

**LINO LAKES CHARTER COMMISSION  
AGENDA  
6:30 PM  
Thursday, January 14, 2016**

**1. Call to Order and Roll Call 6:30 PM**

**Oath of Office and Introduction of New Members**

**2. Pledge of Allegiance**

**3. Setting the agenda**

**4. Open Mike / Public Comments**

**5. Old Business**

**A. October 8, 2015 minutes**

**B. League of MN Cities Chair Pro Tem  
One Proposed amendment**

**1. Wards**

**2. Charter Commission Annual Reports – 2013 and 2014**

**6. New Business**

**Election of officers: Chair, Vice Chair and Secretary**

**7. Next meeting date, Thursday, April 10, 2016**

**Caroline Dahl  
Secretary**

**DRAFT**  
**CITY OF LINO LAKES**  
**CHARTER COMMISSION**

**DATE** October 8, 2015  
**TIME STARTED** 6:30 p.m.  
**TIME ENDED** 7:13 p.m.  
**MEMBERS PRESENT** Aldentaler, Bartsch, Bretoi, Dahl, Damiani, Johnson,  
Lyden, Poehling, Storberg, Sutherland, Timm,  
Turcotte, and Zastrow  
**MEMBERS EXCUSED** Combs and Helgemoe  
**MEMBERS UNEXCUSED** None  
**STAFF MEMBERS PRESENT** None  
**OTHERS PRESENT:** Mike Mooney, Melissa Maher, Mayor Reinert, Dean  
Hausladen, and Council Members Dale Stoesz and Rob  
Rafferty

**CALL TO ORDER AND ROLL CALL**

Chair Sutherland reconvened the meeting of the Lino Lakes Charter Commission at 6:30 p.m. on October 8, 2015.

**PLEDGE OF ALLEGIANCE**

Chair Sutherland lead the Pledge of Allegiance.

**APPROVAL OF THE AGENDA**

Agenda was accepted as presented without additions

**OPEN MIC/PUBLIC COMMENT**

Mike Mooney introduced himself and indicated he is running for Mayor. He is a member of the Fire Department and has a different platform. He stated he could be reached for any questions.

Commissioner Johnson asked Mr. Mooney about his occupation. Mr. Mooney indicated he is a Mechanical Engineer by education.

Commissioner Storberg asked what he felt about the Charter Commission. Mr. Mooney indicated he has read through the Charter and feels the Charter Commission plays an important role for Lino Lakes.

Commissioner Timm questioned if the someone wanted to make a contribution for the candidate how could that be done. Mr. Mooney indicated it could be sent through the website [leadershipforlinolakes.com](http://leadershipforlinolakes.com).

Commissioner Dahl clarified that you can make contributions to one candidate through the website. Mr. Mooney stated that is possible.

46  
47 Melissa Maher encouraged the Commission to get out and vote. She is running and believes Lino  
48 Lake should be an open and citizen driven government. She is not running with the other two  
49 candidates, is not affiliated with the Fire Department, and has previously served on the Charter  
50 Commission. She stated she is an attorney practicing family law and mediation.

51  
52 Commissioner Storberg indicated it would nice to have a women serve on the City Council.

53  
54 Commissioner Dahl asked about the third candidate.

55  
56 Ms. Maher indicated the third candidate is Mike Manthey. He couldn't be here tonight because  
57 he was at an interview at North Metro TV.

58  
59 Mayor Reinert stated while serving as Mayor for Lino Lakes there has been over 10 miles of  
60 resurfacing of roads, two approved levies, and the taxes are low. Currently, the Fire Department  
61 is the hot topic, from leaving Centennial Fire District. The City Council formed a Steering  
62 Committee to look at the situation as they felt that going on every single call didn't make sense.  
63 The Department was constantly recruiting and training fire fighters. The issue was brought to the  
64 Steering Committee and built the new fire station. Currently the City has cross-trained police  
65 officers and volunteers from the community to serve on the Fire Department.

66  
67 Commissioner Dahl questioned the new fire station going over budget and wondered if that  
68 included the fire trucks. Mayor Reinert indicated the original budget was \$3.4 million but it  
69 ended up to be \$3.6 million because the training facility was added. The Fire Department  
70 purchased two trucks.

71  
72 Commissioner Storberg asked what he would do for the Charter Commission. Mayor Reinert  
73 indicated he supports the Charter Commission and hopes that the two would work better  
74 together.

75  
76 **APPROVAL OF MEETING MINUTES**

77 Chair Sutherland indicated there are changes to: line 12 Bartsch should be added; line 13  
78 Bartsch should be removed; line 23 should be led instead of lead; line 32 remove opted; line 35  
79 add Michael Manthy Resident; line 87 remove this; line 119 remove with and add when; and,  
80 line 120 remove which and add went to ballot.

81  
82 MOTION by Commissioner Timm, seconded by Commissioner Johnson, approving the meeting  
83 minutes of April 9, 2015 Charter Commission meeting as amended above.

84  
85 Motion passed unanimously.

86  
87 **UNFINISHED BUSINESS**

88 No Unfinished Business

89

90 **NEW BUSINESS**

91  
92 **A. Outcome of Motion Requesting League of Minnesota Cities Offer Assistance with**  
93 **Ward Amendment**

94 Chair Sutherland indicated she didn't make any phone calls to the League of Minnesota Cities.  
95 She appointed Commissioner Dahl to make the phone call and have the item brought back to the  
96 next meeting.

