

**CITY OF LINO LAKES
CHARTER COMMISSION**

DATE : January 13, 2000
TIME STARTED : 7:00 P.M.
TIME ENDED : 9:10 P.M.
MEMBERS PRESENT : DeMotts, Dahl, Aldentaler, Trehus, Sullivan,
Bening, Zych, Rafferty, Carlson, Montain, and Zastrow
MEMBERS ABSENT : S. Lane, Dale Christopherson, Kenfield, G. Lane,
Rehbine
STAFF MEMBERS PRESENT : City Clerk, Ry-Chel Gaustad (part)

ADMINISTER OATH OF OFFICE TO NEW CHARTER COMMISSION MEMBERS

The City Clerk administered the oath of office to Mr. Joe Zych, Mr. Harold Carlson, and Mr. Rob Rafferty.

CALL TO ORDER AND ROLL CALL

Chair Montain called the regular meeting of the Lino Lakes Charter Commission to order at 7:00 p.m. on January 13, 2000.

It was noted that all absences were excused except for Commissioner Rehbine.

Chair Montain advised two unexcused absences in a row would void your Charter seat. An excused absence is clarified by notifying a Charter Officer.

CONSIDERATION OF MINUTES

October 14, 1999

MOTION by Commissioner Sullivan, seconded by Commissioner DeMotts, to accept the presented version of the Charter Commission minutes of October 14, 1999. The motion carried with Commissioners Zych, Dahl, Montain, and Carlson abstaining.

APPEARANCE

No one was present for appearances.

Commissioner Zych, 6478 Tomahawk Trail, stated he has lived in Lino Lakes for 11 years. He stated he is getting involved with the Charter to make sure the City goes in the right direction.

Commissioner Rafferty, 1573 Merganser Court, stated he has lived in Lino Lakes for 2 ½ years. He moved here because it is a great place to raise children. He stated he wants to get involved to have a better understanding of how government works.

Commissioner Carlson, 6808 East Shadow Lake Drive, stated he has lived in Lino Lakes since 1973. He stated he wants to get involved because the Charter is an important document to the City.

Chair Montain welcomed the new members.

OLD BUSINESS

ROAD RECONSTRUCTION PROJECTS

Chair Montain explained Mr. John Powell, City Engineer, was present at the last meeting and gave an update on road reconstruction plans. He asked for a recommendation relating to single projects vs. multiple projects on a ballot.

Commissioner Sullivan referred to the minutes from the October 14, 1999, Charter meeting, which summarized Mr. Powell's update. The City has started a road reconstruction fund with future gas franchise fees. Mr. Powell presented a road plan through the year 2004. He noted road reconstruction projects might depend on residents wanting City sewer and water.

Commissioner Dahl requested a prioritized list of future City road projects.

Commissioner Zastrow expressed concern regarding having to do roads again in 20 years that have just been done. He stated the City couldn't charge people assessments for road projects over and over again. The City should fund road maintenance.

Chair Montain stated the Lakes Addition project went to the voters. The City Engineer has asked for a recommendation on multiple projects or single projects on a ballot.

Commissioner Rafferty stated most projects are done during the summer. Because of the timing of elections it will be difficult to identify other projects that need to be done. He questioned the effectiveness of putting five (5) projects on one ballot.

Chair Montain stated the road reconstruction plan should tie into the five-year Plan. Therefore, the City should have road projects prioritized five (5) years out.

Commissioner Zastrow stated the City needs to have a budget to maintain roads.

Commissioner Dahl stated that a fund has been developed. There is currently \$50,000 in the fund and a percentage of gas franchise fees will be allocated to the fund. She asked if taxes will be raised on a per project basis or for multiple projects.

Chair Montain stated taxes would be adjusted to reflect one project at a time.

Commissioner Dahl questioned the advantages/disadvantages of five-(5) year's worth of projects on a ballot. She expressed concern regarding the shock value of the amount of multiple projects versus one project. She stated she would prefer one or two (2) projects on a ballot at a time so there is better chance for approval.

Chair Montain stated the projects should be tied into the five-year Plan. The number of projects within that five-year Plan has to be determined by Council.

Commissioner Trehus noted that what goes on a ballot is a Council decision. The City Engineer has asked for a recommendation.

