

## Special Meeting

July 23, 2019

Meeting called to order by Mayor Tammy Konz at 6:00pm

Council Members present: Tammy Konz, Sheryl Carlson, Kyle Christensen, Cindy Stelten and DuWayne Orbeck

Others present: Steve Soyka, Jon Lentz, Nick Walther and Jean Matua

Mayor Konz opened the meeting by stating that the Council was going to be a little informal tonight just to have conversations on the Police Dept. and where it's going to go. She explained that how this started was the Sheriff (Soyka) contacted her knowing the situation, that we hadn't gotten any applications for Chief. She knew that the Captain (Lentz) had had conversations with the Sheriff, so he (the Sheriff) had suggested sitting down to talk and get creative and see what we can do. Mayor Konz further stated that she and the City Clerk met with Sheriff Soyka and had a really good conversation with some really great ideas with thinking outside the box to see what we can do to keep police here and work together. With that being said, Mayor Konz asked Sheriff Soyka if he'd like to speak.

Sheriff Soyka had attended a conference with the State Sheriff's Association and spoken to other attendees in regards to what other cities are doing with their Sheriff's Offices as far as identity. Mayor Konz stated that part of the conversation we had had with the Sheriff was that she felt it was important that Kimball keeps its identity and she is also concerned with Nick (our current officer) as she had promised him that we would watch out for him as she appreciates the fact that he lives here in town and is going to have his family here; we were looking at creative ways that we could incorporate keeping that, but bringing in the Sheriff's Dept. at the same time and working out some creative contract and identity.

Councilmember Orbeck stated that before starting the meeting tonight he'd like to start the meeting with the pledge of allegiance. All present stood and recited the pledge of allegiance.

Mayor Konz thanked Councilmember Orbeck for pointing that out.

Mayor Konz stated that we had also talked a little bit about also getting the school involved if we contracted with Stearns County; maybe they could contract a few hours with them as well. Sheriff Soyka stated that he has not spoken with the school. Mayor Konz also stated that she is not sure where we are at yet with our part-time officer Chad. Captain Lentz stated that just because we are still in discussions here, he hasn't moved forward with anything with Chad because we're in the same quandary there as far as the hiring process with him that we'd have to start from ground zero. That could take us at least 30-days and because he knew we were going to have this discuss he hasn't done anything there yet.

Mayor Konz stated that's where our conversation led to.

Sheriff Soyka explained that he came down to the Council meeting a few months ago with Captain Lentz presenting to the Council some of the advantages/disadvantages of a Sheriff's contract. He definitely doesn't want the Council and City to think that the Sheriff's Dept. isn't interested in helping the City out; they are helping us now. He knows we went through the process as they backgrounded one of those people. He's hoping no one is angry about that process, but he feels they did a good job. They want to keep us from ending up someplace we don't want to be in the future and we opened the process up again without receiving any applicants. He thought maybe we need to discuss this again since we hadn't had any applicants. What he took away from that the two main things were maintaining the City identity and we'd really like to know our officers working here. He further explained that some Sheriff's Offices will contract with cities and they drive the City's police car, not the Sheriff's car so that's an option to keep our name on the side of a car around and still have that identity. It would be a Sheriff's Deputy driving it. He further explained that if the City contracted with the Sheriff's Dept. what he envisioned was a minimum 2-year rotation for each deputy, where the officers are set and here for the time that way they get to know the business people; we also talked about they might work a month on days and then a month on nights. That way they could see the nightlife of Kimball and get to meet all the business owners. Sheriff Soyka stated that he wouldn't be opposed to having Nick go through their FTO program and absorbing him into the Sheriff's Office and then assigning him to Kimball. That would be something that Nick would have to decide if he wanted to go that route though and also if he doesn't make it through the FTO program they're not going to just get him through it; everyone has to make it through it.

Councilmember Stelten asked what an FTO program was.

Sheriff Soyka explained it is field training that lasts 14-15 weeks total. Deputies are taken out into the County to work for that training process; things like geography and officer safety are focused on.

Sheriff Soyka went on to state there's really three options we could drive your squad car with the Kimball name on it and in a few years switch over to the County squad once the City's are done, the second option is to contract and they would assign 2 deputies here which would look something similar to the mock schedule that Captain Lentz had done; it shows a 10-hour schedule, they could do an 8-hour schedule and the third option is a deputy...

