

**WAITE PARK CITY COUNCIL MEETING****JUNE 5, 2017**

A meeting of the Waite Park City Council was held at Waite Park City Hall on Monday, June 5, 2017 beginning at 6:30 PM.

**MEMBERS PRESENT**

Members present were Mayor Miller, Councilmembers Linquist, Schneider, Schulz and Theisen

**CITY REPRESENTATIVES PRESENT**

City Representatives present were City Administrator Johnson, Deputy Clerk-Treasurer Virnig, Chief of Police Benrud, Public Works Director Schluenz, Planning and Community Development Director Noerenberg, Attorney Hansmeier, SEH Engineer Wotzka

**OTHERS PRESENT**

There were no signatures on an attendance sheet.

**OPEN FORUM**

Mayor Miller invited anyone wishing to speak during the open forum to step forward, but no one came forth.

**K-9 PROGRAM RECOGNITION OF DONORS**

Chief of Police Benrud recognized three area businesses for donations they have made to the K-9 Program. The three businesses recognized were Scheel's, Tactical Advantage and Granite City Pet Hospital. Chief of Police Benrud, K-9 Officer Bigler and K-9 Parker presented Certificates of Appreciation to Chris Theisen of Scheel's, Jason Falconer of Tactical Advantage and Dr. Jeff Nelson of Granite City Pet Hospital.

**COUNCIL AGENDA**

Motion by Member Theisen, second by Member Schulz, to approve the 6/5/17 Council Agenda as amended.

- 1.H. (Add) Hiring of a Utility Operator and/or a Public Works Maintenance Worker
- 1.I. (Add) Resolution on Bonding Request for the Amphitheater Project

The motion carried unanimously.

**1. CONSENT AGENDA**

Motion by Member Schulz, second by Member Theisen, to approve the following 6/5/17 Consent Agenda items:

- 1.A. Approved Council Minutes of May 2, 2017
- 1.B. Approved Charter Franchise Agreement Renewal (**RESOLUTION NO. 060517-01**)
- 1.C. Approved Library Branch Agreement
- 1.D. Approved Master Partnership Contract with MnDOT (**RESOLUTION NO. 060517-02**)
- 1.E. Approved On-Sale Strong Beer License for Taqueria La Campechana LLC at 95 10<sup>th</sup> Avenue South
- 1.F. Approved Performance Measurement Resolution (**RESOLUTION NO. 060517-03**)
- 1.G. Approved Police Department's Application 2017 COPS Grant
- 1.H. Approved Hiring of a Utility Operator and/or a Public Works Maintenance Worker
- 1.I. Approved Resolution on Bonding Request for the Amphitheater Project (**RESOLUTION NO. 060517-04**)

The motion carried unanimously.

## **2. PLANS AND SPECIFICATIONS FOR THE 2017 CLOUD PARK AND 6<sup>TH</sup> AVENUE NORTH IMPROVEMENTS**

This project includes the milling and filling of the bituminous on the streets of Cloud Park, curb, gutter, and sidewalk repairs, as well as new bituminous on 6<sup>th</sup> Avenue South from 2<sup>nd</sup> Street South to 3<sup>rd</sup> Street South, and an Alternate to edge mill and overlay 6<sup>th</sup> Avenue South from Division Street to First Street South. Plan Sheets and a Project Cost Estimate were presented. The estimated project costs are \$369,000. With contingency and engineering, the total estimated cost is \$453,000. The Capital Improvement Plan estimate is \$420,000. The estimated cost for the alternate is \$55,000. With contingency and engineering, the estimated total cost of the alternate is \$67,000. This gives an estimated total project cost of \$520,000. The section of 1<sup>st</sup> to Division will be held till next year. There was also discussion on doing some milling on Old Highway North Road. Staff is recommending approval of the Plans and Specifications and authorizing advertising for bids for the 2017 Cloud Park and 6<sup>th</sup> Avenue South Improvement project.

