



**City of Newport  
City Council Minutes  
April 4, 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; Curt Montgomery, Police Chief; Mark Mailand, Fire Chief; Fritz Knaak, City Attorney; Jim Stremel, City Engineer;

**Staff Absent** – Renee Helm, Executive Analyst;

**4. ADOPT AGENDA**

**Motion by Sumner, seconded by Rahm, to adopt the Agenda as presented. With 5 Ayes, 0 Nays, 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 March 14, 2013 City Council Workshop Meeting
- B. Minutes of the March 21, 2013 Regular City Council Meeting
- C. List of Bills in the Amount of \$136,122.01
- D. Kennel Permit for Jennifer Lessard

**With 5 Ayes, 0 Nays, the motion carried.**

**6. VISITORS PRESENTATIONS/PETITIONS/CORRESPONDENCE**

**7. MAYOR'S REPORT** – Nothing to report.

**8. COUNCIL REPORTS –**

**Councilman Gallagher** – Nothing to report.

**Councilman Sumner** – Nothing to report.

**Councilman Ingemann** – Nothing to report.

**Councilman Rahm** – I attended a South Washington County Telecommunications Commission meeting last week and they did not approve the Comcast rate. We thought it was already inclusive in the rate structure.

**9. ADMINISTRATOR'S REPORT –**

**A. Ordinance No. 2013-4**

Sherri Buss, TKDA Planner, presented on this item as outlined in April 4, 2013 City Council packet.

**Councilman Sumner** – I have a question on page 46, part d. It's referring to metal roofing and states "No structural metal roofs, except architectural uses of copper incorporating visible metal exteriors, are permitted."

**Ms. Buss** – This is directly from your current code and we can make a change to it if you'd like.

**Mayor Geraghty** – I noticed that that whole section is for non-residential sections, does that apply to residential as well?

**Ms. Buss** – No. It would apply in the business, industrial and mixed used districts. If you want to strike that sentence, now would be a time to do it.

**Mayor Geraghty** – I think we should allow them.

**Councilman Gallagher** – I think upon review. I would suggest stating that "Metal roofs are allowed upon review by the zoning administrator." I would make a motion to amend it.

**Councilman Sumner** – We're still comfortable with the height restrictions?

**Ms. Buss** – I think it's 50 feet in the MX-3 District, and 40 feet in the industrial and business districts. That has not changed from your current code.

**Councilman Ingemann** – We can't go higher than 50 feet with our current fire equipment.

**Ms. Buss** – The height may be increased with the issuance of a conditional use permit, which I'm assuming would include conditions in regards to fire.

**Councilman Sumner** – Don't new buildings need to include fire sprinklers?

**Superintendent Hanson** – Water supply would also be an issue if you went that high due to pressure.

**Councilman Gallagher** – Is there something in regards to the St. Paul Airport, that we can't go higher than a specified height because we're in their flight path?

**Ms. Buss** – There's a part of the City that is in their path. We do have a little bit of flexibility with the conditional use permit.

**Councilman Gallagher** – I'm fine with the permit.

**Mayor Geraghty** – As long as we have some flexibility with the conditional use permit, I'm fine with it.

**Councilman Sumner** – Me too. I noticed that on the map, in the northeast corner where the MX-2 District is, is that where the current watershed project is?

**Ms. Buss** – Yes.

**Councilman Sumner** – So we could place an electronic billboard in that area?

**Ms. Buss** – I don't think so. You're current sign ordinance states that billboards are allowed in the industrial districts only. If you wanted to allow billboards in other parts of the town, you would need to amend your Sign

**Councilman Gallagher** – Could a conditional use permit be allowed for billboards in districts other than industrial?

**Ms. Buss** – That’s a hard way of doing it. I think it would be preferable to state the districts. We could list a billboard as a conditional use in this district. However, anybody who came in and met the requirements would receive a conditional use permit and it would be there forever.

**Councilman Sumner** – But we don’t want to exclude the opportunity.

**Councilman Ingemann** – I’m not sure you could see a billboard from that property. Also, the City only owns a small part of that property and the rest is covered by power lines.

**Councilman Sumner** – I thought there was discussion of placing a billboard on this property.

**Councilman Rahm** – I think they were looking at City-owned properties.

**Ms. Buss** – If you want to allow that use in the MX-2 District than you should amend the use table in Section 1350 now.

**Mayor Geraghty** – I’m concerned that we would get more billboards than we want.

**Ms. Buss** – You can add criteria to it such as distance. I think it would be better to add criteria to the Sign Ordinance.

**Councilman Rahm** – We would also want to allow billboards in the MX-3 District.

**Councilman Sumner** – Are electronic billboards generalized in the Sign Ordinance or are there specific criteria for electronic billboards.

