

CITY OF SAINT PETER, MINNESOTA AGENDA AND NOTICE OF MEETING

City Council Workshop Session of Monday, June 15, 2020
5:30 p.m.

This meeting will be conducted in-person and electronically - See below for electronic access.
Community Center – St. Peter Room (600 South Fifth Street)

- I. **CALL TO ORDER**

- II. **DISCUSSION**
 - A. Police Department Presentation
 - B. Electric Lineman Intern Job Description
 - C. Public Nuisance Property: King Pins Bowling Alley
 - D. Housing Project Update
 - E. Outdoor Pool Report
 - F. COVID-19 Preparedness Plan

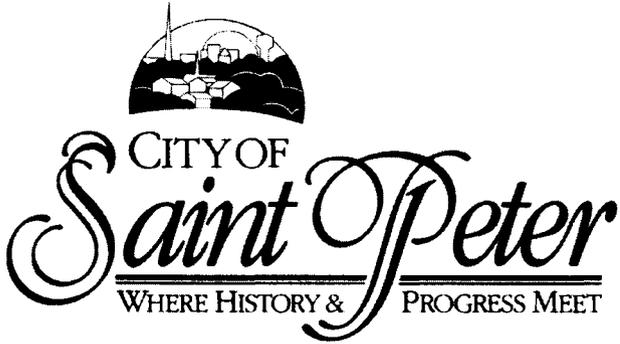
- III. **ADJOURNMENT**

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Memorandum

TO: Honorable Mayor Zieman
Members of the City Council

DATE: 6/11/20

FROM: Todd Prafke
City Administrator

RE: Department Presentations: Police Department

ACTION/RECOMMENDATION

None needed. For Council information and discussion only.

BACKGROUND

Members may recall that Department Heads are scheduled to attend a Workshop at least once per year. They are available to discuss things going on in their Department and activities and issues that they face. Scheduling was done in February.

The workshop on Monday evening will feature Police Chief Matt Peters who will provide an update on activities in the Department. As usual he will discuss some data relative to crime reporting statics. He also plans to discuss the Department's Use of Force Policy, de-escalation training that is required for all officers and share some thoughts behind notification of the public in the event of a walk-way from the State Regional Treatment Center.

A copy of the Department's Use of Force Policy is attached.

Please feel free to contact me if you have any questions or concerns on this agenda item.

TP/bal

Saint Peter Police Department

General Order 3

Use of Force

3.1.1 Use of Force

Purpose

The Purpose of this Policy is to provide law enforcement officers of this agency, the Saint Peter Police Department, with guidelines for the use of deadly and nondeadly force.

Policy

It is the policy of this law enforcement agency that officers use only the force that is reasonably necessary to effectively bring an incident under control, while protecting the lives of the officer and others. It must be stressed that the use of force is not left to the unfettered discretion of the involved officer. This is not a subjective determination. The use of force must be objectively reasonable. The officer must only use that force which a reasonably prudent officer would use under the same or similar circumstances. In addition to training required for firearms qualification, officers should receive agency-authorized training designated to simulate actual shooting situations and conditions and, as otherwise necessary, to enhance officers' discretion and judgment in using deadly and nondeadly force in accordance with this policy.

3.1.2 Circumstances in which force may be used.

Force may not be used upon or toward the person of another without the other's consent unless it is reasonable force; moreover, such force may only be used when the following circumstances exist or the Officer reasonably believes them to exist:

- A. When effecting a lawful arrest.
- B. The execution of legal process.
- C. When enforcing an order of the court.
- D. When executing any other duty imposed upon the officer by law.
- E. To prevent the escape, or to apprehend following an escape, of a person lawfully held on a charge or legal order.
- F. To restrain a mentally ill or mentally defective person from self injury or injury to another or to compel compliance with a mental or chemical detention order or to return the person to a treatment facility.
- G. To protect themselves or another from physical harm.
- H. When resisting or aiding another to resist an offense against the person.
- I. When used to assist a person in lawful possession in resisting a trespass upon or other lawful interference with such property.
- J. When otherwise authorized by law.

In all instances, officers will use only the force necessary to effect lawful objectives.

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3.2.1 Use of Deadly Force

INTRODUCTION: This outline provides guidance to Saint Peter Police Officers in the use of deadly force. The following general principles, notwithstanding the provisions of sections [M.S.S. 609.066](#) and [609.065](#), are to govern application of the Saint Peter Police Departments deadly force policy:

- The policy is not to be construed to require officers to assume unreasonable risks. In assessing the need to use deadly force, the paramount consideration should always be the safety of the officers and the public.
- The reasonableness of an officer's decision to use deadly force under this policy must be viewed from the perspective of the officer on the scene--who may often be forced to make split-second decisions in circumstances that are tense, uncertain, and rapidly evolving--and without the advantage of 20/20 hindsight.

A. POLICY

1. **Defense of Life - Officers may use deadly force only when necessary, that is, when the officers have probable cause to believe that a subject of such force poses an imminent danger of death or great bodily harm to the officers or other persons.**
2. **Fleeing Subject - Deadly force may be used to prevent the escape of a fleeing subject if there is probable cause to believe: (1) the subject has committed a felony involving the infliction or threatened infliction of great bodily harm or death, and (2) the subject's escape would pose an imminent danger of death or great bodily harm to the officers or other persons.**
3. **Verbal Warnings - If feasible, and if to do so would not increase the danger to the officers or others, a verbal warning to submit to the authority of the officer should be given prior to the use of deadly force.**
4. **Warning Shots - No warning shots are to be fired by officers.**
5. **Vehicles - Weapons may be fired at the driver or other occupant of a moving motor vehicle only when the officers have probable cause to believe that the subject poses an imminent danger of death or great bodily harm to the officers or others, and the use of deadly force does not create a danger to the public that outweighs the likely benefits of its use.**

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DEFINITIONS

- A. **Deadly Force:** Force that is likely to cause death or great bodily harm. Force which the actor uses with the purpose of causing, or which the actor should reasonably know creates a substantial risk of causing, death or great bodily harm. The intentional discharge of a firearm in the direction of another person, or at a vehicle in which another person is believed to be, constitutes deadly force.
1. Great Bodily Harm: "Great bodily harm" means bodily injury which creates a high probability of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily harm.
- B. **Necessity:** The Saint Peter Police Department is committed to the sanctity and preservation of life, human rights, and the dignity of every individual as described in Our Core Values. Department members are sometimes required to use force in self-defense, defense of others, and during the execution of lawful duties.

In evaluating the necessity to use deadly force, two factors are relevant: 1) The presence of an **imminent danger** to the officers or others; and 2) The absence of **safe alternatives** to the use of deadly force. Deadly force is never permissible under this policy when the sole purpose is to prevent the escape of a suspect.

1. Imminent Danger: "Imminent" does not mean "immediate" or "instantaneous", but that an action is about to happen. Thus, a subject may pose an imminent danger even if the person is not at that very moment pointing a weapon at the officers. For example, imminent danger may exist if officers have probable cause to believe any of the following:
 - a. The subject possesses a weapon, or is attempting to gain access to a weapon, under circumstances indicating an intention to use it against the officers or others; or,
 - b. The subject is armed and running to gain the tactical advantage of cover; or,
 - c. A subject with the capability of inflicting death or great bodily harm--or otherwise incapacitating officers--without a deadly weapon, is demonstrating an intention to do so; or,
 - d. The subject is attempting to escape from the vicinity of a violent confrontation in which he inflicted or attempted the infliction of death or great bodily harm.

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2. Absence of a safe alternative: Officers are not required to use or consider alternatives that increase danger to themselves or to others. If a safe alternative to the use of deadly force is likely to achieve the purpose of averting an imminent danger, deadly force is not necessary. Among the factors affecting the ability of the officers to **safely** seize a suspect, the following are relevant:
 - a. **Response to commands** - Verbal warnings prior to using deadly force are required if feasible--i.e., when to do so would not significantly increase the danger to the officers or others. While compliance with officers' commands may make the use of deadly force unnecessary, ignoring such commands may present officers with no safe option.
 - b. **Availability of cover** - Availability of cover provides a tactical advantage. An armed suspect attempting to gain a position of cover may necessitate the use of deadly force; conversely, an officer in a position of cover may gain additional time to assess the need to use deadly force without incurring significant additional risks.
 - c. **Time constraints** - The inherent disadvantages posed by the issue of action/reaction, coupled with the lack of a reliable means of causing an instantaneous halt to a threatening action, impose significant constraints on the time-frame in which officers must assess the nature and imminence of a threat.

3.2.2 Application of deadly force.

- A. When a decision is made to use deadly force, officers may continue its application until the subject surrenders or no longer poses an imminent danger.
- B. When deadly force is permissible under this policy, attempts to shoot to cause minor injury are unrealistic and can prove dangerous to officers and others because they are unlikely to achieve the intended purpose of bringing an imminent danger to a timely halt.
- C. Even when deadly force is permissible, officers should assess whether its use creates a danger to third parties that outweighs the likely benefits of its use.

3.2.3 Training and qualifications.

Deadly Force

- A. On Duty - Officers will carry weapons and ammunition authorized by and registered with the department. Authorized weapons are those approved by the department, which the officer has qualified, and received department sponsored training on proper and safe usage.
- B. Off Duty - Officers may carry their authorized duty weapon(s) or department approved privately owned firearms using ammunition specified by the department.

