

City of Winsted  
City Council Work Session  
Lewis Room  
Tuesday, January 21, 2014  
5:00 p.m.

Present: Mayor Steve Stotko  
Council Member Tom Ollig  
Council Member George Schulenberg  
Council Member Max Fasching

Absent: Council Member Bonnie Quast

Staff Present: Mr. Clay Wilfahrt, City Administrator  
Ms. Deborah R. Boelter, City Clerk-Treasurer  
Mr. Mike Henrich, Winsted Police Department Chief

## **I. Call to Order**

Mayor Stotko called the meeting to order at 5:00 p.m.

## **II. School Bus Vehicle Parking**

Mr. Wilfahrt stated that a City of Winsted resident contacted the Mayor and City Council Member Ollig regarding a school bus vehicle (bus) that was parking near their home. The resident, Mr. Michael Carlson, 401 Westgate Drive, indicated that the bus was parking on the driveway of a resident in the Westgate Neighborhood. Mr. Carlson further explained that the noise of the bus, as it warms up during the colder months, is bothersome to him and his family. Mr. Carlson requested that the City Council consider establishing an ordinance to prohibit the parking of school bus vehicles in residential areas.

Mr. Wilfahrt stated that City staff has researched other cities that prohibit school bus vehicle parking in residential areas and found limited success. Several cities such as Blaine, Minnesota and St. Cloud, Minnesota prohibit parking of busses in residential districts. Other cities; such as Fridley, Minnesota, allow bus parking in residential areas, but they limit the amount of time the bus can idle, and require that any noise the vehicle makes be subject to their Noise Ordinance. He continued by stating that other cities prohibit bus parking on city streets unless it is for the purpose of picking up or dropping off children. Finally, many cities do not prohibit bus parking in residential areas.

Mr. Wilfahrt presented three (3) options for the City Council to consider:

1. Option one (1) would be to prohibit or limit bus parking in residential areas. This would eliminate Mr. Carlson's concern and reduce the noise and visual concerns. Prohibiting bus parking would undoubtedly raise concern from the bus drivers currently parking at their residence. Also, many of the cities that prohibit bus parking also prohibit parking of other commercial vehicles, horse trailers, and recreational vehicles; presumably due to the fact that they are similar in size and make a similar amount of noise. If the City of Winsted were to develop an ordinance regarding bus parking it would be difficult to defend an argument to not regulate commercial vehicles under that premise.
2. The second (2<sup>nd</sup>) option would be to maintain the status quo. This would not address Mr. Carlson's noise and visual concerns. The City Council would also not limit commercial vehicles under this option, and likely would not hear concerns from other residents parking commercial vehicles at their residence.
3. The third (3<sup>rd</sup>) option would be to allow bus parking in residential areas; however, they would be limited to the amount of time the bus can idle.

Mr. Wilfahrt stated that if the City Council chooses to regulate parking of busses, it would be in the form of an ordinance amendment which would require a public hearing. Staff anticipates that if the City Council chooses to amend the ordinance, a proposed version of an ordinance could be brought to the next City Council Work Session, February 5, 2014, and could go through the public hearing process and adopted sometime in March, 2014.

The City Council discussed and directed Mr. Wilfahrt to contact Mr. Carlson and inform him that after careful consideration of his request; the City Council has decided not to take any action.

### **III. Winsted Municipal Airport – Capital Improvement Plan**

Mr. Wilfahrt stated that annually the City must submit a Capital Improvement Plan (CIP) for the Winsted Municipal Airport.

Mr. Wilfahrt stated that Airport's CIP does not need formal City Council approval; however, staff wants to ensure the City Council's agreement with the plan. He continued by stating that the CIP does not bind the City Council to make any decisions on the projects listed; but rather, it indicates that the City intends to explore the items presented. With due reason, the City Council can opt out of the improvements subject to any other agreements with the Minnesota Department of Transportation/Office of Aeronautics (MN DOT/OA) and the Federal Aviation Administration (FAA).

The City Council discussed and directed Mr. Wilfahrt to submit the proposed CIP to the FAA.

### **IV. Winsted Police Department – Chief of Police Position Description**

Mr. Wilfahrt stated that the Winsted Police Department Chief, Mr. Mike Henrich submitted his letter of resignation and indicated that his last day as Chief will be February 28, 2014. In order to seamlessly transition between Mr. Henrich and the next Winsted Police Department Chief, staff would like to begin the hiring process immediately. After conferring with the City's Attorneys, Mr. Fran Eggert and Ms. Kelly Dohm, staff determined that it is necessary to open the position to the public. Staff would like to do so as soon as possible in order to begin the hiring process.

Mr. Wilfahrt presented a copy of the job description, job posting notice and the proposed hiring timeline. He continued by stating that the aforementioned items will be presented at tonight's Regular City Council meeting for City Council consideration. He stated that he would be seeking City Council approval of the job description and authorization to post the job notice.

Mr. Wilfahrt stated that he would like the City Council to discuss the position description, the job posting notice and the proposed hiring timeline. The City Council discussed.

Mr. Wilfahrt asked two (2) City Council members to volunteer to serve on the initial interviewing panel. Council Member Ollig and Council Member Schulenberg volunteered.

The City Council recommended that Mr. Wilfahrt contact Mr. Duane Kopesky to serve on the initial interviewing panel.