Councilmember Orbeck interjected with a question regarding the hours of coverage needed. He stated that we've had a few months of coverage, policing, overseeing whatever you want to call it and Nick's been working 40 hours a week. Captain Lentz stated that Nick's been working more than 40 hours a week. Councilmember Orbeck went on to state that he thinks the policing has been adequate, he doesn't think we've had any problems and he thinks we should look at that issue as we decide on how many hours we're going to have the County cover. He thinks we have quite a bit to go by there with 40-50 hours/week will take pretty good care of it. He's wondering what the Sheriff's second opinion is of that and we may have some days like Sunday where we may not have any problem calls and then Wednesday where the list is full. Looking at that, if we could try to concentrate on those days where there's a lot of trouble; we'll have to work it accordingly.

Sheriff Soyka explained that they would definitely sit down with the Council and figure out what days we would and would not want coverage; it's really hard in their job to predict human nature. They can definitely work with the City to set a schedule; during the City festival, the day shift stopping at the school or if it becomes two or three hours at a time maybe the City would want to approach the school about paying for part of the contract since the deputy would be off the street for a portion of time and then with the Fairhaven contract if we work something out with them. Mayor Konz stated that she did invite them (Fairhaven Township) to the meeting tonight.

Councilmember Orbeck stated that another issue that comes to mind is with the town festival.

Captain Lentz asked if he could step in. He stated that he'll be taking a look at the schedule for Kimball Days and make adjustments as needed. He further stated that he and the Sheriff have talked about a couple of the different options that he's talked about; when talking about how many hours are needed they'll have to go back and look at the calls because deputies do come down for calls when Nick isn't on and covering calls, so there could be spikes in it too which is more than what people actually think. Captain Lentz went on to state that moving forward one of the things to evaluate is maintaining our City identity and as Councilmembers you know the pulse of the City better than he or the Sheriff do as they are there every day. One of the opportunities the City has here is to use this as a transition period for the next 2-3 years, because he thinks both of those squads will last another 2-3 years. The City could enter into some type of agreement with the Sheriff's Dept. where the City did have two full-time officers, and in order for them to put on two full-time officers they'd have to get into some type of arrangement that fully covers that cost with benefits. The rough estimate of the contract was around \$160,000 but that included a squad; a starting patrol officers' salary with benefits is about \$71,825 or \$72,825. If we went into some type of arrangement like that, we'd be into the high \$140,000 and the overall police budget right now is about \$239,000. There are some savings there, it's not on a good benefit to the City but a good benefit to them because they'll get to bring a couple more people on. After the end of the contract, we'd discuss how it's gone and re-evaluate how many hours are needed or if another arrangement is needed.

The only other option would be to reopen the Chief's position and see if we get applicants. Captain Lentz explained that as things have been taken care of now at the Kimball office, he is able to do more from his office at the County, but he also has duties at the Sheriff's Office as well. The current relationship can't continue forever, it's not fair to the City and it's not fair to the Sheriff's Office. Captain Lentz went on to explain to the Council that for most of their contract cities they have a liaison and he's happy to continue on as liaison for Kimball and come to Council meetings.

Sheriff Soyka explained to the Council another advantage, at the Sheriff's Dept. they have someone just to keep track of all training records and make sure they pass POST audits like the one we just had; those items are freebies really. We wouldn't have to worry about things like a training budget necessarily as that would be included in the contract. The property room isn't something that the City would need to worry about as they have one in St. Cloud along with a full-time property technician and that's all they do 40-hours/week is maintain that; it would be no different for their deputies that bring in evidence and take it to him, the officers assigned to Kimball would do the same. Some of those things would be for

free, the liability and training part of it; they could become part of the dive team and swat team. He feels it still comes down to what he said at the City Council meeting; what does the City want as far as the structure and identity. If you really want to maintain control, you really want your own Chief.

Councilmember Stelten inquired as to if it had been mentioned before that if we contracted, we would be losing some of the nuisance type enforcement.

Captain Lentz replied that originally when we had the discussion at the Council meeting it was regarding a traditional contract, but now with two full-time officers that's open to discussion. For some of the building code and abatement type enforcement it really is best when it goes through the Council and the City Attorney.

Councilmember Stelten clarified that she meant stuff like garbage in the yard and things like that.

Captain Lentz stated that they will deal with it a little bit if someone calls in a complaint, but that's about the extent of it.

Mayor Konz stated that in the past when we have had a lot of nuisances, we did go through the attorney's office but she didn't think the police were ever involved with it. The City Clerk stated that she has had Nick taking pictures for the past couple of weeks.

Captain Lentz stated that's fine, but if you're looking for a clean-up order or those kinds of things that's really got to go through District Court and the City Attorney.

Councilmember Orbeck asked about the issue of response time and if the City would get charged when the Sheriff's Dept. is called out then since we wouldn't have our own Police Dept. Sheriff Soyka asked if he meant if a general deputy were to get called to Kimball, no there would not be, as that is what happens now. If no one is on duty, then a deputy will respond. If there is a non-emergency call, that may hold until Nick comes on duty.

