

**CITY OF LINO LAKES
CHARTER COMMISSION**

DATE : July 9, 1998
TIME STARTED : 7:02 P.M.
TIME ENDED : 9:04 P.M.
MEMBERS PRESENT : Montain, DeMotts, Dunn, Aldentaler, Zastro,
Bernier, Kenfield, Sullivan, Lane, Rehbine, Bening,
Corson and Dahl
MEMBERS ABSENT : Trehus and Turner
STAFF MEMBERS PRESENT : Wessel

CALL TO ORDER AND ROLL CALL

Chair Montain called the special meeting of the Lino Lakes Charter Commission to order at 7:02 p.m. on July 9, 1998.

CONSIDERATION OF MINUTES

April 9, 1998

Vice-Chair Sullivan stated than on page 4, paragraph 2, “for the same fee” should read “for a lower fee”. Also, on page 10, paragraph 8, “were on the Charter” should read “were on the City Council”.

MOTION by Commissioner Zastrow, seconded by Commissioner Dahl, to accept the amended version of the Charter Commission minutes of April 9, 1998. The motion carried with Commissioner Kenfield voting no.

APPEARANCES

Mr. Wessel, Community Development Director, presented an update on the Comprehensive Plan. He stated there is a Comprehensive Plan Task force meeting July 16, 1998, 7:30 p.m. The goal is to give City Council a recommendation by fall, 1998. The Comprehensive Plan will then go before the Metropolitan Council for approval. The deadline for the Comprehensive Plan is year end, 1998. On July 23, 1998, 6:00 p.m., there is a Comprehensive Plan Task Force meeting regarding transportation and Birch Street. This meeting will be held in the neighborhood meeting format. On July 30, 1998, 7:30 p.m., there is a Comprehensive Plan Task Force meeting. This meeting will be held in the work session format. Mr. Wessel encouraged everyone present to attend.

Mr. Wessel gave a brief update on economic development in the City of Lino Lakes. He went over the Zoning District Map. He stated that construction on Otter Lake Road will begin this year. When the road is completed there will be several prospects for Light Industrial development.

Commissioner Lane asked when the City will be moving into the R-BR Zoning District. Mr. Wessel indicated that will be in approximately 3 years.

Mr. Wessel gave a brief overview of the west side of the City which included the Apollo Business Park, Village Center, and the YMCA Community Center. He showed drawings of views of the clinic, Village Drive, and Village Center.

Commissioner Lane asked if the proposed bank is permanent or temporary. Mr. Wessel stated that the bank will be a smaller community bank. A temporary bank is being put in before the permanent smaller bank is opened.

Commissioner Dunn asked about progress regarding the proposed residential property. Mr. Wessel stated it will be several years before development begins there.

Mr. Wessel gave a brief update on the north side of the City. He stated that this is a very busy area. There is concern regarding the transportation component. There is the possibility of widening the bridge. There will be several signal lights installed going up Highway 49.

Commissioner Corson asked if there has been more talk regarding a frontage road on I-35W. Mr. Wessel stated that it does not look like a frontage road along I-35W will be developed. Something will be needed to tie the whole area together.

Mr. Wessel stated that a convenience store/gas station and a bank will be open by fall, 1998.

Commissioner Lane asked why so many banks are being developed. Mr. Wessel stated that the City has been under banked for a long time. Two more banks will be developed in the next 2 years.

Mr. Wessel went over the concept plan for Lino Lakes commercial development that was put together by Mr. Tim Baylor. He stated that McDonalds will be open by January, 1999. Construction on the grocery store will begin in the spring, 1999.

Commissioner Dahl asked if there has been any commitment regarding the grocery store yet. Mr. Wessel indicated there has not yet been a commitment regarding the grocery store.

Commissioner Kenfield asked if the State or County controls the signal lights on Lake Drive. She expressed frustration regarding the wait time of the signal at Lake Drive and Highway 49. Mr. Wessel indicated the signal lights will be controlled by the County but the City will have input.

Commissioner Rehbine asked if Apollo Drive could be developed to the east to act as a frontage road. Mr. Wessel stated that the interchange is not a priority. Unless there is a strong desire to connect with another interstate he doubts that Apollo Drive will be developed to the east.