97  
98 Commissioner Bretoi asked about the ward amendment and when will this will be on the ballot.  
99 Chair Sutherland indicated the City would need to determine when it would be put on the ballot.

100

101 **B. Outcome of Motion Inviting Jennifer Urban to July Meeting**

102 Chair Sutherland indicated there wasn't a July meeting.

103

104 Commissioner Timm stated we transferred the meeting from July to October. Spoke with her  
105 today and she is an attorney specializing municipal law. She is familiar with the City of Lino  
106 Lake from working with the Fire Protection Council. However, since she is continuing to work  
107 with the Fire Protection Council, is unsure that she can take on any new clients.

108

109 Commissioner Bartsch asked why we are only talking with female attorneys.

110

111 Commissioner Dahl stated Ms. Marty was a Charter applicant at one time. There were two men  
112 who some had dealings with Lino Lakes but it was not very favorable.

113

114 Commissioner Bartsch thanked Commissioner Dahl for her historical information and added it is  
115 important. He clarified that he just noticed there hasn't been any male applicants.

116

117 **C. Expiration of Charter Commission Terms and Application Deadline of October 31,**  
118 **2015**

119 Chair Sutherland stated the expiration of terms is October 31, 2015. The Commissioners with  
120 expiring terms are Donald Aldentaler, Daryl Bartsch, Jason Helgemoe, Chris Lyden, Marg Penn,  
121 Rosemary Stroberg, Connie Sutherland, and Kathryn Timm. She encouraged all Commissioners  
122 to reapply, noting the process is to send the applications to the judge who then makes the  
123 appointment.

124

125 **NEXT MEETING DATE**

126 Chair Sutherland noted the next meeting date is Thursday, January 14, 2015 at 6:30 p.m.

127

128 **ADJOURN**

129 MOTION by Commissioner Timm, seconded by Commissioner Dahl, to adjourn the meeting at  
130 7:13 p.m. Motion carried unanimously.

131

132 Drafted by: Barb Suci, *TimeSaver Off Site Secretarial, Inc.*

## **AGENDA ITEM 3A**

STAFF ORIGINATOR: Jeff Karlson  
MEETING DATE: August 11, 2014  
TOPIC: Consideration of Resolution Declining Charter Amendment  
VOTE REQUIRED: Simple Majority (3/5)

### **INTRODUCTION**

The Council is being asked to consider a resolution declining to submit a proposed charter amendment to election.

### **BACKGROUND**

On July 7, 2014, the Lino Lakes Charter Commission submitted a proposed amendment to the City Charter requesting that it be submitted to the voters for the November 4<sup>th</sup> general election. The proposed amendment requested a ballot question that would split the city into four wards, with one city council member elected from each ward.

In a written opinion, dated July 16, 2014, City Attorney Joe Langel identified three provisions in the amendment that conflict with state law. Mr. Langel is recommending that the amendment not be submitted to the voters for reasons described below.

1. The proposed Charter amendment requires that the Commission determine the council election wards (districting), which conflicts with Minnesota law. State law places sole control over ward boundaries with the City Council, which is referenced in Minnesota Statutes, Section 205.84.
2. The proposed amendment conflicts with Minnesota Election Law that provides a window of time during which ward boundaries must be redrawn. The proposed amendment requires that the ward boundaries be filed far earlier than the legislative boundaries, which is expressly prohibited.
3. The proposed amendment is in conflict with the statutory requirement that only the City Council may authorize such additional charter commission expenses it deems necessary (Minn. Stat. §410.06). The City Council cannot be forced to provide additional funds to the Charter Commission.

### **RECOMMENDATION**

It is recommended that the Council adopt Resolution No. 14-77, declining submission of proposed charter amendments to election.

### **ATTACHMENTS**

Resolution No. 14-77, "Resolution Declining Submission of Proposed Charter Amendment for Election."

**CITY OF LINO LAKES  
RESOLUTION NO. 14-77**

**RESOLUTION DECLINING SUBMISSION OF  
PROPOSED CHARTER AMENDMENT FOR ELECTION**

WHEREAS, on July 7, 2014, the Lino Lakes Charter Commission submitted to the City Clerk a proposed amendment to the City Charter and requested that the amendment be submitted to the voters at the general election on November 4, 2014, all in accordance with Minnesota Statutes, Section 410.12, subdivisions 1 and 4; and

WHEREAS, the proposed amendment requested a ballot question that would split the city into four wards, with one city council member elected from each ward (The text of the proposed amendment is attached hereto as Exhibit A); and

WHEREAS, the City Council, in consultation with the City Attorney, has determined not to submit the Ward System Amendment to the voters for the reasons described below.

1. The proposed Charter amendment requires that the Commission “determine the council election wards (districting),” which conflicts with Minnesota law. State law places sole control over ward boundaries with the City Council, which is referenced in Minnesota Statutes, Section 205.84.
2. The proposed amendment conflicts with Minnesota Election Law, which provides a window of time during which ward boundaries must be redrawn. The proposed amendment requires that the ward boundaries be filed far earlier than the legislative boundaries, which is expressly prohibited.
3. The proposed amendment is in conflict with the statutory requirement that only the City Council “may authorize such additional charter commission expenses as it deems necessary.” Minn. Stat. §410.06. The City Council cannot be forced to provide additional funds to the Charter Commission.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lino Lakes that for reasons set forth in the City Attorney’s Opinion Letter, dated July 16, 2014, and as summarized above, the Council declines to submit the Ward System Amendment to the voters.

Approved by the City Council of the City of Lino Lakes this 11<sup>th</sup> day of August 2014.

