

**APPROVED**  
**CITY OF LINO LAKES**  
**CHARTER COMMISSION**

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7 **DATE** February 12, 2015  
8 **TIME STARTED** 6:30 p.m.  
9 **TIME ENDED** 8:10 p.m.  
10 **MEMBERS PRESENT** Aldentaler, Bartsch, Bretoi (arrived at 7:31 p.m.), Dahl,  
11 Damiani, Johnson, Helgemoe (arrived at 6:34 p.m.),  
12 Lyden, Penn, Storberg, Sutherland, Timm, Turcotte  
13  
14 **MEMBERS EXCUSED** Combs and Poehling  
15 **MEMBERS UNEXCUSED** None  
16 **STAFF MEMBERS PRESENT** None  
17 **OTHERS PRESENT:** Michael Manthy, Resident  
18 Greg Lucid, *Quad Community Press*  
19 Michael Manthey, Resident  
20  
21

22 **CALL TO ORDER AND ROLL CALL**

23 Chair Sutherland reconvened the meeting of the Lino Lakes Charter Commission at 6:30 pm on  
24 January 8, 2015.  
25

26 **PLEDGE OF ALLEGIANCE**

27 Chair Sutherland lead the Pledge of Allegiance.  
28

29 **APPROVING THE AGENDA**

30 Agenda was accepted as presented without additions  
31

32 **OPEN MIC/PUBLIC COMMENT**

33 No one present opted to speak for the open mike.  
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35 **APPROVAL OF MEETING MINUTES**

37 **A. Consider Approval of July 25, 2014 Charter Commission Special Meeting Minutes**

38 It was noted the header should be removed from the top margins.  
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40 Commissioner Helgemoe arrived.  
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42 MOTION by Commissioner Dahl, seconded by Commissioner Damiani, approving the special  
43 meeting minutes of July 25, 2014.  
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45 Motion passed unanimously.

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**B. Consider Approval of August 1, 2014 Charter Commission Special Meeting Minutes**

Chair Sutherland referenced the motion by Commissioner Bretoi that begins in line 31 and continues to mention amendment. She suggested to end the motion at Commissioner Bretoi., “The motion by Commissioner Bretoi ??.” It was noted that the space from line 34 should be removed to add lines 35 and 36 to follow line 33 with a double space to follow line 36.

MOTION by Commissioner Lyden, seconded by Commissioner Turcotte, approving the special meeting minutes of August 1, 2014 as amended.

Motion passed unanimously. (Timm abstained)

**C. Consider Approval of November 6, 2014 Charter Commission Rescheduled Regular Meeting Minutes**

It was noted on line 91, it should read, “...the Commission Board...” On line 119, it should state, “She ~~wondered~~ asked...” On line 121, it should state, “...would be comfortable with it noted her as seconding the motion.” On line 156, it should state, “...~~wondered~~ asked...” On line 178, it should state, “The Commissioner recessed at 7:13 to move to a different conference room.” On line 188, it should state, “Motion as amended carried unanimously, Sutherland abstained.” On line 195, it should state, “...stated ~~this~~ there was an email...” On line 200, it should state, “...~~thought in~~ the Charter it is required the five year plan.” On line 209, it should state, “...~~wondered what~~ asked the Commission what they want ~~wanted her to do~~.” On line 145, it should state, “...seconded by Commissioner Penn...”

MOTION by Commissioner Timm, seconded by Commissioner Penn, approving the rescheduled regular meeting minutes of November 6, 2014 as amended.

Motion passed unanimously. (Johnson and Lyden abstained)

**UNFINISHED BUSINESS**

**A. August 6, 2014 Packet Item: Ward Charter Amendment Council Response**

Commissioner Turcotte stated that there is a process when amendments are brought before the Commission in order for adjustments to be made if necessary. He did not agree with the process followed by the City Council, noting that the Commission did not have sufficient funds for an outside attorney to provide input.

Commissioner Damiani questioned if anything would be moving forward this year.

Michael Manthy stated that there is a Centennial Fire Department and concerned citizens group will be meeting in March to discuss a formal appeal of voter rights.

Chair Sutherland explained the process for setting the meeting agenda and stated that an agenda item can be added by Commissioner request prior to the meeting date. She stated that there is

90 also the ability to set a special meeting noting that process simply requires the request by two  
91 Commissioners.

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93 **NEW BUSINESS**

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95 **A. Outcome of Budget Request Letter per Motion**

96 Chair Sutherland referenced the written and audio materials that were included for the  
97 Commission review. She stated that the Council did decline the request to cover the additional  
98 \$183.

99

100 Commissioner Lyden questioned the official rational that was given for the decision.

101

102 Chair Sutherland stated that in her opinion the Council did not receive the desired outcome and  
103 based the decision off of that. She confirmed that all of the original Commission funds were  
104 used prior to this request. She stated that the total legal fees were \$2,825 and believed that was a  
105 phenomenal job.

106

107 Commissioner Lyden stated that seems like such a small amount compared to the dollar amounts  
108 and changes in the fire discussions the Council is having.

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110 Commissioner Damiani commented that the Commission is working to assist the community in  
111 the best way possible.

112

113 Chair Sutherland confirmed that TimeSavers was being funded directly by the City and does not  
114 count against the budget of the Commission.

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116 Commissioner Turcotte stated that there could have been cost savings if the Council would have  
117 simply presented the amendment they wished to move forward with rather than bringing two  
118 amendments for the Commission to review.

119

120 Commissioner Bartsch confirmed that the \$183 will be taken from the Commission budget for  
121 2015 and questioned why that nominal amount would not simply be taken from something in the  
122 2014 budget.

