



CITY COUNCIL AGENDA

City of Brainerd, Minnesota
City Hall, 501 Laurel Street, Council Chambers
Tuesday, April 14, 2026 @ 5:00 PM

Joint Meeting - Charter Commission

The public is invited to attend these meetings in person

Dial in by phone

[+1 469-250-2695](tel:+14692502695)

City Council - Meeting Access Code: 132 368 067#

Per MN Statutes 13D.02 Subd 1 Council Members may participate by interactive technology.

Meetings are broadcast on CTC ch 8, Charter ch 181, YouTube, AppleTV, Roku, and Amazon FireTV

1. **Call To Order**

2. **Roll Call**

___ J. Czczok ___ G. Johnson ___ K. Stunek ___ K. Yeager ___ T. Erickson ___ K. Bevans ___ M.
O'Day ___ Mayor Badeaux

___ J. Lambert ___ J. Norwood ___ A. Shipe

3. **New Business**

A. **Charter - Chapter 5 Revisions**

B. **Resignation - City Engineer Jessie Dehn**

C. **Organizational Discussion**

4. **Adjourn**

Visit the City's Website at www.ci.brainerd.mn.us

MISSION

"Provide high quality, cost effective public services and leadership in creating a sustainable city"



City Council Agenda Request

MEETING DATE: April 14, 2026

TITLE OF ITEM: Charter - Chapter 5 Revisions

AGENDA: Main

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Nick Broyles, City Administrator

DEPARTMENT: Administration

PRESENTER: Nick Broyles, City Administrator, Joe Langel

ESTIMATED TIME (MIN): 15 minutes

SUMMARY OF ISSUE

Consideration of only chapter 5 charter redlines

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS

Based on comments from city council members, staff is submitting redlines for only chapter 5 of the charter.

RECOMMENDED ACTION/MOTION

1. Asking the charter commission to recommend chapter 5 redlines via a majority vote.
2. Asking the city council to direct staff to draft an ordinance for first reading at the April 20th meeting and schedule a public hearing for May 4th, 2026 at 7:30 p.m. in the city council chambers.

FINANCIAL IMPACT

N/A

BRAINERD CITY CHARTER

CHAPTER ONE

NAME, BOUNDARIES, POWERS AND DIVISIONS

All that district of country in the county of Crow Wing contained within the limits and boundaries as now are or hereafter may be established shall be a City by the name of "Brainerd," and all the people now inhabiting, and those who shall hereafter inhabit the same district shall be a municipal corporation by the name of "The City of Brainerd", and by that name may sue and be sued, plead and be impleaded, in any court; make and use a common seal, and alter it at pleasure; take and hold, lease and convey, all such real personal and mixed property as the purposes of the corporation may require, or the transaction or exigencies of the business may render convenient, within or without the limits of such district; shall be capable of contracting and being contracted with, and shall have all the general powers possessed by municipal corporations at common law, and, in addition thereto, shall possess all powers hereinafter specifically granted; and all the authorities thereof shall have perpetual succession.

The City shall be divided into four wards in accordance with state law.

CHAPTER TWO

OFFICERS AND ELECTIONS

1. The elective officers of the City shall be a Mayor and seven City Council Members. Of the seven Council Members, three shall be elected at large and one from each ward. All elective officers shall be residents of the City of Brainerd and the four ward Council Members shall be residents of their respective wards.
2. When more than twice the number of individuals file to be elected to a municipal office, a primary election shall be conducted, and the returns made and results canvassed consistent with the general laws of the State of Minnesota pertaining to primaries. The regular City election for the election of City officers shall be held on the first Tuesday after the first Monday of November in each even numbered year; and all general laws of the State of Minnesota, relating to the election of City officers and the primaries thereof, shall, so far as applicable, apply to and govern all nominations and elections under this Charter, and all special elections, and are hereby adopted as a part of this Charter, the same as if herein specifically reenacted. The judges, clerks and other officers of election at the then last general election for state officers shall be the judges, clerks and other officers of all special City elections, except that the City Council shall appoint additional officers as permitted by law. Election returns shall be made and results canvassed consistent with the general laws of the State of Minnesota pertaining to general elections.
3. The term of office of every officer elected under this Charter, unless otherwise provided for, shall commence on the first Monday of January following the election and shall continue for a term of four years and until his or her successor is elected and qualified.
4. The appointive officers of the City shall be a City Attorney, Public Utilities commission to consist of five (5) members, a Park and Recreation Board to consist of five (5) members, and a Library Board to consist of nine (9) members, and such other officers as the City Council deem proper and necessary. Provided, however, that no elective or appointive person holding office in the City of Brainerd may be appointed to the Public Utilities Commission.
5. At its first regular meeting in January of each odd-numbered year the Council shall, by majority vote, appoint the City Attorney. All terms shall commence at the time of appointment and continue until successors to the appointed offices are appointed and qualified.
6. The members of the Public Utilities Commission, the Park and Recreation Board, and the Library Board shall be appointed by the Mayor and their appointment confirmed by the City Council: such appointments and confirmation shall be made at the first regular Council meeting in January of each year; at which time there shall be appointed one (1) member of the Public Utilities Commission, one (1) member of the Park and Recreation Board: and every other year and three (3) members of the Library Board. The term of office for a member

of the Library Board shall be for six (6) years, the term of office for a member of the Public Utilities Commission shall be for five (5) years, and the term of office for a member of the Park and Recreation Board shall be for five (5) years. Such terms of office shall commence upon their appointment and qualification and continue for said terms until their successors are appointed and qualified.

7. Any elective or appointive officer provided for by this Charter having entered upon the duties of the office may resign the same. Any elective or appointive officer changing residence from the City, or any Member from the ward for which elected or appointed shall be deemed to have vacated such office.
8. Every person appointed to any office by the City Council or Mayor may be removed from such office by a vote of two thirds of all the Members authorized to be elected. But any officer appointed by the Mayor shall not be removed except for cause, nor unless first furnished with a copy of the charges, nor until such person shall have reasonable opportunity to be heard in person, or by counsel in his or her defense.

The Council shall fix the time and place for the hearing of such officer, of which not less than ten days' notice shall be given to such officer and shall have the power to compel the attendance of witnesses and the production of papers, and to hear and determine the case; and if such officer shall refuse or neglect to appear and answer such charges, the City Council may declare such office vacant. Among such causes shall be continued absence by a member of a board from three successive regular meetings of such board, or neglect of duty of any officer.

9. Any person shall not be eligible to serve on a Board or Commission of the City under this Charter who has ever been convicted of a felony, or is not at the time of his appointment a qualified elector of the City of Brainerd (unless otherwise expressly allowed by the City by ordinance, resolution or policy), or who is at such time interested in any contract with the City of Brainerd to which the person is a party, either individually or as a member of a firm, or as director or other managing officer of a corporation.
10. Whenever any vacancy shall occur in any elective or appointive office, such vacancy shall be filled by the City Council in the manner provided for appointments by the City Council; except that the members of the Public Utilities Commission, the Park Board, and the Library Board, shall be appointed by the Mayor and confirmed by the City Council.

All officers so appointed shall hold their respective offices for the balance of the unexpired terms.

11. Every person elected or appointed to any office under the provisions of this Charter shall before entering upon the duties of the office take and subscribe an oath of office and file the same with the City Clerk. The Administrator and such other officers as the City Council shall require and as shall be required by the provisions of this Charter, shall severally, before they enter upon the duties of their respective offices, execute to the City of Brainerd, bonds in

such amounts as the Council shall prescribe, conditioned that such officers will faithfully perform the duties of their respective offices, and account for and turn over all money and other property, coming into the officer's hands. Such bond and the expense thereof, if a surety bond, shall be paid by the City.

All official bonds shall be approved by the City Council and be kept on file in the office of the City Administrator.

12. The compensation of all elective and appointive officers of the City shall be fixed by ordinance as permitted by State Statute.
13. The Mayor shall be the chief executive of the City and see that the laws of the state and the ordinances of the City are duly observed and enforced within the City and that all other officers of the City discharge their duties. The Mayor shall be an ex-officio member of the City Council, for the purpose only of casting the deciding vote upon any question before said Council when the Council Members composing the said Council present and voting are equally divided thereupon. The Mayor shall from time to time give the City Council such information and recommend such measures as the Mayor deems to be in the best interest of the City. The Mayor shall sign all bonds, contracts, warrants, ordinances, resolutions and such other papers and documents as may be made or executed in behalf of the City. All Ordinances and Resolutions shall before they take effect be presented to the Mayor, and if the Mayor approves thereof shall sign the same, and such as the Mayor shall not sign, shall be returned to the Council with the Mayor's objection thereto, by depositing the same with the City Administrator to be presented to the City Council at its next meeting.

