



**City of Newport
City Council Minutes
April 7, 2016**

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; Dan Lund

Council Absent –

Staff Present – Deb Hill, City Administrator; Bruce Hanson, Supt. of Public Works; Fritz Knaak, City Attorney; Larry Osterman, Sergeant;

Staff Absent – Steve Wiley, Fire Chief; Jon Herdegen, City Engineer

4. ADOPT AGENDA

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

5. ADOPT CONSENT AGENDA – All items listed under this section are considered routine and non-controversial by the Council and will be approved by a single motion. An item may be removed from the consent agenda and discussed if a Council member, staff member, or citizen so requests.

- A. Minutes of the March 15, 2016 Special City Council Workshop Meeting
- B. Minutes of the March 17, 2016 Regular City Council Meeting
- C. Minutes of the March 17, 2016 City Council Workshop Meeting
- D. List of Bills in the Amount of \$103,804.54
- E. Publication of Ordinance No. 2016-4 – Amending Section 450
- F. **Resolution No. 2016-15** – Accepting donations for the Period of February 25, 2016 – March 29, 2016
- G. Gambling Permit

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

6. MAYOR'S REPORT

- A. Summary of the March 17, 2016 Closed Session

Mayor Geraghty – Yesterday I attended the Dollar Store Grand Opening. I didn't make it for the ribbon cutting but I did make it there later in the afternoon. I'm hoping he does well and succeeds for us. Also, today Deb and I attended the tax increment financing hearing in the Senate tax division which was the first reading of the bill. Senator Rest did have some issues that we were asking for quite a few exceptions so I think there's going to be some discussions between city staff, county staff, and some attorneys on prioritizing some exceptions. We'll hopefully be moving forward and we'll have a decision in mid May. Next week the House is hearing it and I plan

on attending that as well. I want to give a summary of the March 17 closed session. My evaluation is that we discussed Deb's performance and it's my opinion that it is a satisfactory performance for the last year and a half. We didn't take any votes or come to any conclusions but that was my takeaway if anyone else wants to add but that's what I'm reporting.

7. COUNCIL REPORTS

Councilman Lund - I've been actively lobbying our legislators about our rainwater infiltration plan now that we have a \$9.5 million project. The Governor has proposed some amount of money to address these issues statewide and I ask that we assign that money on a cost-effectiveness basis.

Councilman Sumner – We attended a meeting about these issues recently and we found out that some cities, just their normal sewer and water budget would exceed the amount they would have to apply to cover any additional amounts for INI problems. So they don't have to take any steps to correct INI just show how much they're spending on their normal maintenance and they are covered. Newport is in a rather precarious situation with the small amount of budget that we have and the huge problem we have so it's important that we continue to work to get some of these funds allocated specifically for Newport. The 2016 tax statements came out and my estimated market value went up almost 10k, taxable market value went up almost \$11,000, and my property taxes went up almost \$300 but thanks to the staff and my colleagues here on the Council, the portion of tax that I pay for my Newport portion went down by \$38.00. The 2016-17 estimated market value is going up \$12,000, taxable market value is going up \$13,100. On the forms there are dates for which you can go and question the values that have been assigned. If you're watching this at home you're missing an opportunity to go to the one that's being held in Cottage Grove now. There's one at Oakdale City Hall on April 13, Woodbury City Hall on April 1, and Washington County Government Center on April 27. Also, we went out and trimmed trees a couple Sundays ago and I believe we'll get a summary at some point but we have trimmed and helped correct over 100 trees during this brief time that we've had to go out and make adjustments. I also received something in the mail that supports our decision to out these local book nooks that we talked about last meeting out around the city. It says that, "85% of the juvenile justice system read poorly or not at all" and "20,000 vs. 3,000 is the vocabulary of children read to daily vs. those not read to daily". Reading and access to books is very important for the development of our children, city, and nation. Also, Saturday, April 23, the Stone Soup Super Bowl is being held at the park grove bowling lanes. This is a fundraiser and a fun event. Stone Soup has been very valuable in the community in that they serve a different purpose than the food shelf in that they provide basic needs like books, clothing, shoes, household goods, electronics, and other things that help people run their houses. We also work with people that have been vetted by the food shelf and recently we have served 164 individuals in Newport with vouchers at which they can receive some of the goods that are available at Stone Soup at no charge. Recently we heard a discussion where someone had their well water tested and there was a high level of nitrates. I know that we talked about the well water testing in order to look for lead, do we test for nitrates and if so, have they been at high levels? I think we use the same aquifer for private well and city wells right?

