

APPROVED
CITY OF LINO LAKES
CHARTER COMMISSION

DATE October 10, 2019
TIME STARTED 6:30 p.m.
TIME ENDED 7:49 p.m.
MEMBERS PRESENT Bretoi, Dahl, Damiani, Davis, Juni, Lyden, Poehling,
Stanek, Trehus, and Vanderpoel
MEMBERS EXCUSED Aldentaler
MEMBERS UNEXCUSED Devaney
STAFF MEMBERS PRESENT City Clerk Julie Bartell
OTHERS PRESENT: none

CALL TO ORDER AND ROLL CALL

Chair Dahl convened the meeting of the Lino Lakes Charter Commission at 6:30 pm on October 10, 2019.

PLEDGE OF ALLEGIANCE

Chair Dahl lead the Pledge of Allegiance.

SETTING THE AGENDA

Chair Dahl requested to add discussion of the Five-Year Plan under New Business.

Agenda was accepted as presented without additions

OPEN MIC/PUBLIC COMMENT

No one present opted to speak for the open mic.

OLD BUSINESS

A. Approval of May 9, 2019 Minutes

MOTION by Commissioner Juni, seconded by Commissioner Poehling, approving the meeting minutes of May 9, 2019.

Motion passed unanimously.

B. Petitions with City Clerk and City Attorney

City Clerk Bartell referenced the discussion the Commission had at the May 9th meeting which left some open-ended questions. She explained that due to the number and types of varying petitions, it would be difficult to provide a template petition. She reviewed some of the different petitions that she has received in the past. She explained that each petition is very different in its regulations and therefore a template could make it more difficult as it would not be accurate. She

46 stated that the most successful method would be for residents to check with City staff or legal
47 counsel related to the necessary information for a petition.

48
49 Commissioner Lyden commented that it appears it would be difficult to formulate a template and
50 perhaps it would be better to include language on the City website that residents can contact City
51 staff for more information on what would be required for a particular petition. He explained that
52 his concern is making the information accessible and user friendly.

53
54 City Clerk Bartell stated that perhaps blurbs could be placed under the City Charter and
55 Administration portions of the website which would make it easily searchable.

56
57 Chair Dahl provided an example of a petition that circulated her neighborhood and was
58 successful to gain additional streetlights.

59
60 Commissioner Trehus stated that the discussion at the last meeting was related to the petitions
61 available under the two sections of the Charter. He stated that he has heard in the past that
62 residents have reached out about potential petitions and were assisted by City staff. He asked for
63 additional details on the assistance that City staff is able to provide, as he would want to ensure
64 that the petition process is an easy and open process.

65
66 City Clerk Bartell agreed that she also likes to ensure that the process is as easy and open as
67 possible. She provided an example where she recently spoke with a resident about a petition that
68 was not clear. She stated that in that case it was clear to her that the resident should speak to
69 legal counsel on how best to proceed. She stated that the petition was ultimately rejected by the
70 City Council.

71
72 Commissioner Trehus stated that he has submitted a petition in the past and used the statute for
73 guidance. He asked if a form was created for the petition against the extension of water in a
74 neighborhood.

75
76 City Clerk Bartell confirmed that the City Attorney assisted in creating that form, based on
77 direction from City staff. She explained that there was a need for the Council to know how many
78 people supported water/sewer in that neighborhood. She noted that the decision from City staff
79 to request assistance from the City Attorney would be based on the circumstances. She stated
80 that she would hope that residents would not see a petition form as the only method of
81 communicating or requesting something they would like to discuss. She noted that she will help
82 to the extent of her knowledge and power when asked.

83
84 Commissioner Lyden stated that in getting it right, sometimes a legal opinion is needed.

85
86 City Clerk Bartell stated that in some instances the City Attorney could review that. She noted
87 that she does not refer anything directly as the City Attorney conducts work under a legal
88 contract and therefore any potential referrals would need to go through the City Administrator.