Upon the return of any ordinance or Resolution by the Mayor, the vote by which the same was passed shall be deemed to have been reconsidered, and the question shall be again put upon the passage of the same notwithstanding the objections of the Mayor, and if upon such vote the City Council shall pass the same by a vote of two-thirds of all the members of the Council, it shall have the same effect as if approved by the Mayor. If any ordinance or Resolution shall not be returned by the Mayor within five days, Sundays and holidays excepted, after it shall have been presented to the Mayor, the same shall have the same force and effect as if approved by the Mayor. In case the Mayor shall be guilty of willful oppression, corrupt partiality or other malfeasance in the discharge of the duties of the office the Mayor shall be liable to indictment and on conviction thereof shall be punished by a fine of not more than Five Hundred (\$500.00) Dollars.

14. At the first meeting in January of the City Council after the regular City election it shall proceed to elect by ballot from its members a President and Vice-President. The President shall preside over the meetings of the City council and appoint all standing and temporary committees thereof, and during absence of the Mayor from the City, or the Mayor's inability for any reason to discharge the duties of the office, the said President shall exercise all the powers and discharge all the duties of the Mayor.

In case the President shall be absent at any time the Vice-President shall discharge the duties of such President and act in the President's place. The President or Vice-President while performing the duties as Mayor shall be styled "Acting Mayor", and acts performed by either when acting as Mayor, shall have the same force and validity as if performed by the Mayor.

15. The City Administrator shall be the chief administrative officer of the City of Brainerd. The Council shall delegate to the City Administrator by Ordinance whatever powers and duties it deems necessary or proper for the efficient administration of City affairs. Such delegation may include, but is not limited to, supervision of City employees and department heads. Provided, however, that the City Attorney shall be directly responsible to the Council and Mayor for professional advice and services. The Council may at any time rescind or amend authority delegated to the City Administrator. At no time shall such delegation abridge the authority of a Council Member or the Mayor or the Public Utilities Commission or any other board or commission enumerated in the Charter in fulfilling their duties granted in this charter.
16. Any elective officer, whether elected by popular vote or appointed to fill a vacancy, may be removed at any time for malfeasance or nonfeasance in office, by the electors qualified to vote for a successor of such officer. The procedure to affect a removal of such elective municipal officer shall be as follows:
 17. A petition signed by electors entitled to vote for a successor of the officer sought to be removed equal in number to at least twenty-five percent of the entire vote for all candidates for the office, the incumbent of which is sought to be removed, cast at the last preceding regular municipal election, demanding an election of a successor of the person sought to be removed, shall be addressed to the Council and presented to the City Clerk; provided, that the petition shall contain a general statement of the ground for which the removal is sought.
 18. If the petition shall be found to be sufficient the Administrator shall transmit the same to the Council without delay. If the petition shall be found to be sufficient the City Council shall order and fix a date for holding the said election at the next election date authorized by state law that is not less than seventy-seven (77) days from the date of the Administrator's certificate to the Council that a sufficient petition is filed. The Council shall make or cause to be made publication of notice, and all arrangements for holding such election, provided, that in the published call for the election there shall be printed in not more than 200 words the reason for demanding the recall of the officer as set forth in the recall petition, and in not more than 200 words the officer may justify his or her course in office: and said election shall be conducted, returned, and the result thereof declared, in all respects, as are other City elections.
19. At an election on removal, the question on the ballot shall be in substantially the following form: "Shall (Name) elected (appointed) to the office of (title) be removed from that office?" If a majority of voters at the election vote in the affirmative, the officer shall be recalled and removed.

20. No person who has been removed from office by recall or has resigned from office after the filing of a recall petition, shall be appointed to any office under this Charter within one year after such removal or resignation.
21. In so far as practical, all laws and provisions for holding regular or special elections in the City shall apply to such recall election and the preliminaries thereto, and wherein applicable or impractical the Council shall by Ordinance provide such other and further regulation consistent herewith as may be necessary to carry out the provisions of Sections 16, 17, 18, 19, and 20.

DUTIES OF THE CITY ATTORNEY

22. The City Attorney shall perform all professional services incident to the office; shall attend all meetings of the City Council, and when requested shall attend all meetings of committees of the Council. The City Attorney shall give legal opinions and advice upon all questions pertaining to City business when requested so to do by the City Council or any officer of the City. The City Attorney shall institute, prosecute, and defend all actions brought by the City or against the City; and shall draw and prepare all ordinances, resolutions, contracts, bonds or other instruments in which the City or any board thereof is interested. The City Attorney shall be the legal advisor of the Public Utilities Commission, the Park Board, the Library Board, and the committees thereof; shall attend the meetings of the said boards when requested so to do and furnish to the said boards written legal opinions when requested, and shall institute, prosecute, and defend all actions which may be brought by or against said boards or by or against the City affecting the affairs of such boards.

The Council shall have power to appoint and employ special counsel to assist the City Attorney in the performance of any of the City Attorney's duties and fix and pay the compensation therefor.

DUTIES OF CITY OFFICERS

23. All City officers shall perform such other duties as may be directed by the City Council by Ordinances, Resolutions or otherwise.
24. No officer of the City shall retain any property, papers, books, and effects of any kind that belong to the City or pertain to the office after the expiration of the officer's term.
25. The Council shall annually at its first meeting of the year designate a legal newspaper of general circulation in the City as its official newspaper in which shall be published Ordinances and other matters required by law to be so published as well as such other matters as the Council may deem it in the public interest to have published in this manner.
26. The City Council may also at the time mentioned in the last section and in the manner therein specified, let a contract for doing of the job printing of said City, and may determine

what contract and bond should be required of the person or persons selected to do such job printing.

27. Except as provided by state law, no City officer shall be directly or indirectly interested in any contract of any character with the City or any department or board thereof, either as vendor, purchaser, contractor, employer, employee or otherwise. All contracts made in violation of this section shall be void, and no money shall be paid on account thereof, or any warrants issued. Any officer who shall issue or pay any such warrants knowing that the same are in violation of the terms of this section shall be guilty of a misdemeanor; and any officer violating the provisions of this section shall forfeit the office and the office shall thereby become vacant upon a finding and conviction thereof, as provided in Section Ten of this Chapter.

DUTIES OF THE CITY COUNCIL

28. The Council Members shall constitute the City Council and shall be the governing body of the City, and the style of all Ordinances shall be, "The Council of the City of Brainerd do ordain". A majority of all the Council Members shall constitute a quorum. The President or Vice- President of the Council shall when present preside at all meetings. In their absence the Council may elect a President protem who shall for such meetings and the proceeding thereof have the same power as the President. 29. The City Council shall hold public meetings which shall not be less than one meeting per month. The meetings shall be fixed by the City Council. Minutes of the Council proceedings shall be made and be available to the public. The Mayor, the President or Vice-President of the Council or any two of the Council Members may call special meetings by notice filed with the City Administrator and served upon each of the members by delivering the same personally or left at the place of their usual abode, or a special meeting may be called by the Mayor, President, Vice-President, or President pro tem at any regular meeting of the City Council by giving notice thereof and noting the same in the minutes of the meeting. In case the attendance at any regular or special meeting of the City Council is less than a quorum such meeting may be adjourned to any time that may be designated and entered in the minutes of the meeting. Except in cases of emergency, the City Council shall not meet on a Sunday, a legal holiday, or a day of general or special election.
30. The City Council shall have the management and control of all the finances and property of the City and of all the departments thereof subject to the other provisions of this Charter. However, no real estate belonging to the City shall be sold or disposed of unless so ordered by two thirds vote of all the members of the City Council; and provided that neither the water works nor the electric light plant, nor any other public utility, which shall hereafter be owned by the city, shall be sold, leased, mortgaged, or otherwise disposed of unless authorized to do so by a four-sevenths majority of the qualified electors of said City.

The City Council shall in addition to the powers herein vested in them have power and authority to make, enact, ordain, establish, publish, enforce, order, modify, amend, and

repeal all such ordinances, resolutions, rules, by-laws and regulations for the government and good order of the City, for the suppression of vice and intemperance, and for the prevention of crime, as they shall deem expedient. They shall have the power to provide for the imprisonment and safe keeping of all persons arrested or charged with any offense.

The City Council shall have full power and authority to declare and impose penalties and punishments, and to enforce the same against any person or persons who may violate any of the provisions of any Ordinance, Resolution, rule or By-law passed or ordained by them: and all such Ordinances, Resolutions, rules and By-laws are hereby declared to be and have the force of law, and for the said purposes shall have authority by Ordinance, Resolution or By-laws, to the extent permitted by law.

