

HOPKINS CHARTER COMMISSION

AGENDA

Thursday, November 20, 2025

5:30 p.m.

**RASPBERRY ROOM AT HOPKINS CITY HALL
1010 1ST ST. S., HOPKINS, MN**

1. CALL TO ORDER

2. APPROVAL OF THE MINUTES FROM PREVIOUS MEETING

1. April 1, 2025, Charter Commission Regular Meeting Proceedings

3. OLD BUSINESS

1. 2025 Charter Amendments: Chapters 2 and 4

4. NEW BUSINESS

1. 2025 Charter Amendment: Chapter 5

5. ADJOURNMENT

Minutes of the Hopkins Charter Commission

April 1, 2025

CALL TO ORDER

The Hopkins Charter Commission met on April 1, 2025, in the Raspberry Room at City Hall, 1010 1st St. S., Hopkins. Chair Lenz called the meeting to order at 5:30 p.m. Present were Commission Members Dunn, Gadd, Halverson, Hugh, Johnson, Maurer, Schadt, Shirley and White. Commission Member Hanneman absent was Hanneman. Also present was City Clerk Domeier and City Attorney Riggs.

APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING

Motion by Halverson. **Second** by Shirley.

Motion to Approve February 18, 2024, Charter Commission Regular Meeting Proceedings.

Ayes: 10.

Nays: 0. Absent: Hanneman. Motion carried.

OLD BUSINESS

3.1. 2025 Charter Amendments: Chapters 2 and 4

Chair Lenz provided a recap of the process and a summary of the City Council meeting. City Attorney Riggs provided the next steps and options in the Charter Amendment process.

Brief discussion was held about process, communications and timeline.

Motion by White. **Second** by Dunn.

Motion to Adopt Resolution 2025-01 Proposing an Amendment to Chapter 2 of the Hopkins City Charter Pertaining to Elected Officials and Proposing Submitting the Amendment to Voters.

Ayes: 10.

Nays: 0. Absent: Hanneman. Motion carried.

Motion by Halverson. **Second** by Gadd.

Motion to Adopt Resolution 2025-02 Proposing an Amendment to Chapter 4 of the Hopkins City Charter Pertaining to the Year of Municipal Elections and Proposing Submitting the Amendment to Voters.

Ayes: 10.

Nays: 0. Absent: Hanneman. Motion carried.

ADJOURNMENT

Motion by White. **Second** by Maurer.

Motion to Adjourn the meeting at 5:45 p.m.

Ayes: 10.

Nays: 0. Absent: Hanneman. Motion carried.

Respectfully Submitted,
Amy Domeier, City Clerk



City Clerk

CITY OF HOPKINS

Memorandum

To: Hopkins Charter Commission Members
From: Amy Domeier, City Clerk
Date: November 20, 2025
Subject: 2025 Charter Amendments: Chapters 2 and 4

The Charter Commission previously recommended that Chapters 2 and 4 of the Hopkins City Charter, related to municipal election timing and the length of the mayor's term, should be amended by ordinance but those amendments did not receive the unanimous Council approval required to move forward.

On February 18, 2025, the Charter Commission directed staff to bring back the approvals necessary for the Charter Commission to initiate the process to submit the proposed amendment to voters at the same time as the city general election on November 4, 2025. If 51 percent of the votes cast on any amendment are in favor of adoption, the amendment will become effective 30 days after the date of the election.

On April 1, 2025, the Charter Commission adopted resolutions to initiate the amendment by election process and long with suggested ballot question language.

On May 6, 2025, the City Council adopted resolutions with that included the ballot language and set a special election to amend Chapters 2 and 4 of the Hopkins City Charter.

On November 4, 2025, the City of Hopkins held the special election. The following City Charter amendments were on the Hopkins ballot:

- Question 1: Should the Hopkins City Charter be amended to transition from odd-year city general elections to even-year city general elections? A "yes" vote is a vote to move to even-year elections. A "no" vote is a vote to keep odd-year elections.
- Question 2: Should the Hopkins City Charter be amended to transition the mayor's term from a two-year term to a four-year term? A "yes" vote is a vote to move to a four-year term. A "no" vote is a vote to keep a two-year term.