123

124 **B. Outcome of Five Year Plan Letter to Council per Motion**

125 Chair Sutherland stated that a letter has been submitted to the City Council, which identifies their  
126 non-compliance with a five year plan and advised that there has not been a response from the  
127 City. She stated that the Commission currently does not have an attorney. She stated that the  
128 Commission is limited in their powers and although they can make requests of the Council, she  
129 did not feel that there was additional enforcement efforts.

130

131 **C. Draft Letter to the Judge for 2014**

132 Chair Sutherland read aloud the proposed letter to the judge for 2014 and accepted friendly  
133 amendments.

134

135 MOTION by Commissioner Penn, seconded by Commissioner Timm, approving the draft letter  
136 to the judge for 2014.

137 .

138 Motion passed unanimously.

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140 **D. Attorney Karen Marty**

141 Chair Sutherland advised that when she alerted Attorney Karen Marty to the Council's decision  
142 regarding the \$183, she resigned from representing the group. She explained that the attorney  
143 was worked at a reduced rate and supports the work of the Commission but feels that it would be  
144 difficult for the Commission to accomplish anything with the relationship between the  
145 Commission and the City Council. She stated that there may be interest from a legal intern that  
146 could assist the Commission, as the Commission funds are very limited.

147

148 Commissioner Johnson questioned if the funds could be generated privately or whether the  
149 Commission funds have to come directly from the City.

150

151 Chair Sutherland explained that a legal entity would need to be created in order to collect  
152 donations and pay bills.

153

154 Commissioner Lyden stated that as a private resident he would be willing to pay the \$183.75.

155

156 Chair Sutherland stated that the approval of that bill is already underway and will be paid.

157

158 Commissioner Penn stated that perhaps the City Attorney should be invited to a future meeting to  
159 provide legal input on why recent work of the Commission had been declined, including the  
160 ward amendment.

161

162 Chair Sutherland stated that it had been suggested by the Mayor in the past that the City Attorney  
163 be used by the Commission and suggested that perhaps the Commission ask the City Attorney to  
164 draft the ward language.

165

166 Commissioner Bretoi arrived.

167

168 Commissioner Johnson confirmed that the Commission could make the request but the decision  
169 as to whether the City Attorney would attend would be made by the City Council.

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171 MOTION by Commissioner Penn requesting the City Attorney attend the next regularly  
172 scheduled meeting to discuss items of concern to the Commission and City Council.

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174 Motion failed for lack of a second.

175

176 Commissioner Lyden referenced the Commission meeting schedule and stated that it would be  
177 difficult to draft language to include on the ballot for this year.

178

179 Chair Sutherland confirmed that the amendment could be drafted and then placed on the  
180 appropriate year's ballot, meaning that could occur in 2016.

181  
182 Commissioner Bartsch stated that an invitation to the City Attorney could simply be made which  
183 would allow him to provide input on the work he did in conjunction with the items that affect the  
184 Commission.

185  
186 Commissioner Lyden stated that perhaps the Commission simply ask the City Attorney to draft  
187 language regarding wards, which the Commission could then review.

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189 Commissioner Bartsch believed that would be a bit naïve because ultimately the City Attorney  
190 represents the City Council. He did believe there would be benefit to the City Attorney simply  
191 attending a meeting to provide input.

192  
193 Commissioner Dahl stated that the Commission could request the City Attorney to draft the ward  
194 amendment language, which they could review at the April meeting, which would allow the  
195 Commission sufficient time to review and include on the ballot if desired.

196  
197 Commissioner Damiani expressed frustration that it appears the City Council simply declines  
198 anything the Commission brings forward for action. She believed that the City Attorney should  
199 be invited to attend a meeting and commented that if he chooses not to attend that would show  
200 that he does not care about the residents of Lino Lakes.

201  
202 Commissioner Turcotte agreed that the Commission could request the City Attorney to draft  
203 language but did not feel that the Commission would agree with the results because ultimately  
204 the City Council does not want the ward amendment.

205  
206 Commissioner Johnson stated that it would be naïve to assume that the City Attorney would  
207 simply draft the language in time for the April meeting and instead stated that perhaps the best  
208 path would be for the Commission to simply gauge the level of openness the City Attorney has to  
209 working with the Commission.

210  
211 Commissioner Storberg stated that she would like input on why the Council is not accepting the  
212 requests of the Commission. She believed that rather than asking the City Attorney to address  
213 that concern, a better setting may be for a portion of the Commission to attend a City Council  
214 meeting and ask that of the Council during the open mic portion of the meeting, which would be  
215 televised.

216  
217 Chair Sutherland stated that the City Council will never answer that question.

218  
219 MOTION by Commissioner Bretoi, seconded by Commissioner Dahl, requesting to invite the  
220 City Attorney to the next meeting to obtain his opinion on what would need to be done to the  
221 ward amendment in order for that to move forward.

222  
223 MOTION by Commissioner Timm to close debate on the motion on the table.

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225 Motion passed 9-3-1. (Aldentaler, Penn and Dahl opposed) (Sutherland abstained)

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227 Motion passed 7-5-1. (Johnson, Penn, Bartsch, Storberg, and Turcotte opposed) (Sutherland  
228 abstained)

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230 **NEXT MEETING DATE**

231 Chair Sutherland noted the next meeting date is Thursday, April 9, 2015 at 6:30 p.m. She asked  
232 that the Commissioner consider the possibility of not meeting in July because the meeting tends  
233 to be canceled for lack of attendance. She reminded the Commission that a special meeting can  
234 be called at any time by the request of two Commissioners.

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236 **ADJOURN**

237 MOTION by Commissioner Turcotte, seconded by Commissioner Helgemoe, to adjourn the  
238 meeting at 8:10 p.m. Motion carried unanimously.

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