

City of Winsted
City Council Work Session
Lewis Room
Tuesday, September 19, 2017
5:00 p.m.

Present: Council Member Mike Henrich
Council Member Tom Ollig
Council Member Patty Fitzgerald
Council Member George Schulenberg

Absent: Mayor Stotko

Staff Present: Mr. Daniel Tienter, City Administrator
Ms. Raquel Kirchoff, City Clerk-Treasurer
Mr. Justin Heldt, Police Chief

Also Present: Mr. Jake Saulsbury, Bolton and Menk, Incorporated

I. Call to Order

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

II. Airport Commission Ordinance Review

Mr. Daniel Tienter, City Administrator, stated that in the year 2013, due to the resignation of a majority of the Airport Commission members, and also the resignation of the City Administrator, the Airport Commission ceased functioning. At that time, the City Council decided to take over the Airport Commission responsibilities.

Mr. Tienter stated that the City Council recommended the reconstitution of the Airport Commission, once the Environmental Assessment was complete, at the 2017 City Council Goal Setting Retreat. In June, 2017 the City Council made a decision on the preferred alternative for the runway improvement project. Once that concluded, City staff contacted seven municipal airports in the area to see; if they have an Airport Commission, what form it took, how often it met, what type of facilities they had, and how they were constituted in terms of qualifications for the members. The responses received varied from five to eight members, and from members only affiliated with the airport to all residents.

Mr. Tienter stated that the term of service for the members would be three years. The City Council appoints Commission members annually. As terms expire, the members are asked if they would like to renew their term.

Council Member Fitzgerald asked if all members start out at three years, or if they are staggered. Mr. Tienter stated that the terms will be staggered, so some members may serve an initial two year term; and if they renew, their next term would be a three year term.

Mr. Tienter stated that it is recommended that the Airport Commission meet at least quarterly; however, it would meet more often if needed. Initially it is anticipated that the Airport Commission would hold more meetings as new members became accustomed to airport information and due to the pending runway improvement project.

Mr. Tienter stated that the meeting date and time is proposed to change from the past when the Airport Commission met at 8:30 a.m. Mr. Tienter stated that City staff is proposing three residents on the commission and afternoon or evening meetings are more conducive for general residents to participate. City staff is proposing for the Airport Commission to meet quarterly, on Thursday afternoons, following the Economic Development Authority meeting (EDA).

Council Member Henrich asked who would run the meetings. Mr. Tienter stated that the City Council would appoint a chair and vice chairperson for the Airport Commission, based on its recommendation. Mr. Tienter stated that Mayor Stotko will serve as the City Council liaison to the Airport Commission

Mr. Tienter stated that City staff is recommending reducing members from two hangar owners, to one hangar owner and replacing the hangar owner with another resident. This may help with the current lack of people willing to participate in advisory commissions, by providing more people in the general category of resident. Mr. Tienter also stated that fair amount of proportional representation was also considered. One hangar owner would be representing approximately 39 hangar owners, whereas three residents would be representing 2,355 City of Winsted residents.

Mr. Tienter stated that there is no disqualifying factor if you are both a resident and a hangar owner. That person could be appointed as a resident. Mr. Tienter stated that the at-large member may be a non-resident; it could be a hangar owner that lives in another community. Ultimately there could be five hangar owners on the Airport Commission, but hangar owners would only be guaranteed one spot on the commission itself as a qualified position. The recommendation does not limit hangar owner's opportunity to be involved; it just provides opportunities to others as well.

Council Member Ollig stated that currently, there are no hangar owners that are residents. He continued by stating that he thinks there should be two hangar owners and two residents on the Airport Commission.

Council Member Fitzgerald asked why three residents were recommended. Mr. Tienter stated that City staff reviewed research from other communities. More often than not, the residents were the largest group of members on the commission. In some cases, the commission was made up entirely of residents which is not recommended for Winsted because Winsted does not have public hangars. This research, coupled with not wanting too exclusive requirements for membership was considered because the City has issues with vacancies on other advisory commissions. Mr. Tienter stated that fair representation was also considered given the number of people that each person would be representing.

Council Member Henrich asked what the prior Airport Commission membership was. Mr. Tienter stated two residents, two hangar owners, and one at-large member.

The City Council Members stated that they were in favor of reconstituting the Airport Commission. They discussed what the membership should be. They favored moving forward with two hangar owners, two residents and one at-large member. Mr. Tienter stated that a City of Winsted ordinance amendment is not needed because the composition of the Airport Commission will not be changed, so the City Council will continue with the process of appointing commissioners.

