



**City of Newport
City Council Minutes
March 21, 2013**

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, Tracy Rahm, Steven Gallagher

Council Absent –

Staff Present – Deb Hill, City Administrator; Bruce Hanson, Supt. of Public Works; Mark Mailand, Fire Chief; Renee Helm, Executive Analyst; Fritz Knaak, City Attorney; John Stewart, City Engineer;

Staff Absent – Curt Montgomery, Police Chief;

4. ADOPT AGENDA

Mayor Geraghty – I would like to add one item under the Administrator's Report as item E. We received a memorandum of understanding from the State of Minnesota.

Motion by Gallagher, seconded by Ingemann, to adopt the Agenda as amended. With 5 Ayes, 0 Nays, the motion carried.

5. ADOPT CONSENT AGENDA

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

- A. Minutes of the March 5, 2013 City Council Workshop Meeting
- B. Minutes of the March 7, 2013 Regular City Council Meeting
- C. List of Bills in the Amount of \$184,695.37
- D. Liquor License for Newport Liquors

With 5 Ayes, 0 Nays, the motion carried.

6. VISITORS PRESENTATIONS/PETITIONS/CORRESPONDENCE

Pauline Schottmuller, 97 10th Street – I'm here to talk about the Easter Egg Hunt that will be at the Newport Library on March 30. This will be the second year that Mike Laughton will be hosting the Easter Egg Hunt. When he asked for funding for the Hunt he was told, has he's been told several times, that there is no dollars in the budget for the programming that he does for the kids and perhaps he should go out for donations. When I asked Mike what he was going to do he said that he was going to fund this out of his own pocket. I thought, no, that's not right. So, I am here to ask for donations for the Easter Egg Hunt. I have my five dollars and I'll pass it around to the Council and you can put in your five dollars. You'll notice that there's candy in the basket, feel free to take some. There's no chocolate because he got a memo saying that there will be no chocolate. I think that should be the Bulletin headline, "Newport bans chocolate from City function." He was also told that whatever goes in the Easter Egg can't be a choking hazard and I don't know what you can put in an Easter Egg that wouldn't be a choking hazard. Deb can take the donation to Mike at the end.

I would like to spend a few minutes here to explain some of the issues that have been brought to me with the Newport Library. I'm not asking for any action tonight, although I think there are simple actions that need to be taken. First, you

need some history. I've been friends with Mike and Sheila Laughton for decades. I've known Sheila since kindergarten and Mike since they started dating in the 1970's and got married. Sheila is on our Newport Library Board. Mike is a retired Military Veteran; he started out his career by going to Vietnam and ended his career in Iraq. That's a long time and he's been trusted with the defense of the United States, yet you think he'd be trusted with an Easter Egg Hunt but that's not how he's been treated. Other issues have come up that have caught him flatfooted, there are other things that have come down the pipe that seem unreasonable and he's been on the verge of quitting. The only thing that's kept him from doing so is that a number of volunteers have told him that if he quits, they go to and he doesn't want that. So we need a solution and I've been emailing back and forth with Steve and Tracy, they also invited me to come up here. In Steve's words, this should be an easy thing to solve and it should be. In all fairness to all the people that have been involved, people on both sides have been groping without policies in place. I'm hoping in terms of concessions, children's programs, hours of operation, things like that, is we have a Library Board, and I think what they can do and what really needs to happen is... Maybe I should back up here. It used to be operated by the County. It's no longer a library, really what it is is a community center and we really haven't sat down and thought about what that means. I think the Library Board should start with what a community center does. We have a marvelous resource there and a tremendous opportunity. We have what a lot of communities would like to have, an historic building full of character that's all ours and we can do whatever we want with it. The Library Board needs to sit down and write a mission statement with what we want to see happening with it, what should Mike's job description be, and clear enough so that he knows what his responsibilities are, and policies and procedures that are appropriate for a community center, but we don't have that. The Library Board could start out with a draft, then they could sit down with Bruce and Deb to fine-tune it to make sure that their concerns and legality issues are addressed and then it could be brought before the Council for you to fine-tune and adopt. Then I think everyone would be on the same page and we could get away from the hard feelings and squabbles. I'm hoping that at some point you'll give the Library Board some direction to start drafting a document that makes a community center workable.