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- C. An officer electing to carry a firearm while off duty must keep it concealed at all times unless use is specifically authorized under police policy. An officer electing to carry a firearm while off duty must be in possession of an official department identification card and badge.
- D. An officer electing to carry a privately owned firearm while off duty must achieve a passing score with that firearm on the department firearm qualification course.
- E. The privately owned firearm must be registered with the Saint Peter Police Department. (Make, Model, Serial Number, & the firearm must not be modified.)
- F. This section does not apply to weapons intended for recreational purposes.
- G. Relieved of Duty - Officers will not carry weapons of any kind during any period of time when they are relieved of duty without the approval of the Chief of Police
- H. Training and Qualification - The Saint Peter Police Department should schedule regular training and qualification session for duty and specialized weapons, which will be graded on a pass/fail basis.
- I. Police officers who fail to receive a passing score on the annual qualifications with their duty weapon(s) in accordance with department testing procedures may be relieved of their police powers and immediately reassigned to non-enforcement duties until achieving successful re-qualification.
- J. Re-qualification after Extended Leave, Illness, or Injury - A police officer who has taken extended leave or suffered an illness or injury that could affect his use of firearms ability will be required to re-qualify before returning to enforcement duties.

Receiving Directive and Competent Instructions - Because of the importance of use of force procedures, all sworn agency members must be issued copies of this directive and receive competent instructions in the application of these procedures prior to being authorized to carry firearms.

3.3.1 Nondeadly force weapons and methods.

- A. A police officer is not permitted to use a nondeadly weapon unless qualified in its proficient use as determined by training procedures.
- B. Under no circumstances may any officer continue to use force (except mere physical restraint) against on individual who has ceased to resist.
- C. When an individual offers only passive resistance to arrest, an officer should bodily remove and transport such individual with as much regard to the individual's safety and welfare as is reasonable and practical.
- D. The following nondeadly weapons are authorized:

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Conducted Electrical Weapons (X26P TASER®)

Purpose

The purpose of this policy is to provide officers with guidance and direction on the use of Conducted Electrical Weapons.

Policy

It is the policy of this agency to use only that level of force reasonably necessary to control or otherwise subdue violent or potentially violent individuals. Neuro-Muscular Incapacitation devices have been proven effective in furtherance of this policy, and are authorized for use in appropriate circumstances by trained personnel.

DEFINITIONS

Conducted Electrical Weapons (CEW) are more commonly referred to as TASER. TASER brand CEWs are marketed by TASER International and are the current choice of SPPD. A CEW fires two small dart-like electrodes, which stay connected to the main unit by conductors, they deliver electrical current to disrupt voluntary control of muscles causing "neuromuscular incapacitation (NMI). Someone struck by a CEW experiences stimulation of his or her sensory nerves and motor nerves, resulting in strong involuntary muscle contractions and thus achieving incapacitation.

The TASER CEW was introduced as a non-lethal weapon to be used by Police to subdue fleeing, belligerent, or potentially dangerous people who would have otherwise been subjected to more lethal weapons such as a firearm.

Procedures

A. Authorized Users:

Only officers who have satisfactorily completed this agency's initial 6-hour training course, and/or the manufacturer's certification course of instruction should be authorized to carry CEW systems. All personnel authorized to carry these weapons should complete a minimum of 2 hours of annual in-service refresher training.

1. Weapon Readiness

- a. The device will be carried by authorized officers in an approved holster on the support side of the body. Those authorized to use the devices and not assigned to patrol duties may utilize other department-approved holsters, and carry the weapon consistent with department training.
- b. The device should be carried fully armed with the safety on in preparation for immediate use when authorized.
- c. Officers approved to use the device are issued a minimum of one spare cartridge as a back up in case of cartridge failure, the need for reapplication, or in case the first cartridge's leads break during engagement. The spare cartridges are stored and carried in a manner consistent with training and the cartridges replaced consistent with the manufacturer's expiration requirements.
- d. Only battery power sources recommended by the manufacturer shall be used in the CEW system.

2. Deployment and Aftercare

- a. When determining whether to use OC spray or an CEW system, the totality of the circumstances should be considered together with the following factors specific to these two weapons:

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- I. The likelihood of physical injury resulting from an CEW system is similar to OC spray with the exception of accidental probe contact to a vital area or a secondary injury to the subject from falling.
- II. OC spray creates more discomfort to subjects than CEW systems but is less incapacitating.
- III. Persons exposed to CEW systems recover rapidly as compared to far longer recovery periods for OC spray and the potential for cross contamination resulting from the spray.
- IV. An CEW system is more likely than OC spray to incapacitate persons under the influence of alcohol, controlled substances, or those suffering from mental instability.
- V. The optimal effective range of the CEW system is 7 to 15 feet, 3 feet being the minimum recommended range and 25 feet the maximum range.
- b. In preparation of firing, the CEW system is taken off safe, and then aimed. Center mass of the subject's back is the primary aiming point and lower center mass below the chest and legs are the secondary targets.
- c. Fixed sights should be used as the primary aiming device and the laser dot as the secondary aiming device.
- d. The device may also be used in exigent circumstances in a "drive stun" mode. The unit is pressed firmly into an appropriate area such as the abdominal region, hips, thigh, the brachial plexus origin on the side of the neck, and the pelvic girdle.
 - I. When using the CEW in drive-stun mode to gain compliance from a suspect who is actively resisting arrest, the officer should give the suspect reasonable opportunity to comply with the officer's commands prior to each subsequent CEW application. Specifically
 - must perceive that the suspect is *actively* resisting;
 - should be certain that the suspect is capable of compliance with the officer's commands;
 - should give the suspect time to recover from the pain experienced during the CEW application;
 - the suspect should be given a reasonable opportunity to consider the consequences of refusal to comply with commands before each CEW application.
 - II. Officer may not use a CEW on a visibly pregnant woman (or one who informs the officer of her pregnancy) unless deadly force is the only option.
 - III. Officers may not use a CEW on a child unless deadly force is the only option.
 - IV. Officer may not use a CEW on the elderly unless deadly force is the only option.
 - V. Officers should avoid the use of CEW on a mentally ill patient in a hospital setting. It is imperative that we do not use a CEW or chemical agent on a patient who is not in possession of a weapon of some sort *and* who is not an imminent threat of causing great bodily harm or death to either themselves or another.
- e. The CEW system should be pointed at the ground in a safe direction with the safety on during loading, unloading, or when handled in other than an operational deployment.
- f. CEW deployment should be avoided when attempting to stop an individual who is fleeing on foot. The CEW should not be used when the individual is not a suspect in a crime other than simply fleeing on foot.

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- I. The officer must take the seriousness of the crime into consideration before deploying the CEW.
 - II. The officer must also consider whether or not the suspect poses an imminent threat to the safety of the officers, others or the suspect him/herself.
 - III. The officer should determine if the suspect is evading arrest by flight or actively resisting arrest.
3. Aftercare
- a. Normally, the CEW system probes may be removed from the subject once he or she has been restrained using the procedure outlined in training. Universal precautions are followed to protect the officer from the transfer of body fluids. The suspect may be taken to an emergency care facility for removal of the probe in cases where it has penetrated sensitive tissue areas (such as the groin, eye, female breast, face, or neck), in cases where the suspect such care, or when the deploying officer or supervisor determines that it is otherwise necessary.
 - b. Officers or medical personnel may photograph, when practical, the location of the impact areas on a subject. Depending on the location of the penetration, same sex individuals shall be used to take photographs. Photographs of the affected area should then be taken after the probe is removed.
 - c. When practical, an emergency medical technician or other authorized medical personnel may examine the exposed person prior to being incarcerated.
 - d. When the CEW system has been used operationally, the officer will attempt to collect the air cartridge, wire leads, darts, and AFID tags as evidence.
4. Reporting
- The deploying officer should notify his/her supervisor as soon as practical after using the CEW system, and complete the appropriate report for use of force reporting.

DOCUMENTATION:

Each CEW activation, trigger pull and discharge (intentional or unintentional) is recorded in the TASER® digital microprocessor. The Chief of Police and/or their appointed designee will periodically download the information from the TASER® and retain those records.

Police Baton

- A. An officer may use a police collapsible baton only when it is reasonably apparent that a lesser degree of force would be inadequate to control the situation. An officer should not intentionally strike an individual above the shoulders, unless such action would be justified under the Use of Deadly Force guidelines.
- B. Any person struck with the police baton who shows signs of or complains of injury must be provided medical attention; a report must be submitted, to the Chief of Police prior to going off shift.

Chemical Irritants - "Capstun®" (o.c.) - These chemical irritants may be used by an officer under the following conditions:

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- A. An arrest subject has not complied with repeated officer commands, the officer reasonably believes force is required to control the subject and the subject has been warned that noncompliance will result in irritant use.
- B. Whenever physical control techniques are warranted.
- C. A short burst of O.C. may be sprayed directly into the subject's face.
- D. Irritants should not be used once an individual is subdued and under the control of an officer.
- E. When a subject has been secured and resistance has ceased, make every reasonable effort to relieve the discomfort of the subject and any affected bystanders. Conditions permitting use clear water to relieve eye irritation.
- F. Area contamination should be negligible. Wash your hands to prevent possible residue getting into your eyes.
- G. Moving air and natural body action will remove all symptoms of O.C. within thirty minutes with no after effects.
- H. A full description of the use of the chemical irritant should be included in your police report.

Chemical Agent Projectiles - Projectiles may be discharged only on the order of the Chief of Police, or his designee. When these projectiles are used, seriously effected persons must be taken to a medical facility for proper attention. In addition, a report must be submitted to the Chief of Police before going off shift.

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3.4.1 Ensuring Aid after Use of Force

Should an individual become sick or injured incidental to arrest, officers of this department, as soon as it is reasonably safe to do so, should request necessary medical assistance and notify appropriate supervisory personnel.

