



Paul Ostrow

Minneapolis voters must be given right to choose more effective, accountable, transparent form of city government

A Minnesota-in-the-post-pandemic-world interview

January 8, 2021

The Civic Caucus interviewed former Minneapolis City Council President Paul Ostrow on January 8, 2021, about City Charter reform in Minneapolis. Ostrow was a City Council member from 1998 to 2009 and Council president from 2002 to 2005. He has attempted to change the City Charter since the latter part of his time in office. He believes Charter reform

is needed to establish clear lines of authority and accountability in city government. He says that will make Minneapolis better able to solve major challenges facing the city, from police reform to affordable housing to racial achievement gaps in the city's schools.

Background

00:00 - Introduction. (Janis Clay)

01:26 - Introduction. (Clarence Shallbetter)

02:27 - Paul Ostrow Opening Remarks.

Ostrow: For the past 100 years, a number of people have come to the conclusion that the structure of Minneapolis city government is not what it needs to be and that it's an impediment to decisive leadership of the city.

Approximately every generation, there has been an attempt to change the City Charter: in the 1920s; in 1944, when Mayor Hubert Humphrey believed there needed to be charter reform; in the 1950s and 1960s, when the Citizens League undertook efforts to change the charter, culminating in the League's 1969 report *Who Will Help Us Get Action: A Proposal to Answer the Appeal for Political Leadership in Solving the Problems Confronting the City of Minneapolis*; and in the 1980s, when Mayor Don Fraser led efforts to change the charter and, instead, was forced to accept a compromise that created the city's Executive Committee. His leadership should be applauded.

But there has been no political will to change the charter, despite these attempts. It was another generation before I, later in my time on the City Council, decided this issue was critical—my thoughts having evolved over my time in office from 1998 to 2009. At the beginning of my time there, I felt we were still doing great things without charter change. But my thoughts evolved and at the end of my time in office, I thought we needed charter reform.

7:02 - What are the problems?

Ostrow: It comes back to accountability and transparency and the inability of the city as a political organization to make timely, effective, transparent decisions for the city to move forward. Our form of government results in 14 bosses—13 Council members and the mayor. Any organization knows that if it doesn't have a clear line of authority, the organization can't be effective. There have to be clear lines of authority to who can make a decision and who will implement it.

We had many instances of endless policy debates on the City Council that often resulted in policies that were never implemented or were implemented in ways not consistent with the

policy direction of the Council. We spent months and months on some issues where we didn't have the capability of decisive action.

In its 1969 report on charter change, the Citizens League said the Council had the authority to take action, but no responsibility, while the mayor had the responsibility to take action, but no authority.

One of the most compelling parts of this dysfunction was the repeated failure to address the need for effective discipline in the Minneapolis Police Department-highlighted tragically by George Floyd's murder in May 2020, when he was in the custody of four Minneapolis police officers, and what led up to that. We've known for over 15 years that we had serious problems in the city's Police Department and we've never acted on them. The chokehold was used for years by Minneapolis police officers, but it took George Floyd's death to get action to forbid its use.

Minneapolis has a racial achievement gap and wealth gap and we're not holding elected people responsible. Our system depends on personality and the power of certain individuals. There has never been accountability or transparency with our elected officials.

During my time on the City Council, I passed, on a 13-0 vote, a measure to direct the mayor and the city's police chief to undertake the merger of the city's crime lab with the county's crime lab. Nothing ever happened. The Council passed a resolution that the city should go to the Legislature to get authority to increase the city's sales tax. That was never done. Action was subject to the whim and caprice of individual Council members. There was no sense of elected Council members holding themselves accountable.

I was frustrated because ideas went to the City Council to die. I put a lot of that at the feet of the city's dysfunctional form of government.

16:41 - What was our solution in 2009?

Ostrow: I felt honor-bound to get the issue of charter reform before the people. I couldn't leave the City Council without trying to make this change. The solution that other Council members and I proposed in 2009 would have made the following changes in the City Charter:

- replace the city coordinator with a city administrator, who would serve under the authority of the mayor.
- City department heads would be appointed by the mayor and approved by the City Council, removing the authority of the city's Executive Committee to approve the mayor's appointments before they go to the Council for approval. This would eliminate a broken system of two-year appointments.
- Give the city administrator the authority to remove department heads.

These changes would create one place where the responsibility for the policies of the city rests. To appropriately give power to those you elect, there must be accountability in the organization to make sure the policies they enact are put into effect. The city administrator would be responsible for assuring policy decisions are executed and there would be ramifications for failure.

Link [here](#) to see details of Ostrow's 2009 proposal in his 2009 PowerPoint presentation.

NOTE: City Coordinator position vs. City Administrator position. The city coordinator, as currently defined in the City Charter, has no authority over the other charter department heads: Police, Fire, Public Works, City Planning and Economic Development, Assessor, etc. The city coordinator oversees various administrative departments in the city, including Finance, Intergovernmental Relations, Human Resources and Regulatory Services.