The motion for the adoption of the foregoing resolution was introduced by Council Member \_\_\_\_\_ and was duly seconded by Council Member \_\_\_\_\_ and upon vote being taken thereon, the following voted in favor thereof:

The following voted against same:

\_\_\_\_\_  
Jeff Reinert, Mayor

ATTEST:

\_\_\_\_\_  
Julianne Bartell, City Clerk

## EXHIBIT A

### Text of Charter Amendment Submitted by Charter Commission

#### Ward System Amendment:

#### *Section 2.03. Council Composition and Election.*

*Subdivision 1.* The Council shall be composed of a Mayor and four (4) Council Members who shall be qualified electors in the City of Lino Lakes and who shall be elected at large. Council Members shall serve for a term of four (4) years and/or until a successor is elected and qualifies. The Mayor shall be elected at large and shall serve for a term of two (2) years and/or until a successor is elected and qualifies.

*Subdivision 2.* Each member of the Council shall be elected from a separate ward. Voters may only vote for a candidate for the Council ward seat within which the voters reside. Council Members must reside within the ward from which they are elected. If a Council Member moves within the City from such Council Member's elective ward, or if Council Member is excluded from a ward as a result of districting or redistricting, such Council Member's term of office shall expire on January first following the next regular City election.

*Subdivision 3.* For the purposes of electing City council members, the City shall be divided into four (4) serially numbered wards. These wards shall be as equal in population as practicable and each ward shall be composed of compact, contiguous territory. Ward boundaries shall follow visible, clearly recognizable physical features as required by state law.

*Subdivision 4.* Upon enactment of these provisions, and after every Federal decennial census, the Charter Commission, after public hearings, shall determine the council election wards (districting) in the manner described in this section. The public hearings shall be held after published notice of said hearings, and opportunity to speak shall be allowed members of the public upon such reasonable terms as the Commission shall adopt. The Commission shall adopt its districting resolution by a majority vote of its entire membership and file it in the office of the City Clerk no later than the first Tuesday in June prior to the first election after the Federal decennial census. The Council shall provide for a sum of money, adequate for this purpose, to be used by the Commission to hire staff to aid it in preparing its districting plan.

Joseph J. Langel  
Direct Phone: (612) 225-6837  
Direct Fax: (612) 225-6860  
jjl@ratwiklaw.com



July 16, 2014

Jeff Karlson  
City Administrator  
City of Lino Lakes  
600 Town Center Parkway  
Lino Lakes, MN 55014

RE: *Charter Amendment - Wards*  
Our File No. 4021-0130

Dear Mr. Karlson:

In recent communications, you asked for an opinion on the following:

### FACTS

On June 25, 2014, the Lino Lakes Charter Commission (“Commission”) voted to propose an amendment to the City Charter for public approval in the November 4, 2014, general election. The language of the proposed amendment is as follows:

Section 2.03. Council composition and election.

Subdivision 1. The Council shall be composed of a Mayor and four (4) Council Members who shall be qualified electors in the City of Lino Lakes ~~and who shall be elected at large.~~ Council Members shall serve for a term of four (4) years and/or until a successor is elected and qualifies. The Mayor shall be elected at large, and shall serve for a term of two (2) years and/or until a successor is elected and qualifies.

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Jennifer K. Earley  
Eric J. Quiring  
Erin E. Benson

Christian R. Shafer  
Timothy A. Sullivan  
Nathan B. Shepherd  
Ashley R. Geisendorfer

\* Also admitted in WI  
Paul C. Ratwik (Retired)  
John M. Roszak (1944 – 2011)



Subdivision 2. For the purposes of electing City council members, the City shall be divided into four (4) serially numbered contiguous Council election wards. Each member of the Council shall be elected from a separate ward. Voters may only vote for a candidate for the Council ward seat within which the voters reside. Council Members must reside within the ward from which they are elected. If a Council Member moves within the City from such Council Member's elective ward, or if a Council Member is excluded from a ward as a result of districting or redistricting, such Council Member's term of office shall expire on January first, following the next regular City election.

Subdivision 3. Council election wards shall be as equal in population as practicable and each ward shall be composed of compact, contiguous territory. Ward boundaries shall follow visible, clearly recognizable physical features as required by state law.

Subdivision 4. Upon enactment of these provisions, and after every Federal decennial census, the Charter Commission, after public hearings, shall determine the council election wards (districting) in this manner described in this section. The public hearings shall be held after published notice of said hearings, and opportunity to speak shall be allowed members of the public upon such reasonable terms as the Commission shall adopt. The Commission shall adopt its districting resolution by a majority vote of its entire membership, and file it in the office of the City Clerk no later than the first Tuesday in June prior to the first City election after the Federal decennial census. The Council shall provide for a sum of money, adequate for this purpose, to be used by the Commission to hire staff to aid it in preparing its districting plan.

The City forwarded the proposed amendment to the undersigned for review.

### **ISSUES**

Are the provisions of the proposed amendment in accordance with state law?

### **DISCUSSION**

There is no question that the Commission is authorized to propose an amendment on this subject matter. By statute, “[t]he charter commission... may provide that all elective city officers, including mayor and members of the council, shall be elected at large or otherwise.” Minn. Stat. § 410.16. The “or otherwise” language allows for the creation of a ward system.

We have identified three provisions of the proposed amendment, however, that conflict with State law.

