MEMORANDUM

TO: Melinda Coleman, City Manager

FROM: Karen Haag, Director Citizen Services

DATE: April 13, 2016

SUBJECT: Consider Approval of Revisions to City Code Changing from Odd to Even
              Year Elections – Second Reading

Introduction

The City Code of Ordinances Section 2 – 36 describes the terms of office of the Mayor and
Councilmembers and when local elections are held.

Background

At the direction of the City Council, a public hearing for the first reading of the ordinance
changing the city's municipal election from odd to even year was held on April 11, 2016.

Upon passage of the second reading of the ordinance and within 180 days after passage and
publication of the ordinance, a petition requesting a referendum on the ordinance may be filed
with the city clerk.

The petition must be signed by eligible voters equal to ten percent of the total number of votes
cast in the last municipal general election. There were 6,036 voters casting votes which would
be 636 voters signing the petition.

Should an eligible petition be submitted the new ordinance would not become effective until it
has been placed on the ballot and been approved by a majority of voters voting on the question
at a special election held at least 60 days after petition's submission. At the time that a petition
is filed, the city council may reconsider adopting the ordinance.

During the public hearing for the first reading of the ordinance a question was raised regarding
the cost of having Ramsey County Elections staff conduct our local elections. A quote was
received from Ramsey County Elections for their elections staff to perform all of the absentee
voting for the 2016 Federal Election; the cost was $5.25 per absentee vote. Maplewood
election staff has estimated that during the 2016 election cycle will we process an approximate
3,500 absentee ballots. The cost for Ramsey County to process the absentee ballots alone
would be approximately $18,500.

Having Ramsey County process and count absentee ballots would require transferring voted
ballots to Ramsey County on a daily basis. This procedure would still require Maplewood
elections staff to perform daily audits of voted ballots as we currently do to ensure the integrity
of the chain of custody process. Additionally, Maplewood staff would continue to conduct on-
site absentee voting and all other associated duties with the absentee voting process.

The City of Roseville has contracted with Ramsey County to conduct their elections as they do
not have adequate staff to perform the duties. Roseville currently has 22,018 registered voters

and they pay Ramsey County $107,500 to conduct their elections. Maplewood currently has 22,525 registered voters so it is assumed that the cost would be relatively close.

Finally, in contracting with Ramsey County the City of Maplewood would lose local control of election processes and procedures and also control of future imposed costs. And, equally as important, Maplewood city hall would continue to serve as an on-site absentee voting site that would be run by city elections staff and those costs would be incurred.

Councilmember Terms

There are provisions in Statute § 205.07 directing that the governing body may adopt supplementary ordinances shortening or lengthening the terms of incumbents and those elected at the initial election.

If the City Council chooses not to address this issue State Statutes dictates, Councilmember terms expiring in an odd-numbered year be automatically extend one year until the date of the next (even-numbered year) election.

If council would shorten terms in the ordinance revision, an election cycle would be held in 2017 for the office of Mayor and two Councilmembers. This would be an estimated cost of $65,000 in addition to the cost of a special election held if an eligible petition is filed.

While there is a statutory option to shorten terms it would be costly to do so and staff recommends that it not be addressed in the ordinance revision.

Following are scenarios for consideration if an ordinance changing from odd to even year elections is approved:

- If an eligible petition is filed, the council would call a Special Election to see if the referendum changing from odd to even years passes.

- If the referendum passes the ordinance goes into effect and the next municipal election would be held in 2018.

- If the referendum fails the 2017 odd year municipal election will be conducted.

- If an eligible petition is filed, the council may reconsider its action adopting the ordinance and conduct the 2017 odd year municipal election.

- If no petition is filed the ordinance will go into effect after the adoption and 240 days after publication and the next municipal election will be held in 2018.

Upon approval of the second reading of the ordinance the following dates and actions guide the process:

April 24   Second reading of the ordinance
May 4   Publication and start of 240 days and 180 days for petition to be filed
October 31   Deadline for petition to be filed
December 31   240th day if petition is not filed ordinance is in effect
January 4   First possible day of special election if petition is filed (56 days after a
                     State election and at least 60 days after a petition is filed)

Recommendation

Consider approval of second reading of the ordinance changing municipal elections from odd to even years.

Attachments

1. Ordinance Amendment Changing The City Election From Odd To Even Year

ORDINANCE NO. ___

AN ORDINANCE AMENDMENT CHANGING THE CITY ELECTION FROM ODD TO EVEN YEAR

The Maplewood City Council approves the following revision to the Maplewood Code of Ordinances. (Deletions are struck through additions are underlined.)

ARTICLE II. CITY COUNCIL

Sec. 2-36. Terms of office; biennial elections in ~~odd~~even-numbered years.

   (a) Pursuant to Minn. Stats. § 412.022, the terms of office of the mayor and each of the four councilmembers shall be four years.

   (b) The regular election of city officers shall be held on the first Tuesday after the first Monday of November in each ~~odd~~even-numbered year. The first such election in Maplewood shall be held in November, ~~1969~~2018. ~~All terms of office ending in January 1970, under laws in force at the time of the adoption of this section (July 25, 1968) shall be filled by candidates elected at the first biennial election in November, 1969. All terms of office ending in January of 1971, under laws in force at the time of adoption of this section (July 25, 1968) shall end in January, 1972. All persons elected to the offices enumerated in subsection (a) of this section shall be elected for a term of four years commencing with the election of November of 1969.~~

   ~~(Code 1982, § 2-21)~~

   ~~Editor's note Pursuant to Minn. Stats. § 412.022, the council adopted Ordinance No. 242 on July 25, 1968, subject to the approval of the electors at the general election of November 5, 1968. The ordinance was approved at that election.~~

   ~~Under Minn. Stats. § 205.07, subd. 1, and Minn. Stats.§ 412.023, subd. 1, the citys biennial elections in odd-numbered years shall continue to be held until changed pursuant to Minn. Stats. § 205.07.~~

   ~~State law references Municipal elections, Minn. Stats. ch. 205; terms of office of mayor and councilmen, Minn. Stats. § 412.02, subds. 1, 2, § 412.022, subd. 1.~~

All terms of office ending in January 2018 at the time of the adoption of this section shall be extended to January 2019. All terms of office ending in January 2019 at the time of the adoption of this section shall be extended to January 2021.

Sec. 2-37. Primary elections.

   The Tuesday following the second Monday in ~~September~~ August in each ~~odd~~even-numbered year in which a municipal general election is to be held for the purpose of electing officers is hereby designated as the primary election day for the city.

(Code 1982, § 2-22)

State law reference Municipal primary elections, Minn. Stats. § 205.065.

Second Reading: April 25, 2016

_____
                                                          Mayor

ATTEST:_____
                City Clerk