### **V. Police Department Issued Weapons**

Mr. Henrich stated that over the course of his career with the Winsted Police Department, the City has taken the position that a Police Officer working for the City must purchase their own duty weapon. He continued by stating that he believes that the Winsted Police Department would be better served by issuing weapons to their Officers.

Mr. Henrich presented the following reasons why he believes the City of Winsted should have departmental issued weapons, and not Officer owned weapons:

1. A duty weapon is an essential piece of equipment that is needed for any Officer to do their job. Because it is an essential piece of equipment I feel that the City should be responsible for providing it to their Police Officers; just like they provide a squad car, a radio, a bullet proof vest, a badge, and etcetera.

2. If an Officer is involved in a weapon involved incident, the Officer's weapon must be taken into evidence. This means an Officer could be without their weapon for months, if not longer. The replacement of the Officer's duty weapon would then fall upon the City.
3. If an Officer is suspended or relieved from duty, the City normally takes the Officer's keys, badge, police identification (ID) and weapon. In the past, everything has been collected except the Officer's weapon.
4. If an Officer's weapon malfunctions and needs to be fixed; an Officer could be without a duty weapon for weeks. This Officer must then find and qualify with another weapon, before they can carry it. To get an Officer qualified with another weapon could take a few weeks to accomplish. This is not taking into account the need to find a replacement holster and clip holders for their duty belt. This is not only a burden on the Officer, but on the entire Police Department.
5. The McLeod County Sheriff's Office; the Hutchinson, Minnesota Police Department; the Glencoe, Minnesota Police Department, and now the Lester Prairie, Minnesota Police Department, have all gone to departmental issued weapons.

Mr. Henrich suggested the following weapon and the reasons why he believes it should be deemed as the Winsted Police Department's departmental issued weapon:

1. The Glock .45 caliber pistol has been found to be a good shooting weapon with little recoil; less recoil than the .40 caliber pistol. The McLeod County Sheriff's Office has found this weapon to be very adaptable to all of their officers, both male and female.
2. The Glock .45 pistol is the weapon being carried by the Lester Prairie, Minnesota Police Department, the Glencoe, Minnesota Police Department, and the McLeod County Sheriff's Office. This means that most Police Agencies in McLeod County and the McLeod County Sheriff's Office will be furnished with the same type of weapon and will use the same type of ammunition.
3. The McLeod County Sheriff's Office does all the firearms qualifications for the Winsted Police Department, which means they will be instructing our Officers in the same type of weapons that they currently carry.
4. There would be a need to purchase five (5) of these weapons. This would outfit each full time Officer and provide one (1) weapon for the part-time Officer's use or as back-up weapon. This weapon would cost the City approximately \$474 per weapon, no sales tax, and should be usable for at least ten (10) years. These weapons have proven to be very durable and very little, if any, maintenance should be required over the next ten (10) years.
5. The McLeod County Sheriff's Office currently have several of the Glock armors at their Department, which may be valuable if one of our weapons were to malfunction.

Mr. Henrich recommended that the above weapons be purchased from the Winsted Police Department's Drug and Driving While Intoxicated (DWI) Forfeiture Funds. In the past, the Drug and DWI Forfeiture Funds have been used for only special purchases; such as, video equipment for the interview room and the purchase of the year 2005 squad car and equipment. This Fund has approximately \$9,000 dollars in it, and is expected to increase.

Mr. Henrich stated that he had discussed the proposed purchase of departmental issued weapons with the former City Administrator, Mr. Brad Martens before proceeding. Mr. Martens recommended that the legality of purchasing departmental issued weapons with the Forfeiture Funds be reviewed by the City's Auditing Firm. Mr. Henrich stated that the Auditing Firm indicated that they could not give legal advice; however, after reviewing the Minnesota State Statute regarding forfeiture funds, they found no issue with this type of purchase.

Mr. Henrich stated that although he firmly believes in the departmental issuance of weapons, he believes that a part-time Officer should also have the choice of carrying their own weapon if desire. To fit all part-time Officers with a departmental issued weapon is somewhat cost prohibitive and may not be safe. If a part-time Officer works for more than one (1) Police Department, it is safer for them to use a weapon that they are familiar with; rather than having them switch back and forth to what duty weapon they will be carrying.

Mr. Henrich stated that a Glock representative visited the Winsted Police Department to present the weapon to the Officers. On a separate day, the representative came back and some of the Officers were able to shoot the gun and they all did well.

The City Council discussed and directed Mr. Henrich to proceed with obtaining quotes to purchase departmental issued weapons and present at a future Regular City Council meeting.

**VI. Purchase or Sale of Real or Personal Property**

Mayor Stotko stated that the City Council was now closing the Work Session to discuss developing an offer to purchase land with the property identification (PID) of 21-0101600 and PID of 21-0660020.

Mayor Stotko asked the members of the public to please excuse themselves. He continued by thanking the public for their cooperation.

**Council Member Ollig motioned to close the Work Session. Council Member Fasching seconded the motion. Motion carried 4-0.**

The Work Session was closed.

**VII. No Other.**

**VIII. Adjourn**

**Council Member Ollig motioned to adjourn the meeting. Council Member Fasching seconded the motion. Motion carried 4-0.**

The meeting was adjourned at 5:55 p.m.

*Steve Stotko*

Steve Stotko  
Mayor  
City of Winsted

ATTEST:

*Deborah R. Boelter*

Deborah R. Boelter, MCMC  
City Clerk-Treasurer  
City of Winsted