

**CITY OF LINO LAKES
CHARTER COMMISSION**

DATE : July 13, 2000
TIME STARTED : 7:00 P.M.
TIME ENDED : 9:30 P.M.
MEMBERS PRESENT : DeMotts, Dahl, Trehus, Montain, Bening,
Zych, Rafferty, Zastrow, S. Lane, G. Lane
Christopherson,
MEMBERS ABSENT : Aldentaler, Rehbine, Sullivan, and Carlson
STAFF MEMBERS PRESENT : None

CALL TO ORDER AND ROLL CALL

Acting Chair Montain called the regular meeting of the Lino Lakes Charter Commission to order at 7:07 p.m. on July 13, 2000.

It was noted that all absences were excused.

A list of Commissioners names, addresses, and phone numbers was distributed.

CONSIDERATION OF MINUTES

April 13, 2000

Commissioner Zych stated that according to the minutes, the following items should be added to the agenda: TimeSaver, Special Election Cost, and Joint Meeting with City Council.

Acting Chair Montain correction page 3, paragraph 2, to read “page 2, section 9”.

MOTION by Commissioner Dahl, seconded by Commissioner Christopherson, to accept the amended version of the Charter Commission minutes of April 13, 2000. The motion carried with Commissioner Montain and Rafferty abstaining.

REPORTS OF THE CHAIR

October 1999 Annual Report – Acting Chair Montain advised he has completed the October 1999 Annual Report. He stated he has not yet turned the report in. The report will be turned in and filed. An update will be given at the October, 2000, meeting.

REPORT OF COMMITTEES

Clerk/Treasurer – Acting Chair Montain advised the City no longer functions as the Charter indicates due to the Finance Director position. The City does not have a treasurer. Chair Sullivan has advised he will speak to the City Council regarding this issue. An update will be given at the October, 2000, meeting.

Five-Year Plan – Acting Chair Montain advised everyone received a copy of the draft Five-Year Plan. There is a lot of information in the Plan that Commissioners should review. He stated his concern is that the Plan may miss the forest through the trees. He stated he thought the Plan would give a detailed plan for the City.

Commissioner Dahl stated the Plan is only a draft plan. The Finance Director just began working in April, 2000. The Finance Director is currently working on the budget. Work will begin on the Five-Year Plan when the budget process is completed. The City Administrator has indicated she would like the Five-Year Plan to be passed with the budget. The City Administrator has asked that she be contacted if Commissioner's have any questions relating to the Plan.

Acting Chair Montain stated road reconstruction is a huge expenditure and is not included in the Five-Year Plan. The Plan addresses office supplies as opposed to capital improvements.

An update regarding the Five-Year Plan will be given at the October, 2000, meeting.

New Resident Welcome Letter – Commissioner S. Lane distributed copies of the original resident welcome letter. A revised version was also distributed. She stated the Charter Commission should not be welcoming new residents to the City. She stated the revision includes facts relating to the Charter.

Commissioner Dahl advised she has talked to the City Clerk regarding a web page. The City Clerk has indicated she has good ideas for the web page. Commissioner Dahl suggested the City Clerk present her ideas to the Commission. She suggested the web page include a link to the Charter and possibly e-mail for residents who have questions. She stated the minutes from various boards could also be included.

Acting Chair Montain stated the Commission has discussed this issue before. He stated there is a summary sheet that outlines the Charter that should be included in the resident welcome letter.

Acting Chair Montain requested Commissioner Rafferty work with Commissioner Bening so everyone gets a copy of the Charter summary.

Commissioner Zastrow referred to the second paragraph of the revised letter. He stated the second sentence should refer to the Village. It was noted that the second sentence should read "It was established to assure the City operates in accordance with the Charter".

Commissioner Bening indicated he will fax a copy of the summary to Commissioner S. Lane. Commissioner Lane will revise the draft letter to include the summary.

Commissioner S. Lane requested clarification on whom originally approved the Charter, how to change the Charter, and the availability of the Charter.

Commissioner S. Lane also requested this item be called "New resident Charter information" on future agendas.

Amend Bylaws- Chair notify new members – Commissioner Christopherson advised there was an issue with new members regarding notification of appointments. It has been suggested that the procedure of notification be changed to require the Chair of the Commission to notify appointees.

Acting Chair Montain stated notification has been an issue for quite some time. The problem is the Judge does not have a timetable. The Judge notifies the City Clerk when the appointments are made.

Commissioner Rafferty suggested the due date for the Judge be changed.

Acting Chair Montain stated the Judge has gone past due dates before. The only thing that can be done is polite harassment by the City Clerk. Acting Chair Montain explained the application and term process.

Commissioner Rafferty suggested a respectful letter be sent to the Judge before the holidays each December.

Commissioner G. Lane suggested the process be started in July or August of each year. He asked who made up the list of Commissioners noting his term was listed incorrectly.

Acting Chair Montain explained the term process noting some members may have finished out a term for previous Commissioners. He asked that Commissioners check the accuracy of the information on the list. Clarification is needed from the City Clerk regarding the "date appointed" column.

Commissioner Rafferty noted two new members were not sworn in until the April, 2000, meeting.

