
TO: Commission Chair and Board
FROM: Kate Thunstrom, City Administrator
SUBJECT: Charter – Changes to Section 2.05 Vacancies in Office
DATE: February 9, 2026

OVERVIEW:

Updates to the City Charter can be necessary as the city makes changes through budget, policy or through changes in state law. The following item has been identified in the current city charter.

2.01 Vacancies In Office.

Current language: In such case the Council shall by resolution declare the vacancy to exist shall power and publish notice of vacancy and after **thirty (30) days**, appoint an eligible person to fill the vacancy until the next Municipal election

Proposed language: In such case the Council shall by resolution declare the vacancy to exist shall power and publish notice of vacancy and after **fourteen (14) calendar days**, appoint an eligible person to fill the vacancy until the next Municipal election

Per City Charter, when a vacancy occurs Council declares a resolution. At that time, we must wait 30 days before the process of filling the seat takes place. Currently, the applications are collected during the 30-day period and interviews and completed around 40 days. The council ends up being short on members for roughly 60 days. Shortening the application process would not eliminate the steps taken to fill a seat. With the ability to publish vacancies quickly through the website and social media, staff propose shortening this vacancy time to 14 days. Lengthy vacancies can have a direct impact on ordinances and processes and with our current technology, the city is no longer dependent on printed papers which delayed actions.

Option A. City Council may propose an amendment to the Charter.

1. Council submits the ordinance proposing an amendment to the Charter Commission
2. Charter has 60 days for review (which may be extended by the commission an additional 90 days by filing a resolution determining that additional time is necessary with the City Clerk)
3. After the review, Commission returns any amendments or its own substitute amendment to the council.
4. The Council then submits to the voters either the amendment or originally proposed amendment.

Option B. Charter Commission may recommend the Council amend the Charter by Ordinance

1. Within one month of receiving the recommendation, City must public notice of a public hearing of the proposal.
2. Public hearing must be held at least two weeks but not more than one month after the notice is published.
3. Within one month of the public hearing, Council must vote on the proposed amendment.
4. The vote must be unanimous.
5. If adopted, the ordinance becomes effective 90 days after passage and publication unless a later date is provided in the ordinance.

Residents have the right to Petition if not placed on a ballot

1. Within 60 days after passage and publication, a petition signed by registered voters equal in number to at least 5% of the registered voters in the city or 2,000 whichever is less, may be submitted to force a referendum on the amendment.
2. If a petition is filed, the city will submit the question to a general or special election.

State Statute 410.12, subd.6 Amendments, cities of the fourth class

Cities of a fourth class, having less than 10,000 residents, having a home rule charter may propose amendments by ordinance without submission to the Charter commission.

1. Such ordinance if enacted, shall be adopted by at least four-fifths vote of all its members
2. Vote shall be after a public hearing upon two weeks published notice containing the text of the amendment.
3. No sooner than three months after the passage of the ordinance, council shall submit the amendment to the people
4. The Council shall submit the proposed amendment to the people at a general or special election (subd.4 Election)
5. If 51% of the votes are in favor, it shall take effect 30 days from the date of the election or at such other time as fixed in the amendment.

Requested Charter Action:

Motion, Second to (recommend / not recommend) to the City Council to adjust the language to reduce the vacancy length from 30 days to 14 days.