**I. The City Council must Confirm or Redefine Ward Boundaries.**

Under the Minnesota Election Law, the city council is responsible for drawing ward boundaries. The proposed amendments, however, requires that the Commission “determine the council election wards (districting).” While there are some instances in which a charter provision will control over a conflicting state law, that is not the case with respect to election districts.

Minnesota Statute section 205.84 applies to “a city electing council members by wards.” Minn. Stat. § 205.84, subd. 1. In ward-election cities, “[a]fter the official certification of the federal decennial or special census, the governing body of the city shall either confirm the existing ward boundaries as conforming to the standards of subdivision 1 or redefine ward boundaries to conform to those standards as provided in section 204B.135, subdivision 1.” *Id.*, subd. 2. Further, “[i]f the governing body of the city fails to take either action within the time required, no further compensation shall be paid to the mayor or council member until the wards of the city are either reconfirmed or redefined as required by this section.” *Id.* “‘Governing body’ means... the elected council of a city.” Minn. Stat. § 200.02, subd. 10. In short, both the requirement to set the ward boundaries and the penalty for failing to do so lie entirely on the city council.

This statute applies to Lino Lakes and controls over any contradictory Charter provisions. Under Minnesota Election Law, the general term “city” “means a home rule charter or statutory city.” Minn. Stat. § 200.02, subd. 8. Lino Lakes is a home-rule charter city. “The Minnesota Election Law applies to all elections held in this state unless otherwise specifically provided by law.” Minn. Stat. § 200.015.

The Commission may have relied on section 410.21, which states that charter provisions “shall be valid and shall control as to...elections for municipal offices, notwithstanding that such charter provisions may be inconsistent with any general law...” That statute, however, was adopted in 1909, whereas section 205.84 was made applicable to charter cities in 1999. Minn. Laws 1999, Ch. 237, § 3. These specific election law provisions, having been enacted later in time than section 410.21, take precedence. *See* Minn. Stat. § 645.26 (stating that specific and more recent statutory provisions control over general and older provisions).

This conclusion is shared by the attorney general. *See* Minn. Atty. Gen. Op. 64F, 1995 WL 647731 (Oct. 27, 1995). In that Letter Opinion, the Attorney General noted that, while section 410.21 states that charter provisions regarding certain specified electoral issues control

over general laws, the more recent and more specific election laws require application of section 205.84.

State law places sole control over ward boundaries with the City Council. The proposed amendment, on the other hand, requires that the Charter Commission draw ward boundaries in the City. As a result, the proposed amendment is in conflict with Minnesota law.

## **II. The Proposed Amendment's Timing Provision Conflicts with State Law.**

Minnesota Election Law provides a window of time during which ward boundaries must be redrawn. This timing requirement is referenced in section 205.84, subdivision 2, and is applicable to charter cities, as discussed above. The proposed amendment conflicts with those statutory requirements.

“[W]ards must be redistricted within 60 days after the legislature has been redistricted or at least 19 weeks before the state primary election in the year ending in two, whichever is first.” Minn. Stat. § 204B.135, subd. 1. “[A] city that elects its council members by wards may not redistrict those wards before the legislature has been redistricted.” Minn. Stat. § 204B.135, subd. 1. Legislative boundaries must be determined no “later than 25 weeks before the state primary election in the year ending in two.” Minn. Stat. § 204B.14, subd. 1a. By statute, the state primary is “held on the second Tuesday in August in each even-numbered year.” Minn. Stat. § 204D.03, subd. 1. By operation of these statutes, ward boundaries must be redrawn by the first week of April in a year ending in two.

The proposed Charter amendment requires that the Commission file the ward boundaries “no later than the first Tuesday in June prior to the first City election after the Federal decennial census.” If the City elections are on odd-numbered years, as they are currently, the proposed Charter amendment will require that the ward boundaries be filed far earlier than the legislative boundaries, which is expressly prohibited. Even if the City moved to elections on even-numbered years, statute would require the ward boundaries to be determined over two months earlier than the proposed Charter amendment would require.

Consequently, the proposed Charter amendment conflicts with the state timing requirements.

### **III. Only the City Council May Expend City Funds.**

The proposed amendment is in conflict with the statutory requirement that only the City Council “may authorize such additional charter commission expenses as it deems necessary.” Minn. Stat. §410.06. The amendment proposed by the Commission requires the City Council to fund the ward redistricting with an “adequate” sum of money. It is not clear who is responsible for determining what is adequate under the circumstances. In any event, the City Council cannot be forced to provide additional funds to the Charter Commission when the statute expressly grants the Council sole discretion for any funds over the annual \$1,500 allotment.

### **IV. The Proposed Charter Amendment Should Not Be Put on The Ballot.**

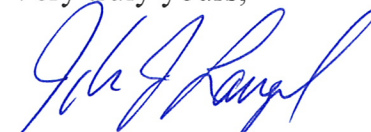
It is a longstanding rule in Minnesota that “[t]he adoption of any charter provision contrary to the public policy of the state, as disclosed by general laws or its penal code, is also forbidden.” *State ex rel. Town of Lowell v. City of Crookston*, 252 Minn. 526, 528, 91 N.W.2d 81, 83 (1958); *see also Haumant v. Griffin*, 699 N.W.2d 774, 779–81 (Minn. App. 2005). “[A]ny charter provision that conflicts with state public policy is invalid.” *Nordmarken v. City of Richfield*, 641 N.W.2d 343, 347 (Minn. App. 2002).