31. The Council of the City of Brainerd shall be authorized to exceed its overall levy limitations, by an amount not to exceed 3% of its previous year's total levy of the taxable property of the City of Brainerd prior to the time of such levy, which may be levied on the taxable property within its boundaries in addition to all other taxes voted by it. It shall be exempt from the statutory penalty provisions and shall also be over and above any limitations in the Charter of the City of Brainerd prior to the time of such levy. Such additional levies shall be used for the purpose of establishing and maintaining a public bus or transit facility or subsidizing a private bus or transit facility. In the next succeeding levy year and thereafter, such amounts shall become a permanent adjustment to the levy base per capita of the City of Brainerd. 32. The City Council may create an ordinance which may impose punishment for the breach of any Ordinance of the City to impose a fine and imprisonment as permitted by state law.

33. All Ordinances, Resolutions and By-Laws shall be passed by an affirmative vote of a majority of the members of the City Council present by an aye and nay vote.

All Ordinances shall be twice read at length in open Council before their passage unless the reading is dispensed with by unanimous consent: and no Ordinance shall be passed within ten (10) days after being first so read.

All Ordinances shall be once published in the official paper of the City, and no Ordinance shall take effect until one week after the day of such publication. All Resolutions and By-Laws shall take effect from and after their passage or adoption unless the City Council shall expressly order to the contrary; provided, however, that all Ordinances in relation to contagious or infectious disease or hydrophobia may be passed at the meeting of the first reading and take effect from and after their passage if the City Council so order.

34. A copy of the record of any Ordinance or Resolution heretofore passed or that may hereafter be passed, certified by the Administrator and verified by the seal of the City, or recorded in the books containing the official proceedings of said Council, or published in any compilation of Ordinances made under the direction of the City Council, shall be prima facie evidence of the contents of such Ordinance or Resolution and of the regularity and legality of

all proceedings relating to the adoption and approval thereof: and shall be admitted as evidence in any court in this state without further proof.

In all actions, prosecutions, and proceedings of every kind before a court, the court shall take judicial notice of all ordinances of said City, and it shall not be necessary to plead or prove such Ordinances.

35. The powers conferred upon the City Council to provide for the abatement or removal of nuisances shall not bar or hinder suits, prosecutions, or proceedings in the courts according to law.
36. The City Council may at its discretion defer payment of certain special assessments for street improvements as defined in Chapter 429 of the Minnesota Statutes where a financial hardship exists. The Council shall by Ordinance or Resolution define the circumstances wherein such deferments may be made.
37. No appropriation shall be made without a vote of a majority of all the members of the City Council in its favor, which shall be taken by ayes and nays vote, and entered among the proceedings of the Council. No vote of the City Council shall be reconsidered or rescinded at any meeting unless there shall be present at such meeting as large a number of Council Members as were present when said vote was originally taken.
38. The City Council shall examine, audit, and adjust the accounts of the City at such times as it deems proper or as otherwise required by law.
39. The City Council shall have the power to make purchases on behalf of the City and may make purchases through such methods or designees as the Council may determine from time to time by Ordinance or Resolution. The provisions of this section shall not apply to purchases made by, or on behalf of the Public Utilities Commission or the Park Board or the departments under their control respectively.

CHAPTER THREE

FINANCES

1. The fiscal year of the City shall be the calendar year.
2. Except as otherwise provided herein, all disbursements shall be made by check or electronic transfer. Checks shall be signed by the Mayor and countersigned by the City Administrator. All payments are to be reviewed and approved by the City Council
3. The City Council shall annually levy taxes to provide for the following specifically designated fund:

A PERMANENT IMPROVEMENT FUND, for paying such portion of the cost of improving streets For the support of this fund the City Council shall annually levy on taxable property of the City taxes to an amount not to exceed 9% of the City's previous year's total levy. No part of this fund shall be used for any other purpose.
4. That annual amount to be levied for general taxation in any year for all said funds shall not exceed the amounts as established by state statute. There shall be a levy of 1.5% of the previous year's total City levy for an entity within the city limits of Brainerd to provide community action programs and events.
5. Before any bonds be issued, the City Council shall, at a regular meeting or at a special meeting called for the particular purpose, adopt appropriate resolutions by an affirmative vote of three- fourths of all its members ordering the issue, and every such resolution shall set forth the amount of the issue and the specific object thereof, be written at length in the records of the Council proceedings and be published and take effect in accordance with the provisions of Section 34 of the City Charter.
6. On or before the first day of September in every year, the President of the City Council, the Chairman of the Finance Committee of the Council and the City Administrator shall submit to the City Council an estimate of the probable expenditures of the City government for the ensuing fiscal year, stating the amount required to meet the interest and maturing bonds of the outstanding indebtedness of the City, and specifically showing the various amounts necessary for each and every fund, including an estimate of the total income from all sources of revenue other than taxes upon property, and the probable requisite amount to be levied and raised by taxation to defray all such expenses and liabilities of the City.
7. There shall be a levy of 1.5% of the previous year's total City levy for the establishment and maintenance of a program for the benefit of senior citizens or to a subsidized non-profit senior citizens organization within the city limits of Brainerd.

8. There shall be a levy of 1.5% of the previous year's total City levy an arboretum or green space organization within the city limits of Brainerd.

CHAPTER FOUR

FIRE DEPARTMENT

1. The City Council shall have power to purchase, keep and maintain fire extinguishers, fire engines and other fire apparatus, to build and maintain engine houses, hose houses and such other buildings as may be necessary or convenient, also to erect and maintain fire alarm telegraphs and boxes, and other means of giving notices of fires.
2. Whenever the City Council may decide by a two-thirds vote of all its members that greater protection can be secured by a paid fire department, it may by resolution duly passed, abolish the existing volunteer fire department and create in lieu thereof, a paid fire department, which shall be officered and managed as provided in the next section.
3. In the event of the creation of a paid department the City Council shall appoint a Fire Chief of said fire department and provide for such other officers and employees as may be deemed necessary for such department.
4. The Council shall have power and authority to make by Ordinance all needed rules for the government of the fire department and for the protection and use of all fire stations and other property and apparatus pertaining thereto.

CHAPTER FIVE
PUBLIC UTILITIES COMMISSION

1. The Public Utilities Commission shall control, operate and manage the following utilities of the City including executing the necessary actions for sustaining current infrastructure, planning for future growth, economic management, and fiscal responsibility thereof. ~~of the City:~~
 - a. The Water works system, including the filtration plant, water towers, booster stations and distribution system.
 - b. The Wastewater system, including the wastewater treatment facility, collection system, force mains and lift stations, but not including the gravity-fed wastewater collection system, which is operated by the Public Works Department.
 - c. The Electric generation and distribution system.
 - d. The stormwater collection, conveyance, and treatment systems.

~~ed.~~ Except as provided above, all other public utilities that are hereafter owned by the City.
2. The Commission shall keep such utilities in good repair and provide for necessary replacements, extensions, improvements, changes, and additions thereto.
3. The Commission shall, prior to September 1 of each year, review the proposed 10-year capital improvement plan for streets, water, sewer, and stormwater systems, including anticipated capital expenditures, planned street projects, system improvements, and related infrastructure investments. The Commission shall submit its recommendations to the City Council for consideration at its first regularly scheduled meeting in September.
42. Such Commission shall upon the appointment and qualification of its members, and at such times as it may see fit organize and re-organize such Commission, and in such organization and re-organization, shall appoint from its members a President and Vice-President and shall also appoint a Secretary who shall not be a member of the Commission.
53. The Secretary of the Commission or his/her designee shall attend all meetings of the Commission and keep a record of all proceedings. The Secretary shall perform such other and further duties as may be prescribed or directed by said Commission.
64. The City Council shall employ all necessary help for the Commission to properly perform its duties and approve all terms and conditions of employment. Personnel for vacant positions may be recommended by the Commission to the City Council. All Commission personnel are subject to the City's personnel policies.

75. Subject to state law, the Commission shall have power to fix all rates to be paid by consumers of water, wastewater, stormwater and power, and to make and enforce such rules, regulations, and penalties governing such services and their distribution and use, as deemed necessary to ensure proper administration, support revenue collection, and protect the property and rights of the departments. ~~rules, regulations and penalties as they may deem proper to affect such collections and to protect all property and rights pertaining to the said departments.~~ All current rules, regulations, and penalties shall remain in full force and effect until repealed, altered, or amended by the Commission.

8. ~~The Commission shall make, perform, and enforce contracts on behalf of the city, and do any and all other things that may be necessary or proper to carry out the purposes expressed herein.~~

96. The ~~Public Utilities~~ Commission shall have power to institute, prosecute and defend, in the name of the City of Brainerd, all actions which they may deem proper to carry out and enforce their authority as such board; but no real estate or easement shall be acquired by purchase or condemnation proceedings.

