

# AGENDA

## LINO LAKES CHARTER COMMISSION

**THURSDAY**  
**January 13, 2005**  
**Community Room**  
**7:00 P.M.**

1. Call to Order and Roll Call
2. Approval of Agenda
3. Open Mike
4. Approval of Minutes
  - A. October 14, 2004
5. Reports of the Committees
  - A. Archives Report/City Web Site (Commissioner Dahl)
  - B. City Website Update (Commissioner Dahl)
  - C. Response to Charter Documents Letter (Commissioner Dahl)
6. Unfinished Business
  - A. Five-Year Plan
  - B. Pavement Management Program
  - C. Communication to the Residents
  - D. Charter Commission Budget
  - E. Application to Charter Commission (Commissioner Dahl)
  - F. Review City Council Meeting Minutes for Charter Compliance
7. New Business
  - A. Update from League of MN Cities regarding other Charter Cities (Commissioner Handrick)
  - B. Set April 14, 2005 Agenda
9. Adjourn

Chair: Mike Trehus  
651-486-8995

Vice Chair: Harold Carlson  
651-429-1372

Secretary: Caroline Dahl  
651-484-4678

**CITY OF LINO LAKES**

**Application For Appointment  
To  
Charter Commission**

**PERSONAL INFORMATION**

Name: \_\_\_\_\_ Home Phone: \_\_\_\_\_

Home address: \_\_\_\_\_

Years as a resident of Lino Lakes: \_\_\_\_\_

Service on other City boards or commissions: \_\_\_\_\_

\_\_\_\_\_

**CIVIC, PROFESSIONAL AND COMMUNITY ACTIVITIES**

List any governmental, service organizations, or professional activities that you have been involved in or are currently involved in: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please state briefly why you want to serve on the City's Charter Commission: \_\_\_\_\_

\_\_\_\_\_

List any special background, strengths, or abilities you would bring to a commission, board or committee: \_\_\_\_\_

\_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Are you currently a member of the Charter Commission? \_\_\_\_ Yes \_\_\_\_ No

You may attach a resume or additional information if you desire. The selection process involves the pool of applicants being sent to the appointing judge for consideration. Appointments will be made and applicants notified of the results. Thank you for your interest in serving on the Charter Commission.

Please return completed application to:

City Clerk, 600 Town Center Parkway, Lino Lakes, MN 55014. Fax: 651-982-2499.

**CITY OF LINO LAKES**

**CHARTER COMMISSION (101-405)**

**BUDGET DETAIL**

<u>ject Code</u>	
4300-000 Professional Services Timesavers - Minutes	700
4301-000 Municipal Attorney Possible Referendum in 2005	500
4340-000 Printing & Publishing	200
4343-000 Newsletter Possible newsletter articles	450

**CITY OF LINO LAKES**

**CHARTER COMMISSION (101-405)**

Description	Object Code	Actual 2002	Actual 2003	Budget 2004	YTD 2004	Requested 2005	Adopted 2005	Increase/Decrease
<u>SUPPLIES</u>								
OFFICE SUPPLIES	4200-000	0	0	0	0	0	0	***
		0	0	0	0	0	0	***
<u>OTHER SERVICES AND SUPPLIES</u>								
PROFESSIONAL SERVICES	4300-000	594	704	0	272	700	0	***
MUNICIPAL ATTORNEY	4301-000	0	615	500	1,532	500	0	0.00%
POSTAGE	4322-000	0	0	0	0	0	0	***
PRINTING & PUBLISHING	4340-000	0	0	0	27	200	0	***
NEWSLETTER	4343-000	0	0	450	0	450	0	***
LEGAL NOTICES	4344-000	0	0	0	0	0	0	***
		594	1,319	950	1,831	1,850	0	(100.05%)
<u>CAPITAL OUTLAY</u>								
EQUIPMENT	5000-000	0	0	0	0	0	0	***
		0	0	0	0	0	0	***
<b>TOTAL CHARTER COMMISSION</b>		<b>594</b>	<b>1,319</b>	<b>950</b>	<b>1,831</b>	<b>1,850</b>	<b>0</b>	<b>94.74%</b>
		594	1,319	950	1,831	1,850	0	

==410.06

410.06 Compensation; expenses.

The members of such commission shall receive no compensation, but the commission may employ an attorney and other personnel to assist in framing such charter, and any amendment or revision thereof, and the reasonable compensation and the cost of printing such charter, or any amendment or revision thereof, when so directed by the commission, shall be paid by such city. The amount of reasonable and necessary charter commission expenses that shall be so paid by the city shall not exceed in any one year the sum of \$10,000 for a first class city and \$1,500 for any other city; but the council may authorize such additional charter commission expenses as it deems necessary. Other statutory and charter provisions requiring budgeting of, or limiting, expenditures do not apply to charter commission expenses. The council may levy a tax in excess of charter tax limitations to pay such expenses.