Mayor Konz stated similar to when Baxter's had their fire, Stearns County was here right away. Councilmember Stelten stated they were here 3 hours before our own officer even came, he didn't come until like 8:30 and Stearns County was here at like 5:30.

Captain Lentz explained that under a traditional contract if a deputy was in Rockville on their hour contract, and there was a call outside the City of Rockville, that time would stop and either that officer or another officer would come back and finish up the rest of the time on that contract or the time wouldn't get done and you wouldn't get billed for it. Under an arrangement where we're covering one or two full-time officers, we'd have to talk about how we'd want to do that. Since they'd be County employees, if there's an emergency outside the City of Kimball or Town of Fairhaven we'd want them to respond if it's relatively close to assist and then come back to town as soon as possible.

Councilmember Orbeck said that he had a question come to him on how long it would take for them to get to someone's house; people are claiming it'll take longer for the Sheriff's Dept. He told them that's not necessarily true because this officer would be working in Kimball but would also be over in

Fairhaven. Sheriff Soyka said if we're paying for the officer to be here in town they'll be here in town or very close, so five minutes or less. Captain Lentz explained that they will frequently have Nick assist their officers in the County as well, so to some degree that's already occurring. That's the cooperative nature of law enforcement.

Councilmember Stelten asked if it would be the same then for fire & rescue because in the old days it could be Stearns County before our own or our own before Stearns County.

Captain Lentz explained that will all be handled the same way; he couldn't make it down this morning as he had a budget meeting and in the meantime a threats call came in so another car came down and took care of it and that's the way it would be if we went with one or two deputies and no one was on, they'd have a County car come down and take that call.

Mayor Konz stated that during the POST audit when Nick was taken out of service for a month, she didn't hear any complaining around town...interrupted by Nick speaking...some people may not have even realized, but calls were still being taken care of and she didn't get phone calls from people freaking out.

Councilmember Orbeck complemented them on the policing services. He's been very satisfied.

Mayor Konz stated the City's not unique in not having people apply for the job, this is all over the Country. She further stated that she was one that wanted to keep our local department, and Jon came in and got everything up to par where it needed to be and he's brought so much to the department, but after the POST audit and things that weren't done that were supposed to be done that we were asking to have done. We're not police officers, we don't know what needs to be done, who's in charge of it now. This way we're saving money for this City, the training is huge, we know it's being done. Where before we trusted it was being done and we find out later none of it was being done and insurance it's all huge.

Councilmember Stelten stated it could've been a very bad situation if something would've happened.

Captain Lentz stated we had some training records, but in the end, it falls on who was the Chief Law Enforcement Officer at the time regardless of what agency you're talking about. The agency head is always responsible to cover all of that. In the case of the Sheriff's Dept., it's the Sheriff, but they are fortunate enough to have enough staff to specifically do that job.

Mayor Konz stated when the question was asked here if all files were up to par, how is she supposed to know; we trusted that it was and it wasn't.

She further stated that sitting back and doing a lot of soul searching and after meeting with Sheriff Soyka she felt much better about the situation and that it's the answer for all of us; God has a way of making things happen and maybe there's a reason no one applied for the Chief's job. Are people going to be mad? Yeah, but they're mad at us no matter what we do even though they don't know half the facts.

Councilmember Stelten stated that she thinks that's always the case with small towns; people look at the bad before they look at the good of things.

Mayor Konz went on to state that she's seen the dynamics and how Jon works everyone and what he's brought to the Dept. and she appreciates that. The more she thinks about it; this is the answer if we can keep our identity for 2-3 years and then evaluate from there.

Sheriff Soyka and Captain Lentz stated it is a contract with a 60-day out, so no matter what you decide to do, you want to do it as smoothly as you can.

Councilmember Christensen stated at this point we don't have a lot of choices.

Councilmember Carlson brought up the fact that her grandson goes to school at Mississippi Heights in Sauk Rapids and they have a Watchdog Dads program. Is that something that could be started here? Sheriff Soyka said certainly something like that could be looked at like that here. Councilmember Carlson thinks there's no greater father than protecting his family and house. Captain Lentz stated they'd have to get in touch with the Sauk Rapids School District first to find out more about the program first; typically, the first hurdle for anyone that wants to participate is they need a background check. Councilmember Carlson thought if there is a stronger civic center, there could then be less police hours possibly. Captain Lentz explained for those types of programs; they are a visual deterrent, maybe a physical deterrent, but they have no enforcement aspect. Councilmember Carlson stated but they can call if help is needed.

