

CHARTER COMMISSION

Brainerd, Minnesota

June 9, 2021

5:00 P.M.

City Hall Council Chambers

WebEx Teleconference Meeting

Call Toll-Free: 844-992-4726

Access Code: 187 850 0359

_____ K. Bevans
_____ J. Czczok
_____ J. Burton
_____ K. Yeager
_____ M. O'Day
_____ C. Marohn
_____ A. Shipe
_____ J. Lambert

1. Call to Order

2. Roll Call

3. Approval/Amendment of Agenda

4. Approval of Minutes

- Meeting Held on April 14, 2021

5. Discussion on Phase 3 Charter Review (see attached)

6. Next Steps

7. Adjourn

Any individual needing special accommodations, please call 828-2307.

**Brainerd, Minnesota
April 14, 2021**

Pursuant to due call and notice thereof, the meeting of the Brainerd Charter Commission was called to order at 5:00 P.M. by Charter Commission Chair Czczok.

Upon roll call, the following members were noted present: Commissioners Czczok, Burton, Yeager, O'Day, and Council Liaison Bevans attended in person. Finance Director Hillman and HR Director Schubert were also noted as present. City Administrator Bergman and Commissioner Shipe attended the meeting remotely. Commissioners Marohn and Lambert were noted as absent.

Due to a member participating remotely, all motions will be made by a roll call vote for accuracy.

Approval/Amendment of Agenda

MOVED AND SECONDED BY COMMISSIONERS YEAGER AND O'DAY TO AMEND THE AGENDA BY ADDING WELCOME NEW MEMBERS.

Upon roll call, Commissioners Yeager, Burton, O'Day, Shipe, and Czczok voted "aye". No member voted 'nay". The Chair declared the motion carried.

(Added Item) Welcome New Member(s)

The Chair welcomed Andrew Shipe to the Commission. Mr. Shipe indicated City Administrator Bergman approached him at the Northside Neighborhood Association if he would be interested in serving on the Commission. He said he is eager to be involved in the community.

Approval of the Minutes

MOVED AND SECONDED BY COMMISSIONERS YEAGER AND O'DAY TO APPROVE THE MINUTES OF THE MEETING HELD ON MARCH 10, 2021.

Upon roll call, Commissioners Yeager, Burton, O'Day, Shipe, and Czczok voted "aye". No member voted 'nay". The Chair declared the motion carried.

Review of Sections 6, 7, 20, 21, and 22 as Attached

City Attorney Langel gave a brief update to the recommended changes of the above-mentioned sections. He indicated these are job descriptions that do not need to be listed in the City Charter. He said employment is conducted through an interview and hiring process.

Commission discussion took place.

MOVED AND SECONDED BY COMMISSIONERS YEAGER AND BURTON TO APPROVE THE CITY ATTORNEY RECOMMENDATIONS FOR CHANGES OR DELETIONS TO SECTIONS 6, 7, 20, 21, AND 22 AS PRESENTED.

Upon roll call, Commissioners Yeager, Burton, O'Day, Shipe, and Czczok voted "aye". No member voted 'nay". The Chair declared the motion carried.

MOVED AND SECONDED BY COMMISSIONERS O'DAY AND YEAGER TO APPROVE THE CITY ATTORNEY RECOMMENDATIONS FROM THE JANUARY CHARTER COMMISSION MEETING FOR CHANGES OR DELETIONS TO SECTIONS 8, 11, 12, 19, 28, AND 99 AS PRESENTED.

Upon roll call, Commissioners Yeager, Burton, O'Day, and Czczok voted "aye". No member voted "nay". Member Shipe abstained from voting. The Chair declared the motion carried.

Discussion of the Mill Levy Language as Attached

Finance Director Hillman indicated the term mill levy is referenced in MN State Statute 275.011 and the recommendation is to leave the term mill in the Charter. She stated since it does refer to a state statute, the word mill should remain so a comparison of what is being computed can take place. It was recommended to review the wording stated in the Charter for The Center, the Northland Arboretum and Community Action for uniformity. A recommendation is to possibly generalize the wording to be non-specific for funding of a senior program, an arboretum program, and a community action event program.

Commission discussion took place and ideas were shared on the appropriate language that could be used.

Council liaison Bevans questioned whether an item can be removed from the Charter if it was voted on and passed by referendum. City Attorney Langel indicated it can be eliminated and is included under Chapter 410 in MN State Statutes.

Next Steps

City Administrator Bergman stated the next step is City Attorney Langel will draft an ordinance to be considered by the City Council at the May 3rd meeting. She said phase 3 will be to review those items that were previously flagged for further discussion, with the next meeting being scheduled for June 9th at 5:00 p.m.

MOVED AND SECONDED BY COMMISSIONERS YEAGER AND O'DAY TO DIRECT STAFF TO SEND FORTH THE RECOMMENDED CHANGES AND ORDINANCE TO THE CITY COUNCIL FOR CONSIDERATION TO APPROVE.

Upon roll call, Commissioners Yeager, Burton, O'Day, Shipe, and Czczok voted "aye". No member voted 'nay". The Chair declared the motion carried.

Adjourn

Commission Chair Czczok adjourned the meeting 5:50 p.m.

Secretary

MEMO



TO: Charter Commission Members

FROM: City Administrator, Jennifer Bergman
Finance Director, Connie Hillman

DATE: June 3, 2021

RE: Discussion on Phase 3 Charter Review

On June 7, the City Council will be considering the Ordinance with the most recent recommended changes to the Charter. This will be the first reading with the second reading being held on June 21. If these changes are accepted by the Council, we will provide the Charter Commission with a revised Charter at the July meeting. Included in this Ordinance is the renumbering of the Charter itself.

Attorney Langel had agreed to review the Charter for the budgeted amount of \$10,000 and has fulfilled his obligation under that agreement with Phase 1 and 2 of the Charter amendments. Staff intends on asking the Council to budget additional funds in 2022 to complete Phase 3 of the Charter review.

However, in the meantime, there were several items that the Commission wanted to circle back around to and several items that the Commission wanted to review in Phase 3.

Staff has generated a list of topics we have been tracking. If the Ordinance is adopted by the City Council, the numbering of the Charter will change. Therefore, instead of listing them items by Section number, I am listing them out by topic.

- Discussion the Mill Levy
- Sidewalks and Assessments
- Streets and Assessments
- Chapter 8, Public Utilities Commission
- Chapter 9, The Park and Recreation Board
- Chapter 10, The Library Board

At the June 9 meeting, Staff would like to get guidance on these topics of discussion as well as any additional items Commissioner's would like to include for future discussion.