

**VILLAGE OF DRESSER  
PUBLIC SAFETY COMMITTEE MEETING  
JUNE 17, 2019  
MUNICIPAL BUILDING**

Jeff Gutzmer called the meeting to order at 4:00 PM. Roll Call: Jeff Gutzmer, Karen Andrie, and Bryan “Fatboy” Raddatz. Wayne Moberg Absent. Also, present Attorney Tim Laux, Jodi A. Gilbert/Clerk, Ryan Haass/Police Chief, Bonnie McDonnell, Grace Bjorklund, and Sharon Hendricks. This meeting was posted that a majority of the board members could be present for this meeting. No other public or press was in attendance. Discussion was held regarding Bonnie McDonnell – 123 Main Street – public comments/concerns.

Water Meter. Gutzmer stated the water meter has been referenced in there. Six years ago, they were originally installed. Any issues after that there is a charge to the residents. Andrie stated in talking with Bonnie when they replaced the meter it is not in the same place as it originally was. Whoever replaced them it doesn't matter – hers was not moved – Raddatz stated she would have had to hire a plumber in order for it to be moved. McDonnell stated I don't know previously where it was, but after the change out it was moved and I never had a meter like that before and up above there is a box. I don't know where it was before. It is a different style meter. McDonnell stated I don't know where it was and it was not in a vulnerable spot. I had to buy a heater for \$100.00. That is excessive. Raddatz referenced the March 4<sup>th</sup> Board proceedings. I don't like the wording that I was negligent. Did you read the minutes? Haass stated the Village hired a company to put in the new meters - we had a contract and they removed the existing meters and put in the new meter. That was done for the electronic reading at the same time. We took out the old meter and put in a new meter. If they had installed it in a different spot, they would have had to move the plumbing. The water intake is the same. McDonnell stated it is a new meter but not new plumbing. Gutzmer in response to your comment that this was a fine. McDonnell stated I used that word because that is how I felt. Andrie commented part of the issue is using the word negligent – Laux stated that wording is in the tariff from the State. Andrie stated that is a hard word. Laux stated it designates liability – homeowners be aware of there water meters. Frankly this resolved itself earlier, McDonnell paid the fee, and the matter is resolved. Do something instead of bringing it up at meetings. So, you brought it up one time and the matter is resolved. Laux asked McDonnell yes or no. Are you done? McDonnell stated not to my satisfaction. Laux stated so it is over.

Cars Parked During Snowfalls. Andrie stated can I ask Haass – what is your process – this is the major complaint. When you get a complaint of this nature. You are not here so you can't prove it. Some register a complaint. Haass stated which one are you talking about. After 6AM - after that point there is no violation. It is no violation so there is no action I can take. Andrie stated can't you see if the tires move. Haass stated I have talked to people - Andrie stated do you go out there – this is her major complaint. Andrie stated doing is the difference. She starts work at 8AM. Ordinances say you cannot park on the streets. The snow removal policy 11/6/17. It says in there - please refrain from parking on streets when snowing. Andrie asked what is your policy. Haass stated it is not an enforceable action. Andrie stated Haass you are just normally not here. Andrie continued should she call 911. It is not an emergency. Andrie stated then we shouldn't have an Ordinance that is not being enforced. Laux stated that is not necessarily true. Andrie stated you can't go through there because cars are there. Laux stated you are not required to enforced every Ordinance at all times. Especially with only one officer. You are not going to get the Polk County Officers to enforce parking during a snow storm. Unless Haass plans on