3.5.1 Weapons Generally

- A. **Deadly weapons:** Deadly weapons are defined as Police Department issued service handguns, personally owned and departmentally approved handguns, departmentally owned long guns, vehicles and any other instrument or device which are intentionally used in such a manner for causing, or which the officer should reasonably know creates a substantial risk of causing death or great bodily harm.
- B. Police officers should adhere to the following restrictions when their weapon is exhibited:
 - 1. Except for maintenance, training, or in the performance of potentially threatening duties, police officers should not draw or exhibit their firearm unless circumstances create reasonable cause to believe that it may be necessary to use the weapon in conformity with this policy.
 - 2. Firing a weapon from a moving vehicle is inherently dangerous to both the involved officer and innocent third parties. Therefore, officers should avoid firing weapons from a moving vehicle except in circumstances permitting the use of deadly force and after careful consideration of the possibility of collateral injury or death.
 - 3. Firing a weapon at a moving vehicle from a stationary position must conform to the use of deadly force parameters outlined in this chapter.
- C. All officers will have the knowledge and skill to generally clean and maintain the weapons which they are authorized to use and/or to carry. Officers will demonstrate this knowledge and skill to the Police Firearm Training Officer on an annual basis. All Officers will keep their departmentally issued weapons in good condition.
- D. **Firearms should not be altered in any way without the permission and knowledge of the Police Firearms Training Officer.**
- E. No weapon should be left unsecured in unattended squad cars or unattended and unsecured at any time within the Police Department.
- F. All departmentally owned and/or privately owned and departmentally approved firearms should be unloaded and stored in a safe location away from the ammunition when ever it is out of the immediate possession of the Officer which was issued the firearm or owns the firearm. **This includes, but is not limited to, home storage.**
- G. Officers will strictly adhere to Department guidelines for the use of firearms both on and off duty and should take all reasonable precautions to avoid accidents.

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- H. **The Police Firearm Training Officer may develop training rules and firearm handling rules in addition to this policy as he/she deems necessary to assure training and range safety. Such rules will be deemed authorized by the Chief of Police.**
- I. All firearm maintenance and cleaning is to be done in the lab room of the Police Department. Absolutely no "dry firing" is allowed within the building except when the muzzle of the firearm is pointed directly into the dry firing bullet stop container.
- J. The multi-jurisdictional Tactical Response Team will conform to this directive.
- K. While on duty, officers will carry only weapons and ammunition authorized by the Department. Authorized weapons are those with which the officer has qualified and received Department-sponsored training on proper and safe usage, and that comply with Department specifications.
- L. While off duty, officers may carry their authorized duty weapon(s) or privately owned firearms using a caliber firearm and ammunition authorized by the Department.
- M. Officers off duty and carrying a firearm while in civilian clothing must conceal the firearm in such a manner so that it will not alarm, cause fear or curiosity by the general public. Any Officer who has a departmental authorized firearm in his/her possession while off duty or on duty dressed in civilian clothing must carry a badge and a Police Department Identification Card. The carrying of off duty firearms is prohibited when consuming alcohol or prescription drugs which might alter bodily functions.
- N. An officer electing to carry a privately owned firearm while off duty must achieve a passing score with that firearm on the Department firearms qualification course.
- O. The privately owned firearm must pass a safety inspection by a Department firearms instructor and be registered (make, caliber, model and serial number) with the Department.
- P. This section does not apply to weapons used for recreational purposes.
- Q. Except with approval of the Chief of Police, Officers relieved of duty shall not carry weapons of any kind during the period of time they are relieved of duty.

3.6.1 Reporting Uses of Force

- A. Officers who intentionally discharge any firearm on or off-duty, for any reason other than authorized training or legitimate recreation will immediately notify his/her supervisor. Officers will report all unintentional firearm discharges, regardless of reason to his or her supervisor. The officer will submit a completed report entitled "Use of Force" in all incidents, as soon as safety allows.
 - 1. If the officer who discharged the firearm is unable to submit the report due to death, injury or emotional instability, the officer's immediate supervisor will submit a detailed "Use of Force" report of the incident prior to the end of shift.

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2. The Investigative Division will immediately initiate an investigation into the circumstances surrounding the weapons discharge except in cases involving the destruction of sick or injured animals. (No written supplemental report is necessary, an ICR narrative must be completed for the destruction of sick or injured animals; however permission from a supervisor or officer in charge must be obtained before destroying the animal).
 3. If a supervisor is involved in a reportable firearm discharge, the Chief of Police will receive the "Use of Force" report and assign a designee to investigate the incident.
 4. The City Administrator of Saint Peter will receive the report if the Chief of Police is involved in a firearm discharge. The detective division will investigate the incident and forward the results to the City Administrator.
 5. Disciplinary action will be taken if the results of the investigation indicate negligence on the part of the officer.
- B. An officer who takes any action that results in or is alleged to have resulted in injury or death of another person shall immediately notify his/her supervisor. The officer will submit a completed "Use of Force" report to his/her Supervisor, via chain of command, prior to the end of shift. It is the responsibility of the notified supervisor to immediately notify the Chief of Police of the use of force.
1. In the case of serious bodily injury or death, the Patrol Sergeant and detectives will promptly notify and forward a copy of the report to the Chief of Police. The Investigations Division will also immediately initiate an investigation into the circumstances surrounding the serious bodily injury or death. The results of that investigation will be reviewed by the Chief of Police, and the Nicollet County Attorneys Office. The Chief of Police may order further investigation prior to rendering a decision if he feels the case warrants it.
- C. An officer who applies force through the use of lethal or nondeadly weapons or weaponless physical force shall immediately notify his/her supervisor and submit a completed "Use of Force" report through the chain of command, prior to the end of shift.
1. The Investigations Division will promptly notify and forward a copy of the report to the Chief of Police.
 2. This does not require the officer to report the pointing of weapons or using weaponless, hand to hand control techniques that have little or no chance of producing injuries when gaining control over or subduing non-compliant or resisting persons.
- D. All reports generated, as a result of this standard will be reviewed annually. This review may reveal patterns or trends that could indicate training needs, equipment upgrades and/or policy modifications. The review will be documented.

3.7.1 Use of force investigations.

- A. Detectives will be immediately summoned to the scene, and will comply with investigative procedures (e.g. photographs, statements, collection of evidence, etc.) as required by the department in the following situations:

Matthew A. Peters
Chief of Police

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Effective Date
April 4, 2005

[Reviewed: June 7, 2006; January 17, 2012; December 3, 2014; August 20, 2015]

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1. When a firearm is discharged outside of the firing range (excluding routine situations caller for an animal to be destroyed.)
 2. When a use of force results in injury, or death.
 3. When a subject complains that an officer has inflicted an injury.
- B. The detectives report(s) will contain a specific section, which will address the propriety of the use of force, and determine whether actions were in accordance with departmental policy and procedures. The Chief of Police will make 1 of 3 possible determinations:
1. Force used was appropriate.
 2. Force used was within policy; however, a better alternative existed (in which case the officer's training will be examined.)
 3. Force used was outside the policy, and an internal investigation will be conducted (departmental action will be determined by the Chief of Police, upon completion of the investigation.)
- C. The Chief of Police (in accordance with [Minnesota Statute 626.553](#), subd. 2) should submit a Firearms Discharge Report to the Minnesota Department of Public Safety Office of Information Systems Management, whenever an officer discharges a firearm in the course of duty other than for training purposes, or animal control. The report must be filed within 30 days of the incident, and should include the reasons and circumstances surrounding the discharge.

3.7.2 Use of Force / Reassignment

The Chief of Police or designee should assign an officer to duties other than field assignment, until the administrative review of the incident is completed. The officer will be returned to normal duties as soon as practical.

- A. The supervisor at the scene of a "use of force" incident resulting in serious bodily injury or death should follow procedures of notification concerning an investigations call-out.
- B. After the arrival of the on-call investigator, a supervisor should escort the involved officer to the police department and assist with any applicable reports
- C. The supervisor should notify the appropriate personnel.
 1. The Sergeant should ensure that all other notifications are made. Notifications may include:
 - a. The Chief of Police;
 - b. Relatives of the involved officer (in person);
 - c. Clergy;
 - d. Post shooting counselor as approved by the Chief of Police for both the officer and the officer's family.
 - e. Legal Counsel
 2. The Patrol Sergeant may assign the involved officer to duties other than a field assignment pending temporary reassignment by the Chief of Police.

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- D. During the reassignment period, the Chief of Police will require the officer(s) to obtain psychological counseling. This counseling is limited to the officer, husband or wife and children and is provided at department expense.

E. LEGAL DISCLAIMER:

This Policy is for departmental use only and does not apply in any criminal or civil proceeding. The department policy should not be construed as a creation of higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this directive will form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

3.8.1 POST-SHOOTING / SERIOUS INJURY OR DEATH INVESTIGATION PROCESS

SPPD personnel (except for training, firearm examinations, and animal control) will use the following procedures to investigate incidents of firearm discharge, and investigation of officer related serious injury, or death incidents:

A. Guidelines for Officer Involved:

1. Whenever an officer discharges a firearm in the course of official duty either unintentionally or intentionally, or is involved in an event that causes any injury or death to another or property damage the officer should immediately:
 - a. Ensure the scene is safe and secure.
 - b. Determine the physical condition of any injured person and render first aid, when appropriate.
 - c. Request necessary emergency medical aid.
 - d. Notify the dispatcher of the incident and location, and request the Chief of Police, or in the Chief of Police's absence, the Patrol Sergeant and Detectives.
2. Remain at the scene (unless injured) until the arrival of the appropriate investigator(s), [Bureau of Criminal Apprehension, or other agencies] and the Chief of Police. If circumstances are such that the continued presence of the officer at the scene might cause a more hazardous situation to develop, the Chief of Police or designee has the discretion to direct the officer to a more appropriate location.
3. Officers involved will be required to provide a general, verbal overview of the incident to assigned supervisor(s), or investigator(s) as soon as circumstances permit.
4. As soon as circumstances permit, employees involved will prepare and submit a complete report, which details the incident. This written report need not be completed immediately. It may be more advantageous to the investigative process for some time to pass before involved officers complete a report.

