

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 Vice Chair Yeager.

Upon roll call, the following members were noted present: Commissioners Bevans, Burton, Yeager, O'Day, Shipe, and Lambert. City Administrator Bergman, Finance Director Hillman, HR Director Schubert, Engineer/ Interim Public Works Director Sandy, BPU Finance Director Wicklund, Attorney Langel were also noted as present. Commissioners Czeczok, and Marohn were noted as absent.

Approval/Amendment of Agenda

MOVED AND SECONDED BY COMMISSIONERS O'DAY AND LAMBERT, DULY CARRIED, TO APPROVE THE AGENDA.

Approval of the Minutes

MOVED AND SECONDED BY COMMISSIONERS LAMBERT AND O'DAY, DULY CARRIED, TO APPROVE THE MINUTES OF THE MEETING HELD ON OCTOBER 13, 2021.

Old Business

Update on the Evergreen Cemetery

Administrator Bergman stated that the discussion that took place at the October Charter Commission meeting regarding the Evergreen Cemetery Board going forward with an RFP for the greenspace allocation was reviewed by Attorney Langel. He determined that by definition the cemetery would not qualify for greenspace designation. Evergreen would like to come back to the Charter Commission at their December meeting

Attorney Langel stated that the definition of greenspace is not contained in the City Code, green space is a space that is utilized by the public to connect people to nature and protect the natural environment. He also stated that there is a statute from the 1950's that does not allow Third Class Charter Cities to allocate money to cemeteries. Legislation would have to be changed in order to allow funds being provided to Evergreen.

Commission discussion took place.

Vice Chair Yeager encouraged all present to continue to think of creative ways to support Evergreen Cemetery.

Administrator Bergman stated that they would reach out to Senator Ruud and Representative Heintzeman to create legislation.

Consider Redline Version of the Public Utilities Commission Chapter

Administrator Bergman stated that discussion of the Public Utilities Commission Chapter 6 took place at the September Charter Commission meeting and was postponed to November to

allow staff opportunity to review and discuss the redlined version proposed by Attorney Langel. No further comment was given to staff, and staff is proposing an Ordinance be drafted for Chapter 6 from the draft.

Attorney Langel reviewed the changes made and gave an overview of the reasoning behind the change.

Brainerd Public Utilities Finance Director Todd Wicklund stated that the only change that he sees as necessary would be in paragraph four. He is concerned about micromanagement of the City Council on the Public Utilities Commission.

Commissioner Johnson, Public Utilities Commission, stated that the hiring and firing for the PUC is the biggest piece of having a commission. With the way the proposed Charter amendment reads there will be no point in having a commission.

Commissioner O'Day stated that he didn't see a change in the duties of the PUC. He stated that with the change, staffing liability would be the sole responsibility of the City.

Commissioner Matten, Public Utilities Commission, questioned why the commission level approval in hiring is being taken out of the Charter when the staff working with the person in the position should be approving their hiring.

MOVED AND SECONDED BY COMMISSIONERS SHIPE AND LAMBERT, DULY CARRIED, TO APPROVE THE PROPOSED CHANGES AND DIRECT STAFF TO PREPARE AN ORDINANCE FOR AMENDING CHAPTER 6 PUBLIC UTILITIES COMMISSION FOR CONSIDERATION BY THE CITY COUNCIL.

Adjourn

MOVED AND SECONDED BY COMMISSIONERS LAMBERT AND SHIPE, DULY CARRIED, TO ADJOURN THE CHARTER COMMISSION MEETING.

Commission Vice Chair Yeager adjourned the meeting 6:06 p.m.

Secretary