Some of the other issues that have come up like concessions. You need to understand that Mike was selling concessions to pay for programming because the City did not budget for programming. He was told that this was illegal and unfortunately Fritz is not here. My first degree was in parks and recreation; I spent my college years and years after that at community centers and recreation programs and I can tell you right now, cities sell concessions. When we had a teen center, we sold concessions and weren't the Police Explorers selling pop out of City Hall. I don't know where Fritz is coming from or whoever said that but cities can sell concessions. And then it was peanut allergies, well dear lord, anybody old enough to go the Library on their own with fifty cents to buy a granola bar is being trusted by their parents to buy the appropriate foods if they have a peanut allergy. And choking hazards in eggs, I tell you the number one things that kids choke on are hotdogs so if the City is truly interested in preventing kids from choking then you better stop selling hotdogs at Pioneer Days and Booya. There's some silliness here that I don't understand. Cities can sell concessions, there was nothing wrong with Mike selling granola bars, there might have been something wrong with how he was accounting for the money but that's where your policies and procedures come in. He was doing it with the blessing of Brian Anderson; he didn't realize he was doing anything wrong. Then with hours of operation, I was told that Fritz advised that libraries cannot be open on federal holidays, that there was a State Statute against it. Maybe it's because you are still thinking that you have a library, I need to emphasize this; that building is not a library. We did not withdraw from the Washington County Library System. Our Library is on the internet, it's that kiosk out there, it's some of the programming that they do, and it's no longer that building. If you're thinking that we have a library then we need to withdraw from the Washington County Library system like Lake Elmo because there's an issue with property taxes. There's a State Statute that clearly states that either the County or the City, but not both, can tax for library service. The County is taxing us for library services, not the City. We do not have a City-owned library, it's a community center. On top of that, libraries can be opened on federal holidays. I spoke with Pat Connelly who is the director of the Washington County Library System and she said "I'm no lawyer, but to my knowledge, there is no statutory restriction for when a library can be open. For example, Hennepin County Library is only closed on major federal holidays and is open on minor federal holidays. Opening and closings are matters for the Library Board." Then it clicked, I was on the Library Board for Washington County and one of our duties was to set the calendar. So libraries can be open on federal holidays but we don't have a library, we have a community center and they are certainly open on minor federal holidays. I called a number of them; I gave Tracy and Steve the numbers for the centers that I called. When I called Edinborough in Edina, they said "Of course we're open. They're two of our highest attendance days; of course we'd be open." Well of course they would be, community centers are going to be open the hours that kids are not in school, that's a service. Call any community center in the metro area and they will tell you that they are open with paid staff on minor federal holidays. I don't know where

Fritz is getting his information but the other cities don't seem to have it and they're open. Now Washington County Libraries are closed on those holidays but it has always been an expense issue. I understand that you made a decision that our community center can be open on holidays if there's a volunteer but that's not how you provide city services. When Mike was open on New Year's Day, with the Mayor's permission, the Library was full of kids needing to use the computers to complete homework that was due the next day. I'm just going to end here and it's a question to Tim. You have always been a champion for that Library and you were instrumental in getting the computers there because you knew that the kids needed them. I don't know why, now, you're support for it seems to be slacking; it has never been in doubt before but to not support having the Library open on minor federal holidays, to not fund programs. Mike isn't asking for much, he could do with \$300-\$500 annually. It's not a big budget item but it means a lot to the kids that go. By the way Tracy, I got your email on separation of church and state and I figured if the White House can have an Easter Egg Hunt on the front lawn, Newport is probably safe.

Councilman Rahm – I know, it's just that sometimes people complain about those things.

Ms. Schottmuller – I'm not asking for a decision tonight but I'm hoping that I've spurred some conversation. I'm hoping that you'll direct the Library Board, and maybe some of the volunteers such as Emily White, Susan Lindoo, Bob Anderson, to sit down and start a draft for the Council to look at. Right now, we're squandering what is a wonderful resource and we have an excellent employee who is very frustrated. I want to thank you for your time.

I do have one other thing before I leave. I've sent emails and have not received a decent answer. That is, with our tight budget, why do we have the Pioneer Press and Star Tribune delivered seven days a week? I can understand if we were paying to have them delivered to the Library, in fact Mike has requested that and he was told to come pick them up. Why are my property tax dollars being used to pay for newspapers?

Mayor Geraghty – It's kind of a silly question but it's something that the City needs. We need to know the daily news.

Ms. Schottmuller – I think with your Council salaries you can afford to pick up the papers on your own.

Mayor Geraghty – We're not talking about Council salaries. The paper is for staff.