Saint Peter Police Department

General Order 3

5. Upon return to the SPPD offices, the officer's firearm, leather gear / equipment and clothing should be submitted for examination to the appropriate investigator or supervisor. When directed, officer(s) shall surrender their firearm. Officers surrendering firearms will be issued another SPPD firearm at the direction of the Chief of Police.
 6. The officer(s) should give an adequate sample of blood and urine for alcohol and chemical testing. This does not prejudice guilt or innocence on the part of the officer(s).
 7. In the case of a serious injury, or a death the involved officer(s) may be placed on administrative leave, without loss of pay or benefits, pending the results of the investigation(s), or by order of the Chief of Police.
 8. The officer(s) should not discuss the case with anyone except:
 - a. Assigned supervisory and investigative personnel.
 - b. The officer's personal attorney, licensed psychologist, clergy or immediate family.
 - c. SPPD designated attorney(s)
 - d. SPPD designated consulting psychologist(s).
 - i. Officer(s) shall not grant interview(s) with the news media, without the approval of the Chief of Police.
 - j. Officer(s) shall make themselves available for official interviews, statements, and testimony regarding the case, as needed.
- B. Guidelines for Chief of Police / Sergeant(s) Detective(s).
- The Chief of Police or his designee should:
1. Proceed immediately to the scene if practical.
 2. Secure the scene and any evidence.
 3. Assist the officer(s) involved.
 4. Ensure that the dispatch center has:
 - a. Requested necessary medical aid.
 - b. Notified the necessary investigative personnel, i.e. BCA, and appropriate SPPD officers.
 - c. Taken steps necessary to save all telephone, radio, and 9-1-1 tape recordings related to the incident.
 5. Only minimal preliminary questions should be asked of the officer(s) about the incident. The officer(s) should be advised that a more detailed briefing will be conducted at a *later* time.

Saint Peter Police Department

General Order 3

6. Establish calm on site location for officer(s) involved to stand-by, with another uninvolved officer, while awaiting responding investigators. Officers will be admonished not to discuss the incident in this setting. Officer(s) assigned to stand-by with involved officer(s) will not leave this post for any reason, nor will they allow anyone outside of assigned supervisors and/or investigators to make contact with involved officer(s) in this setting.
7. Conduct a preliminary field investigation.
8. Identify and hold any/all witnesses.
9. Render supervisory assistance to the assigned investigator(s).

What to Do If an Officer Is Shot, Or Seriously Injured:

1. Immediately advise the Chief of Police, or designee who will personally notify the officer's family and arrange transportation for them.
2. Immediately send an officer to the hospital to gain any information possible, and protect the officer as is necessary.
3. Secure hospital and control telephone information (possibly by requesting mutual aid.)
4. Try to avoid placement of officer, and suspect in same hospital.
5. Do not identify the hospital.
6. Do not release the officer's name.
7. Secure scene.
8. Maintain as evidence all officers' clothes, and equipment.
9. Check for officer's written notes, or what may be on officer's notes in squad car.

C. Incident Investigation:

1. The department will conduct a thorough investigation of every firearms incident, as directed by the Chief of Police.
2. In the case of serious injury, or death, two separate--yet parallel--investigations will be conducted. The Chief of Police may also direct that this be done with any incident that involves the discharge of a firearm, or the use of force.
3. One of these investigations will be criminal in nature (this does not prejudice guilt or innocence on the part of the officer(s)).
4. Incidents involving serious injury or death will be investigated by an outside law enforcement agency. Ordinarily SPPD will call upon the Minnesota Bureau of Criminal Apprehension (BCA). The Chief of Police or his designee will decide which outside law enforcement agency(s) should conduct the investigation. Notification of this decision should be forwarded to the selected agency, other affected Chiefs of Police / Sheriff's and the Ramsey County Medical Examiner (for deaths) as soon as possible.

Saint Peter Police Department

General Order 3

5. The other or second (parallel) investigation will be Administrative or Internal in nature. The designee of the Chief of Police will command it. The purpose of this investigation will be to review the incident and officer(s) actions, to determine if they fall within department policy, procedure, and training.
6. The criminal investigator and administrative investigator will work together, and share all information except interviews with and/or formal statements given by the officer(s) involved. These investigators will interview Officer(s) involved separately. The criminal investigator can and will share this information with the administrative investigator; however, the administrative investigator will not share any officer(s) interview/statement information with the criminal investigator.
7. Statement Advisory - to be given to the involved officer(s) prior to interviews and statements:
 - ✓ If the investigation is criminal in nature: "Miranda" warning.
 - ✓ If the investigation is administrative in nature: "Garrity" warning.

D. Officers' Rights:

All officers have certain rights and privileges that have been granted to them under the Constitution of the United States, the Constitution of the State of Minnesota, the Peace Officer Discipline Procedures Act (also known as the Police Officers' Bill of Rights), and Minnesota State Law.

E. Incident Information Management:

1. Involved officers should notify their families about the incident as soon as possible. Typically this will be done by telephone (possibly cell phone.) This communication should be kept simple, such as, "I have been involved in a shooting. I am okay. I will call you later."
2. If an officer is unable to do so, the Chief of Police or designee should personally notify the family, and arrange for their transportation to the hospital, or appropriate location.
3. Only the Chief of Police or the Chief's designee shall release any information, or photographs to the news media.
4. The Chief of Police or designee will brief non-involved department personnel to avoid rumors. Department members will keep all information learned in the strictest confidence.

F. Counseling:

Saint Peter Police Department

General Order 3

Employees *directly* involved in shooting incidents (or other events as determined by the Chief of Police) may be required to attend a Post-Critical Incident Psychological Consultation within 72 hours of the incident. A department-approved psychologist or other qualified mental health professional will conduct the confidential consultation, with the intended purpose to:

1. Provided the employee an opportunity to discuss their thought, feelings, or other reactions to the incident.
2. Provided the employee with appropriate opinions regarding those reactions in order to help the employee cope with the psychological after-effects of the incident.
3. The psychologist may submit recommendations to the Chief of Police concerning the need for further counseling. Information concerning the consultation should be kept confidential unless:
 - a. Released by the subject officer.
 - b. The psychologist believes the officer may be in danger to themselves or others.
4. Employees involved in an incident may obtain additional confidential counseling services, upon request by notifying the Chief of Police. Officers may recommend confidential counseling services for employees who have been involved in an incident.
5. The families of employees involved in an incident will also be offered confidential counseling with a psychologist, or other mental health professional to aid them in coping with the potential after-effects of an incident.

3.9.1 Authorized Weapons and Ammunition

A. Only weapons and ammunition meeting department authorized specifications may be carried by officers while on or off-duty. Officers are encouraged, but not mandated, to carry an authorized handgun while off duty. (Exception) Off-duty officers while operating a department vehicle should be armed with an approved weapon. **Officers should not carry a firearm while using alcoholic beverages.** This does not apply if an officer is at home. Use of off-duty firearms must comply with this agency's use of force policy as outlined in 3.1.1 of this chapter. Approved weapons may be carried by an officer anywhere within the State of Minnesota. If traveling outside the state, it will be the officer's responsibility to comply with the jurisdiction's statutes regarding possession of firearms by visiting police officers. Off-duty weapons must be authorized and approved by the department's firearms instructor, and the Chief of Police.

1. Department Issued / Assigned Weapons and Ammunition
 - a. Weapons will be approved, issued or assigned by the Firearms Instructor.
 - b. All ammunition will be factory loaded, approved and issued by the Firearms Instructor.

Saint Peter Police Department

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2. Alternate Weapons and Ammunition
 - a. Officers wishing to carry an alternate weapon (back-up or off-duty) will request permission and inspection, in writing, to the Firearms Instructor.
 - b. Each weapon must be inspected and approved by the Firearms Instructor. The inspection will be documented and include make, model and serial number along with a general statement of inspection. All documentation will be maintained by the Firearms Instructor.
 - c. Each weapon must: 1) be of reliable manufacture; 2) be in safe condition; 3) be "drop safe"
 - d. Ammunition must be factory loaded and receive the approval of the Firearms Instructor.
 - e. Back-up weapons will not be displayed in a conspicuous manner.
 - f. Officers carrying a weapon off-duty should be in possession of their Department credentials (shield and photo I.D.).
- B. All officers in possession of departmental assigned or approved weapons should store and secure such weapons in a way to prevent unauthorized or accidental usage of said weapon. Any weapon stored in vehicles should be kept locked at all times officer is not with the vehicle. Consideration of weapon kept in a locked compartment with trigger lock is also suggested. Weapons stored inside a residence should be secured in a lockbox or closet away from the reach of children within the residence. Consideration of weapon secured with trigger lock is also suggested when there are children in the residence.

3.9.2 Demonstration of Proficiency with Weapons

- A. Only officers who demonstrate proficiency in the use of department authorized weapons (lethal and nondeadly) will be approved to carry such weapons. Authorized weapons include, but are not limited to:
 1. Impact tools;
 2. O.C. spray;
 3. Chemical agents;
 4. Handgun (issued and alternate);
 5. Shotguns (if issued);
 6. Automatic weapons;
 7. Bolt action weapons;
 8. Tasers
- B. Demonstrated proficiency includes:
 1. Achieving minimum qualifying scores on a prescribed course;
 2. Attaining and demonstrating knowledge of the laws concerning the use of authorized weapons;
 3. Attaining and demonstrating a knowledge of department policies on the use of force, escalating force and deadly force; and
 4. being familiar with safe handling procedures for the use of these weapons.
- C. Training/proficiency courses should be approved by the Firearms Instructor and conducted by a certified instructor at least annually.

Saint Peter Police Department

General Order 3

- D. Officers absent from scheduled training should qualify as soon as practical under the circumstances at the directions of the firearms training staff.
- E. Officer failing to achieve a minimum passing score on any component of the proficiency qualification should receive remedial training prior to resuming official duties.
- F. Attainment of proficiency should be documented and retained for a period not to exceed one (1) year beyond the officer's last day of employment or as required by law.

3.10 Written Directives Issued

All personnel authorized to carry weapons will be issued copies of and be instructed in the policies and procedures described in General Order 3 before being authorized to carry a weapon. Training and distribution will be documented. ♦

Saint Peter Police Department

General Order 2

Bias Based Profiling

2.1 Bias-Based Profiling

This directive establishes Saint Peter Police Department policy regarding the treatment of people based on race, national origin, citizenship, religion, ethnicity, age, gender or sexual orientation.