The proposed Charter Amendment should not be put on the November ballot because it is in conflict with state law. It should also be noted that the proposed Charter amendment does not contain clear transition provisions for moving from an at-large system to a ward system. Depending on how the wards are drawn and when the council terms expire, questions remain as to who would be seated where and for how long. Any amendment establishing a ward system should clearly set forth how the transition process will work.

### **CONCLUSION**

For each of the reasons discussed above, subdivision 4 of the proposed Charter amendment violates state law and public policy. Accordingly, the City Council may decline to submit the amendments to the voters.

Very truly yours,



Joseph J. Langel  
Nathan B. Shepherd

Wards → localized representation

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## Charter Commission

### Home Rule Charter

Saint Paul's most basic rules for governance are found in the [Home Rule Charter](#). The Charter defines the roles of the City Council and Mayor along with defining the City's general authority to finance and tax for public services. Voters approved this Charter in 1972.

The [Legislative](#) and [Administrative](#) Codes set out in specific detail how the City will provide services and the responsibilities of citizens. The City Council adopts these Codes by ordinance.

### Mission

The Charter Commission is responsible for:

- Improving the government** of Saint Paul by studying and analyzing issues and concerns of the City
- Educating citizens** about the Charter and encouraging involvement in the Commission's work
- Serving as a resource and providing oversight** in solving problems that are deemed unsolvable by the City Council or inappropriate for the Council to address
- Hearing petitions regarding the Charter** from the public and the City Council
- Keeping the Charter current** by reviewing the provisions and language to keep it up-to-date and coordinated with State laws

→ looking at this language

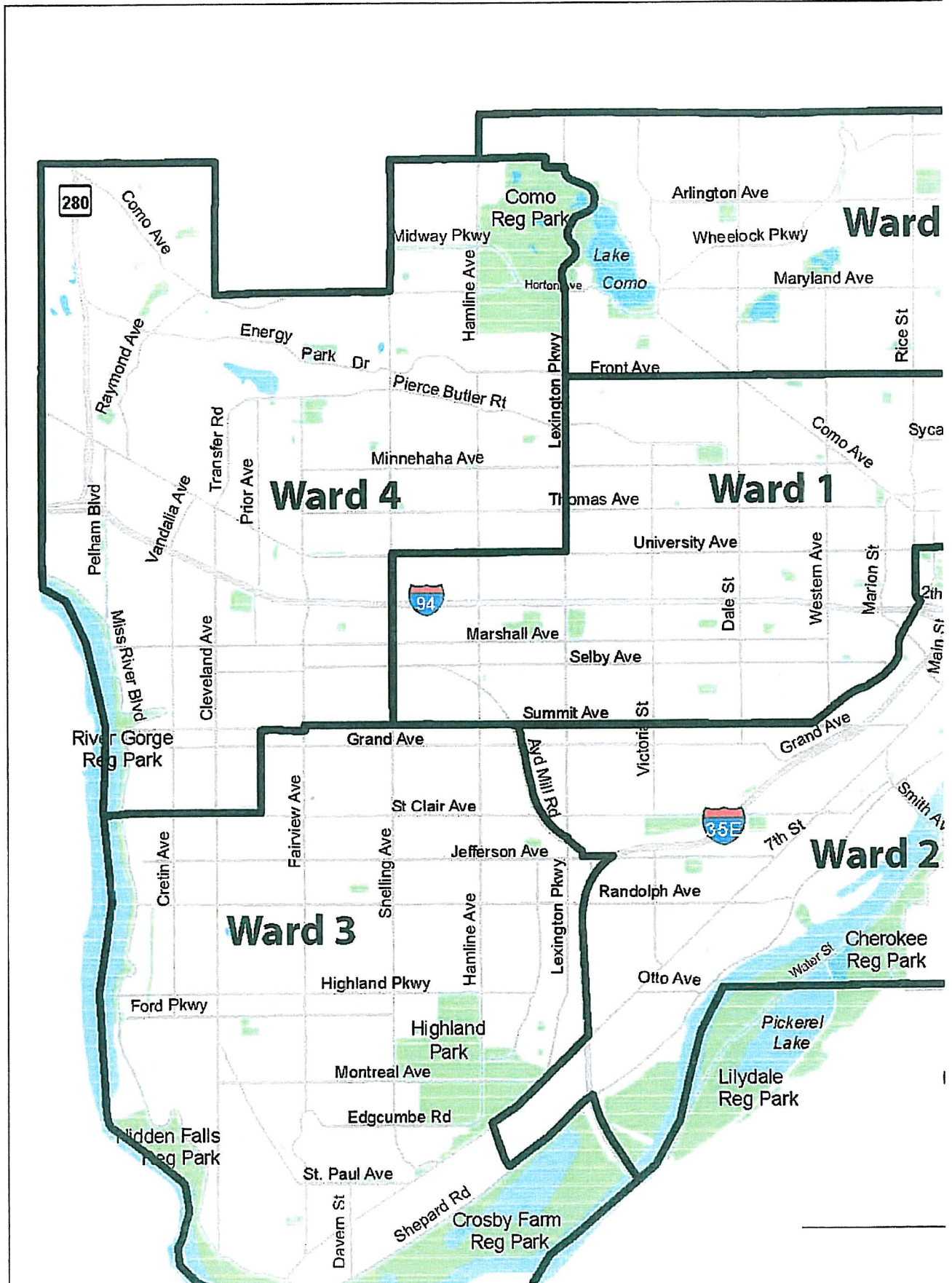
### Be an Active Citizen!

Saint Paul residents who are at least 18 years old may [apply](#) to serve on the Commission. Meetings are normally scheduled for the 3rd Monday of the month.