III. Winsted Police Department – Body Worn Camera (BWC) Information

Mr. Tienter stated that Police Chief Justin Heldt provided information regarding body worn cameras at previous City Council Work Sessions. Mr. Tienter stated that Mr. Heldt was present to provide information after contacting area agencies using body cameras in regards to data practices requests.

Mr. Heldt stated that he contacted the Hutchinson Police Department that has been utilizing body worn cameras since April, 2017. Hutchinson indicated that their agency has had one data request from a citizen that they are currently working on, and have worked on for six hours so far. Mr. Heldt stated that he was not aware of the size of that data request, or how long the video is. It was indicated that there were multiple cameras on at the same time related to this data request.

Mr. Heldt stated that he contacted the Big Lake Police Department that utilizes the axon, taser body worn cameras. Big Lake indicated that their agency receives many requests from other agencies, which require approximately four hours of work per week for these requests. Big Lake indicated that data requests received from private citizens or a large organization have been minimal and they have not had to redact any video. Mr. Heldt explained that redacting is the work an officer would have to complete to remove anything in a video that could not be released. Mr. Heldt stated that he was not able to obtain information regarding time spent on redaction for private citizens or large organizations.

The City Council Members asked questions about when it would be acceptable for body worn cameras to be turned off. Mr. Heldt explained that there would be situations when the body cameras could not be turned on, for example, rapidly, evolving, hostile encounters where an officer cannot take time to turn the camera on for safety reasons. Mr. Heldt stated that other situations would be discussed when a policy regarding body worn camera use was

developed; situations like medical calls or people requesting that the officer turn their camera off so that they may have a conversation with them. The creation of the policy will include public hearings where residents may state their concerns.

Council Member Henrich stated that he has been apprehensive about body worn cameras, and because he was the Winsted Police Chief, he is more for police officers than other City Council Members. He continued by stating that if Police Chief Heldt is willing to take on body worn cameras and the process surrounding them for the betterment of the Winsted Police Department, he is willing to support that decision. Council Member Henrich stated that he is concerned, however, about the potential cost related to the data requests. Hutchinson and Big Lake may say that data requests are minimal, however, movements of different groups are increasing, which will increase data requests. Council Member Henrich stated that eventually body worn camera use will be mandated.

Mr. Heldt stated that although the two agencies he contacted stated that their data requests thus far have been minimal, the future cannot be predicted. A data request could occur at any time, and the Winsted Police Department may not be able to handle the request at the moment and need to look for assistance. There is no skimming through a video for these requests. It is watching second, by second, of all video.

Mr. Heldt stated that in addition to data requests, the Police Department would be required to monthly choose random videos, review and approve them to ensure that the Police Department is following its policy to comply with audit standards. It will be an intensive process.

Mr. Tienter stated that based on the Police Chief's research, two larger organizations that have more interactions were reviewed; and over the two and one half years combined experience that they have with body worn cameras, they have had one outside data practices request. That is consistent with the number of requests that the Winsted Police Department has received for police squad video. Mr. Tienter stated that there is enough evidence to suggest that the City of Winsted will not anticipate an increase in the number of data practices requests if body worn cameras are implemented. However, the threat of an overly broad data practices request is always present, regardless if we use body worn cameras or not.

Mr. Tienter stated that the City Council has already appropriated funds in the Police Capital Equipment Program for the Body Worn Camera Initiative in 2017, and also in 2019 and then in 2021.

Council Member Ollig stated that if the City starts the process and holds public hearings regarding body worn cameras, it does not mean the City has to move forward with them. Mr. Tienter stated that was correct. The City is not obligated to move forward if it begins the public engagement process.

Mr. Tienter asked what the City Council would like to do in regards to body worn cameras. Council Member Ollig stated to do nothing at this point in time; leave the body worn cameras in the budget and continue discussing them.

Mr. Tienter stated that City staff will wait until the City Council provides further direction. Two opportunities for discussion exist during the budget hearings at the end of October and the 2018 Goal Setting Retreat.

IV. Downtown Trail Connection

Mr. Tienter stated that the City Council discussed the McLeod Avenue Area Improvements Project earlier this summer and decided to delay the larger project, but directed the City Engineer to explore alternatives to connect the Kingsley Street Trail with Mill Reserve Park.

Mr. Jake Saulsbury, Bolton and Menk, Incorporated stated that the original instruction from the City Council was to install a trail without impacting the road or further road reconstruction, but it was determined that was not feasible. The primary reason for this is the easterly most driveway on McLeod Avenue. This driveway has a down gradient of approximately 10% (maximum recommended driveway grade is 12%). Constructing a six foot to ten foot flat area necessary to construct a trail would steepen this driveway and also require the modification to a recently constructed retaining wall.