Acting Chair Montain advised the date when sworn in is not the issue. The terms had officially begun before they were sworn in. He advised he will research the term dates with the City Clerk.

Commissioner Rafferty requested accurate names, addresses, and phone numbers. He asked for fax numbers or e-mail addresses to be added to the list before the conclusion of the meeting. He advised he will maintain a running total of absences for the Commission.

Commissioner Trehus distributed a copy of an amendment to the by-laws that the Charter Commission has voted to approve. The resolution outlines the procedure for the expiration and appointment on any seat of the Commission.

Acting Chair Montain stated the problem is with the Judge. The Judge needs to contact the Chair of the Commission. The Chair can then notify the appointees.

Commissioner Trehus advised the Commission needs to determine if the resolution should be put in the by-laws or informally adopted.

Acting Chair Montain stated it is the Commissioners job to help remind the Chair to obtain the information from the Judge.

Commissioner Trehus explained the resolution is a slight change to the by-laws. The second part indicates the Chair is responsible for the appointment process.

Commissioner DeMotts noted the Commission can advertise for Charter members any time. The Judge can pick from an established list.

Acting Chair Montain advised he has no problem with the amendment to the by-laws. However, the amendment does not solve the problem.

Commissioner G. Lane stated the process should be started six-(6) months ahead of time so there is not a problem.

Commissioner Dahl stated there will still be a problem when someone resigns.

Acting Chair Montain expressed concern regarding people applying in August and not being notified for quite some time.

Commissioner Trehus stated the Commission should discuss the appointments in July before terms are expiring. The Commission should then remind the Chair of his duties.

Commissioner G. Lane stated he is in favor of starting the process in July. The openings are advertised in October. There will always be a problem if the process doesn't start sooner.

Commissioner Bening referred to the by-laws that indicate the Chair has to notify the City Clerk at least three months prior to appointments.

MOTION by Commissioner G. Lane, seconded by Commissioner DeMotts, to amend the by-laws as follows:

Section 9. Appointments. At least five (5) months prior to the expiration of any seat on the Commission, the Char shall notify the City Clerk of the names of the incumbents and

their expiration of office date so that the City Clerk may publicize the availability of openings on the commission together with a summary of the application process. The Chair shall also notify the affected incumbents at this time. Should a member not finish his or her term on the commission, the Chair shall notify the City Clerk of that opening immediately to allow for prompt filling of that position. Following notification of the City Clerk, the Chair shall follow the appointment process for any and all openings on the Commission and shall ensure that proper and timely notification be given to the new and/or returning members following their appointment to the Commission.

Commissioner Trehus advised the five (5) month notification will make the language of the amendment confusing. The amendments does not tie the Chair's hands to anything. He stated he thought the problem was with the Judge and the City not notifying the appointees. The amendment addresses the City's responsibility regarding this issue.

Commissioner DeMotts stated the City Clerk received the appointments right before the meeting. She did call the Judge several times.

Commissioner Rafferty stated the Commission is trying to eliminate fault regarding this matter. The amendment is trying to make the Chair's responsibility clear.

Commissioner Dahl stated she likes the idea of a four-(4) month notification procedure.

MOTION failed with Commissioners Rafferty, Zastrow, Christopherson, Bening, Montain, S. Lane, and Dahl voting no.

MOTION by Commissioner Rafferty, seconded by Commissioner Bening, to approve the above amendment changing the notification procedure to four (4) months. The motion carried with Commissioner G. Lane and DeMotts voting no.

Special Election Cost – Commissioner DeMotts advised there is no new information regarding this issue. This issue was tabled to the October, 2000, meeting.

Joint Meeting with City Council – Acting Chair Montain advised the Chair of the Commission will discuss this issue with the City Council.

Commissioner Dahl noted she will speak to the City Administrator regarding a joint meeting. This issue was tabled until the October, 2000, meeting.

UNFINISHED BUSINESS

Road Reconstruction – Commissioner Dahl advised the City Administrator has indicated a fund will be set up through the gas franchise fee with Minnegasco. Fees will amount to 100% minus legal fees. The fees will be approximately \$60,000 per year.

Commissioner Dahl stated Vern Reinert, Mayor Bergeson, and the City Administrator recently met with Minnegasco. An agreement was sent to the attorney. The City Engineer has indicated there is currently \$246,000 in the road reconstruction fund.

Commissioner DeMotts inquired about extra funds put into the road reconstruction fund from the Ware Road project.

Commissioner Dahl indicated she will find out if funds from the Ware Road project were put into the road reconstruction fund.

Acting Chair Montain clarified that a road reconstruction fund has been set up so general funds and the public improvement process will not be used to reconstruct roads.

Commissioner Trehus inquired about the possibility of collecting funds from the General Fund and then going to the voters to spend the money on road improvements.

Commissioner G. Lane asked why the City spent \$5 million on a new City Hall as opposed to road improvements.

Commissioner Dahl advised if there is an excess of dollars, the Council goes to the department heads to see what is needed. Last year a lot of the extra dollars were spent on indebtedness.