Ms. Schottmuller – They're here four days a week and getting Sunday papers.

Mayor Geraghty – There is still news in the Friday, Saturday, and Sunday papers. I do agree that the Library Board can talk about these issues and bring forward a recommendation. I do take offense to your statement that I'm no longer a champion. The very reason that it's open on holidays is because I championed that forward and I meet with Mike on a regular basis and I don't know that he's as dissatisfied as you make him out to be. If he is, I wish he would talk to me about it. Everything seems to be going great when I talk to him.

Councilman Ingemann – I think you need to do some research on Minnesota Statute 645.44, subsection 5.

Mayor Geraghty – Right, I remember that talking about city services in general, not the library specifically.

Councilman Gallagher – I don't mind if the Library Board comes up with policies and procedures. Does he have a job description?

Superintendent Hanson – Yes and we just reviewed it and had a conversation with him about instituting a policy.

Councilman Rahm – I'm on the Library Board and will make a commitment to get a mission statement written and other recommendations such as budgeting.

Mayor Geraghty – I think we should get a water fountain in there and I know that something was installed but I don't believe that is adequate.

Councilman Rahm – Just so people know, we have a Library Board meeting every other month at 4:00 p.m. and I'll

make it a point we get something.

7. MAYOR'S REPORT –

Mayor Geraghty – Back in February, I did some reading at Newport Elementary. I attended the public meetings on Tuesday night for the street improvement projects. Also, I presented at the Chamber meeting Tuesday morning and talked about a few things going on around the City. A couple weeks ago, we testified at a Senate Hearing regarding the Newport Cold Storage property. This morning, Deb and I did attend the Minnesota Legislative Conference and the Governor and several legislatures spoke. There is a proposal to increase local government aid by \$80 million. The direction of the formula is to make it more stabilized.

8. COUNCIL REPORTS –

Councilman Rahm – I also attended the Chamber meeting and talked to a lot of people in the area that have similar issues and how we can share costs. I also attended the meetings on Tuesday night and I thought it went very well. I received feedback from people that liked the format of the meeting.

Councilman Ingemann – I attended the Planning Commission meeting last week and we introduced the new member, Mr. Mahmood. They also approved a resolution for zoning amendments and new zoning districts. I was also at the meetings Tuesday night and a lot of people expressed their opinions.

Councilman Sumner – I also attended the meeting Tuesday night and thought it was very important for residents. I think that we need to listen very closely and consider them. I also attended the community advisory committee meeting at the Refinery. Over the next couple months, the Refinery will complete an overhaul in their equipment, which means an increase in workers on site.

Councilman Gallagher – Nothing to report.

9. ADMINISTRATOR'S REPORT –

Admin. Hill – I would like to introduce our newest employee, Deb McDonald. I'd like her to come up and say a little bit about herself. She started on Monday and I would like to thank Renee throughout this transition.

Deb McDonald – I have thirteen years of financial management experience. I went to Winona State University for my undergrad and received a Masters from the University of Minnesota. I also have a business focus from St. Thomas. My father brought me down here all the time to go hiking and really loved the area and was excited when I was offered the job. Thank you.

A. South Washington Watershed District Update

Matt Moore, Administrator of the South Washington Watershed District, was present to provide updates on several activities for 2012 and 2013. Some of the projects that the Watershed is working on are the Clear Channel Project, Grey Cloud Restoration Project, the Newport Transit Station, acquisition of properties on the levee, and some cost-sharing projects in the City. There were several accomplishments that the Watershed District completed in 2012 such as the North Ravine Project in Newport and overflow design work.

Councilman Sumner – Can you provide information regarding some of your programs?

Mr. Moore – Yes.

B. Transit Station Update

Sherri Buss, TKDA Planner, and Andy Gitzlaff, Senior Planner with Washington County, presented on this item as outlined in the March 21, 2013 City Council packet. The Authority is proposing the following revisions to the Transit Station plan:

- Reduce the size of the building canopy at its west end by 19 feet.

- Replace the colored concrete bands in the passenger plaza areas with concrete bands that are the same color as the other concrete.
- Reduce the plaza area by 10%.
- Remove the car bumper overhang maintenance strip in the parking lot, and replace it with sod. The Authority will be responsible for parking lot area maintenance.
- Reduce the numbers of trees throughout the site by 24 trees.
- Remove the amenities on Lot 2 (outside the transit site), including the seating wall and
- plantings
- Reduce the topsoil depth to 4". The Authority will be responsible for maintaining the seeded area.
- Reduce the size of the entry monument sign from 30 feet to 24 feet.

