

Pursuant to due call and notice thereof, the special meeting of the Brainerd City Council was called to order at 5:00 P.M. by Council President O'Day.

Upon roll call the following Members were noted as present: Bevans, Czczok, Johnson, Stunek, Yeager (5:40 p.m.), Erickson, and O'Day. Mayor Badeaux was noted as present. Member Yeager was noted as absent. Charter Commission Members Lambert, Norwood, and Shipe were also noted as present.

Chair O'Day led the Pledge of Allegiance to the flag.

### **Charter – Chapter 5 Revisions**

Administrator Broyles stated that staff is presenting the draft language for Chapter 5 to the Charter Commission and City Council based on City Council feedback to make the changes necessary to bring the gravity collection system under the purview of the Public Utilities Commission.

Charter Commission Chair Shipe stated that this lines up with what the Charter Commission looked at as far as broader changes.

Commissioner Norwood asked about revisiting Chapter 5 in the next five years. He also asked how this sets the City up for the future for organizational needs.

Administrator Broyles stated that in his personal opinion these changes are certainly the best way to go forward with agility.

Council Chair O'Day asked about the necessity of section 12. He sees the intention of giving the utility workers freedom where they need to be. He believes this paragraph adds back the confusion for the commission having employees. As City of Brainerd employees, they have the right to repair and restore land.

Member Johnson stated that he agrees with Chair O'Day that this chapter is defining the commission's powers not utility employees. He would go further to remove language in section 8 "any and all other things" and section 1 removing the additional language. Adding language that gives fiscal responsibility or economic management outside of the Council is questionable.

Attorney Langel stated that "any and all other things" can be removed to the same effect.

Member Czczok asked about the rationale by staff drafting why "any and all" was added.

Administrator Broyles stated that Member Johnson's comments regarding section 12 are valid. For section 8 he does agree with removal of the additional "any and all other things" language as it does not add value. As far as section 1, he believes that the commission has fiscal responsibility to keep the utility fiscally solvent.

Public Utility Director Sandy stated that for section 12 the rationale is executing projects outside of reconstruction projects, ensuring that the commission is restoring public grounds to original state. It hasn't been in the charter before and adding it now won't have any effect on current practice. City code touches on this item and restoration of grounds and staff is subject to the city code.

Member Czeczok asked whether these are items that the Charter Commission would have opinions about.

Charter Commission Chair Shipe stated that these changes certainly make sense to him. If the statements mentioned aren't in line with the Council's goals, they certainly aren't sticking points for him. He stated that he saw the value in section 12, but the commission wouldn't want to create the perception of the commission having employees.

Commissioner Norwood stated that the removal of the language does not significantly change the intent.

MOVED AND SECONDED BY CHARTER COMMISSIONERS NORWOOD AND LAMBERT, DULY CARRIED, TO RECOMMEND THE DRAFT TO THE CITY COUNCIL WITH THE FOLLOWING AMENDMENTS TO THE DRAFT: REMOVE PROPOSED SECTION 12 IN ITS ENTIRETY, REMOVE PROPOSED ADDITIONAL LANGUAGE TO SECTION 1, AND REMOVE PROPOSED ADDITIONAL LANGUAGE "AND DO ANY AND ALL OTHER THINGS" IN SECTION 8.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND CZECZOK, DULY CARRIED, TO DIRECT STAFF TO DRAFT AN ORDINANCE FOR FIRST READING AT THE APRIL 20<sup>TH</sup> MEETING AND SCHEDULE A PUBLIC HEARING FOR MAY 4<sup>TH</sup>, 2026 AT 7:30 P.M. IN THE CITY COUNCIL CHAMBERS.

### **Resignation – City Engineer Dehn**

HR Director Kummet stated that City Engineer Dehn submitted his resignation on April 8<sup>th</sup> with his last working day as May 8<sup>th</sup>, 2026.

Member Johnson thanked Engineer Dehn for his service to the City.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND JOHNSON, DULY CARRIED, TO ACCEPT THE RESIGNATION OF CITY ENGINEER DEHN EFFECTIVE MAY 8<sup>TH</sup>, 2026.

### **Organizational Discussion**

Administrator Broyles stated that Engineer Dehn's resignation was a catalyst for the proposed organizational changes. He gave an overview of the documents provided and the proposed organizational changes. The estimated financial impact was sent via email and will be added to the packet. He gave an overview of the impact.

Member Czeczok stated that Administrator Broyles has had a passion to change from a Public Utilities Director to a Public Works Director and asked about the necessity for the change. He asked about changing the name of the commission to Public Works as well.

