

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

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6  
7 **DATE** April 9, 2015  
8 **TIME STARTED** 6:30 p.m.  
9 **TIME ENDED** 7:30 p.m.  
10 **MEMBERS PRESENT** Bretoi, Damiani, Johnson, Lyden, Poehling, Storberg,  
11 Sutherland, Timm, and Turcotte  
12 **MEMBERS EXCUSED** Aldentaler, Combs, Dahl, Penn, Bartsch and Helgemoe  
13 **MEMBERS UNEXCUSED** None  
14 **STAFF MEMBERS PRESENT** None  
15 **OTHERS PRESENT:** Michael Manthy, Resident  
16  
17

18 **CALL TO ORDER AND ROLL CALL**

19 Chair Sutherland reconvened the meeting of the Lino Lakes Charter Commission at 6:31 p.m. on  
20 April 9, 2015.  
21

22 **PLEDGE OF ALLEGIANCE**

23 Chair Sutherland led the Pledge of Allegiance.  
24

25 **SETTING THE AGENDA**

26 MOTION by Commissioner Lyden, seconded by Commissioner Damiani, approving the agenda  
27 as presented.  
28

29 Motion passed unanimously.  
30

31 **OPEN MIC/PUBLIC COMMENT**

32 No one present to speak for the open mike.  
33

34 **APPROVAL OF MEETING MINUTES**

35 Chair Sutherland noted on line 19, it should state, "Michael Manthey, Resident".  
36

37 MOTION by Commissioner Timm, seconded by Commissioner Damiani, approving the meeting  
38 minutes of February 12, 2015 as amended.  
39

40 Motion passed unanimously.  
41

42 **OLD BUSINESS**

43  
44 **A. No Unfinished Business**  
45

46 **NEW BUSINESS**

47

48 **A. Outcome of Motion Requesting City Attorney at April 9<sup>th</sup> Meeting**

49 Chair Sutherland stated that a handout is available on the table, which is the official legal  
50 response from Attorney Joe Langel.

51

52 Commissioner Bretoi stated that this puts the Commission in a difficult situation as the Council  
53 stated that the proposed language from the Commission was unconstitutional, yet the City  
54 Attorney is not available for consult.

55

56 Chair Sutherland stated that the Council has stated several times that the Charter Commission  
57 could use their attorney but this is the first time that the response has been that there would be a  
58 conflict of interest and the two groups could not share an attorney.

59

60 Commissioner Timm stated that the attorney has never said that the idea of wards was  
61 unconstitutional but that the proposal from the Commission was contrary to statute. She stated  
62 that the Charter Commission could draft a ward amendment consistent with State law and  
63 explained that the Commission had used the Saint Paul language as a template, which had been  
64 approved prior to changes in State statute.

65

66 Chair Sutherland stated that the Commission would need to find their own resources if they wish  
67 to move forward with a ward amendment.

68

69 Commissioner Storberg questioned if the Commission could utilize the League of Minnesota  
70 Cities for assistance.

71

72 Commissioner Turcotte believed that City approval would be needed.

73

74 Commissioner Johnson stated that perhaps the League of Minnesota Cities could provide  
75 assistance as long as the issue is not in conflict with the City.

76

77 Commissioner Timm stated that she suggested that option in the past.

78

79 Commissioner Damiani stated that the legal response bothers her because it seems that no matter  
80 what the Commission does, the Council will not agree with what is proposed. She stated that it  
81 does not appear that there are rights as residents.

82

83 Chair Sutherland stated that the Commission does have options to bring the issue to ballot as part  
84 of the Charter. She stated that the Commission could clean up the language as suggested and  
85 bring the proposal back to the Council, noting that if the Council still does not agree the issue  
86 could move forward as a petition. She agreed that there would not be sufficient time to pursue  
87 that option this year but noted that the work could still be done.

88

89 MOTION by Commissioner Bretoi, seconded by Commissioner Timm, to approach the League  
90 of Minnesota Cities to determine if they could offer assistance with the ward amendment  
91 language and if so, proceed with their help.