No water, ~~or~~ wastewater, or stormwater utility listed in Paragraph 1 may be extended beyond the existing service territories unless the City Council shall so order the same by a resolution passed by a majority vote of all its members. With respect to water, ~~and~~ wastewater, and stormwater utilities, the "service territories" are defined as those areas of the City served by existing mains and laterals. Service lines from mains and laterals to customer structures may be extended under the sole authority of the Public Utilities Commission.

The service territory for the electrical utility is established by the Minnesota Public Utilities Commission. Any extension of the electrical utility outside the service territory by contract with another utility shall be approved by the City Council. Any extension of the electrical utility within the service territory, or any contract with another utility to provide power within the Commission's service territory, shall be approved by the Commission.

107. The Commission shall, at the first meeting of the City Council, in December of each year, present an operating budget for the following year as well as a ~~five-year~~ capital improvement plan outlining anticipated future capital expenditures. The budget shall set forth all expenditures that can be anticipated for the operation of the Commission, during said fiscal year, and when approved, in whole or such part as may be approved by the City Council, shall constitute the authority for the Commission to make such expenditures, subject to the provisions of this Charter. The Commission shall have the power to purchase and pay for all supplies necessary for the management of said business, when so approved by the City Council either as a part of said budget or by resolution of the City Council authorizing same, except that the Commission shall have the power to purchase supplies and machinery in case of sudden and extraordinary injury to said plants, making such purchases and contracts necessary to repair the same.

118. The Commission's Finance Director shall keep a complete set of accounting records showing in detail all the business and financial affairs and transactions of the Commission and shall receive and safely keep all funds belonging to the Commission in a bank or depository designated by the City Council. All funds shall be deposited in the name of the Commission, and all investments shall be subject to state law and the City of Brainerd Investment Policy. The Commission shall make financial transfers to the City in amounts as specified in Brainerd Public Utilities Policy 2003-01, as amended and approved by the City Council.

12. The commission shall have the right to the reasonable use of the streets, alleys, and other public grounds of the city for the purpose of maintaining and operating such utilities and repairing the same, or making any extensions, improvements, changes, or additions thereto; but whenever the surface of any street, alley, or public ground is disturbed, the Commission shall cause the same to be promptly restored, as nearly as may be, to its original condition.

13. The Commission will perform any additional duties and powers as directed by the council.

Commented [DL1]: what is the background or need for this item? seems confusing.

Commented [DL2R1]: This authority is already exercised in practice; however, it was not explicitly stated in the prior Charter. Staff recommended adding this language to clearly reflect existing operations and to remove any ambiguity regarding access to City property when performing utility-related work. This provision is intended to ensure the Commission, and other City departments as needed, can access City property to carry out essential public functions while preserving and restoring public spaces.

CHAPTER SIX

THE PARK AND RECREATION BOARD

1. The Park and Recreation Board shall have control and supervision of all parks, parkways, and boulevards within the City, and also of such streets and other public grounds as the City Council shall by proper resolution designate. It shall also establish the recreation policy and conduct and supervise recreation areas, facilities, services, and programs for all types of public recreation. It shall have the authority to conduct activities and pay for the necessary supervision incidental thereto, on the grounds and properties owned, leased, or controlled by the City of Brainerd, or on other properties with the consent of the owners or authorities who control the property. And it is made the duty of said Board to cause to be enforced all laws of the State and

Ordinances and Resolutions of the City Council for the improvement, care and protection of the parks and other public property under its charge.

2. The said board shall organize by selecting a President and Vice-President from its members. A Clerk shall keep a full record of all proceedings of said board, and a Treasurer who shall keep books showing all monies received and disbursed and the management of the business committed to said board.

3. Said board shall have the power of coordination of services with other governmental programs, solicit and train volunteers, purchase supplies and equipment, develop and maintain facilities, procure, or lease public or private properties, areas or facilities that may be required for programs, provided, however, that no property shall be procured by lease or otherwise for more than one year without the approval of the City Council. All expenditures shall be within the moneys appropriated by the City for such purposes, together with donations, gifts, bequests of any money, or any funds from earnings. All money received from donations, bequests or earnings shall be deposited in a special account managed by the board.

4. The board shall each year prior to September 1 prepare and present a budget for park and recreation purposes for the ensuing fiscal year; subject to the approval of the City Council.

5. The members of said board shall receive no compensation.

CHAPTER SEVEN

PUBLIC LIBRARY BOARD

1. The Library Board shall organize by appointing a President, Vice-President, and Secretary from their number; such board shall have charge and supervision of the public library; together with all library buildings, grounds and other property pertaining to the public library, and shall have power to make and enforce such rules and regulations, as it may deem proper for the care, use, preservation and protection of all property. The City Council may pass all proper Ordinances for the care, preservation and protection of library property and provide for and enforce penalties for violation thereof.

2. The Secretary of the Library Board shall keep books of account fully showing all moneys received and disbursed and the purposes therefor, and the exact condition of said fund, and shall annually on or before the first Council meeting in may make a statement fully showing all the receipts and disbursements of said fund for the last year and the exact condition, which report shall be in duplicate, one copy of which shall be preserved in that office and the other copy filed with the City Administrator.

3. The general laws of the state with respect to the establishment and maintaining of public libraries are hereby made a part of this Charter, except so far as the same herein changed or modified.

CHAPTER EIGHT

GENERAL PROVISIONS

1. The City council may from time to time provide for the compilation and publication of the Ordinances of the City, and such resolutions as may be designated, and for the distribution or sale of copies of such compilation in its discretion and may also provide for exchange of such printed compilations for similar publications for other cities.

2. All actions brought to recover any penalty or forfeiture under this act or the ordinances, resolutions, by-laws, or police or health regulations, made in pursuance thereof, shall be brought in the corporate name of the City.

3. No penalty or judgment recovered in favor of the City shall be remitted or discharged, except by a vote of two-thirds of all the members of the City Council; but nothing in this section shall be so construed as to prohibit the judge of a court of jurisdiction from granting new trials or reversing any judgment rendered by the court according to the usual procedure of courts, nor to prohibit said court from suspending execution of sentence in its discretion.

4. No City officer, or employee of the City, shall sell, dispose of, or convert to the officer's own use, any City property in the officer's charge without special authority from the City Council.

5. That the Charter Commission of the City of Brainerd, as prescribed by state law, be composed of seven (7) members, each of whom shall be a qualified voter of the City of Brainerd.

Adopted by ordinance on October 3rd, 2022.

Ordinance published on October 8th, 2022.

Effective December 30th, 2022

From: [Nick Broyles](#)
To: [Jeff Czczok](#)
Cc: [Toni Gage](#); [Mike ODay](#); [Dave Badeaux](#); [Paul Sandy BPU](#)
Subject: RE: Council Resolution sent to Charter Commission
Date: Monday, April 13, 2026 6:03:56 PM
Attachments: [RES 58_25- Charter Clarification with Sign.pdf](#)
[image001.png](#)

Jeff,

I have BCC'd the mayor and the full council on this response.

I believe that the language being presented tomorrow and Resolution 58-25 passed on 4 Aug capture the intent of council action from August. Please let me know if I can assist further.

Regards

Nick



Nick Broyles, MPA | City Administrator
City of Brainerd | 501 Laurel Street Brainerd MN 56401
218.828.2307 | nbroyles@ci.brainerd.mn.us

From: Jeff Czczok <jzczok@ci.brainerd.mn.us>
Sent: Monday, April 13, 2026 9:55 AM
To: Nick Broyles <nbroyles@ci.brainerd.mn.us>
Cc: Toni Gage <tgage@ci.brainerd.mn.us>; Mike ODay <moday@ci.brainerd.mn.us>; Dave Badeaux <dbadeaux@ci.brainerd.mn.us>; Paul Sandy BPU <psandy@bpu.org>
Subject: Council Resolution sent to Charter Commission

Hi Nick,

Does the item for tomorrow's special meeting identified as:
"SUMMARY OF ISSUE Consideration of only chapter 5 charter redlines"

include the intent of the council resolution that was initially sent to the Charter Commission for their August 20, 2025 meeting?

The CC addressed this item at the 08/04/2025 CC meeting – see this agenda item and minutes:

Consider a Resolution Stating City Council's Interpretation of Chapter 5 (Public Utilities Commission), Section 4 of the Brainerd City Charter

NOTE: The above item was actually item, "E" on the agenda, not item "A".

August 4, 2025 CC minutes:

Consider a Resolution Stating City Council's Interpretation of Chapter 5 (Public Utilities Commission), Section 4 of the Brainerd City Charter

-
Administrator Broyles stated that staff were directed to draft a resolution stating the City Council's interpretation of Chapter 5 of the Charter. The resolution was vetted by the City Attorney, who is online if the Council has any questions. Staff is asking Council to consider the resolution, consider directing staff to convene the Charter Commission, and consider the updating the job description for the Public Utilities Director.

