



**City of Newport
City Council Minutes
February 6, 2014**

1. CALL TO ORDER

Mayor Geraghty called the meeting to order at 5:30 P.M.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL -

Council Present – Tim Geraghty; Tom Ingemann; Bill Sumner; Steven Gallagher

Council Absent – Tracy Rahm;

Staff Present – Deb Hill, City Administrator; John Neska, Asst. Supt. of Public Works; Curt Montgomery, Police Chief; Mark Mailand, Fire Chief; Renee Helm, Executive Analyst; Fritz Knaak, City Attorney; Jon Herdegen, City Engineer;

Staff Absent – Bruce Hanson, Supt. of Public Works;

4. ADOPT AGENDA

Mayor Geraghty - I would like to remove item #16 and move it to our next meeting, hopefully we'll have a full Council then.

Motion by Gallagher, seconded by Sumner to adopt the Agenda as amended. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

5. ADOPT CONSENT AGENDA

Motion by Ingemann, seconded by Sumner to approve the Consent Agenda as presented which includes the following items:

- A. Minutes of the January 16, 2014 Regular City Council Meeting
- B. Minutes of the January 16, 2014 City Council Workshop Meeting
- C. List of Bills in the Amount of \$157,312.06
- D. **Resolution No. 2014-3** - Supporting Washington County Request for State Bond Funds for the Red Rock Corridor

With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

6. VISITORS PRESENTATIONS/PETITIONS/CORRESPONDENCE

Mark Clausen, 435 2nd Avenue - The Refinery has been doing maintenance for the last six months and about four months ago it started a thrumming sound and is keeping us up at night. I've talked with the guards, people working there and a PR person. They keep saying that they'll adjust things and get it better but nothing has changed. I was wondering if anyone else has complained.

Mayor Geraghty - This is the first I've heard about it. Is it all the time?

Mr. Clausen - It's quieter during the day and some days you don't hear anything. At night, if the wind is from the south or southwest it resonates through the rock and shakes the house.

Mayor Geraghty - Did they say what they're doing differently?

Mr. Clausen - They said that they're adjusting baffles. One night they came down and they were able to quiet it down but nothing happened after that. We keep calling.

Mayor Geraghty - When is your next meeting Bill?

Councilman Sumner - Next Tuesday, I can ask about it.

Mr. Clausen - Ok, it's been going on about four months now.

Mayor Geraghty - Are they done with the maintenance now?

Mr. Clausen - I don't know. I even called the pollution control agency and they set up monitors but it was quiet then.

Mayor Geraghty - Between Bill and Deb we can get on it.

Chief Montgomery - I would like to present Office Dave Crist with a letter from the Cottage Grove Department of Public Safety who would like to express their gratitude to Officer Crist for his assistance in the early morning hours of January 15 at an apartment fire. He assisted firefighters by using ladders to evacuate residents. This letter and award will be placed in his personnel file.

Mayor Geraghty - Congratulations.

7. MAYOR'S REPORT –

Mayor Geraghty - The Newport Winter Family Night is this Saturday, February 8 at Lions Park from 6:00 to 8:00 p.m. They'll have games, music and refreshments.

8. COUNCIL REPORTS –

Councilman Ingemann - Nothing to report.

Councilman Sumner - Nothing to report

Councilman Gallagher - The Red Rock Corridor is now up for public comment. Anyone can go to www.redrock.org to comment and review the plans.

9. ADMINISTRATOR'S REPORT –

A. Discussion Regarding Dates for the Strategic Plan Workshop

Admin. Hill - I sent a couple emails regarding this. Right now it's tentatively March 4 from 1:00 to 5:00 p.m. and I would like to confirm that so I can contact Dave Unmacht to get that secured.

Councilman Gallagher - I can come at 1:00 but I would need to leave around 3:00 or 3:30.

Mayor Geraghty - Does he do evenings or Saturdays?

Councilman Sumner - That would be more convenient to me.

Admin. Hill - Tracy had said that was good and that's why I sent a couple emails out.

Mayor Geraghty - I can make it but I'll need to take vacation. In the future I would like to schedule it in the evening or weekend.

Admin. Hill - Ok.