92

93 Motion passed 7-0-2. (Turcotte and Sutherland abstained)

94

95 Commissioner Timm stated that she consulted with another attorney at her place of business,  
96 Jennifer Urban, on another municipality issue. She stated that she is not aware of her rates but  
97 would suggest pursuing that option should the League of Minnesota Cities not be able to assist.

98

99 MOTION by Commissioner Bretoi, seconded by Commissioner Lyden, to invite Jennifer Urban  
100 to attend the July meeting to discuss her rates and possible representation of the Commission.

101

102 Motion passed 7-0-2. (Turcotte and Sutherland abstained)

103

104 Commissioner Turcotte stated that the original amendment should not have been held from the  
105 ballot.

106

107 Commissioner Lyden believed that everyone on the Commission provides their own perspective  
108 and puts a lot of work into this. He stated that ultimately it will come down to whether the  
109 Council is willing to work with the Commission.

110

111 Chair Sutherland stated that residents do not understand that the Commission does not have  
112 power and only has the authority to move things forward to the Council, who is then supposed to  
113 move things forward as well which unfortunately is not happening. She stated that until the faces  
114 on the Council change this is the position the Commission will be in.

115

116 Commissioner Damiani stated that she believed that the two groups were at one time working  
117 together and questioned when that changed.

118

119 Chair Sutherland stated that in her opinion it seemed that the change occurred when the  
120 originally proposed change to Chapter 8, went to ballot and failed.

121

122 Commissioner Timm stated that she is very disheartened that this situation will ever change. She  
123 stated that her term expires at the end of the year and she will not be seeking reappointment. She  
124 stated that when she speaks with people in other branches of government the thought they have is  
125 that the Charter Commission is the issue, unless they are thoroughly aware of the situation. She  
126 believed that the Commission should move an amendment forward to dissolve the Charter,  
127 which will force the Council to operate in the open rather than placing blame on the Charter  
128 Commission.

129

130 Commissioner Lyden left the meeting at 7:03 p.m.

131

132 Chair Sutherland stated that the Commission has had some great proposals, which the Council  
133 has not allowed to move through to the citizens. She stated that the Commission has also been

134 denied the request to educate the residents on the Charter, noting that the City is unwilling to  
135 provide that education.

136

137 **NEXT MEETING DATE**

138 Chair Sutherland noted the next meeting date is Thursday, July 9, 2015.

139

140 **ADJOURN**

141

142 MOTION by Commissioner Bretoi, seconded by Commissioner Turcotte, to adjourn the meeting  
143 at 7:18 p.m.

144

145 Motion failed 3-4-1. (Poehling, Bretoi, and Damiani voted in favor and Sutherland abstained)

146

147 Commissioner Storberg stated that the Commission has a difficult time getting a quorum in July  
148 and suggested canceling that meeting.

149

150 MOTION by Commissioner Storberg, seconded by Commissioner Timm, to hold only two  
151 meetings per year, in April and October.

152

153 MOTION by Commissioner Timm, seconded by Commissioner Johnson, to amend the motion to  
154 also hold a January meeting on years when new Commissioners are appointed.

155

156 Further discussion: Chair Sutherland read language from the bylaws that state that four meetings  
157 should be held in January, April, July and October.

158

159 The amendment failed unanimously.

160

161 The original motion failed 1-7-1. (Storberg voted in favor and Sutherland abstained)

162

163 MOTION by Commissioner Timm, seconded by Commissioner Johnson, to make an exception  
164 to the bylaws and schedule the next regular meeting of the Commission to the second Thursday  
165 of October.

166

167 Motion passed unanimously.

168

169 Chair Sutherland noted that the next regular meeting will then take place on October 8, 2015 at  
170 6:30 p.m.

171

172 Michael Manthey commended the Charter Commission for their efforts and stated that he does  
173 attend the Council meetings and work sessions. He stated there are other residents that are  
174 opposed to the City Council and will be running against them. He stated that while the Council  
175 may put restrictions on funding, the Commission members can still speak with their neighbors  
176 and other residents in the community.

177

178 MOTION by Commissioner Timm, seconded by Commissioner Damiani, to adjourn the meeting  
179 at 7:30 p.m. Motion passed unanimously.

180

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