**Councilman Gallagher** – I think we should table this ordinance and send it back to the Planning Commission to discuss the electronic billboards.

**Ms. Buss** – They would need some direction from you though in regards to billboards. Right now, we don’t really have standards in place for the MX-3 District so they would need to wait until this was approved.

**Mayor Geraghty** – Can we approve it now and amend it later to address the billboard situation?

**Ms. Buss** – Yes, I would recommend that.

**Councilman Ingemann** – I don’t think we need to amend the sign items now.

**Motion by Ingemann, seconded by Gallagher, to approve Ordinance No. 2013-4 as amended. With 5 Ayes, 0 Nays, the motion carried.**

## **B. Building Inspections Agreement with Cottage Grove**

Admin. Hill presented on this item as outlined in the April 4, 2013 City Council packet.

**Motion by Sumner, seconded by Gallagher to approve the Building Inspections Agreement with Cottage Grove. With 5 Ayes, 0 Nays, the motion carried.**

**Admin. Hill** – In regards to billboards, I was approached by Councilman Rahm who would like to host a public meeting to discuss billboards. There is a tentative date of April 11, 2013 at 5:30 p.m.

**Councilman Gallagher** – I think we still need to have the zoning done so this may be a little bit early.

**Councilman Rahm** – I was planning on explaining the potential opportunity and getting public feedback on whether or not people are interested in having these in Newport.

**Councilman Gallagher** – I think you'll only get people saying "No" at this point because it's so early. I think we'd have more of a comprehensive discussion if we knew where they would go and what would need to happen. I don't want to go any further down the path without having a discussion with the public.

**Mayor Geraghty** – Is there enough time to get the word out?

**Admin. Hill** – Yes, we can place it in online. I'd like to thank Councilman Ingemann for handwriting checks for the past couple months, Deb will be stamping them from now on.

## **10. ATTORNEY'S REPORT –**

**Attorney Knaak** – You have before you the prosecution report. The volume continues to increase. The Hunter and Theobald cases are set for trial in May. The Pawn Shop Ordinance should be before you at your next meeting for action.

## **11. POLICE CHIEF'S REPORT –**

**Chief Montgomery** – On Saturday, we had a call regarding an overdose. There are several investigations being conducted. The individual was released with being charged on Third Degree Murder.

**12. FIRE CHIEF'S REPORT –** Chief Mailand reported on the number of calls in the past few weeks, which include: gas leak, propane leak, garage fire in St. Paul Park, planter box fire due to cigarettes, and vehicle fire. He also thanked Joel for helping with that one and Public Works for installing the washer and dryer in Fire Hall #1 and the new heater in Fire Hall #2. We have a meat raffle on May 17 and Booya on July 14.

## **12. ENGINEER'S REPORT –**

### **A. 2013-2015 Street Improvement Projects**

Engineer Stremel presented on this item as outlined in the April 4, 2013 City Council packet. The public hearing for the street improvement projects is on April 16, 2013.

## **13. SUPERINTENDENT OF PUBLIC WORKS REPORT –**

### **A. Public Works Vacancy**

Superintendent Hanson presented on this item as outlined in the April 4, 2013 City Council packet.

**Councilman Gallagher** – Why does the Superintendent of Public Works need our permission for advertising and hiring when the position is already created and funded?

**Mayor Geraghty** – We've made it a practice to review each vacancy as they come up to see if we want to make any changes. I think its good policy.

**Councilman Rahm** – Will this be the same job or will duties be rearranged?

**Superintendent Hanson** – The position is titled "Maintenance Operator," which is the same title for all of the guys up there.

**Councilman Gallagher** – And the salary is per the union contract?

**Superintendent Hanson** – Yes.

**Motion by Sumner, seconded by Ingemann to advertise and hire for the Public Works Vacancy. With 5 Ayes, 0 Nays, the motion carried.**

#### **15. NEW/OLD BUSINESS**

**Admin. Hill** – Just an update on Cedar Lane, we purchased 1629 Cedar Lane and should be closing in a couple weeks. We've also put an offer in on 1625 Cedar Lane. We've spoken with the DNR on reimbursing us for half.

**Mayor Geraghty** – When will 1605 Cedar Lane be burned?

**Councilman Ingemann** – June 1<sup>st</sup>.

#### **16. ADJOURNMENT**

**Motion by Geraghty, seconded by Ingemann, to adjourn the regular Council Meeting at 6:16 P.M. With 5 Ayes, 0 Nays, the motion carried.**

Signed: \_\_\_\_\_  
Tim Geraghty, Mayor

Respectfully Submitted,

Renee Helm  
Executive Analyst