Motion by Member Schneider, second by Member Theisen, to approve the Plans and Specifications for the 2017 Cloud Park and 6<sup>th</sup> Avenue South Improvement project and the Old Highway North project as an alternative. The motion carried unanimously.

## **3. APPROVE PLANS AND SPECIFICATIONS FOR WELL #6 (CONTRACT "A") AND WELL #6 WATER UTILITIES AND SITE IMPROVEMENTS (CONTRACT "B") AND AUTHORIZE ADVERTISING FOR BIDS**

Jeff Ledin from SEH presented the Plans and Specifications for Well #6, which includes Contract "A" for the construction of a new well and appurtenances and Contract "B" which includes the site piping, meter vault and electrical controls for the well. The estimated project costs are \$350,000 with a contingency of \$50,000. It was determined that a water treatment skid will be needed, with an estimated cost of \$30,000. Well #3 is old and only used for emergencies. Well #4 and #5 are pumping 1500 gallons per minute. Both Wells #4 and #5 are needed on peak use days. If something happened to Well #4 or #5, another well is needed for use since Well #3 is old. Well #3 will also have all the gears taken out and abandoned, with an estimated cost of \$20,000. Well #6 is being proposed as a replacement for Well #3. Well #6 will be about 100 feet deep and pump up to 1500 gallons per minute. The site will also be cleaned up on terms of electrical. Well #1 and #3 will have their wiring removed. Additional electrical and communications work and extra site piping are also proposed with a cost estimate of \$40,000 each. Discussion was held on abandoning Well #3 and the electrical being installed for Well #6. Staff is recommending to approve the plans and specifications for Well # 6, Contracts A and B, and authorize advertising for bids.

Motion by Member Theisen, second by Member Schulz, to approve the plans and specifications for Well #6, Contracts A and B, and authorize advertising for bids as presented. The motion carried unanimously.

## **4. PUBLIC COMMENT ON PURCHASE AND IMPLEMENTATION OF BODY WORN CAMERA (PORTABLE RECORDING SYSTEM) PROGRAM AND PROPOSED POLICY**

The City of Waite Park is considering implementing a Body Worn Camera (Portable Recording System) Program within its Police Department. The use of body-worn cameras (BWC's) in law enforcement is relatively new. The primary purpose of using BWC's is to capture evidence arising from police-citizen encounters. While this technology allows for the collection of valuable information, it opens up many questions about how to balance public demands for accountability and transparency with the privacy concerns of those being recorded. In deciding what to record, this policy reflects a balance between the desire to establish exacting and detailed requirements and the reality that officers must attend to their primary duties and safety of all concerned, often in circumstances that are tense, uncertain, and rapidly evolving.

In accordance with Minnesota Statute 626.8473, Subd. 2, "A local law enforcement agency must provide an opportunity for public comment before it purchases or implements a portable recording system. At a minimum, the agency must accept public comments submitted electronically or by mail, and the governing body with jurisdiction over the budget of the law enforcement agency must provide an

#### **4. PUBLIC COMMENT ON PURCHASE AND IMPLEMENTATION OF BODY WORN CAMERA (PORTABLE RECORDING SYSTEM) PROGRAM AND PROPOSED POLICY (Cont'd.)**

opportunity for public comment at a regularly-scheduled meeting.” Minnesota Statute 626.8473, Subd. 3 requires that “the chief officer of every state and local law enforcement agency that uses or proposes to use a portable recording system must establish and enforce a written policy governing its use. In developing and adopting the policy, the law enforcement agency must provide for public comments and input as provided in subdivision 2.”

The cost to implement BWC's within the Police Department would be approximately \$27,000 for 18 cameras with an ongoing cost for data storage of \$18,000 annually. This would also allow us to replace cameras every 30 months and would include the AXON Capture software which provides the ability to use SMART phones to take statements and reviews videos. This is something that has been budgeted within the Police Department but requires Council's action to purchase and implement the BWC Program.