HIST: (1270) RL s 750; 1907 c 216 s 1; 1947 c 406 s 1; 1959 c 305 s 5; 1961 c 608 s 2; 1973 c 123 art 5 s 7; 1994 c 505 art 3  
s 8

-----Original Message-----

From: MICHAEL TREHUS [mailto:mtreehugger@msn.com]

Sent: Wednesday, November 10, 2004 12:04 PM

To: Al Rolek

Cc: Ann Blair

Subject: Charter Commission Budget

Dear Mr. Rolek,

At the last meeting of the Charter Commission the Budgets for 2004 and 2005 were discussed. A number of questions have arisen which I hope you can answer for us.

1) In 2004, a \$1,532.00 cost is shown in a budget spreadsheet that was distributed as being incurred by the charter commission for municipal attorney. To the best of my knowledge, no member of the Charter Commission had anything to do with this cost. Commissioners want to know:

a) What attorney was paid (or will be paid) this amount?

b) Who is the actual person from the city who incurred this cost? For what reason?

c) Since this does not appear to be a result of any action by the Charter Commission or its members, why is this being deducted from the Charter Commission's budget?

d) Since this event put us over the budget for 2004, does this event have any affect on the actual money available and or budgeted to the Charter Commission that it actually needs to operate?

e) Could this type of event occur in the future?

f) What effect would a similar event have on any future Charter Commission budget(s)?

2) The aforementioned budget spreadsheet shows \$450 for "Newsletter." Please explain what these dollars are intended for and how the Charter Commission might use them.

3) Is it true that the actual budget for the Charter Commission for 2005 has been revised upward of the \$1,150 shown in the spreadsheet? Could you please forward the current 2005 Charter Commission budget to me?

4) Is it true that the Charter Commission can spend in excess of the budget if an unforeseen need arises? How might we go about receiving additional monies should the need arise?

I greatly appreciate your assistance in this matter.

Sincerely,

Mike Trehus  
Charter Commission Chair



## Memorandum

**To:** Charter Commission Chair Michael Trehus

**From:** Al Rolek, Director of Finance

**Date:** November 19, 2004

**Re:** Charter Commission Budget Questions

**Cc:** Mayor John Bergeson, Council Members Donna Carlson, Caroline Dahl, Jeff Reinert, Dan Stoltz, City Administrator Gordon Heitke

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In replying to your e-mail request I will respond to each of your questions in the order you have listed them. However, before doing so, I want to address the overall question of budget. The City Council provides, within its annual budget, a budget for Charter Commission. It is my understanding that this budget is intended for direct Charter Commission expenses and/or for administrative expenses incurred relative to charter questions or items. Although the City Council is not obligated to directly budget for such expenditures, Minnesota Statutes (attached) require that the city provide up to \$1,500 for reasonable and necessary expenses as outlined in the statute; however, the City Council may authorize additional expenses as it deems necessary. With that background I will move on to your questions.

1) In 2004, a \$1,532.00 cost is shown in a budget spreadsheet that was distributed as being incurred by the charter commission for municipal attorney. To the best of my knowledge, no member of the Charter Commission had anything to do with this cost. Commissioners want to know:

a) What attorney was paid (or will be paid) this amount?

The expenses were paid to Kennedy and Graven for questions related to the charter and for charter review.

b) Who is the actual person from the city who incurred this cost?  
For what reason?

These actions were initiated by staff to perform a legal review of the charter relative to public improvements. Also included was attendance of the attorney at a Charter Commission meeting.

- c) Since this does not appear to be a result of any action by the Charter Commission or its members, why is this being deducted from the Charter Commission's budget?

As stated above, these were expenses related to the charter and were applied to the Charter Commission area of the budget. The expenses, while initiated by staff, were approved as to their amount and their cost center by the City Council at the time of payment.

- d) Since this event put us over the budget for 2004, does this event have any affect on the actual money available and or budgeted to the Charter Commission that it actually needs to operate?

No. Should the Charter Commission have need for any of the services authorized under statute, the cost of such services, up to \$1,500, will be paid by the city. Should these costs exceed \$1,500, the City Council will need to authorize the additional expenditure prior to its occurrence.

- e) Could this type of event occur in the future?

Yes, it could potentially reoccur in the future.

- f) What effect would a similar event have on any future Charter Commission budget(s)?

There may be an effect on future budgets depending on the City Council's willingness to fund these expenditures. Because the City Council sets the budget, expenditures in this area and all budget areas are reviewed and/or revised at their discretion.

- 2) The aforementioned budget spreadsheet shows \$450 for "Newsletter." Please explain what these dollars are intended for and how the Charter Commission might use them.