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working a night shift when it is snowing it is not likely to be enforced. When you have 24-hour coverage you could consider it. The Village is not liable. It is discretionary. It is up to the police officer's discretion regarding local Ordinances – they don't have to be enforced 24 hours a day. Larger police departments can handle differently. Andrie asked truly what is a complaint Raddatz. Andrie stated we have multiple complaints. When he gets a complaint if I was a police officer then I would go to the homeowner to say I will check into this and start early and come in an hour early. He typically starts at 6AM. It is his duty to enforce the Ordinances when there is a complaint. That is not a written complaint to the police department. Raddatz stated there is not a formal written complaint. Laux asked Haass do you keep a log of complaints, phone calls, etc... Haass stated when cases are pulled. In your records do you have a record of calling – the complaint was at 10 AM. It was not a violation at that time. The complaint was filed in person here in the office. The complaint was that a car was parked when trying to plow around it at 10AM. Andrie stated if they come through and plow the one side and now you have a ridge. They can see it. Laux asked are you talking Village of Dresser snow plowing procedure or about this complaint. The question from this particular individual or complaint from this person to Haass was at 10AM. The person was in the office complaining at 10AM that was not a violation of the Ordinance. Andrie stated I agree. There is a policy and maybe it needs to be changed. How and when plows get out. How fast snow is plowed. Laux stated right now this citizen keeps going over and over this again and it needs to be sorted out. You have heard from Haass. McDonnell what is your recollection of the snow plowing situation. McDonnell stated it wasn't an issue in the past. The new guys have a new approach to it. What changed? They plow up on the right-hand side of the street sometimes quite high. During the winter I don't see Haass in the morning. Now repeatably around 6AM. During the winter I don't see him. The right-hand side is plowed. There can be 4, 6, 8 cars parked along there. I am the only one parked off the street. I plow the sidewalk. I plow the street and the snow bank to get to the other side. I see Haass driving on the side of the street that is plowed and I have talked to the snow plow people and I have talked to Jodi. It's like approaching a tag team. McDonnell stated I appeal for some common sense. Haass doesn't do common senses he stated that I do the law. Driving isn't the issue between 2-6 am. People have big trucks and ways of getting around. I have a car. Sorry that I am – Laux stated you didn't answer the question. According to Haass you talked about cars parking/snow plowing at 10AM in front of your house. McDonnell stated the law is not enforced. Haass stated you complained and what you are complaining about was not illegal at this point and time. McDonnell do the laws make sense. What happened that morning. Is what he said is it true. The Ordinance says 2-6 am. Laux stated we have heard this many times. Suggested to Andrie if your concerned about the process that the village crew is using and it is a new crew – McDonnell stated they are nice guys. And the ways of doing things. If that is what you are complaining about. Ordinances are enforced by the Chief of Police. Laux continued not to enforce all of the laws all of the time – if that's what you want then you need to go to a 24-hour police department. McDonnell stated empathy paying attention to what constitutes - find ways to stone wall. Laux asked are you planning on suing the Village. McDonnell stated no and I even don't want Haass fired. McDonnell stated we are a small Village and at 6AM nothing is going on. At 8AM the streets should be plowed. Laux stated who can argue about that. Does the policy need to be updated? There is a notice out there. None of the laws are enforced. Andrie stated they haven't been enforced in this instance. Cars are allowed to park there with no consequences. Those people should be told on November 1<sup>st</sup> these are our laws. The policy is on the web page. Gutzmer stated do letters go out to everyone. Put a letter out to everyone that it will be enforced. Raddatz stated they are getting better. So, the guys have tried to resolve this and snow goes to that side of the street. They are trying to be closer. It was better at the end of

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the season. McDonnell stated you are lying. Raddatz stated at 6AM Main Street is not the priority. I am off track. McDonnell stated nothing has been done. Raddatz stated you are calling them liars? Gutzmer stated things can be improved from here.

Junk Cars. Haass stated I did miss that one. I did contact the owner. I did talk to the Village Crew. McDonnell stated I approached the snow plow guys. They said they would make sure it was gone. Haass it has sat there for 8 months. Gutzmer stated this is very vague. McDonnell stated there was a car parked – look at the tabs it is unregistered. It would be a violation - there are several out there – open cases they have been cited – 10 days to comply with the Ordinance. What vehicle is she talking about? The car in the alley. Haass stated I don't know what vehicle. Andrie stated it has taken months to take care of the car in my area and Haass told me it is hard to catch them at home. Haass stated if you hand them a letter and talk to them instead of - Andrie stated it is only a suggestion. If you see something. This is not a hard job to take notice. Vehicles sit for months. He said that he only deals with these vehicles in the Fall and Spring and why not all of the time. Haass stated Spring and Fall is my major push for checking for appliances/junk. Look at the monthly reports. I do it other times of the year also. Spring and Fall is a concerted effort. I explain that they can haul junk to the dump. My main goal is for compliance. That works much better with a notice and then mailing a citation. Laux stated so Spring and Fall is – Haass stated I make contact with those people. I pay attention throughout the year also. Andrie stated I disagree with it. I know that there are registered complaints with my neighbors and it sits for months. Raddatz asked is this just a license thing. Gutzmer stated I was out of compliance for quite a while. He allotted me some time. Laux stated so what do you want. The homeowner shouldn't have to complain. Our police officer should notice these things and not just be driving around spending gas money. What do you want him to do differently? Andrie stated take notice of the vehicles that are not in compliance. Andrie continued I know of one right now. Give him a list and location. He goes to the homeowner and says that I complain. He tells the homeowner who complains. He writes a citation because the Dresser people are complaining. The homeowners...Haass stated that is not what is said. Haass continued that is not the conversation I had with the homeowner and you. Andrie stated right now there is a car – he moved the old one and put in a new vehicle. The white van is licensed and parked in the back yard. Haass stated it is not against the law where you park the car. McDonnell stated there is a car in behind a house up here and it has been there for two years. Haass asked what color is the vehicle? McDonnell didn't know. Haass stated I don't know which one. McDonnell stated the white house next to the corner and she is a bar tender. There has been a car parked behind her house for 2 years. It has MN 2017 plates on it. It is inoperable. Two houses to the right of me. Haass stated the white house is under a 10-day notice because it is unregistered. The red jeep is currently licensed and it is operable and it is not a violation. Laux stated these specific issues are not violations and it is chronic issues with you. This is the 3<sup>rd</sup> or 4<sup>th</sup> car that is an issue. Laux stated you don't get to pick your neighbors. In the future put a call into Haass and trust that it will be handled. McDonnell stated there is the problem. He isn't handling it.