B. Discussion Regarding Changing the Dates for Water Utility Billing

Admin. Hill presented on this item as outlined in the February 6, 2014 City Council packet.

Councilman Gallagher - If you do the last week in December will it mix up the finance amount for money coming in the following year?

Admin. Hill - No.

Motion by Sumner, seconded by Ingemann, to change the schedule for water utility billing as presented. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

10. ATTORNEY'S REPORT –

Attorney Knaak presented on the monthly Prosecution Report as attached. Attorney Knaak noted that the City has had success in utilizing the Court Hearing Officer and will be meeting with both the clerk and hearing officer to discuss concerns or questions.

Councilman Sumner - That helps clear up the courts right?

Attorney Knaak - That's one of the benefits. It's also down here at the Cottage Grove facility. It's more convenient for people.

11. POLICE CHIEF'S REPORT –

A. Squad Car Purchase

Chief Montgomery presented on this item as outlined in the February 6, 2014 City Council packet.

Councilman Gallagher - How is the current Ford Utility handling the roads?

Chief Montgomery - It does fine. We just had it in for some warranty work. It's a fairly new package so you expect some bugs. We've been running our Crown Victorias a little more to get miles on those.

Mayor Geraghty - What was the budgeted amount?

Admin. Hill - \$43,000.

Mayor Geraghty - When would it come in?

Chief Montgomery - Last time it took about six months.

Councilman Sumner - How is this price compared to the last one?

Chief Montgomery - A little cheaper.

Councilman Gallagher - Does this include the lights and everything?

Chief Montgomery - Yes. The State bid is from Nelson Auto Center in Fergus Falls and Emergency Automotive will put it all together.

Motion by Sumner, seconded by Ingemann, to approve the purchase of a 2014 Ford Utility and equipment at a cost of \$41,295. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

12. FIRE CHIEF'S REPORT – Nothing to report.

13. ENGINEER'S REPORT –

A. 2014 Street Improvement Projects

Jon Herdegen, City Engineer, presented on this item as outlined in the February 6, 2014 City Council packet. Councilman Ingemann requested that Engineer Herdegen look into whether or not the driveway for 1111 and 1125 Ford Road is a driveway or easement before proceeding with resolving the issue of rock wash-off from these two driveways. The City Council decided that given the issues that Engineer Herdegen outlines in his memorandum regarding adding curb to Larry Lane that they would not proceed with the curb but will look at widening the street.

Motion by Sumner, seconded by Ingemann, to approve Resolution No. 2014-4 Receiving Amended Feasibility Report. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

14. SUPERINTENDENT OF PUBLIC WORKS REPORT –

Councilman Sumner - How are we doing with the water main breaks?

Asst. Supt. Neska - We've only had one since the beginning of the year, we've been lucky.

15. NEW/OLD BUSINESS

16. CLOSE THE MEETING TO THE PUBLIC TO DISCUSS DEB HILL'S PERFORMANCE EVALUATION

This item was removed from the agenda and will be placed on the February 20, 2014 agenda.

16. ADJOURNMENT

Motion by Ingemann, seconded by Sumner, to adjourn the regular Council Meeting at 5:57 P.M. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

Signed: _____
Tim Geraghty, Mayor

Respectfully Submitted,

Renee Helm
Executive Analyst

HOLSTAD & KNAAK, PLC

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MEMORANDUM: MONTHLY NEWPORT PROSECUTION REPORT

TO: MAYOR AND MEMBERS OF THE CITY COUNCIL
FROM: FRITZ KNAAK, NEWPORT CITY ATTORNEY
DATE: February 4, 2014

This past month, our office has represented the City in a total of 45 prosecutions that were followed through to conviction or alternative disposition. They break down as follows:

Arraignments & Rule 8 Hearings:	28
Pretrials:	15
Omnibus Hearings:	0
Court Trials:	0
Jury Trials:	2
Revocation/Plea Hearings/Sentencing:	0

The report from the court Hearing Officer regarding Newport tickets for the month of January is summarized as follows:

Customers	37	
Citations	37	
Charges	53	
Disposed	24	% Resolved
CFD/DUP	4	62.22%
Contest/NG	9	
DNQ	6	
Extension	8	
No Guidelines	2	
Parking	1	
Petty Misdemeanor	21	
Misdemeanor	31	