The city administrator-as proposed in 2009-would have authority over all department heads, who would report directly to him or her. The city administrator would serve at the will of the mayor. The other department heads would serve at the will of the city administrator. Under the 2009 proposal, the city administrator and the charter department heads would all be nominated by the mayor and approved for appointment by the City Council. Once appointed, however, they would serve at will and would not have terms of office.

For more details about Ostrow's 2009 Charter proposal for a city administrator, click [here](#) .

23:15 - How do we get to "Yes?"

Ostrow: In the fall of 2008, I decided I had the time and energy to put into the Charter-reform issue. I decided I would wait until I had a strong proposal and strong support of other leaders and only then would I approach the mayor and the City Council. My goal was to offer the proposal to the mayor and the Council, with the support of 15 respected civic leaders and after it had been vetted to the business community.

In January 2009, I spoke to Tina Smith, then chief-of-staff to Mayor R.T. Rybak and was encouraged by the conversation. But Mayor Rybak did not support the proposal. He called the business leaders and their support went away quickly.

The part of the Charter-change proposal that would have turned over the duties of the Park Board to the City Council ended up consuming the debate. In a series of public hearings on the proposal, the Park Board issue dominated the discussion. It might have been a mistake to have included that in the Charter-change proposal, but I thought it should have been included. The issue, though, was a political hot button.

In the end, we didn't get the city management proposal on the ballot. The Charter Commission members were convinced during the debate that there should be more study. But the study didn't happen. Ten years later, the Charter Commission is now doing a study.

After 100 years, when will we have the political will to recognize the importance of the issue? There's a strong sense that the city is rudderless, that there's a lack of decisive leadership and that there's mistrust in the capacity of the City Council to face serious issues.

Discussion

32:06 - Why did you highlight the role of the city administrator, rather than emphasizing mayoral leadership? Was your proposal analogous to the federal government, giving the mayor the power to appoint the city administrator at his pleasure, just as the president appoints a chief-of-staff? (Walt McClure)

Ostrow: I was frustrated that the Charter Commission recently referred to my 2008-2009 proposal as a city-manager proposal, which it was not. It was a proposal that strengthened the mayor's executive authority with a city administrator appointed by the mayor. Mayors are not managers in the usual sense. Mayors need to be in the community, working with many partners. The city administrator makes sure policies are implemented.

36:31 - Currently, there's no one point of accountability in the Minneapolis city government and zero consequences for failure to act, either immediately or over time. How can we create a system that's clear about where citizens should turn if they have issues and where they can expect some feedback? (T Williams)

Ostrow: The murder of George Floyd showed that there are enough bad Minneapolis police officers to be a cancer on the police department. Very few people are holding elected officials responsible for what happened. Elected office-holders are trying to avoid accountability by saying we should eliminate the police department.

Walt McClure commented that it's not just the police department. The problem with Minneapolis city government is that there are 14 bosses. The solution is to give the mayor power; the mayor is president and the City Council is Congress.

Ostrow: If former Minneapolis Mayors R.T. Rybak and Betsy Hodges had supported the city-administrator, Charter-change proposal, I'm convinced it would have passed. The inherent problem is that elected officials won't say the city isn't working well. Are there current elected officials with the courage to act on this? We need to see leadership-if not at City Hall, then other political leadership. We need leaders who will do this.

43:42 - How did St. Paul manage to pass a strong-mayor system in 1970, when Minneapolis had already failed several times? Will the City Council ever come on board with this type of plan and be willing to give up power to a strong-mayor system? (Lee Munnich)

Ostrow: I hope someone on the Council has come to that conclusion. The current system rewards Council members who will yell at department heads and run strong committees. I became frustrated that decisions made would not be implemented, that the city couldn't make difficult decisions and that clear lines of authority would not be followed.

46:56 - Is Minneapolis unique in this form of dysfunctional city government? How did we end up with this system? (Janis Clay)

Ostrow: Most of our City Charter dates back to before 1858, when Minnesota became a state. The Charter language discussing the police department's operation is largely unchanged from 1870, when there were only four police officers. Most city services didn't exist when the Charter was first developed.

No one would create this form of government today. Shouldn't the people of Minneapolis have a right to have a say about what form of city government they will live under? Let the people have a voice. Not to give voters an opportunity to vote on this is outrageous.

49:15 - Considering that this issue has already been turned down twice historically by Minneapolis voters, what makes the issue of government-structure reform different today? (Clarence Shallbetter)

Ostrow: The biggest challenge is the mistaken notion that Minneapolis city government is more democratic and more responsive because of this form of government and that we're suspicious of giving the mayor too much power. But, as it is now, decisions are made without the public seeing the process and some of the decisions are not implemented. That's the hardest part of the persuasion; this nontransparent and non-accountable kind of governing needs to be understood by citizens.