### Redistricting

The Charter Commission is responsible for the redistricting of city council ward boundaries. The [new ward boundaries](#) were approved in 2011, but due to changes in legislative lines the [proposed boundaries](#) will be considered at a meeting on Monday, March 12, 2012, at 4:30 PM in Room 220 of City Hall.

Wards based on two precincts



**Sec. 2.01. Elective officials.**

There shall be a mayor elected by the voters of the city at large, and seven (7) councilmembers, each elected from a council ward as provided herein, and such judges and other officials as are provided by statute and elected as provided therein.

*(Ord. No. 12-9, § 2, 3-26-12)*

*Editor's note—*

Section 2.01 amended by Ord. No. 16363, C.F. 269922, adopted by the city council Nov. 8, 1977, pursuant to Minnesota Statutes, Sec. 410.12, abolishing office of constable for the sixth ward and at large. Section 2.01 further amended, election Nov. 4, 1980; see Resolution, C.F. 275919 and Note 1 following this chapter; further amended by Ord. No. 17412, see Note 4 following this chapter.

**Sec. 2.01.1. Councilmembers.**

The office of city councilmember shall be a part-time elective position effective the first business day of January 1994.

*(C.F. 91-1645, 9-19-91)*

**Sec. 2.02. Terms.**

The mayor shall hold office for a term of four (4) years and each councilmember shall hold office for a term of four (4) years commencing on the first business day of January of the year following their election and until a successor is elected and qualifies.

*Note—Amended, see notes 2 and 4 following this chapter.*

**Sec. 4.01. Legislative power.**

The legislative power shall be vested in the council, which shall be composed of seven (7) councilmembers.

*Editor's note—*

Section 4.01 amended, election Nov. 4, 1980; see Resolution, C.F. 275919 and Note 1 following Chapter 2.

*Note—Amended, see Note 4 to Chapter 2.*

**Sec. 4.01.1. Council wards.**

Each member of the council shall be elected from a separate ward which is substantially equal in population to all other wards. Each councilmember shall be a resident of the ward from which elected. Voters may only vote for a candidate for the council ward seat within which the voters reside.

*(Ord. No. 12-9, § 2, 3-26-12)*

*Note—Amended, see Note 4 to Chapter 2.*

**Sec. 4.01.2. [division of city into wards.]**

For the purposes of electing city councilmembers, the city shall be divided into seven (7) contiguous wards of substantially equal population, and serially numbered. After every federal decennial census the Charter Commission, after public hearings, shall redistrict in the manner described herein. The commission shall redefine the council wards so as to make them substantially equal. The public hearings shall be held after published notice of said hearings, and opportunity to speak shall be allowed members of the public upon such reasonable terms as the commission shall adopt. The commission shall adopt its districting resolution by a majority vote of its entire membership, and file it in the office of the city clerk no later than the first Tuesday in June prior to the first city election after the federal decennial census. The council shall provide for a sum of money, adequate for this purpose, to be used by the commission to hire staff to aid it in preparing its districting plan.

*(Ord. No. 12-9, § 2, 3-26-12)*

*Editor's note—*

Ord. No. 12-9, § 2, adopted March 28, 2012, amended the Charter by repealing former § 4.01.2, and adding a new § 4.01.2. Former § 4.01.2 pertained to initial districts, and was part of the original Charter.

**Sec. 4.01.3. Reserved.**

*Editor's note—*

Ord. No. 12-9, § 2, adopted March 28, 2012, amended the Charter by repealing former § 4.01.3 in its entirety. Former § 4.01.3 pertained to mandatory redistricting, and derived from Ord. No. 11-13, adopted March 2, 2011.



St. Paul, Minnesota, Code of Ordinances >> PART III - ADMINISTRATIVE CODE >> Title II - COUNCIL >>  
Chapter 17. Council Ward Boundaries >>

#### Chapter 17. Council Ward Boundaries

[Sec. 17.01. Established.](#)

[Sec. 17.02. Descriptions.](#)

#### Sec. 17.01. Established.

Pursuant to City Charter [§4.01.2](#) and [4.01.3](#), and to the extent applicable, the provisions of Minn. Stats. § 204B. 135, Subd. 1 and 205.84, Subd. 2, council ward boundaries are established. Council ward boundaries may, from time to time, be reestablished in a districting resolution duly adopted by the charter commission or as required by state law.