Administrator Broyles stated that the City is unique as it has a public utility commission. Infrastructure and utilities are traditionally public works functions.

Chair O'Day stated he also thought about a commission name change. The Public Utilities Commission oversees all of the business having to do with the utilities. He likes the separation of Public Works Director and the Public Utilities Commission as it takes away the confusion of whose employees because there isn't a Public Utilities Department anymore.

Public Utilities Director Sandy stated that currently as the Public Utilities Director his exclusive concern is the utilities. His responsibility with this change would also expand to streets and being the voice to the City Council in that regard. His current title isn't relevant to the new

position as it doesn't just span utilities anymore. The delineation factor is that the streets are included in the job description. He will be reporting to the commission on utilities and the City Council on street projects.

Member Czczok stated that all of these answers make sense, he wanted it to be laid out for anyone who is listening.

Member Yeager was noted as present at 5:40 p.m.

Member Johnson asked for clarification on the Sewer Lead position and questioned whether this position would stay under the purview of the Public Services Director or whether it would move to the purview of the Public Works Director. He also asked whether the City would consider combining Streets and Parks maintenance positions as a managerial decision at this time.

HR Director Kummet stated that at this time the Sewer Lead position will stay under the purview of the Public Services Director as union negotiations and other issues need to be resolved. It may be the intent in the future to have the Sewer Lead under the purview of the Public Works Department. She stated that the City can plan to change the Streets and Parks maintenance positions in the future, but the positions will need to be negotiated.

Member Johnson stated that he was asking the question about maintenance positions as an efficiency question. He asked whether leadership staff is agreeable to the proposed changes.

Leadership staff is agreeable to the changes.

Member Czczok asked about the managers' bargaining union which is also involved with the changes.

Administrator Broyles stated that the Electric Director is a non-union management position.

HR Director Kummet stated that the Electric Director position is a new position that will need to be applied for. The applicant is agreeing to the terms of employment with their application.

Mayor Badeaux asked about the obligation the City has regarding transit. To expand, he stated that it is a point of consideration as to whether it is a division that the City wants to run or not. Without Transit, he thinks the maintenance positions fall under Public Works. Transit costs money, he believes that this is a conversation that the City needs to have.

Member Czczok stated that Transit does not cost money. Transit receives grant money to operate, which pays the salaries of staff including portions of the Public Works Director's salary and administrative staff in the Finance and Administration departments. He asked Finance Director Hillman if the City has ever levied for transit and whether his statement about salaries of staff is correct.

Finance Director Hillman stated that as far as she is aware the City has never levied for transit and confirmed that the grant does pay portions of staff salaries outside of the Transit division.

Mayor Badeaux stated that the division does cost taxpayer dollars to operate as taxpayer dollars fund the grants that transit receives. He is not saying that we should or should not have Transit, but it should be a discussion at some point.

MOVED AND SECONDED BY COUNCIL MEMBERS STUNEK AND JOHNSON, DULY CARRIED, TO APPROVE THE UPDATED ORGANIZATIONAL CHART.

Member Johnson asked whether the points have been reviewed by legal.

HR Director Kummet stated that the positions have been reviewed by legal.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND BEVANS, DULY CARRIED, TO APPROVE THE JOB DESCRIPTIONS, POINTS, AND WAGES OF THE PUBLIC SERVICES DIRECTOR, DEPUTY PUBLIC WORKS DIRECTOR/ CITY ENGINEER, ELECTRIC DIRECTOR, AND PUBLIC WORKS DIRECTOR.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND BEVANS, DULY CARRIED, TO AUTHORIZE STAFF TO BEGIN THE INTERNAL HIRING PROCESS FOR THE ELECTRIC DIRECTOR.

Member Johnson asked about timeline for the Engineer position.

Administrator Broyles stated that the timeline will be in line with typical hiring.

Public Utilities Director Sandy stated that he plans to bring an item for engineer consulting services to the May 4<sup>th</sup> meeting.

MOVED AND SECONDED BY COUNCIL MEMBERS BEVANS AND STUNEK, DULY CARRIED, TO AUTHORIZE STAFF TO BEGIN THE HIRING PROCESS FOR THE PUBLIC SERVICES DIRECTOR AND DEPUTY PUBLIC WORKS DIRECTOR / CITY ENGINEER POSITIONS.

### **Adjourn**

MOVED AND SECONDED BY COUNCIL MEMBERS STUNEK AND JOHNSON, DULY CARRIED, TO ADJOURN THE MEETING.

The Chair adjourned the meeting at 5:51 p.m.



Nicholas W. Broyles  
City Administrator