The budget is intended to fund charter articles or initiatives published in the city newsletter. If there were any charter initiatives, the cost of publication for this area of the newsletter would be charged in this line item.

- 3) Is it true that the actual budget for the Charter Commission for 2005 has been revised upward of the \$1,150 shown in the spreadsheet? Could you please forward the current 2005 Charter Commission budget to me?

Yes, the City Council added \$700 to the budget to cover the cost of minute taking. The total proposed budget for 2005 is \$1,850.

A copy of the Charter Commission budget is attached for your review.

4' Is it true that the Charter Commission can spend in excess of the budget if an unforeseen need arises? How might we go about receiving additional monies should the need arise?

As stated above, state statute provides that the City must pay up to \$1,500 per year for authorized expenditures. Should expenditures be expected to exceed that amount, authorization must be sought and received from the City Council. The Charter Commission may make a request of the City Council for additional funding during the annual budgeting process.

I hope that this answers the Charter Commission's questions. If you need any further clarification or have any other related questions, please feel free to call or e-mail them to me.



CITY OF LINO LAKES  
CHARTER COMMISSION

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3  
4  
5  
6 **DATE** : July 8, 2004  
7 **TIME STARTED** : 7:10 P.M.  
8 **TIME ENDED** : 9:27 P.M.  
9 **MEMBERS PRESENT** : Dahl, Aldentaler, Trehus, Warren, Zastrow,  
10 **MEMBERS EXCUSED** : Duffy, Williams, Bor, and Carlson  
11 **MEMBERS UNEXCUSED** : Montain, G. Lane, S. Lane, Handrick  
12 **MEMBERS UNEXCUSED** : Storberg and Vacha  
13 **STAFF MEMBERS PRESENT** : City Clerk, Ann Blair (part)  
14  
15  
16  
17

18 **CALL TO ORDER AND ROLL CALL**

19  
20 Chair Trehus called the regular meeting of the Lino Lakes Charter Commission to order at 7:10  
21 p.m. on July 8, 2004.  
22

23 **SWEARING-IN OF COMMISSIONERS, SHARON LANE, ROSEMARY STORBERG**

24  
25 Commissioners S. Lane and Storberg were not present.  
26

27 City Clerk Blair suggested new members be informed regarding the Charter Commission  
28 attendance policy.  
29

30 **OPEN MIKE**

31  
32 Mr. Bob Bening, 6788 East Shadow Lake Drive, suggested the Commission implement a  
33 procedure for determining which Commissioners are going to replace which Commissioner's  
34 term.  
35

36 Chair Trehus advised all members appointed this year are on four-year terms except for one.  
37 One member was appointed to a two-year term.  
38

39 City Clerk Blair advised there were many vacancies on the Commission this year. The term  
40 limitation may have been removed so that point will be moot. She stated she would get  
41 clarification regarding term limitations.  
42

43 Chair Trehus advised all appointments are retroactive to January 1, 2004 even if they have not  
44 yet been sworn in. The Judge was going to determine which member was appointed to the two-  
45 year term. He requested clarification from the City Clerk regarding the two-year term  
46 appointment.  
47

1 Commissioner Carlson referred to the Minnesota State Statute that states members take over a  
2 term once they are appointed.

3  
4 **APPROVAL OF MINUTES**

5  
6 **August 14, 2003** – Commissioner Dahl referred to the “Councilmembers Present” heading of the  
7 minutes and requested she not be listed as a Councilmember. She noted she was present as a  
8 Commissioner.

9  
10 MOTION by Commissioner Dahl, seconded Commissioner Zastrow, to approve the August 14,  
11 2003 Charter Commission minutes as amended. Motion carried.

12  
13 **January 8, 2004** – Commissioner Bor requested a copy of the spreadsheet regarding member’s  
14 terms be added to the minutes.

15  
16 Chair Trehus advised he would provide that information after he gets clarification from the judge  
17 regarding the two-year term appointment.

18  
19 Motion by Commissioner Dahl, seconded by Commissioner Zastrow, to approve the January 8,  
20 2004 Charter Commission minutes as amended. Motion carried.

21  
22 **April 8, 2004** – Commissioner Carlson referred to page 2, paragraph 7, and amended it to read  
23 “Councilmember Carlson stated that the City has had two road referendums. The project that  
24 had the benefiting properties paying 11% failed. The one that had the benefiting properties  
25 paying 28% passed.”

26  
27 MOTION by Commissioner Dahl, seconded by Commissioner Carlson, to approve the April 8,  
28 2004, Charter Commission minutes as amended. Motion carried.

29  
30 **REPORTS OF THE CHAIR**

31  
32 **New Members (Chair Trehus)** - Chair Trehus advised the City Clerk is going to clarify the  
33 two-year term appointee. Members can serve two consecutive terms along with a partial term.  
34 Clarification will be made on the possibility of no term expirations.

