainly think that there is value in encouraging and welcoming public input I think that we should also feel empowered that is our role to be that gatekeeper and say yes, this rises to the level of importance or we think there is enough validity to this proposal to bring it to the public. But if we don't feel that way I don't think we should bring it just for the sake of having people weigh in.

## **VII. ADJOURNMENT**

Motion was made, seconded and unanimously carried to adjourn.