Barking Dogs. Raddatz stated they are not in the Village and after further review they haven't lived here for 6-7 years. McDonnell stated the dogs are alive and barking. Raddatz what are the addresses. McDonnell stated on East Ave – he owns a business. The dogs are tied to trees and when I walk by the dogs bark. Dogs can't be tied to trees. Raddatz asked you are complaining about being barked at. McDonnell stated you finally said something that is now true. Raddatz stated this is the first time I have heard about ones tied to trees. McDonnell stated I walk by and

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they bark. That is not illegal and neither is being tied up. McDonnell stated this is cruel behavior that is happening throughout our nation. Check the Code of Ordinances. Ordinance 10.05. Walking by a house and a dog is barking is not illegal. Habitual barking that disturbs and – McDonnell stated you are appealing to the only people that are available. It is an Ordinance and it should be enforced.

Dilapidated Buildings. Haass stated her complaint was concerning the neighbor's garage. The siding is damaged. If you read the Ordinance – danger to people, ready to collapse, vermin. This is only damage to siding. It doesn't look nice, but it is not a violation. Laux stated under these circumstances you make a determination and bring in an expert and they take action to the Village Board. The Village Board did it with Slim's building. The building inspector or health official gets involved before you can prove it in court. McDonnell state you know what is in there. Laux stated how do you know that. I took a picture. Have you showed it to Haass? McDonnell stated he has seen it – Laux stated do you know what discretion means? McDonnell stated yes. Laux stated he has been doing this for 20 years. He knows what you can and can't pursue in court and the good citizens of Dresser want him to exercise his discretion. Follow up on complaints and if a situation merits his follow up - that is his call. McDonnell stated read the Ordinance. Laux stated you just ignored what I just said. I am talking about his discretion – following up on a complaint. When he goes to investigate, he balances his 20 years of experience and what the Ordinances say – what are the facts and do they result in a penalty or compliance or other remedy through law enforcement. You are hiring him to do that. You may not agree with his decisions. This committee and the Village Board and all of these complaints are really about the officer's discretion. If that is what it comes down to – if unresolved is a disagreement whether or not his judgement coincides with your opinion. Gutzmer stated read the Ordinance. McDonnell stated it does apply – there is a pile of junk. Gutzmer continued if it is unsafe or unfit contact Polk County Public Health. Andrie stated that is a good idea.

Weed Control. Raddatz stated I was not award of it. Haass stated the weed issue is under the Weed Commissioner duties. We just sent out letters the first of June. A lawn that is over 12 inches long. That lawn was never over 12 inches. McDonnell stated the neighbor to the west of her. Haass stated I agree it is not mowed as often as liked, but it is not a violation. 10.03(7). The weed commissioner follows up on the lawns, sends out a letter giving them time to mow the lawn. The guys cut the lawn if it is not done and bill is sent. Gutzmer stated if it is over 12 inches call Allied Fire and have the inspector check it out. Haass stated that is not going to go anywhere. Talk to Matt – he is the weed commissioner. My understanding is if it is over 12 inches and we can mow it and bill it out. Andrie stated I have complained about the lot across from me and it has been mowed in the past.

Other Items Brought to Village Board's Attention. Andrie the only other thing is the hotel – I found some Ordinance and asked the public welfare committee to take a look at it. It is up to the chair to call a meeting. Andrie stated any new Ordinance they are just holding off on. Can I ask Haass on your monthly reports can you include I understand no names but any complaints so if it is registered and neighbors come to me for instance about a barking dog. I know that it is handled. It is all in the monthly report. The nature of the call. My report gives the Ordinance or Statute Number and a description. Andrie stated another thing is can we pull the monthly numbers from Polk County and report on that. Don't you want to know. Raddatz stated no. Motion Raddatz/Gutzmer to adjourn at 5:05 PM. All in Favor. Motion Carried.

Jodi A Gilbert – Clerk/Treasurer

These minutes have not been approved.