On November 6, 2025, the City Council declared the elections results:

- Question 1: Yes votes were 2,102 and no votes were 912
- Question 2: Yes votes were 2032 and no votes were 1,100

On November 7, 2025, per Minnesota Statutes Section 410.12, subd. 4 and 410.11 the

City Clerk filed the election results with the Secretary of State's Office. The amendments become effective in 30 days after filing.

The next step in the process is for the City Council to adopt an ordinance amendment that contains an orderly plan for the transition of terms with moving to even-year elections. While the decision to shorten or lengthen terms is ultimately up to the City Council, the Charter Commission may make a recommendation with proposed mayor and council member terms.

Attachments:

- Minnesota Statutes Section 205.07, subd. 1

205.07 MS 1957 [Repealed, 1959 c 675 art 13 s 1]

205.07 CITY GENERAL ELECTION.

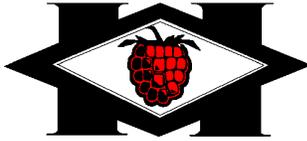
Subdivision 1. **Date of election.** The municipal general election in each city shall be held on the first Tuesday after the first Monday in November in every even-numbered year. Notwithstanding any provision of law to the contrary and subject to the provisions of this section, the governing body of a city may, by ordinance passed at a regular meeting held at least 180 calendar days before the first day to file for candidacy in the next municipal election, decide to hold the election on the first Tuesday after the first Monday in November in either an even- or odd-numbered year. A city may hold elections in either the even-numbered year or the odd-numbered year, but not both. When a city changes its elections from one year to another, and does not provide for the expiration of terms by ordinance, the term of an incumbent expiring at a time when no municipal election is held in the months immediately prior to expiration is extended until the date for taking office following the next scheduled municipal election. If the change results in having three council members to be elected at a succeeding election, the two individuals receiving the highest vote shall serve for terms of four years and the individual receiving the third highest number of votes shall serve for a term of two years. To provide an orderly transition to the odd or even year election plan, the governing body of the city may adopt supplementary ordinances regulating initial elections and officers to be chosen at the elections and shortening or lengthening the terms of incumbents and those elected at the initial election. The term of office for the mayor may be either two or four years. The term of office of council members is four years. Whenever the time of the municipal election is changed, the city clerk immediately shall notify in writing the county auditor and secretary of state of the change of date. Thereafter the municipal general election shall be held on the first Tuesday after the first Monday in November in each odd-numbered or even-numbered year until the ordinance is revoked and notification of the change is made. A municipal general election scheduled to be held in an odd-numbered year may be postponed for inclement weather as provided in section 205.105.

Subd. 1a. **City council members; expiration of terms.** The terms of all city council members of charter cities expire on the first Monday in January of the year in which they expire. All officers of charter cities chosen and qualified shall hold office until their successors qualify.

Subd. 2. [Repealed, 1976 c 44 s 70]

Subd. 3. **Effect of ordinance; referendum.** An ordinance changing the year of the municipal election is effective 240 days after passage and publication or at a later date fixed in the ordinance. 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 shall be signed by eligible voters equal in number to ten percent of the total number of votes cast in the city at the last municipal general election. If the requisite petition is filed within the prescribed period, the ordinance shall not become effective until it is approved by a majority of the voters voting on the question at a general or special election held on a date authorized by section 205.10, subdivision 3a. If the petition is filed, the governing body may reconsider its action in adopting the ordinance.

History: 1959 c 675 art 6 s 7; 1973 c 123 art 3 s 4; 1974 c 337 s 3; 1976 c 44 s 5; 1981 c 29 art 7 s 38; 1983 c 62 s 3; 1986 c 444; 1991 c 227 s 19,20; 1994 c 646 s 6; 1995 c 8 s 5; 2010 c 201 s 58,59; 2014 c 264 s 22; 2017 c 92 art 1 s 23; art 2 s 9



City Clerk

CITY OF HOPKINS

Memorandum

To: Hopkins Charter Commission Members
From: Amy Domeier, City Clerk
Date: November 20, 2025
Subject: 2025 Charter Amendment: Chapters 5

The Charter Commission should review Chapter 5 – Initiative, Referendum and Recall. Please see attached memorandum from Scott Riggs, Hopkins City Attorney. The Charter Commission should consider adopting a charter amendment that clarifies that all petitions submitted to the city must follow the SOS form requirements. A simple charter amendment striking all form requirements and instead specifically referencing “All petitions submitted pursuant to this Charter or Minnesota Statutes must follow the requirements established by the Minnesota Secretary of State prescribing the form of a petition” would be sufficient.