The purpose for the meeting tonight was to give the public an opportunity to provide the Council with any thoughts or concerns related to BWC's and its BWC Proposed Policy. No Council action will be taken at the meeting tonight. A copy of the proposed policy was presented and discussion was held on the data being classified as private data from the body cameras. There will be the ability to redact data also. In addition, a copy of the proposed policy will be available on the City's website at [www.ci.waitepark.mn.us](http://www.ci.waitepark.mn.us). The public will have an opportunity to provide the City with comments online. Comments can also be mailed or emailed to the City as well. The City's mailing address is City of Waite Park Attn: Shaunna Johnson, 19 13<sup>th</sup> Avenue North Waite Park, MN 56387. The email address to send comments to is [Shaunna.Johnson@ci.waitepark.mn.us](mailto:Shaunna.Johnson@ci.waitepark.mn.us).

The plan moving forward will be to meet with Police Department Personnel on June 20<sup>th</sup> to discuss the BWC Program and the Policy. Staff will have a copy of the policy ahead of time to provide them with an opportunity to review and comment. The City will continue to accept public comments online, email, and in writing up until the Council has made a determination regarding the BWC Program and the Policy. The City will review all the comments provided by the public and the staff and will consider them as part of the final draft of the BWC Program and Policy. On June 26<sup>th</sup>, the Council will hold a public hearing to give the public an additional opportunity to provide any feedback on the BWC and the BWC Policy. At the meeting on the June 26<sup>th</sup>, the Council will have an opportunity to decide whether they want to move forward with the implementation of the BWC program and could also consider the BWC policy as well.

#### **5. ORDINANCE #70 ALCOHOLIC BEVERAGES**

The MN Legislature has passed a law now allowing off-sale license holders to sell intoxicating liquor on Sundays. Because of this, we are required to amend Ordinance 70 – Alcoholic Beverages to remove the ban of Off-Sale Sunday Liquor sales. The hours the State enacted for Sunday sales is 11:00 a.m. to 6:00 p.m., but the City can be more restrictive on these hours if we choose. Another part of the amendment is that no delivery, order solicitation or merchandising to an off-sale licensee may be made by a wholesaler on a Sunday. Presented was a proposed Amendment to Ordinance 70, along with a Summary Publication and the MN Legislature's statutory references. Staff's recommendation is to approve the Amendment to Ordinance #70 – Alcoholic Beverages and Summary Publication.

Motion by Member Schneider, second by Member Theisen, to approve the Amendment to Ordinance 70 and Summary Publication as presented. The motion carried unanimously.

#### **6. COUNCIL/MAYOR**

##### **6.A. REVIEW AND APPROVE BILLS**

Motion by Member Schneider, second by Member Theisen, to authorize payment of the accounts payable list (0317M1, 0517D1, 0517D2, 0517D3). The motion carried unanimously.

## **7. ADMINISTRATOR**

### **7.A. CITY HALL SIGNAGE**

The City has been considering placing signage at city hall that incorporates our new logo. Presented was a copy of the proposed signage that would be placed on the colonnade outside the front entryway of city hall, which included the City's logo and name twice on the colonnade. The estimated cost of the signage from Scenic Signs is \$10,890. The electrical would be an extra cost. The cost of the signs can be paid out of reserves if the Council desires to move forward with the signage. Discussion was held on having backlighting at night and only having the name only once on the colonnade, which would be centered with the logo on each side of the name.

Motion by Member Theisen, second by Member Schulz, to approve the proposed signage for city hall with the name being place on the colonnade once with the City's logo on each side of the name. The motion carried unanimously.


### **7.B. UPDATE**

City Administrator Johnson reviewed the following:

- Tomorrow, June 6, 2017, construction will start on the Council Chambers. The next couple of meetings are proposed to be held on June 26, 2017 and July 17, 2017. Meetings during construction will be held in the Lower Level Conference Room at City Hall.
- Next week is the League of Minnesota Cities Conference.
- Waite Park Family Fun Fest is next week.

### **ADJOURNMENT**

Mayor Miller declared the meeting adjourned at 7:10 p.m.

  
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 Richard E. Miller  
 Mayor

  
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 Shaunna Johnson  
 City Administrator