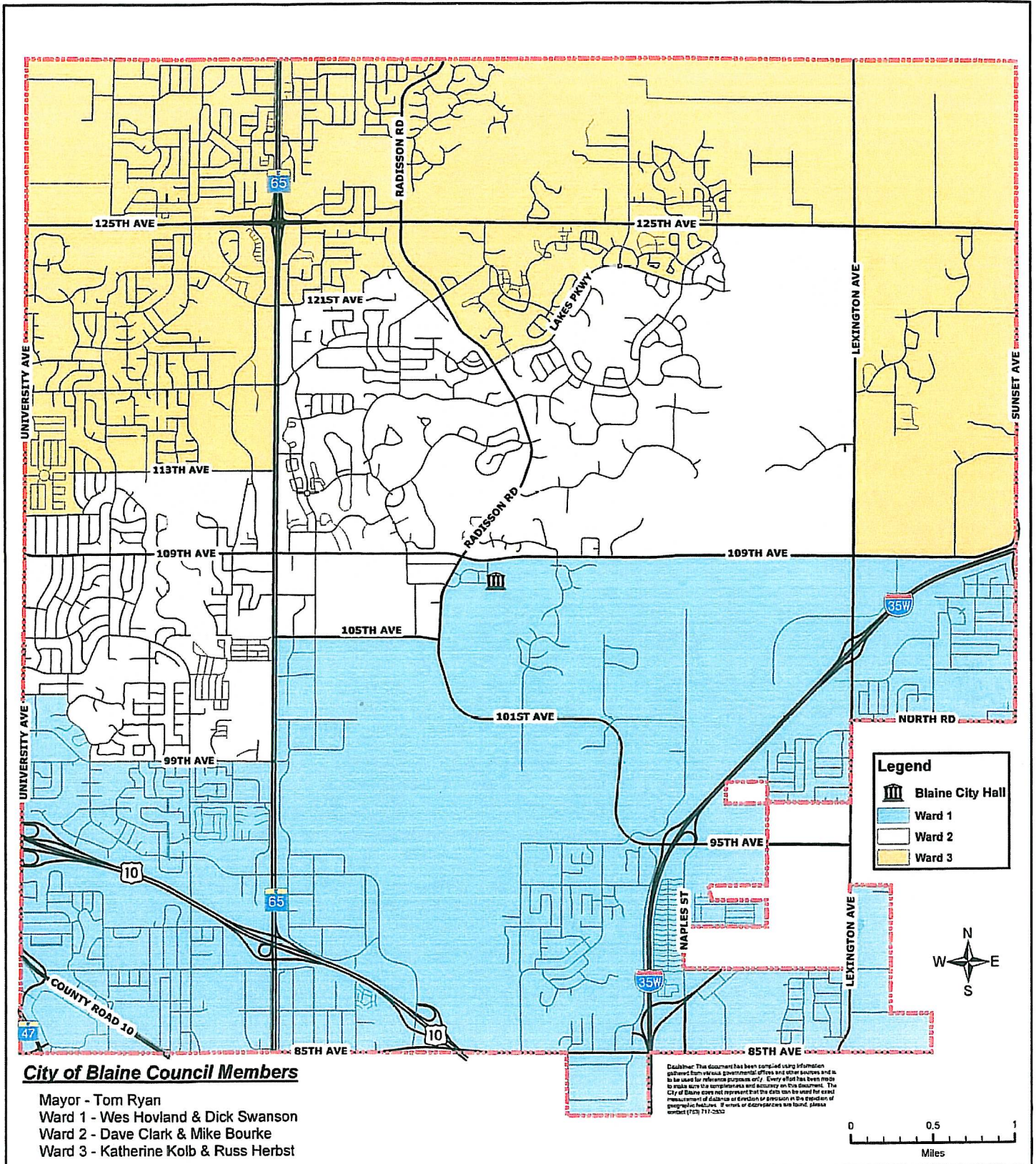
*(C.F. No. 03-469, § 1, 6-4-03)*

#### Sec. 17.02. Descriptions.

There shall be maintained at all times in the office of the city clerk and the council investigation and research center, a complete description of each current council ward boundary as set forth in a charter commission resolution. The said council ward boundary descriptions are hereby incorporated into this chapter as it fully set forth herein.

*(C.F. No. 03-469, § 1, 6-4-03; C.F. No. 07-148, § 9, 3-28-07)*

# City Council Wards



**Sec. 2.03. Elective offices.**

The council shall be composed of a mayor and six (6) councilmembers who shall be qualified voters of the City of Blaine. To effectuate the lengthening of terms of office of the council, the mayor and the other three (3) councilmembers elected at the regular municipal election in 1993 shall be elected to three (3) year terms, expiring in 1996. The mayor and the other three (3) councilmembers elected at the regular municipal election in 1996 shall be elected to four (4) year terms, expiring in 2000. The three (3) councilmembers elected at the regular municipal election in 1994 shall be elected to four (4) year terms, expiring in 1998. After the regular municipal election of 1996, the members of the council shall be elected to four (4) year terms and shall serve until their successors are elected and qualified. There shall be one councilmember elected from each ward at each regular municipal election. The mayor shall be elected at large and shall serve until a successor is elected and qualified.

Councilmembers must reside within the ward from which they are elected. If a councilmember moves from such councilmember's elective ward, or if a councilmember is excluded from a ward as a result of redistricting, such councilmember's term of office shall expire on January first, following the next regular city election.

*(Ord. of 11-5-1974; Ord. No. 92-1316, 1-7-1993; Ord. No. 12-2239, 3-15-2012)*

**Sec. 2.03(a). Wards.**

The City of Blaine shall be divided into three (3) council election wards.

The city manager shall re-evaluate the ward boundaries following the certification of the decennial census.

Council election wards shall be as equal in population as practicable and each ward shall be composed of compact, contiguous territory.

Ward boundaries shall follow visible, clearly recognizable physical features as required by state law. The city manager shall prepare a redistricting report which shall be submitted to the charter commission for review and comment.

The redistricting report, any charter commission comments, and a redistricting ordinance shall be submitted to the city council for consideration. If the city council does not adopt a redistricting ordinance within the period specified by state law, no compensation may be paid to the mayor or councilmembers until the wards of the city are newly redetermined as required by this charter and state law.