35  
36 **Five-Year Plan (Chair Trehus)** – Chair Trehus referred to the July 8, 2004 memo from the City  
37 Administrator. The memo indicates the Five-Year Plan will be prepared in late 2004 and will  
38 address years 2005 – 2009 following approval of the Pavement Management Report.

39  
40 **REPORTS OF COMMITTEES**

41  
42 **Archives Report/City Web Site (Commissioner Dahl)** - Commissioner Dahl advised the  
43 Charter is on the web site along with the By-Laws and meeting agendas. The meeting minutes  
44 are not currently on the web site but will be when the current minutes are approved. The project  
45 of scanning the archives has already been started. She noted she does not have a key to the  
46 Charter Commission file because the previous secretary has not yet turned it in. She asked Chair

1 Trehus to obtain the file key from the previous secretary and Commissioner Montain. She asked  
2 if the Commission would like their photo on the web site.

3  
4 It was the consensus of the Commission to have a group photo taken at the October meeting to  
5 be put on the web site.

6  
7 **Response to Charter Documents Letter (Commissioner Dahl)** – Commissioner Dahl stated no  
8 responses have been received yet from the letter the City sent to residents. She stated she went  
9 through the archives and got a new list of residents to send an amended letter to. She stated the  
10 letter will be sent out when she verifies the addresses. She noted she is going to check with the  
11 City Clerk about the dates of changes being noted on the By-laws.

12  
13 Commissioner Bor confirmed that the City Clerk, Commission Chair and secretary would have  
14 keys to the Commission file.

15  
16 **UNFINISHED BUSINESS**

17  
18 **Review City Council Meeting Minutes for Charter Compliance** – Commissioner Carlson  
19 expressed concern because he has not received all the City Board/Council meeting minutes.

20  
21 Commissioner Dahl advised she would check with the City Clerk regarding the Commission  
22 receiving copies of the meeting minutes. She indicated she would also speak to the City Clerk  
23 about advertising the Charter meetings in the Community Brief of the Quad.

24  
25 **Open Meeting Law/E-mail** – City Clerk Blair distributed a handout regarding open meeting  
26 laws. She noted it is very important to be aware of the open meeting laws. Open meeting do  
27 pertain to e-mail also. The Commission needs to be very careful about e-mails and discussing  
28 Charter Commission business with a quorum. She referred to the website for the League of  
29 Minnesota Cities for more information on open meeting laws.

30  
31 **NEW BUSINESS**

32  
33 **Mayor's Response to Mr. and Mrs. Stern's Letter** - Chair Trehus advised he has spoken with  
34 Mr. Stern approximately a month ago. Mr. Stern indicated he had not heard from anyone from  
35 the City in regard to his letter. The July 8, 2004 memo from the City Administrator indicated  
36 staff had been in contact with Mr. Stern. Chair Trehus stated he reviewed the Charter process  
37 with Mr. Stern and advised him the City is going to try to better inform residents about the City's  
38 Charter.

39  
40 **Minutes Editing** – Chair Trehus reviewed the meeting minute procedure that is currently being  
41 utilized. He noted the City Clerk proofreads the minutes and any changes are noted. He  
42 indicated he also reviews the minutes and his changes are also noted.

43  
44 Commissioner Dahl requested the lines of the minutes be numbered similar to the Council  
45 meeting minutes.

1 Commissioner Carlson stated he would like to know what is being edited within the meeting  
2 minutes.

3  
4 City Clerk Blair noted the only changes to the minutes are basically grammar and spelling. The  
5 Commission can determine what format the minutes should be in. Chair Trehus has also been  
6 reviewing the minutes and all changes are noted with an underline.

7  
8 Chair Trehus advised none of the content is being changed. He stated someone else may review  
9 the minutes. The Commission can determine the minutes process.

10  
11 Commissioner Bor stated the City spends too much time on approving meeting minutes.  
12 Minutes need to reflect the intent of the meeting. The process needs to be more efficient.

13  
14 Chair Trehus stated any members may call him with concerns about the meeting minutes or  
15 anything within the packet prior to the meeting. Officers of the Commission will note their e-  
16 mail addresses on the agenda.

17  
18 **Joint Meeting with City Council (discussion)** – Chair Trehus advised the City Administrator  
19 has indicated that staff still feels the Charter may need to be modified to get road improvements  
20 completed within the City. He stated he does not believe that was the consensus of the  
21 Commission at the April meeting with the City Council.

22  
23 Commissioner Bor stated there was also discussion about informing residents about road  
24 conditions so they can make informed decisions. Information and education needs to be ongoing  
25 and prior to referendum votes on street projects. She stated the Charter has not failed. The  
26 failure has come from the City and not informing residents.