Commissioner Zych stated he is not in favor of anything going on this year's ballot. He is opposed to anyone asking for any money other than the School District.

Chair Montain noted it is already too late for anything to go on the 2000 ballot.

Commissioner Zych added it would depend on the dollar amount of multiple projects as opposed to a single project.

Commissioner Sullivan suggested two (2) year's worth of projects be put on a ballot. Residents should also be aware of future plans for road reconstruction.

Chair Montain reviewed the City process for road improvement and financing if a project goes to the voters. He noted a separate fund for road reconstruction will not change that process.

Commissioner Zych suggested the Commission make a recommendation after the school bond issue is voted on.

MOTION, by Commissioner Sullivan, seconded by Commissioner Dahl, to put two (2) years worth of road reconstruction projects on each two-(2) year City election.

Commissioner Trehus suggested the motion be the recommendation to the City Engineer from the Charter Commission.

MOTION carried unanimously.

FIVE-YEAR PLAN

Chair Montain updated the new members regarding the five-year Plan.

Commissioner Sullivan referred to page 15 and 16 of the Charter. He stated Ms. Waite Smith, City Administrator, presented a draft plan to the Commission last year. She asked if the plan is in compliance with the Charter. He stated he is trying to put together a checklist for compliance. He advised he would then take the draft plan and apply the checklist to make sure it meets all criteria. The list will be included in the next Charter packet to discuss at that time. A recommendation will then be made to the City Administrator.

Chair Montain noted that if any errors are found by July, 2000, then report them to be incorporated into the City's budget process.

Commissioner Rafferty expressed concern regarding the City awarding projects to the low bidder. He stated change orders could ultimately bring the final project price higher than other bids that were received. He stated the City and City staff have to be accountable to this issue.

Commissioner Sullivan noted the cost of a project is higher if there are more up front costs.

Commissioner Rafferty stated change orders have to be limited. A good contractor will not nickel and dime a project.

Commissioner Bening added change orders could occur with any contractor.

CHARTER LANGUAGE, CHAPTER 8

Chair Montain advised Chapter 8 of the Charter is very hard to read. Discussions have been held about making the Charter more reader friendly without changing the intent.

Commissioner Sullivan stated Commissioner Kenfield is also going through the Charter to fix typos. There has been a lot of discussion regarding this matter. The majority of the Commission wants to continue reviewing this issue. He stated he is working on a more readable document to show what it would look like. He advised he is still working on the draft. When completed the full Charter Commission will review it and determine how to proceed.

Commissioner Trehus clarified that Commissioner Sullivan is taking the current Charter and highlighting additions and deletions.

Commissioner Sullivan asked Commissioners to think about whether they should proceed with a more readable document.

Chair Montain explained the process of changing the Charter to the new members. The changes must either go to the voters or be approved by the Commission and Council.

Commissioner Carlson asked about the history of the amendments in the Charter.

Commissioner Montain advised he does not know specifically what has been amended.

WELCOME PACKET – LETTER

Chair Montain distributed the letter Ms. Turner developed to be included in the City's welcome packets. Ms. Turner has asked for feedback regarding the letter. Chair Montain asked Commissioners to review the letter, noting changes, and bring it back to the April 13, 2000, meeting for discussion.

Commissioner Dahl added the welcome packet that new residents receive needs to be updated

WARD SYSTEM

Chair Montain explained Council Members are elected at large. Discussions have been held about the possibility of a ward system.

Commissioner Bening stated the subcommittee has done no work up to this date. He stated he and Commissioner DeMotts would like to continue working on this issue with the new members. He stated a list of pros and cons will be reviewed at the April 13, 2000, meeting.

Commissioner Rafferty stated he obtained information from neighboring communities on the ward system. He distributed a list of communities utilizing the ward system and at large system. Forty-six communities were called with only ten of them utilizing the ward system. Those using the ward system indicated the basis of a ward system is to have representation from all parts of the City. A problem with the ward system is elected officials tend to work very hard for their ward, as opposed to working toward what is best for the community. He stated the cities that he spoke to about the at large system indicated the system works very well and officials work for the City as a whole. He stated the City of Lino Lakes needs Council Members that will work as a team for the whole City.

Commissioner Bening and DeMotts advised they would work with Commissioner Rafferty regarding this issue. A report will be given at the April 13, 2000, meeting.