*(Ord. of 11-5-1974; Ord. No. 756, 6-14-1982; Ord. No. 91-1268, 1-9-1992; Ord. No. 12-2239, 3-15-2012)*

Kec  
6/12/13

Christopher Lyden, Chairperson,  
Lino Lakes Charter Commission  
6275 Holly Drive  
Lino Lakes, MN 55038

April 10, 2014

Honorable John C. Hoffman  
Chief Judge, Tenth Judicial District  
14949 62<sup>nd</sup> Street North  
P.O. Box 3802  
Stillwater, MN 55082

Dear Judge Hoffman,

As required by state law, please find the following 2013 annual report for the Lino Lakes Charter Commission. This report seeks to outline major activities and concerns of the Commission as discussed in Charter meetings.

**2013 Annual Report, Approved by the Lino Lakes Charter Commission, April 10, 2014**

**Membership**

We had full membership for 2013 except for the last quarter, after Commissioner Zastrow passed away.

**Meetings**

Full meetings of the Charter Commission were held on: February 21, 2013, July 25, 2013, October 10, 2013.

**Minutes**

A Charter Commissioner records the minutes for the regular and special meetings held throughout the year.

**Commission Activity**

The Commission requested secretarial services from the City Council. The Council decided to pay for Timesavers for two meetings in the year 2013.

On the urging of the City Council the Commission voted to have a joint meeting with City Council on the review of Chapter 8. The Council chose to opt out on the Commission's invitation. Refer to letters attached dated, April 22, 2013 and letter July 25, 2013.

Adoption of an Ordinance to amend Section 4.02 and Section 8.04, Subdivision 2, of the City Charter to change the filing period to mirror the language of the State Statute.

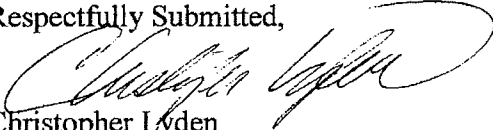
**Charter Expenditures**

Due to a shortage of funds from the City Council, the Charter attorney fees remain unpaid from as far back as the first half of 2009.

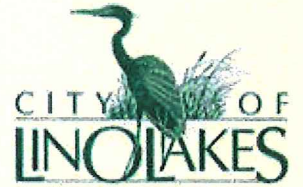
**Five Year Financial Plan**

In 2013 the City Council has not adopted the Five Year Plan. This status remains unchanged from previous year's reports.

Respectfully Submitted,



Christopher Lyden  
Chairperson, Lino Lakes Charter Commission  
Seven year commissioner



Connie Sutherland, Chairperson,  
Lino Lakes Charter Commission  
889 Main Street  
Lino Lakes, MN 55014  
February 12, 2015

Judge Hoffman  
Chief Judge, Tenth Judicial District  
14949 62<sup>nd</sup> Street North  
PO Box 3802  
Stillwater, MN 55082

Dear Judge Hoffman:

As required by state law, please find the following 2014 annual report for the Lino Lakes Charter Commission. This report seeks to outline major activities and concerns of the Commission as discussed in Charter meetings.

**2014 Annual Report, Approved by the Lino Lakes Charter Commission, February 12, 2015**

**Membership**

We had full membership for 2014.

**Meetings**

Full meetings of the Charter Commission were held during the year of 2014 on: January 9, March 24, April 10, June 19, June 25, July 10, July 25, August 1, August 6, August 14 and November 6.

**Minutes**

Timesavers recorded the minutes of our regular meetings held on January 9, April 10, July 10 and November 6. A Charter Commissioner recorded the minutes for the special meetings held on all other dates.

**Commission Activity**

The Commission presented an amendment of the Charter Section 2.03. Council composition and election to the voters. The proposed ballot language presented was, "Should the city be split into four wards, with one city council member elected from each ward?" The Council refused placement of this item on the ballot for 2014.

The Council requested a joint meeting to discuss the "vision of the city". The Commission entertained the idea, and voted to hold the joint agenda item at the regular meeting scheduled for July 10. One day prior to the regular scheduled meeting, the Council requested to postpone the



agenda item. No alternatives have been suggested or communicated. Please see attached email from City Clerk, Julie Bartell dated July 9, 2014 (page 3).

The Commission reviewed two proposed Chapter 8 amendments presented by the City Council. Motions were brought forward to approve Ordinance 04-14, approve Ordinance 03-14; and approve a revised Ordinance 03-14; all failed. Enclosed is the letter provided to Mayor Reinert on August 8, 2014 (page 4).

### **Charter Expenditures**

The Charter used the services of Karen Marty to review proposed amendments at an expense of \$3,008.75 (unpaid balance of \$183.75). Our annual budget from the City is \$1,500, of this amount the Charter spent a total of \$339.30 on an amendment and ballot language requested by the Charter Commission.

The remaining annual budget and the approved additional budget were spent exclusively on the City proposed amendments (\$1160.70 of our annual budget, plus an additional \$1325 voted and approved by the City Council). The remaining unpaid balance of \$183.75 was all work completed in regard to the City proposed changes. Enclosed is the letter submitted to the City Council from the Charter Commission in regard to this matter and the response received from the City Council (pages 5-6).

The Charter used the services of Timesavers at an expense of \$751.50 for 4 regular meetings held during 2014. This expense was paid by the City without regard to the Charter Commission budget. This service has also been confirmed for the 2015 regular meetings.

### **Five Year Financial Plan**

In 2014 the City Council has not adopted the Five Year Plan. This status remains unchanged from previous year's reports. Enclosed is a letter submitted to the City Council from the Charter Commission in regard to this matter, no response was received from the City Council on this matter (pages 7-9).

Respectfully Submitted,

Connie Sutherland  
Chairperson, Lino Lakes Charter Commission

Enclosures (7)