Chapter 5

Current language:

https://library.municode.com/mn/hopkins/codes/code_of_ordinances?nodeId=PTICH_CH5

Discussion and next steps: If the Charter Commission agrees to bring the current language in compliance with state statute, an ordinance will be provided at the next meeting for consideration.



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MEMORANDUM

DATE: November 17, 2025
TO: Hopkins Charter Commission
CC: Mike Mornson, City Manager
Amy Domeier, City Clerk
FROM: Scott J. Riggs, City Attorney
RE: Charter City Petition Requirements

The League of Minnesota Cities reached out to the City, along with many other charter cities, after reviewing the Charter and reminded cities of Minnesota Secretary of State standards establishing form requirements related to certain constituent submitted petitions. Form standards generally relate to items such as paper and font size; number of signature lines and required data from each signer; required information such as a title and summary; as well as specific language such as a signers oath.

Statute and court decisions have made clear that these standards are required for petitions for recall of elected officials, petitions authorized under Minnesota Election Law, and petitions related to charter amendments and adoption. While there is not the same explicit link to municipal initiative and referendum, the Supreme Court appears to broadly apply the Secretary of State's rules to petitions, and following the form requirements is a reasonable idea.¹

¹ For reference, the following is the footnote from a 2018 Minnesota Supreme Court decision that explicitly links almost all petitions to the Secretary of State's rules; there does not appear to be the same link for municipal referendum and initiative petitions because neither automatically result in an election, where as it appears that all of the other petitions mentioned would result in an election.

Butler v. St. Paul, Footnote 6 - See Minn. Stat. §204B.071 (2018) "The secretary of state shall adopt rules governing the manner in which petitions required for any election in this state are circulated, signed, filed, and inspected."). During oral argument, Butler's counsel argued that Minn. Stat. §204B.071 grants the secretary of state authority to adopt rules only relating to nominating and referendum petitions and therefore Minn. R. 8205.1050 does not apply to charter amendment petitions. This assertion is incorrect. Chapter 204B "applies to all elections held in this state except as otherwise provided by law." Minn. Stat. §204B.02(2018). Section 204B.071 falls under the section titled "Candidate Nomination and Filing," Minn. Stat. §§204B.03–12(2018) (emphasis added), which includes filing petitions to place a charter amendment on the ballot. See Minn. Stat. §204B.071; see also *In re Referendum to Amend City of Grand Rapids*, Minn. Mun. Elections Ordinance No. 04-08-11, No. A05-2350, 2006 WL1985595, at *2 (Minn. App. July 18, 2006) ("Petition forms required for any Minnesota election are governed by rules adopted by the secretary of state.").

By following the same set of form requirements, the city will reduce the likelihood of error or confusion on behalf of the public and of staff when submitting and reviewing any petition and confirming that signers are authorized to sign the relevant petition. Following these form requirements for all petitions will not eliminate the ability of the city to require, for example, a committee of petitioners for initiative or recall petitions, but instead, standardizes the items addressed in Minnesota Rules, part 8205.1010 (enclosed for reference), which are focused on the form of what the potential signer sees and is required to provide on the petition form.

In furtherance of the above discussion, the city should also consider adopting a charter amendment that clarifies that all petitions submitted to the city must follow the SOS form requirements. A simple charter amendment striking all form requirements and instead specifically referencing “All petitions submitted pursuant to this Charter or Minnesota Statutes must follow the requirements established by the Minnesota Secretary of State prescribing the form of a petition” would be sufficient.