Member Czczok requested that Council add "exclusive" to the operation authority that the Public Utility Commission holds. He stated that exclusive is a more definitive word, and he wants to ensure that the Public Utilities Commission has exclusive operational authority over the public utilities.

City Attorney Representative Sullivan stated that the rest of the Charter would need to be reviewed before adding "exclusive" to this section of the resolution to ensure that language is consistent.

Member Johnson stated that he doesn't support "exclusive" as an addition to the resolution. He doesn't even like that the resolution states that it has operational authority over BPU. In the charter, the Commission has operational authority over the plants and the pipes. He doesn't like the resolution but will support it so that the process to hire a Public Utility Director can continue.

Member O'Day stated that "operations" is a part of the ambiguity in the Charter.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND BEVANS TO ADOPT RESOLUTION STATING THE CITY COUNCIL'S INTERPRETATION OF CHAPTER 5.

RESOLUTION 58:25

Upon roll call, Council Members Johnson, Stunek, Yeager, Erickson, Bevans, Czczok, and O'Day voted "aye". No member voted "nay". The Chair declared the motion carried.

Administrator Broyles stated that the Charter Commission will meet to discuss Chapter 5, Section 4, the authority over sanitary sewer lines, and any other issues the Charter Commission deems necessary for review.

If you believe the wording of the resolution has been captured within the proposed Charter language, I will gladly defer to you.

Please advise.

Thanks, Jeff



City Council Agenda Request

MEETING DATE: April 14, 2026

TITLE OF ITEM: Resignation - City Engineer Jessie Dehn

AGENDA: Main

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Brittney Kummet, HR Director, Nick Broyles, City Administrator
DEPARTMENT: Administration

PRESENTER: Brittney Kummet, HR Director

ESTIMATED TIME (MIN): 1 minutes

SUMMARY OF ISSUE

On April 8, 2026, City Engineer Jessie Dehn submitted his letter of resignation. Jessie Dehn's last working day will be May 8, 2026.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS

RECOMMENDED ACTION/MOTION

Accept the resignation of City Engineer Jessie Dehn effective May 8, 2026.

FINANCIAL IMPACT

N/A



City Council Agenda Request

MEETING DATE: April 14, 2026

TITLE OF ITEM: Organizational Discussion

AGENDA: Main

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Nick Broyles, City Administrator

DEPARTMENT: Administration

PRESENTER: Nick Broyles, City Administrator, Paul Sandy, Public Utilities Director

ESTIMATED TIME (MIN): 20 minutes

SUMMARY OF ISSUE

Staff believe that, given the recent Charter discussions and the resignation of the City Engineer, this is an appropriate time to implement an organizational restructuring. As reflected in the attached organizational chart, the proposed changes include renaming the current Public Works Director to Public Services Director; renaming the current Public Utilities Director to Public Works Director; reclassifying the current City Engineer role as Deputy Public Works Director/City Engineer; and establishing the Electric Department as a stand-alone department led by a newly created Electric Director position.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS

Attached you will find the updated job descriptions and below are the points and wages.

	<u>Points</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>	<u>Step 6</u>	<u>Step 7</u>	<u>Step 8</u>
Public Services Director	786								
		55.17	57.28	59.37	61.48	63.57	65.68	70.93	73.55
Deputy Public Works Director/City Engineer	840								
		57.09	59.28	61.46	63.62	65.81	67.98	73.42	76.14
Electric Director	870								
		68.63	71.25	73.86	76.48	79.10	81.71	88.24	91.52
Public Works Director	No Change								
		68.63	71.25	73.86	76.48	79.10	81.71	88.24	91.52

RECOMMENDED ACTION/MOTION

1. Approve the attached org chart.
2. Approve the attached job descriptions, points, and wages as listed above.
3. Authorize staff to begin the internal hiring process for the Electric Director position.
4. Authorize staff to begin the hiring process for the Public Services Director and Deputy Public Works Director/City Engineer positions.

FINANCIAL IMPACT



Public Works Director

Department: Public Works

FLSA Status: Exempt

General Definition of Work

Perform complex supervisory, administrative, and professional work in planning, organizing, directing, and supervising the Public Works Department's municipal utilities systems, including water treatment and distribution, wastewater treatment and collection facilities, and engineering operations. Exercises general, technical, and administrative supervision over all Department employees either directly or indirectly through subordinate supervisory staff. The Public Works Director shall report to the City Administrator.

Qualification Requirements

Employee shall perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skills, and/or abilities required. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position. Reasonable accommodation may be made for individuals with disabilities to enable them to perform their essential functions.

Essential Functions

- Responsible for overseeing the daily operations of the Public Works Department, ensuring that tasks are completed efficiently and to high standards.
- Lead, mentor, and manage the Public Works Department staff directly or indirectly through department division managers including training, inspecting and assigning work, and developing staff schedules. Conducts performance evaluations as well as provides coaching, and counseling when needed in accordance with City policies; oversee and/or participate in the selection of employees; recommend hiring and terminating personnel to the City Administrator with final determination by the City Council.
- Plan, organize and administer the Public Works Department to meet the goals and objectives established by the City Council and Brainerd Public Utilities Commission (Commission).
- Confer with division managers regarding work priorities, operating policies, and field operation issues.
- Oversee the public works operation including personnel, equipment, programs, methods and facilities to ensure customers promptly receive reliable and efficient service.
- Develop an annual budget and capital budget proposal; Control budgeted expenses for all divisions; Prepare, coordinate, and implement the capital improvement plan including capital facility project planning with applicable division managers; Coordinate architectural and engineering plans for facilities including overseeing the bidding and construction process with internal or external staff and contractors.
- Evaluate potential projects, programs, and services to determine feasibility and impact on public works operations and make recommendations to the City Council and Commission; Oversee the Department's cost-of-service and rate design studies.
- Prepare and analyze quotes and bids for products and services; recommend selection of contractors, firms or individuals to provide products and services; execute or recommend execution of contracts to the City Council and Commission for approval; develop administrative rules, policies and procedures necessary to ensure proper functioning of the Department.
- Respond to concerns, issues, complaints, and questions from the public and employees; mediate disputes and resolve issues as appropriate.
- Provide information to State agencies and the public regarding utility operations; coordinates responsibilities with Division Managers, City Administrator, City staff, consultants, neighboring utility agencies, Township officials, County Engineer, Minnesota Department of Transportation, Minnesota Department of Health (MDH), and Minnesota Pollution Control Agency (MPCA) staff.
- Maintains active membership in local, state, and national associations in order to remain current on issues and trends of the industry and improve effectiveness of the department.

Public Works Director

Page 2

Essential Functions (Continued)

- Assists with bargaining unit agreement negotiations as directed by the City Administrator.
- Attends and participates in City Council and Commission meetings and other official meetings as needed or directed.
- Performs other duties as assigned.

Knowledge, Skills and Abilities

- Considerable knowledge of public works and engineering principles, practices, and methods applicable to a municipal setting; Thorough knowledge of applicable City policies, laws, and regulations affecting department activities.
- Ability to establish and maintain effective working relationships with co-workers, supervisors, other departments, vendors, and the general public.
- Ability to communicate effectively, orally and in writing, with employees, consultants, other governmental agency representatives, City officials, and the general public.
- Ability to organize and delegate responsibility and to evaluate performance and conduct through administrative review and control procedures.
- Ability to effectively formulate and execute City Council and Commission policies and programs to ensure successful and efficient operations that support strategic initiatives.
- Supervise staff and delegate work; Team builder with the ability to coach, mentor, and develop all direct reports.
- Strong knowledge of codes and regulations including Minnesota state rules and statutes, MnDOT, MPCA, and MDH.
- Sound understanding of information technology and experience with appropriately investing in capital equipment.
- Ability to conduct necessary engineering research and compile comprehensive reports.
- Proficient in the use of PC's and relevant business software.
- Strong leadership skills include problem solving and decision making.
- Ability to conduct necessary engineering research and compile comprehensive reports.
- Ability to read equipment manuals, construction plans and specifications, policy manuals, letters and regulations.

Education, Experience and Special Requirements

- Bachelor's degree in civil engineering, public administration, business administration or an equivalent field.
- Five or more years of municipal and/or utility related management or supervisory experience.
- An equivalent combination of education and experience may be considered as determined by the City Administrator.
- Valid MN driver's license.

Desired Qualification:

- Master's degree in civil engineering, business management, public administration, or related field.