Councilmember Christensen stated his appreciation for all that the Sheriff's Dept. has done as they've been incredible here and he doesn't know where we'd be without their help right now.

Councilmember Christensen asked for the mock-up schedule to be explained; 10-hour days, 8-hour days, etc. Captain Lentz explained that "Kimball Officer 1" and "Kimball Officer 2" are modeled off of their current shifts which are 10-hour shifts; he then reviewed then potential schedule that he wrote up. That would add up to two full-time officers at 80 hours/week.

Councilmember Christensen asked for clarification in regards to absorbing Nick. Sheriff Soyka explained it would be a first for them; they've never come in and really taken over a police department before so it would be a new experience for them too. What he's saying since the City wants some of that identity, he's not opposed to putting Nick into their FTO program. He'd be wearing this uniform (brown) instead, we'd train him; if he feels like he can pass FTO...interrupted by Nick speaking...then when he's done with FTO, especially having knowledge of the City and the ins and outs of everything. Sheriff Soyka explained they do what they can to help deputies through the FTO process if they are having problems, they don't wash them right away; they've even extended FTO. Captain Lentz explained it's more of an expedited hiring process; the background has already been done, he's already done a physical and other requirement. There's also the under that he's coming on as a new deputy and every new deputy has to pass the field training process.

Councilmember Carlson asked for clarification on Nick starting wage; it would be \$72,000? Captain Lentz stated that no a full-time officer with benefits he believes is about \$71,825; that's salary, benefits, PERA, everything. For one officer? Captain Lentz responded yes, for one officer. Councilmember Carlson then asked if he (Nick) would be working for the Stearns County Sheriff's Dept. then? Captain Lentz responded yes; he would be their employee. Councilmember Carlson commented ok, then he would get a raise.

Nick explained that he hasn't applied for another position yet because he didn't want to leave the City in the lurch and he's also once bitten twice shy due to St. Paul's FTO process; they hire more than they need knowing they'll get rid of some of them.

Mayor Konz stated that she appreciates that loyalty and that's huge to her. Councilmember Christensen stated we want to take care of one of our own. Mayor Konz further stated that keeping that identity is huge.

Captain Lentz explained that some larger agencies do hire knowing they're going to get rid of 10-15% of their recruits; that's not their agency. Everyone they hire, they fully expect to make it through the FTO process.

Mayor Konz stated if this work out, it's a win win situation for everyone right now.

Councilmember Stelten stated that she agrees and if it doesn't work out then we could go back to having our own department.

Councilmember Christensen asked about the hours of the day; are they straight hours or is there flexibility? Maybe a strong presence in the morning then again in the afternoon? What flexibility is there in designing the schedule to fit those needs.

Captain Lentz explained that the one possible downside to the City is that any employee of theirs would come into their agency under their union contract and it becomes difficult to run that type of schedule. He also explained that there's a lot of training that gets done, evidence that gets dropped off and other activities that occur during those seemingly unbusy times like a Sunday; it's always possible to build in tasks during slower times.

Mayor Konz stated that where she really sees the need is in the mornings down at the school; it's difficult just trying to get a school bus in and out of there with kids racing around. Then after school kids rip roar out of there. Sunday afternoons have been really busy too.

Captain Lentz explained that the schedules can be flexible too, if there's something going on in town, we just have to let them know and they can make sure we have coverage as well.

Councilmember Carlson asked what the business people would think what the most important hours are to have coverage; like Maus so they don't have stolen cars.

Mayor Konz stated that being a business person in town, she appreciated Ashley when she was a police officer here because she would get phone calls from her saying she'd just driven through her business and someone left a door open. As a business person, she appreciated that so much. Just having someone later at night that goes around checking locks.

The City Clerk asked Captain Lentz if the Sheriff's Dept. does door checks & light checks. He said they do.

Sheriff Soyka and Captain Lentz explain it's really hard to predict when something will happen, but they're assuming we'll want coverage during homecoming and certain events like that.

Councilmember Stelten stated that it's nice that they have all of that data (call history) as we've never had that before; we've never been able to look at that before. Captain Lentz explained that's already built into the records management system that we're already a part of.

Councilmember Christensen asked about the Fairhaven contract. Mayor Konz stated that she did contact them to invite them to this meeting. Councilmember Christensen asked if there's an option for Fairhaven to contract with the County on their own?

Captain Lentz stated he threw out an idea for the Sheriff too, and he's throwing it out here, if we entered into the type of contractual arrangement of covering two full-time officers that were assigned down here; he thinks we could get into some type of arrangement like we have where we continue what we're doing now which is 15 hours/week maybe do a subcontract with Fairhaven.