The League also mentions establishing model petition forms. This approach is not recommended. Having a model petition form is not a legal requirement and having model petition forms will require staff to ensure the models are up to date and appropriate for the different types of petitions a charter city could receive. For example, a charter amendment petition must list the committee of petitioners, while a petition under Minn. Stat. 475.521 related to issuing municipal bonds does not. While the form of the petition for both the charter amendment and reverse referendum is the same (following the Secretary of State’s rules) the information that is required within that form is different. Additionally, and importantly, the Secretary of State already maintains a model form that petitioners can use as a template.

Recommendation:

Provide direction to city staff and attorney to draft an ordinance amending the city charter.

8205.1010 FORM OF PETITIONS.

Subpart 1. **Applicability.** This part applies to any petition required for any election in this state, including nominating petitions, recall petitions, and proposed recall petitions.

§ Subp. 2. **General form requirements.** Petitions must be prepared in accordance with items A to I.

A. A petition must be prepared on paper no larger than 8-1/2 inches wide and 14 inches long. The signer's oath and the signature lines must be on the same side of the paper.

B. The language on the petition must be printed in no smaller than 10-point type.

C. Each petition page must have a short title describing the purpose of the petition.

D. Each petition page must have a statement summarizing the purpose of the petition.

E. If the purpose of the petition is to put a question on the ballot, each petition page may have a statement of 75 words or less summarizing the ballot question.

F. Each petition page must have a signer's oath in no smaller than 12-point bold type. If the form of the signer's oath is not specified by statute, the following oath must be used: "I swear (or affirm) that I know the contents and purpose of this petition and that I signed this petition only once and of my own free will."

G. Each petition page must include the following statement immediately above the signature lines: "All information must be filled in by person(s) signing the petition unless disability prevents the person(s) from doing so."

H. Each petition page must have no more than ten signature lines. The signature lines must be consecutively numbered. Each signature line must have space for the date of signature; a signature; and each signatory's year of birth; printed first, middle, and last name; and residence address, municipality, and county.

I. Each petition page must include the following statement: "All information on this petition is subject to public inspection."

CHAPTER 5

INITIATIVE, REFERENDUM AND RECALL

Sec. 5.01. - Powers reserved by the people.

The people of Hopkins reserve to themselves the powers, in accordance with the provisions of this Charter, to initiate and adopt ordinances and resolutions, to require ordinances passed by the council to be referred to the electorate for approval or disapproval, and to recall elected public officials. These powers shall be called the initiative, the referendum and the recall, respectively.

Sec. 5.02. - Expenditures by petitioners.

No member of any initiative, referendum or recall committee, no circular or a signature paper, and no signer of any such paper, or any other person, shall accept or offer any reward, pecuniary or otherwise, for service rendered in connection with the circulation thereof, but this shall not prevent the committee from incurring expenses for legal advice, stationary, copying, printing, advertising and notaries fees. The committee, at least five days before the election, shall file with the city manager a financial statement verified by a member of the committee, which shall show, in itemized detail, all receipts with the source thereof, and all disbursements and all obligations to make disbursements. Any violation of the provisions of this section shall constitute a misdemeanor.

Sec. 5.03. - Further regulations.

The council may as soon as possible after the organization of city government under this Charter provide by ordinance such further regulations for the initiative, referendum and recall, not inconsistent with this Charter, as may be deemed necessary. Such ordinance shall include the relevant provisions of this Charter.

INITIATIVE

Sec. 5.04. - Initiation of measures.

1. Any five voters may form themselves into a committee for the initiation of any measure of public, general, city-wide concern.
- 2.

After formulating their measure they shall file a verified copy thereof with the city manager together with their names and addresses as members of such committee. They shall also attach a verified copy of the proposed measure to each of the signature papers herein described, together with their names and addresses as sponsors therefor.

Sec. 5.05. - Form of petition and of signature papers.

The petition for the adoption of any measure shall consist of the measure, together with all the signature papers and affidavits thereto attached. Such petition shall not be complete unless signed by a number of voters equal to at least ten percent of the total number of votes cast at the last preceding regular municipal election. All the signatures need not be on one signature paper, but the circulator of every such paper shall make an affidavit that each signature appended to the paper is the genuine signature of the person whose name it purports to be. Each signature paper shall be in substantially the following form:

INITIATIVE PETITION

Proposing an ordinance (or resolution, as the case may be) to (stating the purpose of the measure), a copy of which ordinance (or resolution) is hereto attached. This measure is sponsored by the following committee of electors:

Name	Address
1
2
3
4
5

The undersigned electors, understanding the terms and the nature of the measure hereto attached, petition the council for its adoption, or, in lieu thereof, for its submission to the voters for their approval.