In the absence of a specific report, race, national origin, citizenship, religion, ethnicity, age, gender or sexual orientation of an individual shall not be the basis for the detention, interdiction or other disparate treatment of an individual by any member of the Saint Peter Police Department.

Definition: Racial profiling has the meaning given to it in Minn. Stat. 626.8471, Subd. 2 which states:

"Racial profiling" means any action initiated by law enforcement that relies upon the race, ethnicity, or national origin of an individual rather than:

- (1) the behavior of that individual; or
- (2) information that leads law enforcement to a particular individual who has been identified as being engaged in or having been engaged in criminal activity.

Racial profiling includes use of racial or ethnic stereotypes as factors in selecting whom to stop and search. Racial profiling does not include law enforcement's use of race or ethnicity to determine whether a person matches a specific description of a particular subject.

A. BIAS-BASED PROFILING / DISCRIMINATORY PRACTICES

Bias-based profiling of individuals is strictly prohibited

1. In the absence of a specific report, race, national origin, citizenship, religion, ethnicity, age, gender or sexual orientation of an individual shall not be a factor in determining the existence of probable cause to place in custody or arrest an individual, or in constituting a reasonable and articulable suspicion that an offense has been or is being committed so as to justify the detention of an individual or the investigatory stop of a motor vehicle. Race, national origin, citizenship, religion, ethnicity, age, gender or sexual orientation of an individual also shall not be a factor in asset seizure and forfeiture efforts.
2. Stops or detentions based on race, national origin, citizenship, religion, ethnicity, age, gender or sexual orientation or any other prejudicial basis by any member of the Saint Peter Police Department are prohibited – unless they are seeking an individual with one or more of those identified attributes (such as age during a curfew or alcohol related investigation).
 - a. The detentions of any individual, which is not based on factors related to a violation of or investigation of a violation of federal law, Indiana statutes, Saint Peter City ordinances, or any combination thereof is prohibited.
 - b. No officer shall stop, detain, or search any person when such action is solely motivated by race, nation origin, citizenship, religion, ethnicity, age, gender or sexual orientation

B. REPORTING REQUIREMENTS

1. The Investigations Division or designate of the Chief of Police shall conduct an investigation of any complaint of bias-based profiling or discriminatory practice received in accordance with General Order 40 – Internal Affairs.
2. All complaints, and a record of the disposition or finding of any investigation shall be maintained in accordance with established department policy, and M.S.S. Chapter 13, Data Practices.

C. COMMUNITY OUTREACH

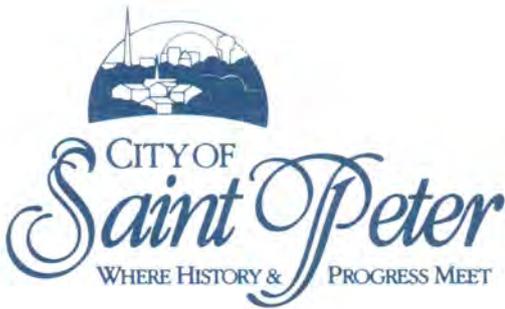
1. The Detectives or designee shall serve as the community liaison officer for profiling and/or discrimination issues.
2. The community liaison officer shall meet with members of the community when requested by a particular group member, or with members of groups affected by this policy.
3. The community liaison shall review all complaints of profiling and/or discrimination to determine if additional follow-up or remedial action is required.
4. The annual summary report shall include but not be limited to:
 - a. Listing each complaint.
 - b. Explaining any action(s) taken
 - c. Recommending training needs
 - d. Recommending policy changes

D. TRAINING

1. All police department personnel shall receive training at least every three years on the harms of bias-based profiling and discrimination, including the review of this policy.
2. Additional diversity and sensitivity training shall be designated for officers with sustained racial profiling or other sustained discrimination complaints filed against them.
3. Supervisors shall ensure all personnel in their command are familiar with the content of this policy and are in compliance.

E. DISCIPLINARY PROCEDURES

1. Appropriate sanctions shall be implemented for non-compliance of this policy, up to and including dismissal.
2. Failure to report any observed or known violation of this general order by any police department employee shall result in disciplinary action. ♦



Memorandum

TO: Todd Prafke
City Administrator

DATE: June 8, 2020

FROM: Pete Moulton
Director of Public Works

RE: Lineman Assistant - Job Description

ACTION/RECOMMENDATION

None needed. For City Council discussion and review only.

BACKGROUND

During the summer months, the Electric Utility has a need to supplement staffing to increase productivity and enhance the existing expertise we have on staff. Experimenting with this additional staffing for two summers has resulted in a recommendation to develop a Lineman Assistant position. This would be someone who is just beginning a career in the Electric industry who may benefit from experience working with a seasoned veteran line crew. Our ideal candidate has been an individual who has completed his or her first year of school and may be going back to school in the fall to finish their certificate in Lineman training.

Hiring for this position would allow us to meet some of our workload demands while maintaining the high expectations in customer service and satisfaction our customers have come to expect. We have developed a proposed job description that would identify the qualifications, education and experiences we are looking for in a position that would allow an entry level person to gain valuable hands on experience in the field.

It is my hope to have additional discussion on adoption of a job description as part of the City Council workshop.

This position is designed to be temporary with work usually taking in place during the summer months.

Please feel free to contact me should you have questions or concerns on this agenda item.

PTM/

CITY OF SAINT PETER, MINNESOTA

POSITION DESCRIPTION

Pay Equity Points = 121

POSITION TITLE: LINEMAN ASSISTANT
DEPARTMENT: PUBLIC WORKS
DIVISION: UTILITIES
SECTION: ELECTRIC
SUPERVISOR: ELECTRIC SUPERINTENDENT

OVERVIEW OF POSITION:

Under direct supervision, the Lineman Assistant trains for the position of Lineman Electrician and learns the tasks associated with the construction, operation, and maintenance of the electrical distribution system by assisting the Linemen Electricians. The Lineman Assistant performs essential job functions as listed herein and related duties as assigned or apparent.

ESSENTIAL JOB FUNCTIONS:

- Learns and trains for the position of Lineman Electrician; learns the tasks associated with the construction, operation, and maintenance of the electrical distribution system by assisting Linemen Electrician; Learns how to install underground electrical cable; install street lights; install transformers; locate underground conductors; uses fault finding equipment for primary and secondary underground repairs; Learns to operate Supervisory Control And Data Acquisition (SCADA) system; participates in training programs; works overtime hours as necessary to perform emergency clean up, learns of maintenance repairs and performs monitoring of the utility system; operates equipment under direct supervision, ensures tools are kept clean, properly tested, properly utilized, and properly stored.
- Learns to monitor safety conditions; learns to recognize unsafe conditions; complies with safety policy; plants, trims, and removes trees and shrubs for line clearance as needed.

ESSENTIAL PHYSICAL REQUIREMENTS:

The Lineman Assistant is required to be capable of performing the following physical functions or a combination thereof for any given work day:

Legend:

Continuously is over 2/3 of a workday

Frequently is 1/3 to 2/3 of a workday

Occasionally is less than 1/3 of a workday

Workday - a normal workday is ten (10) hours. A normal workweek is four (4) days with three consecutive days off. During emergencies, workdays may extend to 16 hours or more and a work week to seven days.

CITY OF SAINT PETER, MINNESOTA

POSITION DESCRIPTION

Actions: Continuously speak comprehensible English and understand English, read and write English; hearing -continuously normal or corrected to normal; eyesight - continuously - far vision and near vision 20/40 or corrected to 20/40, differentiate colors precisely, normal depth perception, normal peripheral vision; continuously sit, stand, walk; continuously bend/stoop, squat, crawl, reach above shoulder level, crouch, kneel, balance, push/pull; occasionally climb height of fifty feet; continuously use both feet for repetitive movements as in operating foot controls; continuously use hands for firm grasping and fine manipulating; continuously use bucket truck to height of fifty feet.

Strength: Continuously - carry up to thirty-four pounds and lift up to thirty-four pounds; frequently - carry thirty-five to seventy-four pounds and lift thirty-five to seventy-four pounds; occasionally - carry seventy-five to one-hundred pounds and lift seventy-five to one-hundred pounds.

Stamina: Continuously endure exposure to changes in temperature from less than zero (0) degrees centigrade to in excess of thirty-seven (37) degrees centigrade (thirty-two (32) degrees Fahrenheit to ninety-nine (99) degrees Fahrenheit) and occasionally endure exposure to temperatures higher or lower; continuously endure exposure to one or a combination of the following: dust, fumes, gases, mist, wet, humid; occasionally exposed to moving mechanical parts hazard; occasionally exposed to high noise levels.

Safety: Become certified in and perform cardiopulmonary resuscitation; perform bucket rescue; perform confined space (manhole) rescue; wear safety equipment including hard hat, steel-toed shoes, safety goggles, safety vests, and fire retardant clothing; wear self-contained breathing apparatus.

Vaccinations: Receive vaccinations for tetanus. The vaccinations for hepatitis B are made available to the Lineman Assistant by the City but are not required.

ESSENTIAL PSYCHOLOGICAL, SITUATIONAL, AND FUNCTIONAL FACTORS:

The Lineman Assistant is required to be capable of performing the following psychological, situational, and functional functions:

Ability to communicate effectively, both orally and in writing; accept and delegate responsibility; understand and carry out oral and written instructions; cooperate with a wide range of individuals; possess interpersonal skills sufficient to work closely with others on a team; demonstrate flexibility in a work environment; perform a variety of frequently changing tasks; exhibit sustained concentration and prolonged commitment to job tasks; work with others effectively under stress in situations dangerous to self or others; be tactful; maintain confidentiality as needed; deal with the public.