27  
28 Chair Trehus stated the City of Lino Lakes is unique because of the special assessment  
29 provisions in the Charter.

30  
31 Commissioner Warren stated the Charter Commission should be involved in defining the public  
32 improvement construction and financing process. After the Pavement Management Report is  
33 complete the report needs to be communicated to residents. After residents are informed,  
34 implementation steps can be determined.

35  
36 Commissioner Bor stated the Commission needs to communicate to the City Administrator that  
37 the City needs to educate and inform residents prior to the next Commission meeting.

38  
39 Chair Trehus suggested the Commission send a memo to staff and the City Council or possibly  
40 invite them to another meeting to discuss this issue.

41  
42 Commissioner Carlson stated he would have liked the City Council to have had input on the  
43 memo from the City Administrator. He suggested the Commission make sure the Council is  
44 involved before a response is given.

1 Commissioner Warren suggested the Commission respond to the City Administrator and include  
2 the City Council in that response. She suggested Commissioner Bor draft a letter from the  
3 Charter Commission.

4  
5 MOTION by Commissioner Warren, seconded by Commission Zastrow, to have Commissioner  
6 Bor draft a letter of response to the City Administrator in regard to the July 8, 2004 memo to the  
7 Charter Commission.

8  
9 Commissioner Zastrow suggested the letter include the possibility of another meeting with the  
10 City Council to discuss this issue.

11  
12 MOTION carried.

13  
14 Chair Trehus suggested the Commission meet on July 19, 2004, 6:30 p.m. to approve the draft  
15 letter. He indicated he would have the City Clerk publish the meeting and notify the other  
16 members.

17  
18 **Set October 14, 2004 Agenda** -- Chair Trehus advised the following items would appear on the  
19 October 14, 2004, Charter Commission agenda:

- 20  
21 1. Call to Order and Roll Call  
22  
23 2. Swearing-in of Commissioners – Sharon Lane and Rosemary Storberg  
24  
25 3. Open Mike  
26  
27 4. Approval of Minutes  
28  
29 A. July 8, 2004  
30 B. July 19, 2004  
31  
32 5. Reports of the Chair  
33 A. Members Terms  
34  
35 6. Reports of the Committees  
36 A. Archives Report/City Web Site (Commissioner Dahl)  
37 B. Response to Charter Documents Letter (Commissioner Dahl)  
38  
39 7. Unfinished Business  
40 A. Commission Member's not Receiving Meeting Minutes  
41 B. Pavement Management Program  
42 C. Review City Council Meeting Minutes for Charter Compliance  
43  
44 8. New Business  
45 A. Photograph of Commission Members  
46 B. Posting Charter Commission Meetings in the Quad  
47 C. Set January 13, 2005 Agenda

1  
2 9. Adjourn

3  
4 **ADJOURN**

5  
6 MOTION by Commissioner Zastrow, seconded by Commissioner Carlson, to adjourn the  
7 meeting at 9:27 p.m. Motion carried unanimously.

8  
9 Respectfully Submitted,

10  
11 Kim Points  
12 *TimeSaver Off Site Secretarial, Inc.*  
13

APPROVED

1  
2  
3 **CITY OF LINO LAKES**  
4 **SPECIAL CHARTER COMMISSION MEETING**  
5

6 **DATE** : July 19, 2004  
7 **TIME STARTED** : 6:30 P.M.  
8 **TIME ENDED** : 8:30 P.M.  
9 **MEMBERS PRESENT** : Dahl, Aldentaler, Trehus, Vacha,  
10 S. Lane, Zastrow, Handrick, Duffy,  
11 Williams, Bor, Warren, Storberg, and  
12 Carlson.  
13 **MEMBERS EXCUSED** : Gene Lane  
14 **MEMBERS UNEXCUSED** : Montain  
15 **STAFF MEMBERS PRESENT** : None.  
16  
17

18 **CALL TO ORDER AND ROLL CALL**  
19

20 Chair Trehus called a special meeting of the Lino Lakes Charter Commission to order at 6:40  
21 p.m. on July 19, 2004 in the Police Training Room at City Hall. The purpose of the special  
22 meeting was for the Charter Commission to consider and prepare a response to City  
23 Administrator Gordon Heitke's memo dated July 8, 2004 and presented at the regular July 8,  
24 2004 Charter Commission meeting.  
25

26 **DISCUSSION PERTAINING TO MEMO**  
27

28 Charter Commissioner Williams Moved to Approved the Charter Letter Response to  
29 "Administrator Gordon Heitke's memo dated July 8, 2004", it was second by Charter  
30 Commissioner Vacha.  
31

32 Motion carried unanimously.  
33

34 Copies of the letter were distributed to Commissioners, Administrator Gordon Heitke's and City  
35 Clerk Ann Blair's mail box in City Hall.  
36  
37

38 **REPORTS OF THE CHAIR**  
39

40 **New Members (Chair Trehus)** – Chair Trehus noted members Sharon Lane and Rosemary  
41 Storberg had each taken their oaths at City Hall recently.  
42  
43

44 **UNFINISHED BUSINESS**  
45

46 There was no other business to come before the Charter Commission at the special meeting.

**APPROVED**

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11

**ADJOURN**

The meeting was adjourned at 8:15 p.m.