Physical Requirements

This work requires the regular exertion of up to 10 pounds and force and the occasional exertion of up to 25 pounds of force; work regularly requires speaking or hearing and using hands to finger, handle or feel, frequently requires sitting and occasionally requires standing, walking, climbing or balancing, reaching with hands and arms, lifting and repetitive motions; work requires close vision, distance vision, ability to adjust focus, depth perception, color perception and peripheral vision; vocal communication is required for expressing or exchanging ideas by means of the spoken word and conveying detailed or important instructions to others accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make fine distinctions in sound; work requires preparing and analyzing written or computer data, visual inspection involving small defects and/or small parts, using of measuring devices, operating office equipment, operating motor vehicles or engineering equipment and observing general surroundings and activities; work occasionally requires working near moving mechanical parts, exposure to fumes or airborne particles, outdoor weather conditions, and vibration.

This job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer, as the needs of the employer and requirements of the job change.

Last Revised: April 9, 2026



Electric Director

Department: Electric

FLSA Status: Exempt

General Definition of Work

Provides leadership and direction relating to Brainerd's electric utility systems including electric distribution, hydro, and solar generation. Performs highly responsible technical, supervisory and administrative work such as complex design engineering, safety engineering services, system operations, field operations, complex engineering studies and analysis, training support, project management, quality assurance, budgeting, purchasing, and operation/maintenance of these facilities or systems. The Electric Director shall report to the City Administrator.

Qualification Requirements

Employee shall perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skills, and/or abilities required. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position. Reasonable accommodation may be made for individuals with disabilities to enable them to perform their essential functions.

Essential Functions

- Responsible for and assist in the overall planning, design, construction, operation, and maintenance of electric distribution, hydro, and solar generation.
- Responsibilities include training, inspecting and assigning work, developing staff schedules, coaching and counseling, conducting performance evaluations, disciplining, and recommend hiring for electric distribution and generation systems.
- Participates in the development and administration of capital improvement budget, operating budgets and monitors effective and efficient use of budgeted funds, personnel, materials, facilities, and time for applicable utility systems.
- Ensure compliance with applicable reliability and environmental standards.
- Responsible for the design and general operation of electric power distribution system and vegetation management.
- Oversee the planning and scheduling of all construction, operations, and maintenance activities associated with generation and distribution facilities and implement response and recovery plans during storm events and provide damage identification work during storm and other emergency situations.
- Negotiate long-term Purchase Power Agreements with power provider and service territory boundary agreements subject to Commission approval.
- Ensure compliance with applicable North American Electric Reliability Corporation (NERC) reliability standards and acts as the subject matter expert on these standards.
- Coordinate with other City departments and developers/customers on new services and conversion of existing services including developing cost estimates and design for existing facility conversions.
- Oversee the Electric rights-of-way activities. Oversee the design and coordination of street and area lights.
- Responsible for the Electric Department system protection (relays), communications and metering systems. Perform system studies to establish protective relay settings. Oversee the installation, maintenance and calibration of all protective relays.
- Oversee the installation, testing and maintenance of electric meter shop and metering system. Ensure metering is documented and accurate.
- Responsible for operation and support of the technical hardware and software support for the power management and control system utilized by the electric control center and the GIS mapping functions.
- Plan, evaluate, and administer implementation of all hardware and software improvements to the power management and its associated peripheral controls systems to enhance the electric and control system.
- Train staff in the use of Supervisory Control and Data Acquisition/Automatic Generation Control (SCADA/AGC), advanced applications programs and power management peripheral control systems.
- Responsible for hydro engineering support along with ensuring the safety and reliability of hydro operations.
- Forecasts energy requirements and peak loads for budgetary, operation and planning purposes as required. Provides real time studies and analysis to support the reliable operations of the Electric system.
- Performs other duties as assigned.

Knowledge, Skills and Abilities

- Thorough knowledge of the modern practices, methods, techniques and equipment used in activities involved in one or more of the technical areas (Distribution Operations, System Operations, Generation, and Electric System Planning).
- Thorough knowledge of the use and care of equipment and systems associated with the respective technical area.
- Thorough knowledge of Electric Distribution systems.
- Thorough knowledge of budgeting cost accounting principles.
- Ability to effectively formulate and execute Commission policies and programs to ensure successful and efficient operations that support strategic initiatives.
- Ability to plan projects and use them in preparing plan specifications.
- Ability to supervise and direct subordinate technical and operational personnel.
- Ability to read, understand and apply applicable policies, procedures, rules and work processes.
- Ability to read, understand and apply applicable regulatory requirements (safety, environmental, reliability).
- Ability to plan projects, prepare cost estimates, conduct research, make inspections, and prepare reports.
- Ability to manage complex projects and assignments for prolonged periods of time.
- Ability to manage change.
- Ability to maintain records and coordinate and/or supervise subordinates or contractors.
- Ability to comprehend, and the leadership to seek resolution of, complicated problems and to issue technical written and oral instructions.
- Ability to maintain effective working relationships with fellow employees, contractors and the public.
- Ability to communicate clearly and concisely orally and in writing.
- Ability to safely work extended hours during storm and other emergency situations.
- Skill in the use of personal computers and associated programs and applications necessary for successful job performance.

Education, Experience and Special Requirements

- Graduate of electrical lineworker technology program at a vocational or technical college or an Associate's Degree from an accredited college or university in science, civil, or electrical engineering.
- Seven years of professional experience that includes the planning, redesign, operation and maintenance of both the electric and water distribution facilities. Three years of the experience must include supervisory experience.
- A combination of experience and training may be considered to meet the requirements as determined by the City Administrator.
- Must obtain, and maintain throughout the period of employment, the required clearances to have unrestricted access to critical facilities consistent with NERC and FERC reliability standards.
- Possess a valid Driver's License.

Physical Requirements

This work requires the regular exertion of up to 25 pounds of force, frequent exertion of up to 50 pounds of force, and exertion of up to 100 pounds of force rarely-not daily; work regularly requires standing, speaking or hearing, using hands to finger, handle or feel, climbing or balancing and reaching with hands and arms, frequently requires walking, stooping, kneeling, sitting, bending, crouching or crawling, pushing or pulling, lifting and repetitive motions and occasionally requires tasting or smelling; work requires close vision, distance vision, ability to adjust focus, depth perception, color perception, night vision and peripheral vision; vocal communication is required for expressing or exchanging ideas by means of the spoken word and conveying detailed or important instructions to others accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make fine distinctions in sound; work requires preparing and analyzing written or computer data, visual inspection involving small defects and/or small parts, using of measuring devices, assembly or fabrication of parts within arm's length, operating machines, operating motor vehicles or equipment and observing general surroundings and activities; work regularly requires exposure to outdoor weather conditions including extreme heat or cold, wet/humid conditions (non-weather), and risk of electrical shock, occasionally requires working near moving mechanical parts and working in high, precarious places; occasionally exposed to vibration, noise, fumes or airborne particles and rarely exposed to toxic or caustic chemicals; work is generally in a loud noise location (e.g. grounds maintenance, heavy traffic). The worker may be exposed to bloodborne pathogens and may be required to wear specialized personal protective gear.

This job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer, as the needs of the employer and requirements of the job change.

Last Revised: April 9, 2026



Public Services Director

Department: Public Services

FLSA Status: Exempt

General Definition of Work

Perform complex supervisory, administrative, and professional work in planning, organizing, directing, and supervising the Public Services Department in the functional areas of (1) Parks and Recreation Programming, (2) Parks Maintenance (3) Street Maintenance, (4) Facility Services, and (5) Transit Services. The Public Services Director shall exercise general, technical, and administrative supervision over all departmental employees either directly or indirectly through subordinate supervisory staff. The Public Services Director shall report to the City Administrator.

Qualification Requirements

Employee shall perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skills, and/or abilities required. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position. Reasonable accommodation may be made for individuals with disabilities to enable them to perform their essential functions.

Essential Functions

- Plan, program, direct, and evaluate the operation of functional areas within the department.
- Administer public service capital project in close coordination with other city departments to provide effective, efficient, and professional service to the community.
- Develop short- and long-range goals and objectives for the department consistent with direction from City Council, Park Board, and Transportation Advisory Committee.
- Represent the department both internally and externally in a manner that conveys a positive image of city government which fosters cooperation and support.
- Develop departmental annual budget proposal and execute budgeted dollars in coordination with the Finance Director, and in alignment with departmental priorities.
- Allocate resources to ensure departmental goals are achieved in a cost-effective manner.
- Formulate, implement, and enforce departmental policy in accordance with city procedures, rules, regulations, and programs.
- Prepare and review operational and administrative reports for the department.
- Supervise maintenance of records and materials associated with departmental activities or administration.
- Supervise all departmental employees either directly or indirectly through subordinate supervisors.
- Train, inspect, and assign work to include developing staff schedules, coaching, counseling, conducting performance evaluations, disciplining, and provide recommendations regarding hiring and dismissal of personnel.
- Evaluate potential projects, programs, and services to determine feasibility and impact on departmental operations and provide recommendations when requested.
- Oversee the city park including maintenance staff, facilities, projects, and special events.
- Prepare, coordinate, and communicate a 30-year city facility improvement plan including capital facility project planning with other departments.
- Research and prepares technical advice and information for the City Council, Park Board, and the Transportation Advisory Committee.
- Manage city fleet including utilization rates and recommendations on how to manage the fleet in the most cost-effective manner.