Chair Montain noted a more cultural view and diversity is obtained with a ward system.

CLERK/TREASURER

Chair Montain referred to page 14 of the City Charter regarding the city clerk position.

Commissioner Sullivan stated the Commission needs to make the Charter correct because of the changes within the City staff. The City no longer has a clerk/treasurer position. The City has a

clerk and will have a finance director that will have the duties of treasurer. He advised that according to State Statute, the City is required to have an external audit if there is a clerk/treasurer position within the City. This enables a checks and balances system.

Commissioner Sullivan continued stating that if the City splits the positions, the Charter is incorrect. A recommendation should include requiring a yearly audit.

Commissioner Trehus stated he would like a legal opinion before this matter goes any further. He requested more information regarding the League of Minnesota Cities position on the Charter language, their opinion on the City being in violation of the Charter, and an opinion regarding changing the text. He also asked if an audit requirement could be included. He stated he would also like the perspective from the City regarding the audit and cost of the audit.

Commissioner Sullivan advised he would contact the League of Minnesota Cities for more information.

MOTION by Commissioner Zastrow, seconded by Commissioner Bening, to authorize funds not to exceed \$300 to obtain further information regarding this issue. Motion carried unanimously.

NEW BUSINESS

ELECT OFFICERS

Chair Montain the Charter by-laws have been changed to authorize the election of officers in January of every year. He advised he could no longer be chair of the Commission because he has been chair for two (2) consecutive terms. Commissioner DeMotts can no longer be secretary. Commissioner Sullivan has been vice-chair for only one (1) year. New officers will be effective immediately after tonight's meeting.

Commissioner Zastrow nominated Commissioner Sullivan for chair.

Commissioner Zych nominated Commissioner Rafferty for chair.

MOTION by Commissioner DeMott, seconded by Commissioner Bening, to close the nominations. Motion carried unanimously.

Commissioners cast their votes by a secret ballot. Chair Montain reported the results.

Commissioner Sullivan was elected chair of the Charter Commission.

Commissioner Trehus nominated Chair Montain for vice-chair.

Commissioner Trehus nominated Commissioner Rafferty for vice-chair.

MOTION by Commissioner Carlson, seconded by Commissioner Bening, to close the nominations. Motion carried unanimously.

Commissioners cast their votes by a secret ballot. Chair Montain and Commissioner Trehus reported the results.

Chair Montain was elected vice-chair of the Charter Commission.

Commissioner DeMotts nominated Commissioner Rafferty for secretary.

Commissioners cast their votes by a show of hands.

Commissioner Rafferty was elected secretary of the Charter Commission.

JOINT COUNCIL CHARTER MEETING

Chair Montain stated the Commission has a joint meeting with the City Council every year. The chair of the Commission speaks to the Council about scheduling the meeting. The meeting takes place under Charter rules. The meeting is informal and open to the public.

Commissioner Sullivan advised he would speak to the Council about scheduling a joint meeting.

OTHER

Commissioner DeMotts advised he was previously authorized to spend \$25 for a lock for the file cabinet. He advised \$25 is not enough.

Commissioner DeMotts and Commissioner Rafferty advised they will work together to move the file cabinet to the new City Hall and purchase a new lock.

Chair Montain advised he did not present the 1999 Annual Report at the October, 1999, meeting. He advised he would finish the report and include it in the next packet.

Commissioner DeMotts noted the following schedule for Charter meetings:

- Thursday, April 13, 2000, 7:00 p.m.
- Thursday, July 13, 2000, 7:00 p.m.
- Thursday, October 12, 2000, 7:00 p.m.

Commissioner Dahl advised she has spoken to Ms. Rosemary Storeberg about old Charter information. The information needs to be sorted out and reviewed.

The Commission had no other issues to discuss.

SET APRIL, 2000 MEETING AGENDA

Five-year Plan
Charter Language, Chapter 8
Welcome Packet - Letter
Road Reconstruction Projects

1999 Annual Report
Ward System
Clerk/Treasurer

ADJOURN

MOTION by Commissioner Zastrow, seconded by Commissioner Trehus, to adjourn the meeting at 9:10 p.m. Motion carried unanimously.

Respectfully submitted,

Kim Points
TimeSaver Off Site Secretarial, Inc.