52:41 - Is the Minneapolis City Charter, as it exists today, able to mimic the kind of government that we have at the federal level? (Tom Abeles)

Ostrow: No. It would be like cabinet members would have to be approved by the Senate every two years. People are familiar with state and federal government, but how many have a basic understanding of how city government works?

56:21 - Can we use the model of an outside commission, including members of the business community, among others, to create ideas and present them to the City Council, in the way issues such as K-12 education, the Metropolitan Council and

Fiscal Disparities have gained traction in Minneapolis? Could this help create political will and momentum for change? (John Cairns)

Ostrow: I'm not a big fan of that. There have been so many studies on this issue. In 2009, when a group of us offered a Charter-change proposal, there was another call for a study, which is really an effort to kick it down the road and not deal with it.

The structure of Minneapolis city government is unfit for today and was probably unfit for the 20th century, as well. I would like nothing better than having Mayor Jacob Frey say this has to be done.

59:30 - What other issues besides police accountability have been negatively impacted by our city-government structure? (Clarence Shallbetter)

Ostrow: Affordable housing, wealth and achievement gaps, small business development, regulation reform and the middle class leaving the city are some of them. We need decisive leadership. We can't wait another few years.

1:01:08 - Where do you see the Charter Commission on this issue right now in their current efforts? (Lee Munnich)

Ostrow: I can't speak to that now. But there are a number of leaders in Minneapolis who'd be ready to jump on this. How does that happen without support from someone currently in office?

1:03:32 - Do you know where current elected officials stand on this issue, particularly the mayor and members of the City Council? (T Williams)

Ostrow: I don't know. I know the Charter Commission has held public discussions about this proposal, they've met with city department heads, and they've met with former mayors and former City Council presidents. I don't know if they've talked to current leadership.

If the Charter Commission passes this, it does have some weight. If the measure is on the ballot, maybe it would force current and former elected officials to take a position. I hope the Downtown Council and Steve Cramer, its president and CEO, would support this. But those with interests at City Hall and those who are active in civic affairs don't want to disagree with those in political positions of authority.

How can we communicate to Mayor Frey that there's a group of people who would support those people with the courage to step forward on this?

1:11:03 - How do we consider government-structure reform in light of publicity and marketing? Can we bring back civics education to help educate young voters on these issues? How do we convey this reform to Minneapolis voters, so they can make an informed choice? (Tom Abeles)

Ostrow: Our politics have become almost exclusively about theater: how elected officials act, but not what they accomplish. We must convince people who are marching in the streets about police and race that we need to make changes in the city's government structure to achieve these results.

Clarence Shallbetter asked how we can develop an interest among voters in the myriad of problems that people say exist and show how those problems are connected to how the city is organized.

1:22:32 - Why do you think Mayor Frey, who could benefit from a strong-mayor system, has been silent on this issue? (Dana Schroeder)

Ostrow: No one has approached him. I hope he'll wait for the proposal to come out of the Charter Commission. It might be counterproductive for Mayor Frey to come out in favor of this now.

1:24:29 - What is the most egregious specific example of a serious problem affecting the city of Minneapolis, resulting from our current government structure? (Paul Gilje)

Ostrow: Policing. The City Council oversees the police Citizens Review Commission, which reviews complaints about police behavior. The City Council must approve the appointment of the police chief. And now, City Council members are trying to wash their hands of any responsibility for the Police Department. Why are directions to the police chief ignored?

Conclusion

1:28:02 - The discussion of Charter reform is live in the City of Minneapolis. You can find the schedule for upcoming Charter Commission meetings here: <https://lms.minneapolismn.gov/Calendar/citycouncil/upcoming/Charter>

(Clarence Shallbetter)

Biography

Paul Ostrow has been an assistant Anoka County attorney since 2010. He was a member of the Minneapolis City Council from 1998 to 2009, serving as president of the Council from 2002 to 2005. He was chair of the Ways and Means/Budget Committee from 2006 to 2009. During his service on the Council, his efforts included the implementation of long-term budgeting, service redesign, commercial corridor revitalization and partnerships with the business community, including the development of Target Field. He worked on changing the Minneapolis City Charter while he was on the City Council and has continued that work since he left the Council in 2009.

Ostrow is a member of the Civic Caucus board and its interview group and served as chair of the Civic Caucus from January 1, 2017 to March 20, 2020. He serves on several other boards, including No Labels Minnesota, where he is cochair; the Northeast Minneapolis Arts District Association; and Minnesota Friends of CAST Liberia, which he chairs.

Ostrow received his bachelor's degree in political science from St. Olaf College and his J.D. degree from the University of Minnesota.

Present at Zoom interview: Tom Abeles, John Adams, Helen Baer, John Cairns (vice chair), Janis Clay (chair), Pat Davies, Paul Gilje, Randy Johnson, Walt McClure, Paul Ostrow, Dana Schroeder (associate director), Clarence Shallbetter, T Williams.