Name	Address
------	---------

1
2
3

At the end of the list of signatures shall be appended the affidavit of the circulator, mentioned above.

Sec. 5.06. - Filing of petitions and action thereon.

All the signature papers shall be filed in the office of the city manager as one instrument. Within five days after the filing of the petition the city manager shall ascertain by examination the number of voters whose signatures are appended thereto, and whether this number is at least ten percent of the total number of voters who cast their votes at the last preceding regular municipal election. If the manager finds the petition insufficient or irregular, he shall at once notify one or more of the committee of sponsors of that fact, certifying the reasons for his finding. The committee shall then be given 30 days in which to file additional signature papers and to correct the petition in all other particulars. If at the end of that period the petition is found to be still insufficient or irregular, the manager shall file the same in his office and shall notify each member of the committee of that fact. The final finding of the insufficiency or irregularity of a petition shall not prejudice the filing of a new petition for the same purpose, nor shall it prevent the council from referring the measure to the voters at the next regular or any special election, at its option.

Sec. 5.07. - Action of council on petition.

Whenever the petition shall be found to be sufficient, the city manager shall so certify to the council at its next meeting, stating the number of petitioners, and the percentage of the total number of voters which they constitute, and the council shall at once read the measure and refer it to an appropriate council committee, which may be a committee of the whole. The council committee or council shall thereupon provide for public hearings upon the measure, after the holding of which the measure shall be finally acted upon by the council not later than 65 days after the date upon which such measure was submitted to the council by the city manager. If the council shall fail to pass the proposed measure, or shall pass it in a form different from that set forth in the petition and unsatisfactory to four-fifths of the petitioners as shown by a certificate filed by the petitioners with the city manager, the proposed measure shall be submitted by the council to a vote at the next regular municipal election. But in case the number of signers of said petition is equal to at least 15 percent of the total number of voters voting at the last regular municipal election, then the council shall call a special election upon the measure to be held not less than 30 nor more than 45 days after the date on which the council finally acts on the measure, or within the same time after passage of 65

days without final action, unless a regular election is to occur within three months, in which case it may be submitted at such regular municipal election. In case the council passes the proposed measure with amendments and at least four-fifths of the committee of petitioners do not express their dissatisfaction with such amended form by a certificate filed with the city manager within ten days from the passage thereof by the council, then the measure need not be submitted to the voters.

Sec. 5.08. - Initiative ballots.

1. The ballots used when voting upon any such proposed measure shall state the substance thereof and shall give the voter the opportunity to vote either "yes" or "no." If a majority of the voters voting on any such measure shall vote in favor thereof, it shall thereupon become an ordinance or resolution of the city as the case may be. Any number of proposed measures may be voted upon at the same election, but in case there shall be more than one, the voter shall be allowed to vote for or against each separately.
2. In case of the simultaneous adoption of two initiated ordinances containing inconsistent provisions, the one adopted by the larger majority shall prevail.

Sec. 5.09. - Initiation of Charter amendments.

Nothing in this Charter shall be construed as in any way affecting the right of the voters under the state constitution and state law to propose amendments to this Charter.

REFERENDUM

Sec. 5.10. - The referendum.

If prior to the date when an ordinance takes effect, a petition signed by qualified voters of the city equal in number to 15 percent of the total vote at the last regular municipal election be [is] filed with the city manager requesting that any such measure, or any part thereof, be repealed or be submitted to a vote of the voters, the said ordinance shall thereby be prevented from going into operation. The council shall thereupon reconsider the said ordinance at its next regular meeting and either repeal the same, or repeal the sections thereof to which objection has been raised by the petitioners, or, by aye [yes] and no vote, reaffirm its adherence to the ordinance as passed. In the latter case the council shall immediately order an election to be held thereon, pending which, the ordinance shall remain suspended. If a majority of the voters voting thereon are opposed to the ordinance, it shall not become effective; but if a majority of the voters voting thereon favor the ordinance, it shall go into effect immediately or on the date therein specified.

