

Pursuant to due call and notice thereof, the meeting of the Brainerd Charter Commission was called to order at 4:00 P.M. by Charter Commission Chair Czeczok.

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

Approval/Amendment of Agenda

MOVED AND SECONDED BY COMMISSIONERS YEAGER AND LAMBERT, DULY CARRIED, TO APPROVE THE AGENDA.

Approval of the Minutes

MOVED AND SECONDED BY COMMISSIONERS LAMBERT AND SHIPE, DULY CARRIED, TO APPROVE THE MINUTES OF THE MEETING HELD ON NOVEMBER 10, 2021.

New Business

Discussion on the Intent of the Charter Amendment

Administrator Bergman stated that the City Council received an RFP from The Northland Arboretum for the "Greenspace or Arboretum" Organization RFP levied through the Charter funds. City Council made a motion on March 21st to send the RFP to the Charter Commission to determine the intent of the language update "within city limits" in the Charter in reference to the proposal from The Northland Arboretum. The scope of the question to be answered is narrow, is enough of the Arboretum within the city limits to warrant its funding.

Commissioner O'Day submitted his discussion via e-mail due to being unable to attend the meeting. It was read by Administrator Bergman to submit to the public record. He stated that the intent of "within the city limits" was that Brainerd has an overabundance of existing greenspace already in the City that needs attention. It is irresponsible for any city government to tax its citizens for any type of project that is not geographically located within its own well defined boundaries and located within another city.

Commissioner Lambert stated that she agrees with Commissioner O'Day's statement. Adding, that The Northland Arboretum is a public entity, who uses it should and where there from is not a valid argument.

Commissioner Shipe stated that he is two-minded on this topic in that the Northland Arboretum provides amenities that city parks currently cannot support, however, looking at their budget in the RFP it was troubling that 25% of their budget comes from the City of Brainerd while less than half of the arboretum is within Brainerd.

Commissioner Yeager stated that the intent was that removal of language that required the City give funds to a predetermined entity with no control. It was also not the intent to limit the

Council to one entity, however, legal advice was given. Finally, Brainerd taxpayer money should be used exclusively on Brainerd entities.

MOVED AND SECONDED BY COMMISSIONERS YEAGER AND LAMBERT, DULY CARRIED, TO SEND BACK TO THE CITY COUNCIL THAT THE CHARTER COMMISSIONS INTENT WITH "WITHIN CITY LIMITS" MEANS THAT THE MONEY LEVIED BE SPENT ON ENTITIES FULLY WITHIN THE CITY OF BRAINERD.

Council Liaison Bevans stated that now would be an appropriate time to review the language to include "one or more" organizations.

Administrator Bergman stated that according to Attorney Langel the City will levy funds for the purpose of greenspace, senior activities, and community action activities. However, it is not required to distribute the funds.

MOVED AND SECONDED BY COMMISSIONERS SHIPE AND LAMBERT, DULY CARRIED, TO DIRECT STAFF TO REVIEW LANGUAGE TO ALLOW DISTRIBUTING FUNDS TO INCLUDE ONE OR MORE IN REFERENCE TO GREENSPACE ORGANIZATIONS, SENIOR PROGRAMS, AND COMMUNITY ACTION ORGANIZATIONS.

Discussion of Chapter One- Names, Boundaries, Powers, and Divisions

Administrator Bergman stated that following the decennial census all districts must be examined to ensure that equal population is distributed in municipalities. Brainerd does not have to redistrict, but in preparation for redistricting staff had started to examine the Charter regarding voting wards and found that the description had not been updated. Instead of correcting the wards boundaries, staff recommends replacing the language with "the City shall be divided into four wards in accordance with state law."

Finance Director Hillman stated that the schedule for redistricting is typically compressed, by taking the language out it requires only a resolution to adjust the boundaries instead of a Charter Amendment which can take a month or more.

Commissioner Shipe stated that he would like to see a reference to where to find the information.

MOVED AND SECONDED BY COMMISSIONERS YEAGER AND LAMBERT, DULY CARRIED, TO ACCEPT THE RECOMMENDATION FOR REWORDING WITH THE ADDITION OF LANGUAGE REFERRING WHERE TO FIND THE WARD MAP.

Discussion of Chapter Five- Streets

City Engineer/ Public Works Director Sandy stated that the biggest change to the language update was to put the onus on the City for the maintenance of sidewalks. The liability has always been the responsibility of the City, now the Charter will reflect that.

Commission discussion took place.

Finance Director Hillman stated her concern with the language left in the chapter needs to be looked at further for consistency and appropriate language.

MOVED AND SECONDED BY COMMISSIONERS YEAGER AND LAMBERT, DULY CARRIED, TO DIRECT STAFF TO REVIEW THE DEFERMENT LANGUAGE TO BE BROUGHT BACK TO THE COMMITTEE.

Commissioner Comments

Commissioner Shipe stated that he was disappointed to hear about closed door meetings for the request for proposals for the Charter appropriation funds. Clarification of the process to ensure the process be fair.

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