Public Services Director

Page 2

Essential Functions (Continued)

- Manage transit services in accordance with directions from the Transportation Advisory Committee and the City Administrator.
- Respond to concerns, issues, complaints, and questions from the public and employees.
- In conjunction with HR, mediate disputes and resolve issues as appropriate.
- Oversee departmental training to ensure proper training and certification of departmental personnel.
- Maintain regular contact with city, county, state and federal agencies, professional and technical groups and the general public regarding departmental activities and services.
- Perform other duties as assigned.

Knowledge, Skills, and Abilities

- Considerable knowledge of principles, practices, and methods as applicable to a municipal setting; a thorough knowledge of applicable city policies, laws, and regulations affecting department activities.
- Ability to organize and delegate responsibility and to evaluate performance and conduct through administrative review and control procedures.
- Ability to communicate effectively, orally and in writing, with employees, consultants, other governmental agency representatives, city officials, and the general public.
- Ability to read equipment manuals, policy manuals, letters, regulations, and electronic correspondence.

Education, Experience, and Special Requirements

- Bachelor's degree in parks and recreation management, business management, public administration, or related field.
- Five or more years of management or supervisory experience.
- Demonstrated experience in concurrent management of multiple programs and complex projects.
- Possession of a valid driver's license.

Desired Qualifications:

- Master's degree in parks and recreation management/administration, business management/administration, public administration, or related field.
- Previous experience as a Department Head, or Public Services Director of a similarly sized local governmental unit.

Physical Requirements

Work requires regular exertion of up to 10 pounds of force, and occasional exertion of up to 25 pounds of force. Duties regularly require speaking, hearing, and using hands to finger, handle, or feel. Duties often require standing, sitting, reaching with hands and arms, repetitive motions, walking, climbing, balancing, stooping, kneeling, crouching, crawling, pushing, pulling, and lifting. Duties may require close vision, distance vision, ability to adjust focus, depth perception, and color perception and differentiation. Vocal communication is required for expressing or exchanging ideas through spoken word, and conveying detailed or important instructions to others accurately, loudly, and/or quickly. Hearing is required to perceive information at normal speaking decibel levels, and to receive detailed information through oral communications and/or to make fine distinctions in sound. Duties often require preparing and analyzing written or computer data, use of measuring devices, operating machines, operating motor vehicles or equipment, and observing general surroundings and activities. Duties occasionally require exposure to outdoor weather conditions and work may occur in moderately noisy locations.

This job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer, as the needs of the employer and requirements of the job change.

Last revised: April 9, 2026



Deputy Public Works Director/City Engineer

Department: Public Works

FLSA Status: Exempt

General Definition of Work

Performs complex supervisory, administrative, and professional work in planning, organizing, directing and supervising the Engineering, Water Distribution, and Sewer Collection Utility Maintenance Divisions. Oversee environmental, water, sewer, street, stormwater, and other public works projects and programs ensuring technical competence and compliance with all current codes and criteria; performs related duties as required or apparent. The Deputy Public Works Director/City Engineer shall exercise general, technical and administrative supervision over all engineering, water distribution, and sewer collection utility maintenance employees. The Deputy Public Works Director/City Engineer shall report to the Public Works Director.

Qualification Requirements

Employee shall perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skills, and/or abilities required. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position. Reasonable accommodation may be made for individuals with disabilities to enable them to perform their essential functions.

Essential Functions

- Plan, program, direct and evaluate the operation of the Engineering, Water Distribution, and Sewer Collection Divisions in all areas of responsibility.
- Oversee the preparation of, or develop, engineering plans and specifications; Coordinate required advertising for bids: Review construction bids and make necessary recommendations based on lowest and best bids, competency of vendors and consultants, and the selection criteria for public works projects.
- Coordinate and/or undertakes the development or update of the Comprehensive Sewer Plan, Water Distribution Plan, Street Improvement Program, Capital Improvement Program, Pavement Management System, and other plans involving the municipal infrastructure.
- Review private project development plans for compliance with codes, regulations, and standards, adequacy of applications for permits and compliance with approved plans.
- Develop annual budget proposals and control budgeted expenses for the Engineering, Water Distribution, and Sewer Collection Divisions.
- Formulate and implement the divisions policies, procedures, rules, regulations and programs.
- Provide project management for the construction of the municipal, State Aid, and Federally funded public works projects. Oversee assigned projects to ensure contractor compliance with time and budget parameters for the project.
- Perform as the Department Head in the absence of the Public Works Director.
- Prepare and review operational and administrative reports for the divisions; Supervise maintenance of records and materials associated with division activities or administration.
- Supervise all Engineering, Water Distribution, and Sewer Collection Utility Maintenance Division staff including training, inspecting, and assigning work, developing staff schedules, coaching and counseling, and conducting performance evaluations.
- Evaluate potential projects, programs, and services to determine feasibility and impact on division operations and make recommendations to the Public Works Director.
- Research and prepare technical advice and information for the City Council, Public Utilities Commission, and other boards and committees as necessary; Attends meetings as required.
- Under the direction and/or authority of the Public Works Director, oversee all Engineering, Water Distribution, and Sewer Collection personnel, oversee and/or participate in the selection of employees; evaluates employees and determines staffing and structure needs.
- Respond to concerns, issues, complaints, and questions from the public and employees; mediate disputes and resolves issues as appropriate.
- Oversee training programs to ensure proper training and certification of personnel.

Deputy Public Works Director/City Engineer

Page 2

Essential Functions (Continued)

- Maintain regular contact with consulting engineers, construction project engineers, City, County, State and Federal agencies, professional and technical groups and the general public regarding division activities and services.
- Serves as MS4 Permit Administrator; develops and oversees the City's Storm Water Pollution Prevention Program (SWPPP) implementation and execution.
- Assist in evaluating transportation and traffic impacts due to development proposals, permits, rezones, and plats; prepares traffic, utility, and other studies and reports.
- Prepare requests for proposals for consulting services; assist with the evaluation of proposals and consultant qualifications; oversee consultant work to assure conformance with city standards.
- Perform other duties as assigned.

Knowledge, Skills and Abilities

- Considerable knowledge of civil engineering principles, practices and methods as applicable to a municipal setting; Thorough knowledge of applicable City policies, laws, and regulations affecting Division activities; Substantially developed knowledge and experience with stormwater regulations and associated policy development and administration.
- Skill in operating the tools and equipment typically used in the field of Civil Engineering.
- Basic understanding of GIS/AutoCAD drafting software.
- Ability to organize and delegate responsibility and to evaluate performance and conduct through administrative review and control procedures; Ability to communicate effectively, orally and in writing, with employees, consultants, other governmental agency representatives, City officials and the general public; Ability to conduct necessary engineering research and compile comprehensive reports.
- Ability to read equipment manuals, construction plans and specifications, policy manuals, letters and regulations.

Education, Experience and Special Requirements

- Bachelor's degree in civil engineering from accredited college or equivalent.
- Five or more years of progressively responsible engineering experience.
- Two years in Municipal Engineering, municipal infrastructure projects and coordination of land development and redevelopment activities or related.
- Two or more years of supervisory experience.
- Registered as a Professional Engineer in State of Minnesota or ability to obtain within 6 months of hire.
- Possession of a valid Driver's License.