Sec. 5.11. - Referendum petitions.

The requirements laid down in sections 5.04 and 5.05 above as to the formation of committees for the initiation of measures and as to the form of petitions and signature papers shall apply to the referendum as far as possible, but with such verbal changes as may be necessary. A referendum petition shall read as follows:

REFERENDUM PETITION

Proposing the repeal of an ordinance to (stating the purpose of the measure), a copy of which ordinance is hereto attached. The proposed repeal is sponsored by the following committee of voters:

Name	Address
1
2
3
4
5

The undersigned petitioners, understanding the nature of the ordinance hereto attached, and believing it to be detrimental to the welfare of the city, petition the council for its submission to a vote of the voters for their approval or disapproval.

Name	Address
1
2
3

Sec. 5.12. - Referendum ballots.

The ballots used in any referendum election shall conform to the rules laid down in section 5.08 of this Charter for initiative ballots.

RECALL

Sec. 5.13. - The recall.

Any five voters may form themselves into a committee for the purpose of bringing about the recall of any elected official of the city. The committee shall certify to the city manager the name of the official whose removal is sought, a statement of the grounds for removal in not more than 250 words and their intention to bring about his recall. A copy of this certificate shall be attached to each signature paper and no signature paper shall be put into circulation previous to such certification.

Sec. 5.14. - Recall petitions.

The petition for the recall of any official shall consist of a certificate identical with that filed with the city manager together with all the signature papers and affidavits thereto attached. It shall be signed by a number of voters equal to at least 25 percent of the total number of votes cast at the last preceding regular municipal election. All the signatures need not be on one signature paper, but the circulator of every such paper shall make an affidavit that each signature appended to the paper is the genuine signature of the person whose name it purports to be. Each signature paper shall be in substantially the following form:

RECALL PETITION

Proposing the recall of from the office of which recall is sought for the reasons set forth in the attached certificate. This movement is sponsored by the following committee of voters:

Name	Address
1.
2.
3.

4.
5.

The undersigned voters, understanding the nature of the charges against the official herein sought to be recalled, desire the holding of a recall election for that purpose.

Name	Address
1.
2.
3.

At the end of the list of signatures shall be appended [with] the affidavit of the circulator, mentioned above.

Sec. 5.15. - Filing of petition.

Within 30 days after the filing of the original certificate, the committee shall file the completed petition in the office of the city manager, who shall examine the same within the next five days, and if he finds it irregular in any way, or finds that the number of signers is less than 25 percent of the total number of votes cast at the last preceding regular municipal election, shall so notify one or more members of the committee. The committee shall then be given ten days in which to file additional signature papers and to correct the petition in all other respects, but they may not change the statement on the grounds upon which the recall is sought. If at the end of that time the city manager finds the petition still insufficient or irregular, the manager shall notify all members of the committee to that effect and shall file the petition in his office. No further action shall be taken thereon.

RECALL ELECTION

Sec. 5.16. - Recall election.

If the petition or amended petition be found sufficient, the city manager shall transmit it to the council without delay, and shall also officially notify the person sought to be recalled of the sufficiency of the petition and of the pending action. The council shall at its next meeting, by motion, provide for the holding of a special recall election not less than 30 nor more than 45 days thereafter, provided that if any other municipal election is to occur within 60 days after such meeting, the council may in its discretion provide for the holding of the recall election at that time.

Sec. 5.17. - Procedure at recall election.

In the published call for the election, there shall be given the statement of the grounds for the recall and also, in not more than 500 words, the answer of the official concerned in justification of his course in office.

Sec. 5.18. - Ballot.

Unless the official whose removal is sought shall have resigned within ten days after the receipt by the council of the completed recall petition, the form of the ballot at such election shall be as near as may be: "Shall A be recalled?", the name of the official whose recall is sought being inserted in place of A, and the voters shall be permitted to vote separately "yes" or "no" upon this question.

Sec. 5.19. - Vacancy.

Any vacancy created by such resignation or recall shall be filled by the council in the same manner as any other vacancy.