

APPROVED
CITY OF LINO LAKES
CHARTER COMMISSION

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7 **DATE** **March 30, 2017**
8 **TIME STARTED** **6:40 p.m.**
9 **TIME ENDED** **7:23 p.m.**
10 **MEMBERS PRESENT** **Dahl, Damiani, Devaney, Johnson, Lyden, Stanek,**
11 **Storberg, Stranik, and Vanderpoel**
12 **MEMBERS EXCUSED** **Aldentaler, Bretoi, Juni, Turcotte**
13 **MEMBERS UNEXCUSED** **Combs and Poehling**
14 **STAFF MEMBERS PRESENT** **None**
15 **OTHERS PRESENT:** **None**
16
17

18 **CALL TO ORDER AND ROLL CALL**

19 Chair Dahl reconvened the meeting of the Lino Lakes Charter Commission at 6:40 pm on March
20 30, 2017.
21

22 **PLEDGE OF ALLEGIANCE**

23 Chair Dahl lead the Pledge of Allegiance.
24

25 **SETTING THE AGENDA**

26 Agenda was accepted as presented without additions.
27

28 **OPEN MIC/PUBLIC COMMENT**

29 No one present opted to speak for the open mike.
30

31 **APPROVAL OF MEETING MINUTES**

32 Chair Dahl noted on page three, line 121, it should state, "Chair Dahl stated that in the past all
33 three Officers of the Commission have signed agreements but noted that she could sign the
34 agreement, as the Chair, if the Charter Commission was comfortable with that asked if the
35 Charter Commission would be comfortable with the Chair signing the contract or whether all
36 three officers should sign the contract."
37

38 MOTION by Commissioner Stranik, seconded by Commissioner Lyden, approving the meeting
39 minutes of February 23, 2017 as amended. Motion passed unanimously.
40

41 **OLD BUSINESS**

42
43 **A. Attorney for Charter Commission**

44 Chair Dahl stated that she had thought that there would be a signed agreement by this time but
45 noted that the agreement that she received from the potential attorney was drafted more as

46 someone that would serve as the City Attorney rather than an attorney assisting the Charter
47 Commission. She explained that the potential attorney was requesting \$5,000 and would keep
48 any unused funds. She stated that she responded to the potential attorney explaining that because
49 this is taxpayer money they would need any unused funds returned. She stated that the potential
50 attorney did agree to the amount of \$1,500 but the agreement did not specify that amount. She
51 noted that she also stated that she was not sure that the Commission would agree to a retainer.
52 She noted that she also told the potential attorney that in the past previous legal representation or
53 potential legal representation have come to a Charter Commission meeting to answer any
54 questions the Commission may have at no charge. She stated that she thought that the potential
55 attorney was going to attend the meeting tonight but noted that she was unable to confirm the
56 meeting. She stated that she did forward the potential ward amendment along with the language
57 and comments from the City Attorney to the potential attorney. She stated that if the
58 Commission desires she could go to the potential attorney's office in the next few days to obtain
59 an amended agreement. She stated that she would provide the agreement to the Charter
60 Commission members via email to review and if there are no concerns identified she would then
61 execute the agreement on behalf of the Commission as previously approved at the last meeting.
62

63 **B. Potential Ward Amendment**

64 Commissioner Johnson asked if the intent is to get the ward amendment on the ballot this year.
65

66 Chair Dahl noted that she is unsure of the timing for the potential ward amendment. She stated
67 that the Commission previously discussed that timing and had decided that even if the ward
68 amendment is not prepared in time for the election this year, the Commission could continue to
69 work on the language to ensure that it is ready for the next election. She stated that the timing
70 would depend upon the comments from the potential attorney. She noted that the Commission
71 could hold extra meetings in addition to the regular meetings.
72

73 Commissioner Stranik stated that in a process of negotiation you must identify the items that you
74 must have and the items that you are willing to compromise on. He stated that he did not feel
75 that the comments from the City Attorney were out of line and noted that he could agree to those
76 changes to the language for the ward amendment. He stated that in his opinion the best course of
77 action would be to amend the ward amendment language with the changes recommended by the
78 City Attorney in order to move that item forward and begin working on other items. He stated
79 that this is not the ward Commission and the Commission should choose their battles.
80

81 Chair Dahl used the City of Minneapolis as an example in regard to how the boundaries are
82 determined. She stated that in her opinion the Commission should hire out a third party to draw
83 the boundaries.
84

85 Commissioner Lyden stated that if the process was pure, meaning that both the Commission and
86 City Council were not involved in drawing the boundaries, he would think that is the best course
87 of action. He stated that if the potential attorney states that it is acceptable for the Council to set
88 the boundaries he would also be in agreement with Commissioner Stranik to just accept the
89 comments of the City Attorney and move the item forward and move on.
90

91 Commissioner Stranik stated that if the potential attorney states that the comment of the City
92 Attorney is wrong that would simply place the Commission in the position of having to go
93 against the City Council and the Commission does not have sufficient funds to do that.