MINIMUM QUALIFICATIONS:

- High school diploma.
- Demonstrated knowledge of electric distribution systems.
- Has begun or has completed training for Electric Lineman Certification.
- Possession of a valid State of Minnesota driver's license.

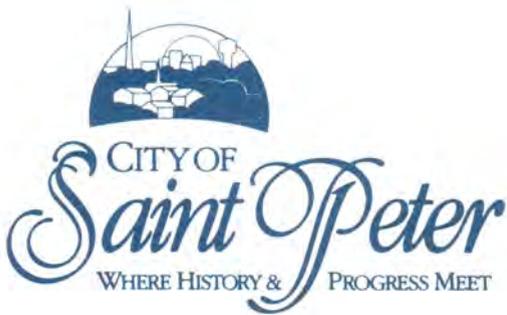
CITY OF SAINT PETER, MINNESOTA

POSITION DESCRIPTION

DESIRABLE QUALIFICATIONS:

- Demonstrated knowledge of the principles of electrical theory applicable to electrical circuits and wiring systems.
- Demonstrated knowledge of OSHA regulations and safety precautions of the trade.
- Demonstrated experience in operation of bucket trucks, line trucks, trencher, backhoe, and locating equipment.
- Demonstrated knowledge of materials and tools used in the construction, operation, and maintenance of electrical distribution systems.
- Demonstrated knowledge of the work hazards involved in the operation of an electrical system.
- Demonstrated knowledge of computers operation

Adopted by the City Council _____



Memorandum

TO: Todd Prafke
City Administrator

DATE: 6/11/20

FROM: Russ Wille
Community Development Director

RE: King Pins Bowling Alley

ACTION/RECOMMENDATION

None needed. For Council information only.

BACKGROUND

On the morning of February 16, 2020 a fire was reported at the King Pins Bowling Alley located at 1671 South Third Street. The fire was extinguished by the Saint Peter Fire Department. Subsequent to the fire event, the remaining portion of the structure and the debris have been enclosed by a snow fence.

The property is owned by Eyebowl, LLC. Mr. Dwight Selders is the manager of Eyebowl, LLC as per the documents available for public review on the Secretary of State's website.

Building Official Busse has conducted an investigation of the property and has concluded that the property could not be repaired or reconstructed. The most appropriate course of action would be to demolish the remnants of the building and to clear the site of the fire debris.

I have spoken to Mr. Steve Carlson, Vice President of Commercial Lending at Community Bank in Mankato. Community Bank holds the mortgage on the Eyebowl, LLC real estate. Mr. Carlson indicated that the bank would not intend to obtain ownership of the site

I also spoke with Mr. Kraig Boyle, an insurance adjuster for Auto Owners Insurance. Auto Owners had insured the property. Admitting it is not his decision to make, Mr. Boyle suggested that it is highly unlikely that Auto Owners would obtain ownership of the site.

With those statements in mind, City staff will initiate the clean-up process. Working with the City Attorney, Mr. Busse will declare the site a public nuisance after which the City Council would be asked to order Eyebowl, LLC to provide for removal and proper disposal of the remaining structure and fire debris.

A reasonable amount of time, suggested to be ninety (90) days, would be provided for the owner to schedule a licensed demolition contractor to undertake the ordered removal and clearing of the site. If the owner does not provide for the demolition and removal by that time, the City could

undertake the ordered demolition and place an assessment against the property to recoup the costs incurred. Such assessment would be recorded with Nicollet County and the property could not change hands for redevelopment until such time as the recorded assessment was paid in full or waived by the City as negotiated in a development agreement.

Attached to this memo you will find aerial photos showing the lot lines and the current condition of the property.

My goal for the workshop is to update the Council as to the activities that are ongoing and explain the process that may be used to "clean up" the property.

Please feel free to contact me should you have any questions or concerns on this agenda item.

RJW



Legend

- Street Names - Small
- County Boundary
- City Limits
- Railroad
- Parcels (1-24-2019)
- STPE.sid
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3



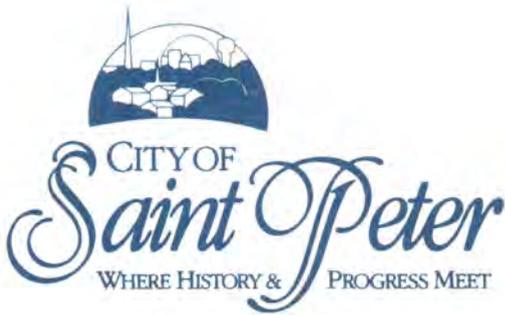
**King Pins
Bowling Alley**



Disclaimer:
This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. The City of Saint Peter is not responsible for any inaccuracies herein contained.







Memorandum

TO: Todd Prafke
City Administrator

DATE: 6/12/20

FROM: Russ Wille
Community Development Director

RE: Multi-Family Development (Outlot D, Traverse Green Subdivision)

ACTION/RECOMMENDATION

None needed. For Council review and discussion only.

BACKGROUND

For the last couple of months, we have been working with Community Asset Development Group (CADG), a private residential housing developer that has been exploring the Saint Peter market to construct a multi-family housing development. It has been determined that the cost to develop their originally considered site in Saint Peter is prohibitive given the amount of fill and grading necessary to accommodate the construction.

As such and being convinced there is a need for additional multi-family housing in the market, the developer renewed their search for an acceptable development site. At this time, they would like to enter into a purchase option with the City for development of Outlot D in Traverse Green Subdivision. The option would allow them to undertake their due diligence and other predevelopment activities such as environmental and geotechnical reviews while maintaining the necessary site control.

Outlot D is located on the northern most portion of the subdivision (see map). The City had previously solicited development proposals for the Outlot but no developers responded to the request for proposals and the lot continues to be used by the School District's Agriculture Academy as provided for in the transfer agreement from the School to the City.

The Outlot is zoned (R-3) Multi-Family Residential on the Official Zoning Map. As an Outlot, the 15.43 acre parcel would need to be appropriately platted prior to any development.

Access to the site is planned to be provided by the construction of a Clark Street extension off of Nicollet Avenue (CSAH #20). This access point is established by the right-of-way plat adopted when Nicollet Avenue was constructed in the early 2000's. Ultimately, this extension would connect with Clark Street which currently dead ends in the Standard Lumber Subdivision at Warren Park.

CADG would propose to develop the easterly 8.5 acres of the Outlot following acquisition and platting of the property. They would propose a price of \$10,000 per acre or \$85,000. This price is within the range anticipated when the first request for development proposals was solicited by the City in 2016.

The developer proposes to place \$5,000 in escrow as earnest money. If CADG were to determine prior to September 1, 2020 that the site could not be economically and reasonably developed, the earnest monies would be returned to the developer. If CADG were to withdraw from the project after that date, the funds would not be refunded. If CADG proceeds with the purchase, the earnest money would be applied to the \$85,000 purchase price.

CADG has requested access to Tax Increment Financing (TIF) to reimburse them for certain allowable development costs. To determine the percentage of TIF to be provided, CADG would be asked to identify the development costs that would be eligible to be reimbursed. As a general rule of thumb, the below grade infrastructure, site grading, utilities, parking areas and the purchase price of the land are eligible TIF expenses.

The provision of TIF is a common development tool used by municipalities to support the development of housing. The expectation is that by partially underwriting the cost of construction, a developer can establish and maintain affordable rent levels.

If TIF is provided to support the multi-family development, at least 20% of the units would need to be rented to household at 50% of area median income adjusted by family size, or 40% of the units would need to be occupied by households at 60% of area median income adjusted for family size.

Most developers choose the 20% of the units at 50% of the area median income option. The applicable income levels by household size is adjusted annually. The current income levels by household size for the Mankato/North Mankato MSA are as follows:

<u>Household Size</u>	<u>Annual Income</u>
1 person	\$29,650
2 persons	\$33,900
3 persons	\$38,150
4 persons	\$42,350
5 persons	\$45,750
6 persons	\$49,150
7 persons	\$52,550
8 persons	\$55,950

The developer would need to provide annual documentation to ensure that continued compliance with income limits and percentage of units rented to eligible families. The reporting requirement would remain in place for the life of the TIF district.

This development would provide both market rate and low to moderate income rental opportunities.

Should the City Council have interest in pursuing this development City Attorney Brandt would prepare a draft purchase option by and between the City of Saint Peter and Community Asset Development Group for Council review and consideration at a future meeting. Other items that would be included in the purchase agreement might be a review by Council of the aesthetics of the building and density. We would likely not maintain any control over the number bedrooms per