Commissioner Bening asked if there are any plans to maintain and increase Light Industrial development in the Centennial School District. Mr. Wessel stated that he cannot speculate on that issue. He stated that the Comprehensive Plan will address these issues in detail.

Commissioner Corson noted that because North Oaks and White Bear Township have completed their Comprehensive Plan, obtaining Commercial/Industrial development will be more difficult. Mr. Wessel agreed stating that the City must be competitive.

Commissioner Kenfield asked how the Metropolitan Council is involved with the City's Comprehensive Plan. Mr. Wessel stated that the Metropolitan Council is the governing agency. They must approve the City's Comprehensive Plan. He stated that the Metropolitan Council has been very cooperative. Everything that happens in the City of Lino Lakes is impacted by the Metropolitan Council.

Commissioner Kenfield asked about pressure being applied to change to City water as opposed to wells. Mr. Wessel stated that he does not believe it is pressure. He stated that the City is very unique. It is a city with a rural community.

Commissioner Zastrow asked if the sewer will reach the school this year. Mr. Wessel stated that sewer will reach the school next fall. It may possibly reach the VFW this year.

Commissioner Rehbine asked if the sewer bid is due. Mr. Wessel indicated the bid is due and the extension will reach Lake Drive.

Chair Montain thanked Mr. Wessel for his time and the presentation.

OLD BUSINESS

ROAD RECONSTRUCTION

Commissioner Dunn stated that progress is being made on the Blackduck Drive/East Shadow Lake Drive road reconstruction. There has been a problem regarding dirt issues. The construction crew has been very respectful of neighbors in the area. The project should be completed by October 15, 1998.

Commissioner Bening added that one neighbor in the area could not get into his driveway because the crew left the curb too steep. The resident obtained some fill to enable driveway access. Commissioner Bening gave a recap of the project. He stated that a new sewer is being

installed. The construction crew is digging down 3-4' and putting fabric and rock down. The fabric is then sewn and a drain tile is installed along the edge.

FIVE YEAR FINANCIAL PLAN

Chair Montain stated that the Park Board is beginning to develop a Five Year Plan which will include a CIP. Department heads are in the process of looking at a Five Year Plan. The new budget is included in the process. He indicated the Charter Commission should visit this issue at the October, 1998, meeting to see how it has progressed.

Commissioner Dunn noted that Ms. Mary Vaske was going to attend a Charter Commission meeting to address the Charter Members regarding the budget.

Chair Montain suggested Ms. Vaske attend the October, 1998, Charter Commission meeting to give an update on the Five Year Plan.

CHARTER LANGUAGE

Vice-Chair Sullivan referred to a letter he sent to Charter Members regarding the proposed re-write/clarification of Section #8 of the Charter. He asked the members for ideas as to why they want to clarify the intent of Section #8.

It was determined that the following areas need clarification:

1. Use of General Fund
2. Section 208.04
3. Cost of City Services
4. Subdivision 3, page 22

Vice-Chair Sullivan stated that the next step is to draft a letter from the Charter Commission to Mr. Sulem at the League of Minnesota Cities. He indicated he hopes to have this completed by the October, 1998, meeting. He stated that his goal will be to have the re-write/clarification of Section #8 included on the November, 1999, ballot. Vice-Chair Sullivan noted that a vote is not required for typographical errors.

Commissioner Kenfield asked if punctuation and formatting is considered a typographical error. She stated she would like to see the Charter written in a more professional print.

Vice-Chair Sullivan asked if a new format for Section #8 only will be adequate.

Commissioner Kenfield indicated a new print and format for the entire Charter is desired. She stated that members were to bring in any corrections noted on the Charter. She submitted her corrections to Vice-Chair Sullivan to submit to Mr. Sulem for review.

COMMUNICATION

Commissioner Bening stated he was going to work with Commissioner Turner regarding this issue. He indicated that Commissioner Turner had not contacted him.

Vice-Chair Sullivan pointed out the article that Commissioner Turner had published in the newsletter was inaccurate. The Capital Improvement Plan is only one part of the Five Year Plan. He stated that something that is this important should not try to be done overnight. Chair Montain stated that possibly editing was done to the article. Vice-Chair Sullivan noted the importance of being accurate. Commissioner Dunn stated that it is beneficial to have articles in the newsletter. It is difficult to accomplish under duress. He suggested some guidelines be set up regarding published articles. Chair Montain stated that article due dates are long before the article is actually printed.