94

95 Commissioner Storberg asked how the Commission would be able to finance a third party to
96 determine boundaries.

97

98 Chair Dahl stated that she would assume that the City Council would need to authorize funds.

99

100 Commissioner Storberg stated that if the ward system was put into place there would be limits on
101 who can run and who cannot, depending on which ward is represented by the vacant position.
102 She stated that right now any person could run for any position on the Council.

103

104 Commissioner Devaney stated that he has struggled with the idea of a ward system. He stated
105 that the benefit to having wards is that it ensures that there is equal representation of all residents
106 of the City. He stated that without wards five people could be elected from the same area of the
107 City and therefore other areas of the City would not be fairly represented. He stated that until
108 recently there was not representation from his area of the City but now that there is a
109 representative on the Council from that area, he feels better represented and feels that it is easier
110 to reach out to someone that lives closer to him. He noted that another struggle is that perhaps
111 there is not someone from a ward that wants to run for the Council. He stated that the job of the
112 Commission is not to debate whether or not they personally would like the ward system as the
113 Commission has voted to move forward with the ward amendment and let the residents choose
114 for themselves on the ballot.

115

116 Commissioner Stranik stated that the Commission has already voted to move this ward
117 amendment forward to the ballot to let the voters choose and therefore unless the Commission
118 would like to make a vote to rescind that decision, the item is moving forward and the
119 Commission should not spend time debating the topic.

120

121 Commissioner Lyden stated that if the ward amendment is approved, that would allow the
122 opportunity for more people to get involved on the local level.

123

124 Commissioner Stanek stated that Chair Dahl noted that there were some items from the 2014
125 draft amendment language that she would like to see included in the potential ward amendment
126 and asked for details.

127

128 Chair Dahl noted that she would like language included that the Charter Commission would hire
129 a third party to determine the boundaries of the wards to ensure fairness.

130

131 Commissioner Damiani stated that it appears the Commission is wasting their time discussing
132 this matter without the opinion and comments of the potential attorney and suggested
133 reconvening once the potential attorney provides his opinion.

134

135 Commissioner Devaney stated that while he would like to meet the potential attorney he is
136 sensitive with the fund restraints the Commission has. He noted that the Commission has
137 already approved Chair Dahl executing the agreement and therefore was unsure that an additional
138 meeting to ask the potential attorney questions is necessary. He stated that if the potential
139 attorney is going to charge to attend the meeting he did not want to use the funds in that manner.
140

141 Commissioner Johnson stated that the potential attorney is well established and agreed that at this
142 point the Commission needs someone competent and the Commission should be smart about
143 their spending.
144

145 **C. Other**

146 Commissioner Johnson stated that he reached out to Roger, who is the head of the Tax
147 Committee at the legislature and therefore is very busy right now. He stated that Roger
148 mentioned that they discussed the topic at the legislature in the past and the topic is not as easy as
149 it seems. He stated that because this would be a change in State Statute that would increase the
150 minimum amounts, there would most likely be opposition. He explained that the Statute sets a
151 minimum amount that cities must provide to Charter Commissions but cities are able to provide
152 additional funds as desired.
153

154 Commissioner Storberg asked if there has been a response from the letter Chair Dahl submitted
155 to the City Council asking for additional funding.
156

157 Chair Dahl stated that the City Manager responded to her and had stated that the Council would
158 discuss the topic at the second meeting in March but followed up with her to state that the Mayor
159 wanted additional time with the Council to discuss the topic and therefore the Council would be
160 discussing the topic at their first worksession in April.
161

162 Commissioner Stranik stated that at the last meeting there was a comment that perhaps the City
163 elections should be bundled with the national elections in order to increase voter participation.
164 He stated that following the last meeting there was a Councilmember present that approached
165 him after the meeting and stated that he believed there would be support for the change in voting
166 cycles for City elections to match the national cycle. He noted that would save the City funds on
167 election costs and could be a good opportunity for the Charter Commission to pursue. He noted
168 that the action would be separate from the warm amendment.
169

170 Chair Dahl stated that she believes there are past sets of minutes that address that topic.
171

172 Commissioner Stranik stated that while that would provide history, the question would be
173 whether the Commission would like to pursue that action now.
174

175 **NEXT MEETING DATE**

176 Chair Dahl noted the next meeting date is to be determined. She stated that she will follow up
177 with the Commission members to determine the next meeting date.
178

179 Commissioner Devaney asked the Commission to keep in mind the comments made by
180 Commissioner Stranik. He stated that he is not hung up on who draws the boundaries and would
181 just like this item to move forward so the Commission can move forward from this topic.

182

183 Commissioner Johnson stated that he would also support moving this forward on the path of
184 least resistance.

185

186 **ADJOURN**

187

188 MOTION by Commissioner Johnson, seconded by Commissioner Damiani, to adjourn the
189 meeting at 7:23 p.m. Motion carried unanimously.

190

191 Drafted by: Amanda Staple, *TimeSaver Off Site Secretarial, Inc.*