Mr. Saulsbury reviewed two options with the City Council as follow:

Option 1 – Match Kingsley Street Width

The first option consists of narrowing the east block of McLeod Avenue to match the recently constructed Kingsley Street. At a minimum, this would require removal of the north curb and four to five feet of pavement. The north curb line would then be re-poured approximately six feet to the south of the existing curb. This would result in the necessary

space to construct an eight foot wide trail adjacent to the new curb along the north side of the street. This option would also allow for the majority of the boulevard trees and landscaping to be left in place. Similarly to Kingsley Street, this option would require parking to be restricted on the north side of McLeod Avenue for this block.

The north-south section of the trail along First Street would also be adjacent to the curb. This segment would not require any curb or street modifications, but approximately six boulevard trees would have to be removed and replaced. This segment is planned to terminate at the perpendicular parking area which would act as a trailhead.

Option 2 – Shift McLeod Avenue South

The second option consists of shifting the easterly 200 feet of McLeod Avenue to the south. In order to keep the road in the existing right-of-way and to not impact the recently constructed retaining wall on the south side of the road, the maximum distance the east end of the road can move to the south is nine or ten feet. A minor curve or tangent section would then occur 200 feet further west. This option requires relocation of the entire roadway, but it does allow for the roadway to maintain its existing width of approximately 39 feet. This option also requires the removal and replacement of approximately two boulevard trees.

The north-south section of the trail along First Street would be the same as that discussed above in Option 1.

Mr. Saulsbury provided a cost estimate for Option I of \$108,000 and for Option II of \$128,000. These costs are significantly raised because the work is not being completed in conjunction with a street project.

The City Council Members discussed waiting with any construction for a trail until the McLeod Avenue Improvements Project is completed; and in the interim, to explore painting a bike lane for the trail.

V. Other

a) Amended Consent Agenda – Item i. Resolution R-17-42 – Grant Agreement for Airport Improvement Excluding Land Acquisition

Mr. Tienter stated that the Consent Agenda for tonight's regular City Council Meeting has been amended to include Item i. to adopt Resolution R-17-42, authorizing the execution of State of Minnesota Agreement No. 1029331, a grant agreement for Airport Improvement Excluding Land Acquisition for State Project No. A4306-30 at the Winsted Municipal Airport.

b) Safe Routes to School Meeting

Mr. Tienter stated that he would be attending a Safe Routes to School Meeting on Thursday, September 21, 2017 at Howard Lake-Waverly-Winsted High School. Mr. Tienter stated this meeting is in regard to efforts from McLeod County, Wright County, Howard Lake, Winsted and the School District to get a trail route between Winsted and Howard Lake.

c) Winsted Municipal Airport

The City Council Members asked for an update regarding the meetings to occur with landowners surrounding the Winsted Municipal Airport. Mr. Tienter stated that Mr. Jason Ault, ProSource Technologies, is working to schedule meetings with two property owners, but has not yet been successful with this. Mr. Tienter stated that it is getting to the point where the City Council will need to be approached to discuss what this means.

Council Member Fitzgerald asked if the property owners were not returning calls, or if it was that a date could not be settled on. Mr. Tienter stated that he did not have information regarding that. As part of the process, the consultant that the City hires is designed to be impartial so Mr. Tienter has limited his contact with the consultant in terms of the interaction they are having with property owners.

Council Member Fitzgerald asked if it was time for the consultant to report to the City Council. Mr. Tienter stated he spoke with Ms. Melissa Underwood, Bolton and Menk, Incorporated regarding the lack of progress. There was going to be a final effort to schedule a meeting and if that was unsuccessful, the consultant would report to the City Council.

Council Member Schulenberg stated that landowners near the airport have approached him in regards to what is happening and the length of time this is taking. He is not able to answer them.

Mr. Tienter stated that if the landowners that are approaching him are the one of the two land owners that ProSource Technologies is working to schedule meetings with, he should encourage them to return the consultant's phone calls, electronic mail messages, or letters, however the consultant is reaching out to them.

If the people that are approaching him are not one of the two land owners that the City Council has directed the consultant to contact at this time, he could inform them that currently, the City is attempting to work with the so called unwilling landowners and that process takes time. Eventually, assuming the City moves forward with the unwilling landowners, the City will move onto questions in regard to their property in particular.

VI. Adjourn

Council Member Schulenberg motioned to adjourn the Work Session. Council Member Fitzgerald seconded the motion. Motion carried 4-0.

The Work Session was adjourned at 5:57 p.m.

Thomas Ollig

Thomas Ollig
Deputy Mayor
City of Winsted

ATTEST:

Raquel Kirchoff

Raquel Kirchoff, CMC
City Clerk-Treasurer
City of Winsted