Councilman Sumner – How will the reduced sign height impact the visibility from the highway?

Mr. Gitzlaff – The visibility is from 494, which is pretty elevated so you won't lose too much visibility.

Councilman Sumner – How much of a savings is there by reducing the height?

Mr. Gitzlaff - \$20,000 and roughly \$200,000 on all of the modifications.

Mayor Geraghty – If we don't agree on them what will you do?

Mr. Gitzlaff – We would need to go back and re-evaluate.

Councilman Rahm – Was the budget for this reduced or are we just finding out what it really costs?

Mr. Gitzlaff – It's the second part. There are costs associated with utilities and prepping the remainder of the site, which will give the City project-ready sites to develop.

Councilman Sumner – I can see some of these things being compelled later but we should put a good sign in there now. I just think this is going to be a very important, very visible area for Newport. I would also like "Newport" spelled vertically.

Mayor Geraghty – Did the Planning Commission see these changes?

Ms. Buss – No.

Mayor Geraghty – Is staff comfortable with these changes?

Superintendent Hanson – Yes.

Councilman Gallagher – What's the biggest cost-savings?

Mr. Gitzlaff – The canopy.

Councilman Sumner – The canopy is solid correct?

Mr. Gitzlaff – Yes.

Mayor Geraghty – I agree with Bill on the sign because it will be the entryway to the Gateway area.

Councilman Ingemann – I don't think the six feet will make much of a difference.

Councilman Rahm – It looks like all of the changes are aesthetic changes.

Mr. Gitzlaff – That’s correct.

Attorney Knaak – It is recommended that the City Council approve these changes through a resolution if you find that these changes are minor. If you believe that these are major changes then it should go through the whole process again.

Councilman Gallagher – What’s the total budget for the project and when do you need a decision from us?

Mr. Gitzlaff – Approximately \$2.425 million. It would help if we could get the requested action tonight, we would really like to move forward with the project. In regards to the fence, there is a condition to address securing access to the adjacent railroad property. We weren’t planning on replacing the fence, we were planning on removing it and leaving it open for better connectivity to future development areas. Even if we were to put up a fence, can we 100% secure access to the rail yard and we found that we couldn’t really do that. We talked with staff and the City attorney in regards to not putting up a fence. The City attorney recommends entering into a hold-harmless agreement if the fence were to be taken down permanently. Our attorney is stating that we would risk losing our insurance for the property if we were to enter into an agreement like that and it may hinder the availability to sell the north lot in the future if an agreement is required. Today, we are suggesting that we would leave the fence that is along the east property line and remove the fence along the remaining property lines. Would that be acceptable to the City?

Councilman Sumner – So there’s a certain amount of fencing that already exists and there is a request to put in more fencing?

Attorney Knaak – The simple easy offer that I made to the County was that if they want to remove the fence then the City would not be liable for future accidents that occur as a result of the increased access. If the City is found responsible for decreasing the normal safety around the right-of-way for a rail line then you run the risk of increasing your liability. I’m fine with the County removing the fence as long as the City is indemnified if there is a lawsuit. I would be happy to speak with the County attorney regarding this.

Councilman Gallagher – Who owns the fence now?

Engineer Stewart – I believe Knox put it up for security reasons. It’s 10-12 feet high chain-link fence. When we were talking with MnDot about the highway project they were talking about 120 trains coming through in their 20-year plan. To me, if you have 200-300 people walking around a train track with 120 trains coming through a day, it seems like you need a fence.

Councilman Gallagher – I’d be more worried about skateboarders on the parking lot and deciding to go over there.

Mayor Geraghty – This is a part of the C.U.P.?

Attorney Knaak – The fencing is there and the request was to remove it and replace it. My concern has to do with the liability. From the legal point of view, your concerns can go away if there is a hold-harmless agreement that would hold the County responsible.

Councilman Gallagher – We would potentially be liable because we made the decision to let the fence come down?

Attorney Knaak – If you’re responsible for increasing the likelihood of an accident then you would be sued.

Councilman Gallagher – If the County keeps the portion of the fence that is along the train tracks, does that satisfy the legal side?

Attorney Knaak – It helps.

Mr. Gitzlaff – I think our compromise of keeping the fence along the east side of the property up would address the safety concerns.