Commission Files – Location/Lock/Setup – Commissioner Dahl advised the City Administrator has indicated the Commission can use a part of the old City Clerk's office for storage. The City Administrator will purchase a three (3) or four (4) drawer file cabinet that will be paid for by the Commission. A key will be issued to the Chair, Secretary, and City Clerk. A three-(3) drawer file cabinet is approximately \$400.

Acting Chair Montain indicated that he and Commissioner Rafferty will speak to the City Administrator regarding the office space, file cabinet, and transporting the files from the old city hall.

Commissioner Dahl suggested the Commission purchase a four-(4) drawer cabinet.

Commissioner S. Lane suggested keys be given to the Chair, Vice-Chair, Secretary, and the City Clerk.

Commissioner Bening noting the Commission must vote on the purchase of the file cabinet.

Acting Chair Montain advised the Commission does have a budget. Funds from the budget are used for the minute service, packets, and some advertising and legal fees. The Commission has never used the entire budget. Dollars that are not used to back into the General Fund.

MOTION by Commissioner Bening, seconded by Commissioner S. Lane, to authorize the purchase of a four-(4) drawer file cabinet for storage up to \$600. The motion carried unanimously.

Review City Council Meeting Minutes for Charter Compliance – Acting Chair Montain advised it is the Commission’s job to read the Council minutes to ensure Charter compliance.

Commissioner Dahl advised the City Clerk wants to know if each member wants a copy of all the minutes. Copying the minutes is expensive and timely. Commissioner Dahl suggested liaisons from the Charter watch over the minutes.

Commissioner Rafferty stated it is a good idea to monitor the minutes and save money.

Commissioner G. Lane suggested a poll be taken regarding who wants copies of the minutes. He asked when the City will have e-mail.

Commissioner Dahl advised the City is working on e-mail.

Commissioner Trehus suggested the Council minutes be put on a web site.

Acting Chair Montain stated that not everyone has a computer.

Commissioner S. Lane noted she is unsure about what makes the minutes compliant.

Acting Chair Montain advised the Commission should look for any discrepancy between the Charter and actions of the City Council.

Commissioner Trehus stated the Charter does a good job of governing the Council and everyone should review the Council minutes.

The following poll was taken regarding Council minutes:

- Gene and Sharon Lane – one set of minutes
- Bob Bening – one set of minutes
- Mike Trehus – one set of minutes
- Paul Montain – one set of minutes
- Al DeMotts – one set of minutes
- Irv Zastrow – one set of minutes
- Joe Zych – does not want a set of minutes
- Rob Rafferty – does not want a set of minutes
- Caroline Dahl – does not want a set of minutes

Acting Chair Montain advised he will contact absent members regarding copies of the minutes. If any past minutes are needed, Commissioners should contact the City Clerk.

Commissioner S. Lane noted that in the future, she would like a copy of the minutes via e-mail.

Charter Budget – Acting Chair Montain advised the Commission receives \$1,500 per year. The Council has authorized more money at times. If the dollars are not used, they go back into the General Fund. The purpose is not to spend the funds, but they are available if necessary. The budget is \$6,500 this year and \$5,000 for 2001.

NEW BUSINESS

TimeSaver – Acting Chair Montain advised the Commission needs to vote on the continuation of service from TimeSaver for minute service.

MOTION by Commissioner Trehus, seconded by Commissioner Dahl, to continue with the minute service provided by TimeSaver.

Commissioner Trehus expressed concern regarding a big price increase. Commissioner Trehus withdrew his motion.

MOTION by Commissioner Trehus, seconded by Commissioner Dahl, to use the same minute taking service as the City Council. The motion carried unanimously.

Article in the Quad – Acting Chair Montain referred to a letter in the Quad regarding City service in Twilight Acres. He stated the issue is a Charter issue. A petition was received and should be a referendum item.

Commissioner Dahl advised that when residents initiate a petition, the residents pay most of the costs for City sewer and water. She distributed a map showing various road projects noting the road improvements in Twilight Acres are not a part of the City's plans for quite some time.

Commissioner Trehus suggested the Commission invite the City Engineer or the City Administrator to a meeting to address this issue.

Acting Chair Montain explained the assessment and appraisal process noting this is a Charter item. Dollars can not come out of the General Fund for road improvements. He volunteered to attend the Council meeting and report back to the Commission.

MOTION by Commissioner Trehus, seconded by Commissioner Rafferty, to direct the Vice Chair to attend the next Council meeting that pertain to this issue and if he believes it is necessary, invite the involved staff to the next Commission meeting to address the issue. The motion carried unanimously.

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Set October, 2000 Agenda – Acting Chair Montain advised the following items will appear on the October, 2000, meeting agenda:

Clerk/Treasurer
Annual Report
Commission Files
Special Elections

Five-Year Plan
Road Reconstruction
Joint Council/Charter Meeting
Research Commissioner Terms

ADJOURN

MOTION by Commissioner G. Lane, seconded by Commissioner Zastrow, to adjourn the meeting at 9:30 p.m. Motion carried unanimously.

Respectfully submitted,

Kim Points
TimeSaver Off Site Secretarial, Inc.