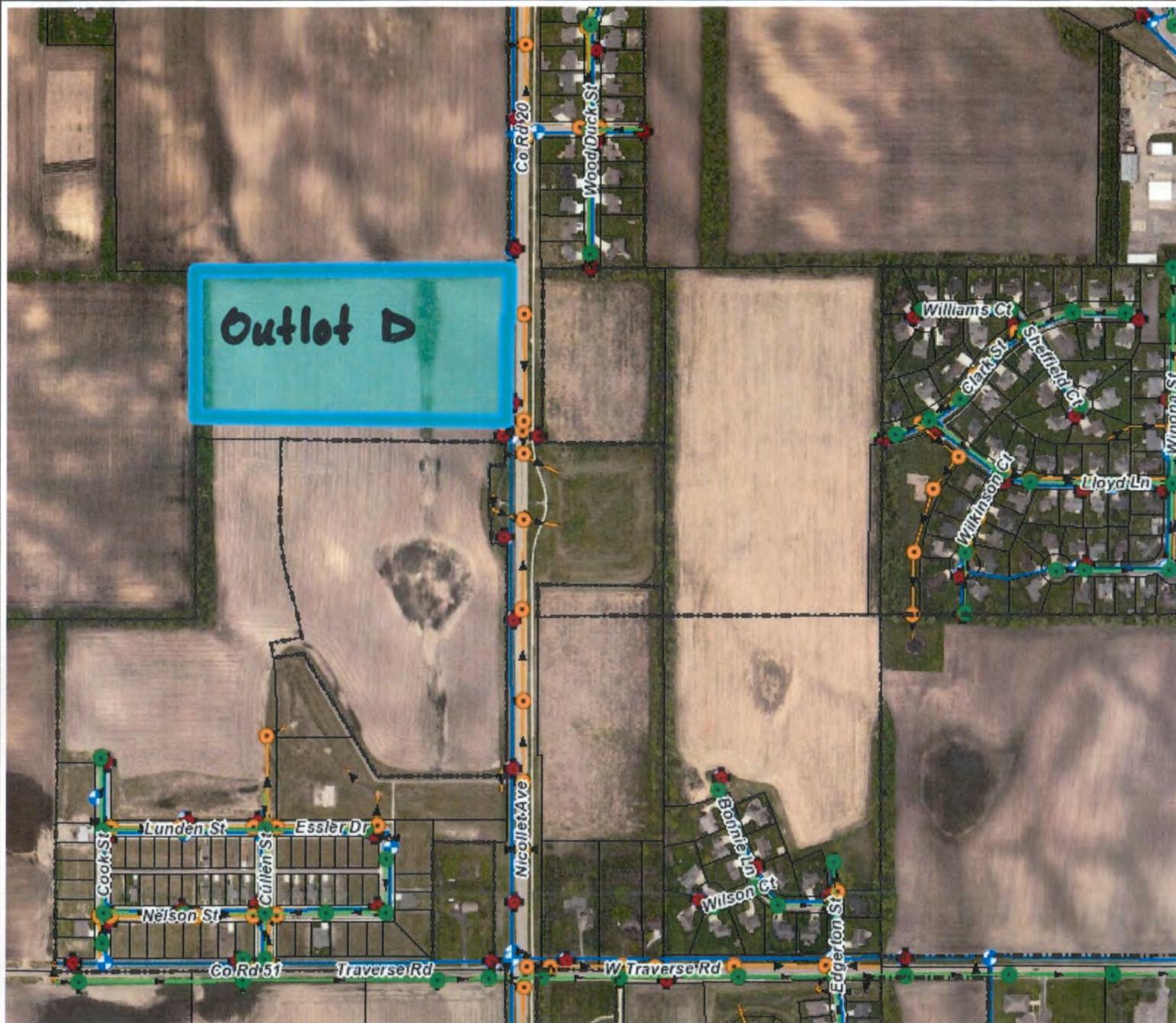
unit determinations as staff believes the developer is in an appropriate position to determine the marketplace and cost objectives for the development.

My goal for the workshop is to provide the Council opportunity to more fully understand the development process, review what we know so far about this proposal, fully discuss the other impacts of a development of this type at this location and be in a position to take action in the near future should all the pieces fall into place.

Please feel free to contact me should you have any questions or concerns on this agenda item.

RJW

37



Legend

- Street Names - Medium
- County Boundary
- ⋮ City Limits
- ⊞ Sanitary Lift Station
- Sanitary Manhole
- ⬠ Sanitary Outfall
- Sanitary Wastewater Tap
- Sanitary Pipe
- Sanitary Forcemain
- Storm Clean Out
- Storm Manhole
- ⊞ Storm Treatment Device
- Storm Pipe
- Storm Drain Tile
- Storm Infiltration Trench
- Water Hydrant
- Water Manhole
- Water Valve
- ⊞ Water Tower
- ✗ Watermain Break
- Water Pipe
- Railroad
- Parcels (1-24-2019)
- STPE.sid
 - Red: Band_1
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Map Name



Disclaimer:
 This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. The City of Saint Peter is not responsible for any inaccuracies herein contained.



38



8.5 acres



Legend

- Street Names - Medium
- County Boundary
- City Limits
- Water Hydrant
- Water Manhole
- Water Valve
- Water Tower
- Watermain Break
- Water Pipe
- Railroad
- Parcels (1-24-2019)
- STPE.sid
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3

Water Service



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39



Legend

- Street Names - Medium
- County Boundary
- City Limits
- Sanitary Lift Station
- Sanitary Manhole
- Sanitary Outfall
- Sanitary Wastewater Tap
- Sanitary Pipe
- Sanitary Forcemain
- Railroad
- Parcels (1-24-2019)
- STPE.sid
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3

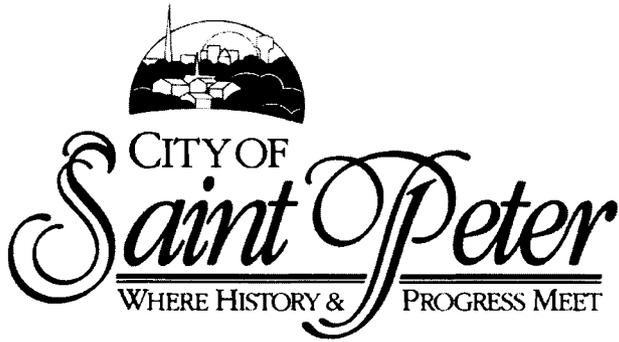
Sewer Main Extension

Sanitary Sewer System



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0 527 Feet



Memorandum

TO: Todd Prafke
City Administrator

DATE: 06/11/20

FROM: Joey Schugel
Recreation and Leisure Services Director

RE: Outdoor Pool Update

ACTION/RECOMMENDATION

None needed. For Council review and discussion only.

BACKGROUND

The Roy T. Lindenberg Memorial Outdoor Pool is a huge part of the summer in Saint Peter. It is a great place for kids and family to have fun, teach swim lessons, and train lifeguards. It is also a great chance for our community to gather and meet their neighbors.

We continue to navigate through COVID-19, the Minnesota Department of Health guidelines, and Executive Orders that have ordered public pools closed until just recently. According to Executive Order 20-74 and beginning June 10th, public pools in Minnesota can now open to the public as long as they can follow regulations from the Minnesota Department of Health.

My goal for the Workshop is to inform the Council on how those regulations could be met at our Pool in respect to the following areas:

- Capacity and Distancing
- Locker Rooms
- Staffing and Hours of Operation
- Cleaning and Disinfecting
- Emergency Protocols

My hope is to outline a process that provides for opening the pool in the next two weeks and solicit feedback from the Council which will allow us to inform and better serve the public.

Please feel free to contact me should you have any questions or concerns with this agenda item.

JS/



Memorandum

TO: Honorable Mayor Zieman
Members of the City Council

DATE: 6/11/2020

FROM: Todd Prafke
City Administrator

RE: COVID-19 Preparedness Plan

ACTION/RECOMMENDATION

None needed. For your information and discussion only.

BACKGROUND

Under Executive Order 20-74 released by Governor Tim Walz on June 5th, critical sector businesses, including government entities like the City of Saint Peter, are now required to adopt a COVID-19 Preparedness Plan.

Please find attached a draft plan. Please note that the Commissioners of the Minnesota Departments of Health, Employment and Economic Development (DEED), and Labor and Industry have been directed to provide additional industry guidance for critical businesses, as necessary, no later than June 15th, but it is unclear if there will be additional or separate guidance for local units of government such as us.

Since June 22nd is your last regular meeting of the month, it is my hope that by having this draft ready it can be approved or modified prior to June 22nd should additional guidance be provided.

My goals for your meeting are to have you ready to adopt some type of plan to be in compliance while meeting the short timeline and your meeting cycle requirements. If additional guidance does come out after on or after the 15th I will work to have the draft plan updated for your action on the 22nd.

Please feel free to contact me if you have any questions or concerns about this agenda item.

TP/bal



CITY OF SAINT PETER

COVID-19 Preparedness Plan

The City of Saint Peter is committed to providing a safe and healthy workplace for all our employees and customers. To ensure a safe and healthy workplace, the following COVID-19 Preparedness Plan has been developed in response to the COVID-19 pandemic. Department Directors and employees are all responsible for implementation of this plan.

The goal of mitigating the potential for transmission of COVID-19 in City workplaces and communities, requires full cooperation among City employees, Elected Officials and the community. Only through this cooperative effort can the City establish and maintain the safety and health of its employees and workplaces.

City Staff are responsible for implementing and complying with all aspects of this COVID-19 Preparedness Plan. The City Administrator, Department Director and Supervisors have the full support of the City Council in enforcing the provisions of this policy.

The City's employees are its most important assets. The City is serious about safety and health and keeping employees healthy and on the job. Employee involvement is essential in developing and implementing a successful COVID-19 Preparedness Plan and as such, the City has involved employees in its response to the health emergency in a number of ways including enhanced communication, start of day testing and utilizing a COVID response Committee made up of employees from different divisions of the City. The COVID-19 Preparedness Plan follows Centers for Disease Control and Prevention (CDC), Minnesota Department of Health (MDH) guidelines, Federal OSHA standards related to COVID-19 and Executive Order 20-48. The Plan addresses:

- hygiene and respiratory etiquette;
- engineering and administrative controls for social distancing;
- cleaning, disinfecting, decontamination and ventilation;
- prompt identification and isolation of sick persons;
- communications and training that will be provided to managers and employees; and
- management and supervision necessary to ensure effective implementation of the plan.
- protection and controls for pick-up, drop-off and delivery;
- communications and instructions for customers.

Screening and policies for employees exhibiting signs and symptoms of COVID-19

Employees have been informed of and encouraged to self-monitor for signs and symptoms of COVID-19. The following policies and procedures are being implemented to assess employee health status prior to entering the workplace and for employees to report when they are sick or experiencing symptoms.

Employees are screened at the start of work by measuring temperature and assessing other symptoms (a copy of the screening form used is attached). Any worker that is ill must follow the City's normal procedure for informing their supervisor. If symptoms occur while at work,

employees will be sent home and must remain home at least 72 hours past the time that their symptoms subside without the use of any prescribed or over the counter medication.

The City has implemented leave policies that promote employees staying at home when they are sick, when household members are sick, or when required by a health care provider to isolate or quarantine themselves or a member of their household. The City has long standing sick leave policies that are described in the Personnel Policy Handbook.