Mayor Geraghty – Did we ask you to put up more fence?

Ms. Buss – The condition states “the Applicant shall coordinate with the Chicago Milwaukee Saint Paul Railroad company to address the issue of uncontrolled access along the mainline trackage. The applicant shall address securing the access to mainline trackage at the point where the spur track turns of the main line.”

Mayor Geraghty – Why can’t they meet that condition?

Ms. Buss – I believe by leaving what is there now that it would meet the condition.

Attorney Knaak – Provided that it’s acceptable to the railroad. If they see a significant increase of live bodies coming close to the rail line they will weigh in on the issue.

Councilman Sumner – So we would need to do more fencing?

Attorney Knaak – It’s possible.

Mayor Geraghty – Have you worked with the railroad at all?

Mr. Gitzlaff – We did have a conversation with the railroad but I think the key here is that they don’t have any authority and they are not willing to participate in the cost of building a new fence or placing it on their property.

Attorney Knaak – The fact of the matter is that if that fence goes down, you see how fast it goes back up and who is responsible for building it. They are keenly aware of their liability on this.

Ms. Buss – If the City says that the County’s proposal is sufficient and we told them to talk with the railroad, are we liable?

Attorney Knaak – I would say no.

Ms. Buss – And then it’s really an issue for these guys if the railroad comes back and says that it’s not enough fence. The City wouldn’t be involved in that at all.

Attorney Knaak – Yes, that should not increase the City’s liability.

Councilman Rahm – But you’re still going to take down the north side of the fence?

Ms. Buss – Yes, but there is a gap south of the property that they could get access to as well.

Councilman Ingemann – I say leave the fence up.

Councilman Gallagher – Can Fritz talk with the County’s attorney about this?

Attorney Knaak – I have no issue with that. I think we should talk with the insurance company as well. There are two resolutions here tonight, one is to approve the changes if you believe they are minor, and the other is to approve the development agreement.

Councilman Gallagher – I don’t have a problem with approving the development agreement tonight.

Mr. Gitzlaff – If possible, the County would like if the City approved the changes aside from the fence tonight because it might take a little longer to get the attorneys to meet. Also, we’re not asking to change the condition in regards to the fence.

Councilman Ingemann – I'm recommending holding off on the resolution approving the changes until the April 4 meeting.

Mayor Geraghty – We should have the discussion on the sign.

Councilman Sumner – I don't want to change the sign.

Mayor Geraghty – I agree with you on that.

Councilman Ingemann – How about we remove some more trees and bring the sign down three feet instead?

Ms. Buss – It wouldn't account for the same savings.

Councilman Sumner – Could you change the design of the sign to reduce the cost?

Stuart Krahn, Stantec – We could try to value-engineer the sign if that height is critical. We could try to work that. Relative to the overall project, two weeks does make a difference and we would appreciate the Council approving the other items and agreement tonight.

Mayor Geraghty – I'll make a motion authorizing the changes but keeping the sign at 30 feet.

Ms. Buss – Staff would need to see the final plans.

Motion by Geraghty, seconded by Sumner to approve Resolution No. 2013-10 accepting the revisions to the original transit station plans as amended. With 4 Ayes, 1 Nay, the motion carried.

Motion by Gallagher, seconded by Rahm to approve Resolution No. 2013-11 as presented. With 5 Ayes, 0 Nays, the motion carried.

C. Cedar Lane Update

Admin. Hill presented on this item as outlined in the March 21, 2013 City Council packet. The final offer for 1629 Cedar Lane is \$130,000 but the seller would pay the prorated taxes. In regards to 1625 Cedar Lane, there has been an offer already. Staff is recommending that the City offer \$70,000. The City Council directed staff to make an offer of \$70,000.

Councilman Ingemann – I think \$130,000 is too high for the 1629 property. It's not in a good condition.

Mayor Geraghty – What are the taxes?

Executive Analyst Helm – About \$2,000 for both lots.

Mayor Geraghty – I think they should pay all of the taxes. I'll make a motion to make an offer of \$130,000 and the seller pays all liens and 2013 taxes.

Motion by Geraghty, seconded by Gallagher to approve Resolution 2013-12 as amended. With 4 Ayes, 1 Nays, the motion carried.

Motion by Geraghty, seconded by Sumner authorizing City staff to make an offer of \$70,000 for 1625 Cedar Lane. With 5 Ayes, 0 Nays, the motion carried.