Respectfully Submitted,

Caroline Dahl

*Charter Commission Member/Secretary*



**DRAFT**

**CITY OF LINO LAKES  
CHARTER COMMISSION**

**DATE** : October 14, 2004  
**TIME STARTED** : 7:05 P.M.  
**TIME ENDED** : 9:11 P.M.  
**MEMBERS PRESENT** : Dahl, Aldentaler, Handrick, Storøberg, Trehus,  
Warren, Duffy, Williams, Bor, and Carlson  
**MEMBERS EXCUSED** : Montain, G. Lane, S. Lane, Zastrow, and Vacha  
**MEMBERS UNEXCUSED** : None.  
**STAFF MEMBERS PRESENT** : None.

**CALL TO ORDER AND ROLL CALL**

Chair Trehus called the regular meeting of the Lino Lakes Charter Commission to order at 7:05 p.m. on October 14, 2004.

**OPEN MIKE**

No one was present for open mike.

**APPROVAL OF MINUTES**

**July 8, 2004** – Commissioner Duffy, requested the following change: Page 2, change Reports of the Char to “Reports of the Chair”.

Commissioner Handrick requested she be moved from members unexcused to members excused. She noted she had sent an e-mail stating she would not be present at this meeting.

MOTION by Commissioner Warren, seconded Commissioner Duffy, to approve changing Commissioner Handrick to an excused absence. Motion carried.

MOTION by Commissioner Warren, seconded by Commissioner Duffy, to approve the July 8, 2004 Charter Commission minutes as amended. Motion carried.

**July 19, 2004** – There were no corrections made.

Motion by Commissioner Duffy, seconded by Commission Williams, to approve the July 8, 2004 Charter Commission minutes as presented. Motion carried.

**DRAFT**

**REPORTS OF THE CHAIR**

**Member's Terms (Chair Trehus)** - Chair Trehus handed out the current member list and when their terms expired. He stated the old State Statute was that Charter Commissioners could not serve more than two terms consecutively and that requirement had now been removed. He noted Charter Commissioners could now serve unlimited terms. He stated according to the By-Laws, the Chair was required to notify members of their terms expiration five months in advance.

**REPORTS OF COMMITTEES**

**City Web Site/Commissioners' Group Photo (Commissioner Dahl)** - Commissioner Dahl stated at their last meeting the Commissioners had agreed to have a group photograph taken. She indicated they would be taking that group picture tonight.

**Archives Report (Commissioner Dahl)** - Commissioner Dahl stated they had not sent any more letters out to former Charter Commissioners because there were a lot of names and the current addresses were not in the City of Lino Lakes. She noted looking up the addresses took a lot of time so she asked if there were any Commission members who would be willing to look up five or ten former Charter Commissioner's addresses and phone numbers. Once the addresses were obtained, Ann Blair would send out the form letters.

Commissioner Dahl stated the reason for the letters being sent out was to ask previous Commissioners for any old charter documents they had and were willing to give to the Commission.

Commissioner Bor asked if Betsy Frieseneezen(?sp) had any history with the Charter Commission. Commissioner Dahl replied she did not believe Betsy had any documents.

Commissioner Dahl asked for a Committee to be formed to find the previous Commissioners addresses and phone numbers.

Commissioner Warren volunteered to look up five names.

Commissioner Storøberg stated she had located the original Charter and would give it to Commissioner Dahl to determine if there were additional former Commissioners who needed to be looked up.

Commissioner Bor stated the City could also give the names to the Minnesota Historical Society to assist in looking up residents in Minnesota.

Commissioner Dahl stated she did not mind looking up the names, but it was very time consuming. She noted she would get in touch with the Minnesota Historical Society for assistance before asking for the Committee members to look up addresses.

**DRAFT**

**Charter Documents Letter (Commissioner Dahl)** – Commissioner Storøberg stated she had located newspaper articles from the Circulating Pines from ten years ago regarding the Charter Commission. She gave the original documents to Commissioner Dahl for the Charter files.

**UNFINISHED BUSINESS**

**Five-Year Plan** – Chair Trehus stated he had requested further information on the Five-Year Plan from City Administrator Gordon Heitke who indicated it was possible that a draft of the 5-year plan could be prepared in late 2004 with Council approval in early 2005. He asked if there were any comments with the five-year plan.