Commissioner Dunn stated that it was agreed to have a Communication Secretary. The Communication Secretary should give Charter Members time to respond to proposed published articles. He stressed the need for guidelines.

Chair Montain stated it would be nice to have a copy of proposed article in the members packets so changes could be made before the due date of the publication.

Commissioner Dunn suggested Commissioner Bening speak with Commissioner Turner to establish a working system for article publication.

Commissioner Lane suggested a committee be formed for this issue. He stated that Commissioner Turner should not be completely responsible. He stated that he is willing to be on the committee. If the Charter Commission wants to educate the community it needs to be more proactive.

MOTION by Commissioner Dunn, seconded by Commissioner DeMotts, to amend MOTION to form a subcommittee headed by Commissioner Turner and Commissioner Bening to assist, adding Commissioner Lane and Commissioner Dahl. Motion carried unanimously.

MISSION STATEMENT

Because of Commissioner Turner's absence, this item was tabled until the October 1998, Charter Commission meeting.

BY-LAWS

Because of Commissioner Turner's absence, this item was tabled until the October, 1998, meeting.

Chair Montain stated that the new Communication Committee will address this issue at the next meeting.

INITIATIVE AND REFERENDUM FORM

Chair Montain stated that the Initiative and Referendum Form is not yet completed. This item was tabled until the October, 1998, meeting.

MOTION by Commissioner Lane, seconded by Vice-Chair Sullivan, to table Mission Statement, By-Laws, and Initiative and Referendum Form until the October, 1998, meeting.

CODE OF CONDUCT

Vice-Chair Sullivan referred to the Public Employee Conduct handout from the City. He stated that a process is in place for all employees to sign the agreement every year.

Chair Montain explained that the City is audited yearly and the signed handout is provided for the audit.

Commissioner DeMotts referred to Chapter 10A, Ethics in Government, handout. He stated that because the City population is now over 10,000, the City has been raised to a Class 3 City. Lino Lakes must now comply to Chapter 10A. He stated the new handout from the City regarding Public Employee Conduct does not meet the Chapter 10A criteria.

Commissioner Kenfield asked if any formal communication had been received indicating the City's population is over 10,000.

Commissioner Dunn stated that the City published a statement that indicated the City is over 10,000.

Chair Montain asked if Commissioner DeMotts is suggesting that Chapter 10A be added to the new City form. He asked Commissioner DeMotts to call the State Board regarding this matter.

Commissioner Kenfield asked if Mayor Sullivan and Mr. Tesch designed the new Code of Conduct. She suggested that dates be put on all documents to determine if they are up to date.

Commissioner Corson asked if Chapter 10A referred to City Officials and/or City staff.

Commissioner DeMotts read Subdivision 25 which defines "local official".

Commissioner Rehbine noted Charter Members are not appointed. He stated that the new Code of Conduct does not apply to Charter Members.

Commissioner Kenfield stated that Chapter 10A does not refer to Charter Members because the members do not vote on major decisions regarding City expenditures.

Chair Montain asked Commissioner DeMotts to write a letter before the October, 1998, meeting, indicating what needs to be done by the Charter Members regarding Chapter 10A.

Commissioner Kenfield stated she did not read anything in Chapter 10A that indicates it is applicable to the City of Lino Lakes.

OTHER OLD BUSINESS

None.

NEW BUSINESS

CHARTER, SECTION 7

Vice-Chair Sullivan stated that the audit of the City's business determined that the wording of Section 7 of the Charter needs to be brought up to current standards. The issue will be dealt with at a later date. Each Charter Member will be receiving a letter from Mayor Sullivan addressing this issue.

SET OCTOBER 8, 1998 AGENDA

Road Reconstruction	Five Year Plan (Mary Vaske)
Charter Language	Communication
Mission Statement	Bylaws
Initiative and Referendum	Code of Conduct

ADJOURN

MOTION by Commissioner Dahl, seconded by Commissioner Corson, to adjourn the meeting at 9:04 p.m. Motion carried unanimously.

Respectfully submitted,

Kim Points
Recording Secretary
TimeSaver Off-Site Secretarial, Inc.