89
90 **C. Legal Representation**

91 Chair Dahl stated that she reached out to Kennedy and Graven, following the last discussion.
92 She stated that the firm currently represents the City on bond and development matters and
93 therefore cannot represent the Charter Commission. She noted that two additional referrals were
94 provided that have knowledge on municipal law but noted that neither option had any experience
95 with charters. She stated that she is at a loss of what else she could do to research potential legal
96 representation.

97
98 Commissioner Bretoi asked if Kennedy and Graven provided a reason for not wanting to assist
99 the Charter Commission.

100
101 Chair Dahl explained that the reason provided was a potential conflict as the firm currently
102 represents the City on bonding and development issues.

103
104 Commissioner Trehus agreed that there could be a potential conflict if that firm represents the
105 City on bonding and development issues.

106
107 Commissioner Poehling asked if a specific issue was mentioned in the email to the firm, as there
108 could be a difference in a potential conflict dependent upon the issue needing assistance.

109
110 Chair Dahl read aloud the communication she sent to the firm, which was vague in the possible
111 representation. She stated that at this time there is not a specific issue the Commission needs
112 assistance with. She explained that is why she kept the request general as there is not a specific
113 request needing assistance.

114
115 Commissioner Poehling stated that if there is a specific issue that arises, perhaps the Commission
116 could reach out to the firm and there could be clearance provided for that firm to assist the
117 Commission if there is not a conflict.

118
119 Commissioner Bretoi stated that this issue has been ongoing for some time with no resolution
120 and perhaps it would be time to move on.

121
122 Commissioner Trehus referenced the outdated list that Chair Dahl mentioned and asked for more
123 information.

124
125 Chair Dahl stated that she has a list from the League of Minnesota Cities of other charter cities
126 and the related contacts. She noted that the contacts listed have most likely become outdated,
127 which would equate to the lack of responses. She stated that she did request an updated list but
128 was told there would be a very high hourly charge to provide that information. She stated that
129 she would be willing to reach out to additional cities.

130
131 City Clerk Bartell stated that perhaps the contact be limited to the metro area to narrow down the
132 list.

133

134 Commissioner Damiani stated that she completed a Google search of charter cities within the
135 state of Minnesota which provided immediate results. She noted that may be a source to provide
136 updated contact information.

137

138 Chair Dahl noted that some charter cities replied that they do not have their own representation
139 and simply utilize their City Attorney with questions.

140

141 **D. Open Positions on Charter Commission**

142 City Clerk Bartell stated that the Chair typically invites the members with expiring terms to
143 reapply if desired and reviewed the different methods to reapply. She explained the process that
144 is followed once applications are received. She stated that the City has been advertising for the
145 open positions on the Commission through multiple formats. She stated that the City has not yet
146 received any applications for the three open positions.

147

148 **NEW BUSINESS**

149

150 **A. Odd Year Elections**

151 City Clerk Bartell hoped that the Commissioners were able to review the report which includes
152 the background information going back to 2010. She explained that in 2010 the Council brought
153 forward the idea of switching to even year elections, as Lino Lakes is one of only two cities in
154 Anoka County that complete local elections in odd years. She stated that a driving force to
155 change to even years is the cost savings to the city budget as well as staff time. She explained
156 that both the City Clerk and Deputy City Clerk devote much of their time in a year to election
157 administration, along with the time of the election judges. She stated that the requirement of an
158 odd year election is included in the Charter and therefore, in 2010, the question of change to an
159 even year was sent to the Charter Commission.

160

161 Chair Dahl recalled that the Mayor was opposed to a change. She found it helpful to have that
162 opinion expressed.

163

164 City Clerk Bartell noted that the topic was added to the Charter Commission now at the request
165 of the Chair. She noted that the cost budgeted for election administration this year is \$18,000.
166 She confirmed that \$4,000 to \$5,000 of that cost is capital improvements for equipment that
167 wouldn't be saved.

168

169 Commissioner Poehling asked if the Council is currently discussing this topic.

170

171 City Clerk Bartell said no.

172

173 Chair Dahl stated that she placed the item on the agenda at the request of a Commission member.

174

175 Commissioner Poehling stated that he would favor even year elections. He recognized the cost
176 savings but noted that there would also be higher voter turnout.