**Pavement Management Report** – Chair Trehus stated he had requested further information on the Pavement Management Report from City Administrator Gordon Heitke who indicated in a memorandum to the Commission that the draft Pavement Management Plan will be completed and presented to the City Council for their initial review in November.

Mr. Heitke's memorandum stated it was anticipated that the Pavement Management Plan, when completed in greater detail, would provide a general schedule for improvement of streets within each category. This general schedule will be further refined when incorporated into the Five Year Financial Plan update. The final project implementation schedule will not only be based on the condition rating, but will be influenced by other factors, including but not limited to available funding, sanitary sewer and water improvements, traffic volumes, drainage issues, etc. This schedule will be continually updated on a yearly basis as conditions and factors usually change over time.

Commissioner Bor noted there would need to be a City referendum for approving a pavement management plan.

Chair Trehus noted the thirteen percent of the streets requiring a complete reconstruct would only increase in the future.

Commissioner Storøberg asked why they could not pay a little more taxes, which would go into the general fund to pay for street reconstruction.

Commissioner Dahl noted the City needed to communicate the importance of a pavement management plan properly to the residents, which had not been correctly done the last time.

Commissioner Bor stated they needed to make sure this was communicated correctly this time and they needed to keep on task on it.

Commissioner Warren stated in the past the communication was poor and the referendum did not go through, but if the residents had sufficient communication, it might go through. She expressed a concern that there was no timeframe set up and this might not be decided until the next election in two years.

**DRAFT**

Chair Trehus asked Commissioner Dahl if the Council had any feedback to the Commission's letter. Commissioner Dahl stated the letter was received by the Council and there was a little discussion on it, but there was no response.

Commissioner Duffy stated she got the overall sense that Mr. Heitke's memorandum was being polite, but thought of the Charter Commission as a hindrance.

Commissioner Bor stated she had spoken with Mr. Heitke about the Pavement Management Plan and a communication plan, and he indicated that the actual participation in a process was limited to a very few people and it was difficult to get residents to come to public hearings. She stated she had told him not to "mess with the Charter". She stated those kinds of interactions were good for communication and she would like to see the Commission continue to communicate with staff and Council, so the residents could make an informed decision on any referendum. She stated she wanted more detail's given to the residents.

Chair Trehus stated he did not believe the City was locked into a referendum for an overlay. Commissioner Bor noted she did not know if an overlay would be sufficient. She indicated she wanted to see the plan to assist her in understanding how the budget worked.

**Communication to the Residents** – Chair Trehus stated he had requested further information on communication to the residents from City Administrator Gordon Heitke who indicated in a memorandum to the Commission that staff will be recommending that upon City Council determining that the proposed program is in a form suitable for public review, that various means of informing the public be considered and carried out.

Mr. Heitke's memorandum indicated the obvious means of communication includes a detailed presentation at a televised regular Council meeting, articles in the City newsletter, special informational meeting(s), public hearing(s), information posted on the City's web site, detailed articles in the local newspapers, special mailings, etc.

Mr. Heitke's memorandum noted staff would be discussing the various means of informing the public on both the proposed Pavement Management Plan and proposed 2005 general fund budget and levy with the City Council. At that time the Council will direct staff as to how to proceed with a public information effort. The Charter Commissioner's memo of July 8, 2004 has been provided to the City Council and will be provided again, along with any additional comments you may provide, during this discussion.

Chair Trehus stated he was disappointed nothing had been done regarding communication to the residents.

Commissioner Bor stated she had contacted the Quad Newspaper to ask if they wanted to prepare an article on this, but she had not received a response.

Commissioner Warren noted it appeared nothing was going to be done until November.

Chair Trehus stated these three issues would remain on their agenda as unfinished business.

**DRAFT**

MOTION by Commission Warren, seconded by Commissioner Carlson that the Commission ask the Council to present to the Commission the Communication Plan and the communication itself prior to it being released to residents so the Commission could assist Council in making sure the residents of the City get as much of the information they need to make an informed decision if there should be a referendum.

Commissioner Carlson requested an amendment to the Motion asked for the formula that would be used for cost-sharing, how it was determined, and how it was applied. Chair Trehus expressed concern that this amendment is a separate issue than what Commissioner Warren was requesting.

Commissioner Bor stated she wanted to understand the formula in order to make an informed decision.

Commissioner Bor asked if the Commissioners could be in attendance at the November Council work session to discuss these issues. Commissioner Dahl replied if the Commissioners wanted to be on the November agenda, she believed that was possible. She noted these worksessions were open to the public.

Chair Trehus asked if the Commissioners wanted to attend the work session as audience members or should they ask for a special meeting with the Council either before or after this work session, or should they wait until a decision has been made and then request a meeting.

Commissioner Storøberg asked if anyone had checked with the other Cities who had charters to see how other cities repaired their roads. Commissioner Bor replied there were very few charters that had this particular clause in it.