In addition, the Federal Government has provided for two additional types of sick leave for those specifically impacted by COVID-19. Those sick leave additions include augmentation of the FMLAS and a special COVID-19 related provision for eighty (80) hours of sick leave. The City also has in place a policy that allows employees to accrue an up to forty (40) hour negative balance on sick leave with approval from the City Administrator if other leave (sick, vacation, comp, and/or personal) has been exhausted.

Accommodations for employees with underlying medical conditions or those with household members with underlying health conditions have been implemented. Those with underlying health condition can ask for utilization of work from home policies. Employees with underlying medical conditions or household members with the same are allowed to wear masks and have opportunity to utilize the sick leave benefits listed above if they meet the criteria.

The City has also implemented a policy for informing employees if they have been exposed to a co-worker with COVID-19 at their workplace and requiring them to quarantine for the required amount of time. Should an employee be tested for COVID-19, the City will inform any employee who may have had contact with that employee. That information will be provided via email or in person, but will not include the name of the individual being tested.

If an employee has been exposed to a person with a confirmed case of COVID-19, meaning that an employee has been in "close contact" with someone who tested positive, the employee will be directed to stay home, contact their supervisor and remain at home for fourteen (14) days while practicing social distancing and proper hygiene. Employees will be encouraged to contact a medical professional and review additional screening and testing procedures.

Employees are instructed to regularly assess themselves for symptoms and to go home right away if ill. Each employee is asked to practice careful and frequent hand hygiene, not touch faces with unwashed hands, and use proper respiratory etiquette. Additional signage has been placed throughout City facilities as a reminder to employees.

In addition, a policy has been implemented to protect the privacy of employee health status and health information. While HIPAA rules prohibit both the City and individual employees from sharing names of anyone infected, the City will work hard to inform employees as to the timeline of any possible exposure employees may have had.

Handwashing

Basic infection prevention measures are being implemented at City workplaces at all times. Employees are instructed to wash their hands for at least 20 seconds with soap and water frequently throughout the day, but especially at the beginning and end of their shift, prior to any mealtimes and after using the toilet.

City facilities open to the public already offer public restrooms that may be used for hand washing. Those restrooms will be maintained on an enhanced cleaning schedule of once per day with additional cleaning of commonly touched surfaces such as public use counters, doors, handles and push bars at mid-day throughout our facilities. Hand sanitizer will be available at locations where public transaction of business occurs. Public use restrooms in parks and outdoor facilities will be cleaned each day with signage indicating the approximate time of cleaning so users can self-evaluate their use of the restroom and take additional precautions they may feel are necessary.

Respiratory etiquette: Employees, customers and visitors are being instructed to cover their mouth and nose with their sleeve or a tissue when coughing or sneezing and to avoid touching any part of their face with their hands. Used tissues should be disposed of in official trash receptacles and hands should be washed or sanitized immediately afterward. Respiratory etiquette will be demonstrated on posters and supported by making tissues and trash receptacles to deposit used tissues in available to all employees, customers and visitors. Signage has been added to breakrooms and to areas of heavy traffic including restroom entry points. This is discussed as a part of employee communication and at “tailgates” and other meetings of employees.

Social distancing

Social distancing of at least six feet (6') will be implemented and maintained between employees, customers and visitors in City facilities through the following engineering and administrative controls:

- The City has provided for additional signage to remind and encourage both employees and the public to follow social distancing guidelines. Sneeze guards have been installed in workspaces that have opportunity to transact business with the public and cloth masks have been made available to employees who wish to use them.
- At least a once per day cleaning of frequently touched surfaces like door handles, light switches, railings, faucets, copiers and fax machines is being completed.
- Employees are asked to wash hands frequently and use hand sanitizer before and after using shared equipment.
- Gloves are made available for those who touch cash, papers or other items that might be handed to employees by the public.
- Additional signage has been erected to help keep the public in the “public only” spaces and in some cases additional physical barriers may be or have been installed.
- If employees are out in the field and citizens approach them, employees have been instructed to alert them that, “City employees are practicing social distancing rules and I am happy to talk while we maintain our six feet separation.”
- Some City work crews are using modified shifts, (commonly referred to as “platooning”) to avoid contact with each other and breaks, including meals times, have been staggered.
- Employees are responsible to clean their own work areas and appropriate cleaning materials have been provided for their use.

Cleaning, disinfection, and ventilation

Regular housekeeping practices are being augmented including routine cleaning and disinfecting of work surfaces, equipment, tools and machinery, vehicles and areas in work environments, including restrooms, break rooms, lunch rooms, meeting rooms, checkout stations, and drop-off and pick-up locations. Frequent cleaning and disinfecting will be conducted for high-touch surfaces such as phones, keyboards, touch screens, controls, door handles, elevator panels, railings, copy machines, credit card readers, delivery equipment, etc... All employees share in the responsibility to perform these tasks.

Worksite cleaning, including the cleaning of commonly touched surfaces with MDH and CDC approved products, is being done at a minimum of once per day with other commonly touched surface such as door handles, light switches, railings, faucets, copiers and fax machines being cleaned again by City staff at mid-day. Additional cleaning materials have been made available for employees in areas where public business is transacted so that intermittent cleaning can occur based on employee comfort levels and frequency of use by the public.

Appropriate and effective cleaning and disinfectant supplies have been purchased and are available for use in accordance with product labels, material safety data sheets and manufacturer specifications and are being used with required personal protective equipment for the product. All cleaning supplies meet the guidelines suggested by the CDC or MDH and will be applied as per product directions. Protective equipment is available and encouraged for use by employees including gloves and masks with appropriate disposal facilities.

The maximum amount of fresh air is being brought into the workplace. Air recirculation is being limited and ventilation systems are being properly used and maintained. Steps are also being taken to minimize air flow blowing across people. Air flow in public contact spaces is being minimized through the use of sneeze guards and by maintaining floor marking indication for six feet of separation. In addition, augmented signage has been installed as reminders for both employees and the public of the need for social distancing.

Communications and training

This COVID-19 Preparedness Plan has been distributed to all employees via email on or before June 30, 2020 and necessary training has been provided. Additional communication and training will be ongoing and provided to all employees who did not receive the initial training.

Instructions will be communicated to customers and visitors about how drop-off, pick-up, delivery and meetings will be conducted to ensure social distancing between the customers and employees; required hygiene practices; and recommendations that customers and visitors use face masks when entering City facilities and/or interacting with City employees. Customers and visitors will also be advised not to enter City facilities if they are experiencing symptoms or have contracted COVID-19. This will be done through signage in entryways and use of the City's community weekly newsletter.

Department Directors and Supervisors will monitor the effectiveness of this program by reviewing questions, concerns and inquiries expressed by employees and the public at leadership meetings and individual Department meetings. The City Administrator will also solicit feedback via email on this plan and any subsequent updates. Management and employees will work through this new

program together and update the training as necessary. This COVID-19 Preparedness Plan, which will be updated as needed, has been certified by the City of Saint Peter and was posted in City facilities by no later than June 29, 2020.

Employees and the public using City facilities can access additional information in the appendix.

Certified by City Administrator Todd Prafke

City Administrator

Date approved _____

Appendix A – Guidance for developing a COVID-19 Preparedness Plan

General

Centers for Disease Control and Prevention (CDC): Coronavirus (COVID-19) – www.cdc.gov/coronavirus/2019-nCoV

Minnesota Department of Health (MDH): Coronavirus – www.health.state.mn.us/diseases/coronavirus

State of Minnesota: COVID-19 response – <https://mn.gov/covid19>

Businesses

CDC: Resources for businesses and employers – www.cdc.gov/coronavirus/2019-ncov/community/organizations/businesses-employers.html

CDC: General business frequently asked questions – www.cdc.gov/coronavirus/2019-ncov/community/general-business-faq.html

CDC: Building/business ventilation – www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html

MDH: Businesses and employers: COVID-19 – www.health.state.mn.us/diseases/coronavirus/businesses.html

MDH: Health screening checklist – www.health.state.mn.us/diseases/coronavirus/facilityhlthscreen.pdf

MDH: Materials for businesses and employers – www.health.state.mn.us/diseases/coronavirus/materials

Minnesota Department of Employment and Economic Development (DEED): COVID-19 information and resources – <https://mn.gov/deed/newscenter/covid/>

Minnesota Department of Labor and Industry (DLI): Updates related to COVID-19 – www.dli.mn.gov/updates

Federal OSHA – www.osha.gov

Handwashing

MDH: Handwashing video translated into multiple languages – www.youtube.com/watch?v=LdQuPGVcceg

Respiratory etiquette: Cover your cough or sneeze

CDC: www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html

CDC: www.cdc.gov/healthywater/hygiene/etiquette/coughing_sneezing.html

MDH: www.health.state.mn.us/diseases/coronavirus/prevention.html

Social distancing

CDC: www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html

MDH: www.health.state.mn.us/diseases/coronavirus/businesses.html

Housekeeping

CDC: www.cdc.gov/coronavirus/2019-ncov/community/disinfecting-building-facility.html

CDC: www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/disinfecting-your-home.html

CDC: www.cdc.gov/coronavirus/2019-ncov/community/organizations/cleaning-disinfection.html

Environmental Protection Agency (EPA): www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2

Employees exhibiting signs and symptoms of COVID-19

CDC: www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html

MDH: www.health.state.mn.us/diseases/coronavirus/basics.html

MDH: www.health.state.mn.us/diseases/coronavirus/facilityhlthscreen.pdf

MDH: www.health.state.mn.us/diseases/coronavirus/returntowork.pdf

State of Minnesota – <https://mn.gov/covid19/for-minnesotans/if-sick/get-tested/index.jsp>

Training

CDC: www.cdc.gov/coronavirus/2019-ncov/community/guidance-small-business.html

Federal OSHA: www.osha.gov/Publications/OSHA3990.pdf

MDH: www.health.state.mn.us/diseases/coronavirus/about.pdf

