

Bond Case Briefs

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MUNICIPAL GOVERNANCE - MINNESOTA

Walsh v. City of Orono

Supreme Court of Minnesota - December 31, 2025 - N.W.3d - 2025 WL 3769516

Mayor who appointed city council member to fill vacancy on city council filed petition to quash special election for that council seat.

The District Court denied the petition. Mayor filed petition for accelerated review, which was granted. The Supreme Court subsequently issued an order affirming the district court, with opinion to follow.

The Supreme Court held that:

- Claims were properly brought in petition to quash;
- Special election was not limited to vacancies arising after the passing of the ordinance;
- Council member's resignation from city council resulted in a "vacancy" such that council could call for special election to fill that seat, even though mayor had appointed someone to take that seat on the council; and
- As a matter of first impression, special election was not a "removal" of council member appointed by mayor to fill the vacancy, and thus did not implicate the state constitution.