Commissioner Dahl stated staff was working on gathering this information.

Commissioner Storøberg stated she would like to see an independent professional obtain and analyze information on cities who had charters.

Commissioner Carlson believed Council and staff should present their plan to the Commission after they had reviewed everything, but before it had been put in the paper. He stated the Commission should not get involved in this before that time.

The Commission agreed to not officially ask to be on the City Council wWork session agenda, but would wait until the Council had made their decisions before a meeting would be requested.

Chair Trehus asked what form the Commissioners wanted to communicate their motion. The Commission agreed that Chair Trehus would draft a letter to the City Administrator and Council informing them of this Motion.

Motion carried unanimously.

**DRAFT**

Commissioner Handrick stated she would contact the Minnesota League of Cities to obtain information on how other Charter Cities paid for reconstruction of their road and would report back to the Commission at the next meeting.

**Commission Members Not Receiving City Council Minutes** – Commissioner Dahl stated the Commissioner members could obtain the City Council Minutes from the City website.

Commissioner Carlson stated he has not been receiving any minutes and he wanted a hard copy of both the City Council Minutes and wWork\_session Minutes. Commissioner Dahl replied she would inform Ann Blair of this.

**Review City Council Meeting Minutes for Charter Compliance** – Chair Trehus asked if any Commissions had found any issues. The Commissioner's had no comments.

**NEW BUSINESS**

**Charter Commission Budget (Commissioner Dahl)** - Commissioner Dahl handed out the budget to the Commission and reviewed it for the Commission. She stated there was a deduction for the use of an attorney, which she did not believe was accurate. She noted there was no budget for Timesavers, which has now been added. She stated she believed staff had gone to several attorneys and talked about the road issue, but she wanted the Commissioners to know it was not the Charter that did this. She stated staff had told her that since it was regarding road reconstruction, it could be taken out of the Charter budget, but in her opinion, they should have asked the Charter Commission if they could do that. She asked the Commission what they wanted to do about this.

Commissioner Storberg asked which attorney was paid and for what.

Chair Trehus replied he would check with City staff for this information and he would give an update at the next meeting.

Commissioner ~~Chair~~ Carlson stated he was skeptical when it came to the budget and he did not feel the attorney's fees being taken out of the Commission's budget was right.

Commissioner Dahl stated if the Commission needed more money, they could go to the Council and request more. She expressed concern that nobody knew about this and no permission had been requested.

Chair Trehus stated he would ask who authorized the amount and who was paid.

Commissioner Storberg asked what happened with the left-over funds from their budget from year to year. Commissioner Dahl replied the excess funds were put back into the General Fund.

Commissioner Warren left the meeting at 8:52 p.m.

**DRAFT**

**Posting Charter Commission Meeting in the Official Newspaper** – Commissioner Dahl noted Ann Blair had posted the Charter Commission Meeting in the City's official newspaper.

Commissioner Dahl asked the Commission if they each wanted a binder for their Charter documents. She stated this was up to the Charter, but she wanted a binder to organize her documents.

Commissioner Storøberg stated she had given the City a lot of blue binders a couple of years ago and asked what happened to those.

Chair Trehus requested the Chair and Vice Chair to see if there would be a budget shortfall in 2005. Commissioner Dahl stated there were already funds for Timesavers put into the budget and in her opinion, the Commission would not run short of money.

MOTION by Commissioner Bor and seconded by Commissioner Handrick, to purchase the more expensive binders and when the Commissioners leave the Charter Commission, the binders get returned to the Commission. The Motion carried.

**Set January 13, 2005 Agenda** – Chair Trehus advised the following items would appear on the January 13, 2004, Charter Commission agenda:

1. Call to Order and Roll Call
2. Open Mike
3. Approval of Minutes
  - A. October 14, 2004
4. Reports of the Committees
  - A. Archives Report/City Web Site (Commissioner Dahl)
  - B. City Website Update (Commissioner Dahl)
  - C. Response to Charter Documents Letter (Commissioner Dahl)
5. Unfinished Business
  - A. Five-Year Plan
  - B. Pavement Management Program
  - C. Communication to the Residents
  - D. Review City Council Meeting Minutes for Charter Compliance
  - E. Update from League of MN Cities regarding other Charter Cities (Commissioner Handrick)
  - F. Charter Commission Budget
  - G. Application to Charter Commission
6. New Business
  - A. Set April \_\_\_, 2005 Agenda

**DRAFT**

9. Adjourn

**ADJOURN**

MOTION by Commissioner Duffy, seconded by Commissioner Carlson, to adjourn the meeting at 9:15 p.m. Motion carried unanimously.

Respectfully Submitted,

Kathy Altman  
*TimeSaver Off Site Secretarial, Inc.*