D. Inquiry Regarding Historic Quilt

Admin. Hill presented on this item as outlined in the March 21, 2013 City Council packet. The Council decided to keep the quilt in the Admin. Hill's office.

E. Memorandum of Understanding and Intent from the State of Minnesota

Mayor Geraghty – This started about five weeks ago when I approached Katie Sieben about the property located next to Newport St. Paul Cold Storage, next to the exit ramp of 494. I would like the City to obtain the property to develop it. It was my understanding that MnDot owns the property and Senator Sieben introduced legislation which would convey MnDot's interest in the property to the City. We did testify on that a couple weeks ago. As a result of that, MnDot is interested in doing that through a letter of intent. We would still need to go through the legal channels of purchasing the property and pay fair-market value. This letter of intent and understanding assures that MnDot will work with us on it.

Attorney Knaak – I went through something similar with Fridley. It's achievable as long as MnDot is willing to participate and the memorandum of understanding states that.

Mayor Geraghty – We had a hearing in the Senate but not the House and if we get this signed tonight then we won't need a hearing in the House.

Engineer Stewart – If I could make a point. It would seem to me that this piece of property is developable. MnDot ran into an issue with the Hastings Bridge and may use this property to make a constructive wetland in regards to the Hastings Bridge, which would make it undevelopable.

Motion by Geraghty, seconded by Gallagher to approve the Memorandum of Understanding and Intent from the State of Minnesota. With 5 Ayes, 0 Nays, the motion carried.

10. ATTORNEY'S REPORT –

Attorney Knaak – I attended the Court of Appeals to observe the Linn Appeal Argument and thought it went very well. My perception is that we have a good chance of winning. They have 90 days to make a decision. Linn Properties are asking to require the City to issue a liquor license. I don't think the judges will do that.

Councilman Gallagher – Is there any issue in the fact that we just issued a new license to the new owners of the Newport Liquor Store?

Attorney Knaak – No.

Councilman Gallagher – Do we have an ordinance for pawn shops?

Attorney Knaak – There is a draft that we're reviewing.

11. POLICE CHIEF'S REPORT –

A. February 2013 Activity Report

12. FIRE CHIEF'S REPORT – No Report

12. ENGINEER'S REPORT –

A. 2013-2015 Street Improvement Projects

Engineer Stewart presented on this item as outlined in the March 21, 2013 City Council packet. There were public meetings on the street improvement projects on Tuesday, March 19. Resolution No. 2013-14 has been amended to include the public comments received at the meeting. The changes are below:

- a) Investigate the feasibility and costs associated with adding a cul-de-sac at the end of Larry Lane in Project 1.
- b) Investigate the costs associated with widening Ford Road within Project 1.

- c) Investigate the use of geotextile fabrics and other subgrade correction options to stabilize failed subgrade and extend the life of proposed improvements on Project 2.
- d) Include an option to include additional storm sewer and concrete curb & gutter to control drainage on portions of Kolff Street and Wild Ridge Trail, on Project 2.
- e) Investigate the drainage issues along 10th Avenue within Project 3.
- f) Accelerating the schedule for reconstruction of 2nd Avenue from 2015 to 2014 and to investigate the project costs associated with municipal water and sanitary sewer upgrades as part of the project cost of this street segment.
- g) Provide a description as to how the “Opt Out” and “City Loan” program would apply to sanitary service line and wye connections.
- h) Direct the City Attorney to provide the City with options to address properties that allow gravel to erode and wash onto City streets during rainfall and snow melt events.

Engineer Stewart will prepare revisions to the Feasibility Study incorporating citizen input items a) through g) as noted above and Attorney Knaak will prepare a written report addressing item h) above.

Motion by Gallagher, seconded by Rahm to table Resolution No. 2013-13 until a future meeting. With 5 Ayes, 0 Nays, the motion carried.

Motion by Gallagher, seconded by Sumner to approve Resolution No. 2013-14 as amended. With 5 Ayes, 0 Nays, the motion carried.

13. SUPERINTENDENT OF PUBLIC WORKS REPORT – No Report

15. NEW/OLD BUSINESS

16. ADJOURNMENT

Motion by Sumner, seconded by Gallagher, to adjourn the regular Council Meeting at 7:30 P.M. With 5 Ayes, 0 Nays, the motion carried.

Signed: _____
Tim Geraghty, Mayor

Respectfully Submitted,

Renee Helm
Executive Analyst