Sheriff Soyka stated that's what he also envisioned could be done with the school as well to offset some of the City cost. Captain Lentz explained in regards to the Fairhaven contract; as long as the Township officials understood it could change in 2-3 years. Captain Lentz stated it has been a unique relationship for many years between the Kimball Police Dept. and the Townsite of Fairhaven.

Mayor Konz asked where we go from here; she feels this is where we need to go. It took her awhile to come to this conclusion but when she did it's a no brainer.

Councilmember Stelten stated that she's excited about this.

Councilmember Orbeck asked how the City would be charged for this, what would the hourly rate be? Captain Lentz said it comes out to around \$35/hour or so. Mayor Konz stated that you need to also take into consideration, we won't be paying insurances, training, etc.

Captain Lentz stated that he and the Sheriff could go back and work on a proposed contract, make sure it's ok with us, consult their County Administration and then talk about the process with Nick. The first question though, is this a schedule the Council would be comfortable with? Councilmember Christensen likes it, he just needs a little more time to absorb it and we're not here to vote on anything obviously. Captain Lentz explained he understood that, but can work on putting together some concrete information for the City. Sheriff Soyka stated they can put together a proposal and send it down to us so that it can be reviewed by the City as a group; and we should also speak with Fairhaven. They would



then also have to go to the County Board. Sheriff Soyka asked if there's a date when we would like to see that by; it would probably take longer than a week. The City Clerk responded that the next meeting is August 6 and after that August 20. They'll see what they can do; also, Sheriff Soyka brought up police coverage in the interim as they won't just instantly have two officers for us. He stated that could be the sending an officer down more frequently because school is starting too.

Councilmember Stelten commented that she really likes the Sheriff's newsletters that are done weekly. Sheriff Soyka explained that he didn't start those, but they will be continuing and they are courtesy of Jon.

Councilmember Christensen asked if the option of using the vehicle or not using the vehicle would be in the proposal. Sheriff Soyka stated they can write up one for using the County squad cars and one for using the Kimball cars.

Mayor Konz stated that the reason she thinks it's important is because when everything was going down with the police officers and she'd go to church everyone would say to her that you need to keep your local cops. She thinks it's a good way of transitioning slowly; we'll still have some identity without taking it all away from them. She further stated maybe the Council needs to think about only keeping one squad instead of keeping both.

Mayor Konz feels this was a really productive meeting and is really excited.

Councilmember Carlson stated we have no other choice; we can't have a Police Dept. without a Chief correct? No, we cannot.

Councilmember Christensen thinks the City will be in better hands.

Mayor Konz agrees.

Sheriff Soyka and Captain Lentz left the meeting.

Mayor Konz stated we have a lot to absorb and think about.

Councilmember Carlson stated she's happy that Nick will get a raise.

The Council thinks having familiar faces will be huge and having people that will actually go to all of the businesses will be huge. Councilmember Stelten thinks that's important.

Councilmember Stelten stated she's heard that now that the library's moving out, why can't we just move them in here. Mayor Konz stated if people ask her why we have that building over there, it's because of the day we had a meeting here and Jim walked in with a woman that had just been beaten up with her kids and had to walk through a whole crowd of people here to go in that back room. She said she'd never do that to anybody again. Councilmember Christensen stated that he thinks we can worry about the building when the contract is up in 2-3 years; revisit it then. Keep one vehicle, they can utilize the building and when we get close to the end of that contract then we can talk about it; we'll have a better feel. There's probably going to be some discussion about things. Mayor Konz stated that

she doesn't think people realize that other agencies have utilized that building as well over the years when they've needed to meet to go over things.

Councilmember Orbeck stated that even at \$40/hour we're still coming out ahead in this. He thinks the last time we contacted them about this it was double that.

Councilmember Christensen stated this will be a huge resource since it's a County Dept. compared to a one- or two-man local department. What are we going to get for what we can afford and compare that? A lot more professionalism, training, resources, equipment, all of those benefits.

Councilmember Christensen stated there will be some sacrifices, the nuisance stuff; we'll need to talk about how we're going to handle some of that stuff. Can some of it shifted over to the building inspector contract, he doesn't know.

Councilmember Christensen stated after the first meeting with the 3-hour contract proposal, we knew that wouldn't work.

Motion made by DuWayne Orbeck to accept the County; Mayor Konz stopped DuWayne Orbeck from this motion as no formal proposal has been presented. She explained that we were just meeting to talk specifics this evening.

Motion made by DuWayne Orbeck and seconded by Kyle Christensen to adjourn at 7:27pm; motion carried

Respectfully submitted by Nicole Pilarski