177

178 Commissioner Lyden asked if there is information on the turnout for even and odd year elections.

179
180 City Clerk Bartell commented that in Presidential years the voter turnout rate is in the 90 percent
181 range, whereas typical odd year turnouts range from about 15 to 30 percent.

182
183 Commissioner Trehus asked if special referendum elections could still fall on odd years.

184
185 City Clerk Bartell confirmed that those elections could occur on odd years if necessary. She
186 provided additional information on the administration of elections and the related costs.

187
188 Commissioner Bretoi asked if it would be appropriate to bring the topic back to the City Council
189 following the election this year.

190
191 Chair Dahl agreed that would be a good idea.

192
193 Commissioner Juni stated that he remembered when this discussion occurred in 2010. He stated
194 that it seemed that the Charter Commission at that time followed the opinion of the Mayor to not
195 change that element of the Charter.

196
197 City Clerk Bartell noted that Charter amendments that don't go to ballot require a unanimous
198 vote of the Council.

199
200 Commissioner Trehus stated that the reason the change was not supported in the past is because
201 the visibility of the local candidates often becomes lost during even year elections because of the
202 elections at the state and federal levels occurring at that time. He stated that even though there is
203 a lesser voter turnout on odd years, the people voting are often more informed.

204
205 Commissioner Bretoi noted that there is nothing that requires a voter to vote for every position.
206 He noted that people can simply skip items that they are not informed on. He stated that there is
207 a much smaller voter turnout for odd election years.

208
209 Commissioner Trehus commented that those are more informed voters.

210
211 Commissioner Bretoi commented that is just a personal opinion.

212
213 Commissioner Juni stated that he would like to wait to continue the discussion after the elections
214 this year. He stated that even if half of the even year election turnout votes on local elections,
215 that is still more than the turnout on odd years.

216
217 Commissioner Trehus stated that it his opinion that the ability to focus on local election matters
218 is compromised by the larger elections occurring on even number years.

219
220 Commissioner Poehling stated that he pays attention to all those offices up for election when he
221 votes on even number years.

222

223 MOTION by Commissioner Bretoi, seconded by Commissioner Lyden, requesting to bring this
224 topic forward to the City Council after the election.

225
226 Further discussion: Commissioner Juni commented that this would be a good topic for joint
227 discussion between the Commission and City Council.

228
229 Commissioner Davis stated that it is a fairly common issue across the country with lower vote
230 participation in odd years. He stated that he believes in odd year elections as it provides local
231 candidates much more visibility but noted that education of the public would really be a driving
232 force in increasing voter participation. He stated that during even year elections the local
233 election candidates would most likely be placed on the back side of the form which is typically
234 considered “less important”.

235
236 Chair Dahl noted that the Commission could discuss this at its January meeting and then
237 something could be potentially sent to the City Council.

238
239 Commissioner Bretoi (maker of the motion on the floor) stated that he would agree to delaying
240 until after the Commission can discuss the topic again.

241
242 Commissioner Juni stated that he would also suggest that the Commission discuss the topic and
243 perhaps then in a joint format with the City Council to open that line of communication as this
244 would be a good topic to discuss jointly between the two groups.

245
246 Commissioner Bretoi agreed that this should be discussed under Old Business at the January
247 Charter Commission meeting and a specific time to discuss the topic with the Council could be
248 discussed at that time.

249
250 Motion passed unanimously.

251
252 **B. Discussion of the Five-Year Plan**

253 Chair Dahl stated that this element is required by the Charter but did not believe that the City
254 Council is doing a good job to ensuring this is completed.

255
256 MOTION by Commissioner Bretoi, seconded by Commissioner Trehus, ask the City Council
257 when it plans to update and publish the next Five-Year Plan as required by the City Charter.

258
259 Motion passed unanimously.

260
261 **NEXT MEETING DATE**

262 Chair Dahl noted the next meeting date is Thursday, January 9, 2020.

263
264 **ADJOURN**

265
266 The meeting adjourned at 7:49 p.m. Motion carried unanimously.

267

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