Desired Qualifications:

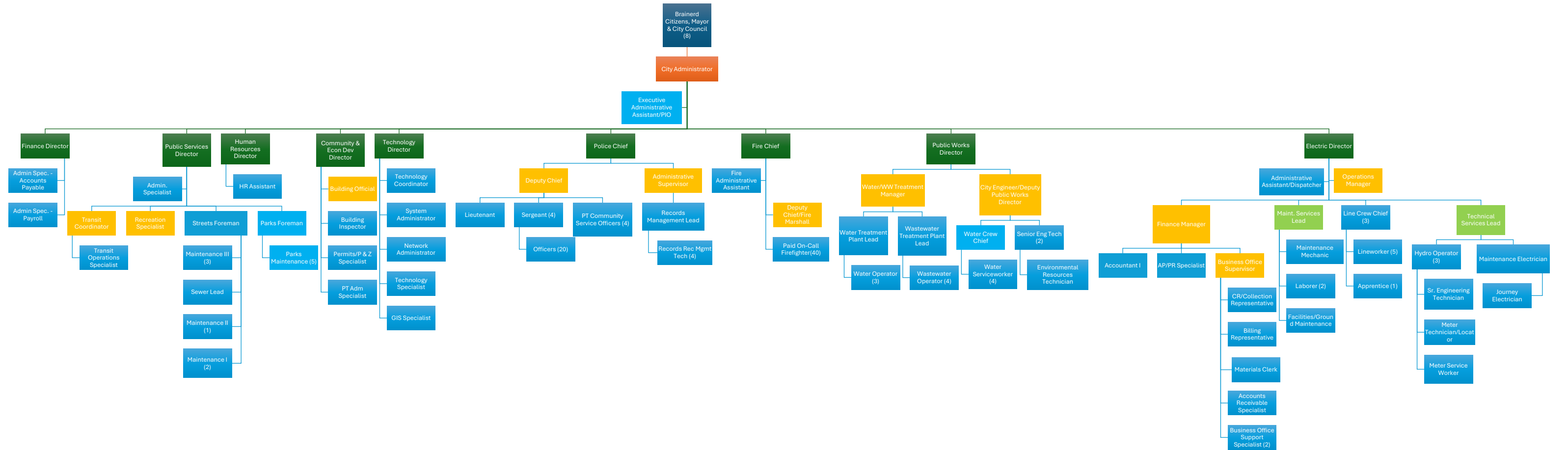
- Previous experience as a City Engineer or work in the City Engineering or Public Works Department of a similar size City.

Physical Requirements

This work requires the regular exertion of up to 10 pounds and force and the occasional exertion of up to 25 pounds of force; work regularly requires speaking or hearing and using hands to finger, handle or feel, frequently requires sitting, reaching with hands and arms and repetitive motions and occasionally requires standing, walking, climbing or balancing, stooping, kneeling, crouching or crawling, pushing or pulling and lifting; work requires close vision, distance vision, ability to adjust focus, depth perception and color perception; vocal communication is required for expressing or exchanging ideas by means of the spoken word and conveying detailed or important instructions to others accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make fine distinctions in sound; work requires preparing and analyzing written or computer data, using of measuring devices, operating machines, pertaining motor vehicles or equipment and observing general surroundings and activities; work occasionally requires exposure to outdoor weather conditions; work is generally in a moderately noisy location (e.g. business office, light traffic).

This job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer, as the needs of the employer and requirements of the job change.

Last Revised: April 9, 2026



Organization Structure Financial Impact - 4/14/2026

Impact of Sanitary Collections and Storm Sewer moving under the Utilities Commission (Charter Change)

Answer: Impact is unknown. Employees compensated through the City's accounting system but performing work for enterprise funds will require the Finance Department to develop and manage an internal billing process between the two accounting systems. This will include establishing a billing cycle and ensuring proper reconciling for pay and operating expenditures. Additional administrative effort will be necessary to support accurate cost allocation and financial reporting.

Additional programming fees of accounting software currently used by the Utility may be incurred.

Renaming current Public Utilities Director to Public Works Director; changing current City Engineer to Deputy Public Works Director/City Engineer; and changing the current Public Works Director to Public Services Director; and creating Electrical Director

Answer: The total financial is currently unknown. As previously noted, the determination of which system these employees are paid from will necessitate a billing and reconciliation process between the two financial systems as well as for expenditures. This will result in increased accounting staff time and administrative effort.

The billing back and forth could be eliminated if the finance department was on the same financial software. Estimated cost would be approximately \$500,000 and we would need to update all internal control processes.

**** Calculated budget impact as if the we would have been organized this way 1/1/26**

	Points	Step (Actual or Assumed)	Enterprise Fund Allocation	Construction (Funded through Perm. Impr Levy)	Governmental Fund Allocation	
Public Utilities Director	876	5	100%	0%	0%	
Public Works Director	876	5	45%	35%	20%	
			221,302	-	-	
			99,586	77,456	44,260	
			(121,716)	77,456	44,260	-

	<u>Points</u>	<u>Step (Actual or Assumed)</u>	<u>Enterprise Fund Allocation</u>	<u>Construction (Funded through Perm. Impr Levy)</u>	<u>Governmental Fund Allocation</u>	
City Engineer	724	6	10%	55%	35%	
Deputy PW Dir/City Eng	840	4	30%	50%	20%	
			17,730	97,514	62,055	
			54,313	90,522	36,209	
			36,583	(6,992)	(25,846)	3,745

	<u>Points</u>	<u>Step (Actual or Assumed)</u>	<u>Enterprise Fund Allocation</u>	<u>Construction (Funded through Perm. Impr Levy)</u>	<u>Governmental Fund Allocation</u>	
Operations Manager	790	7	100%	0%	0%	
Electric Director	870	4	100%	0%	0%	
			201,811	-	-	
			212,996	-	-	
			11,185	-	-	11,185

	<u>Points</u>	<u>Step (Actual or Assumed)</u>	<u>Enterprise Fund Allocation</u>	<u>Transit (Not Supported by Levy and not an Enterprise Fund)/Construction</u>	<u>Governmental Fund Allocation</u>	
Public Works Director	834	4	15%	15%	70%	
Public Services Director	786	4	0%	20%	80%	
			26,910	26,910	125,579	
			-	35,175	140,702	

(26,910) 8,266 15,123 (3,521)

	<u>Enterprise Funds</u>	<u>Other - Construction / Transit</u>	<u>Governmental / Levy</u>	
Estimated Net Impact	\$ (100,858)	\$ 78,729	\$ 33,538	\$ 11,410

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From: [Nick Broyles](#)
To: [Jeff Czczok](#)
Cc: [Brittney Kummet](#); [Connie Hillman](#); [James Kramvik](#); [John Davis](#); [Paul Sandy BPU](#); [Shawn Strong](#); [Tim Holmes](#); [Toni Gage](#); [Joe Langel \(jil@ratwiklaw.com\)](#); [Tony Runde](#)
Subject: RE: No Financial Impact
Date: Tuesday, April 14, 2026 12:23:42 PM
Attachments: [20260414 - Financial Estimates 14Apr26 CC Meeting.xlsx](#)
[image001.png](#)
Importance: High

Mayor, City Council, Charter Commission, PUC, and Staff:

Please see Jeff's question below.

Jeff, thank you for your question. Yes, there is a financial impact associated with the staffing changes that staff will recommend tonight. I should have had the agenda item read TBD for financial impact as we had not yet had a chance to do the calculations, which are now attached.

The attached is essentially divided into two sections.

First, what is the financial impact of sanitary collections and storm sewer being moved under the PUC (charter change)?

Second, what is the financial impact of the four personnel changes?

The answer to the first is reflected in the attachment, and the highlights of the answer to the second question follow.

The four personnel changes that are being proposed tonight are:

1. Change existing PU Director to PW Director
2. Change existing City Engineer to Deputy PW Director/City Engineer
3. Change existing Operations Manager to Electric Director
4. Change existing PW Director to Public Services Director

Staff pointed the positions and considered to breakdown of salary allocations across various funds. The estimated net impact for these four changes is:

- \$100,858 less drawn from "Enterprise" funds
- \$78,729 more drawn from "Other-Construction/Transit" funds
- \$33,538 more drawn from "Governmental/Levy" funds

Please let me know if you have further questions

Regards

Nick



Nick Broyles, MPA | City Administrator

City of Brainerd | 501 Laurel Street Brainerd MN 56401

218.828.2307 | nbroyles@ci.brainerd.mn.us

From: Jeff Czeczok <jzczczok@ci.brainerd.mn.us>

Sent: Monday, April 13, 2026 11:32 AM

To: Nick Broyles <nbroyles@ci.brainerd.mn.us>

Cc: Toni Gage <tgage@ci.brainerd.mn.us>; Dave Badeaux <dbadeaux@ci.brainerd.mn.us>; Mike ODay <moday@ci.brainerd.mn.us>; Connie Hillman <chillman@ci.brainerd.mn.us>

Subject: No Financial Impact

Hi Nick,

Please fill-in-the-blank as it applies to the Agenda Request for tomorrow's meeting pertaining to whether there's any "Financial Impact" if everything staff is recommending related to the organizational restructuring comes to fruition.

Typically, if there's a financial impact associated with an agenda item, whether neutral, significant or insignificant, it is identified, however nothing is indicated at all on this Agenda Request.

See copied portion of the Agenda Request:

RECOMMENDED ACTION/ MOTION 1. Approve the attached org chart. 2. Approve the attached job descriptions, points, and wages as listed above. 3. Authorize staff to begin the internal hiring process for the Electric Director position. 4. Authorize staff to begin the hiring process for the Public Services Director and Deputy Public Works Director/ City Engineer positions.

FINANCIAL IMPACT

table end