Supt. Hansen – No, that was an individual well and we do test for nitrates and ours are well within the limits.

Councilman Ingemann – The RDF Plant is having a new logo brought forth and displayed on April 22nd as well as the name of the facility will be named at that time. My taxes went up all over the place but that's beside the point.

Councilman Rahm – At the end of March I attended a South Washington County Telecommunications Commission meeting where Comcast demonstrated their new digital operating system for their Xfinity system. They updated their TV set box control system to include voice commands and increased internet speeds for no increased cost from what I understand. This appears to be, in my opinion, a direct response to competition now that we allowed CenturyLink to build out and operate a franchise to access our local area to offer high speed internet and streaming video over fiber. This is what market competition is all about as far as bringing more options and choices to consumers at competitive pricing. I think it's one of the highlights that I've seen from the South Washington County Telecommunications Commission since its inception. I also attended a Red Rock Corridor Transportation meeting at the end of March, discussion there continues to center around rapid transit route options and the proposed Hastings to Cottage Grove to Newport Lower Afton Road locations. I remind

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people that there is a link on our city's website to the Red Rock Corridor Commission website that you can always track to see the latest news and developments in that transportation area. I also attended with the City Administrator, the ribbon cutting for the Newport Dollar Store that was hosted by the area's Chamber of Commerce and I think it's always good to see a new business be established. I believe in encouraging a diverse business ecosystem that is healthy for a city.

8. ADMINISTRATOR'S REPORT

- A. **Resolution No. 2016-16** – Denying an Interim Use Permit Requested by Kim Brown for property located at 1675 Kolff Road to exceed the number of allowed farm animals

Sherri Buss, TKDA Planner, presented on this item as outlined in the April 7, 2016 Regular City Council Meeting packet

Councilman Lund – She was not in compliance?

Ms. Buss – No she had more horses than your ordinance would allow when she applied.

Councilman Lund – Is that because we changed the ordinance?

Ms. Buss – No that's because she just has a lot of animals up there. I think she had 10 when she applied for her permit.

Admin. Hill – Yes she had 10 at the time.

Ms. Buss – When she applied for the permit she was beyond what your ordinance allowed.

Councilman Lund – Would it be important to include the exceptionally small size of her pasture?

Ms. Buss – It's in here, that it's less than an acre.

Motion by Sumner, seconded by Lund, to Deny an Interim Use Permit Requested by Kim Brown for property located at 1675 Kolff Road to exceed the number of allowed farm animals. With 4 Ayes, 1 Nays, the motion carried.

B. MRCCA Review Update

Sherri Buss, TKDA Planner, presented on this item as outlined in the April 7, 2016 Regular City Council Meeting packet

Mayor Geraghty – I do think we should comment, send something in.

Councilman Ingemann – They're screwing with both sides of the river all the way up right?

Ms. Buss – Yeah within the critical area which is bigger than the shore land area. I don't know if you can see it but on your zoning map there's a red dotted line that's about twice as wide as the shore land area.

Councilman Ingemann – There's already 7 layers of governmental interference on that particular area already.

Ms. Buss – I know. That's the frustrating part. Since you are fully developed along the river area it is a little different for you than for cities that are still developing in that area but for landowners in that area, if they propose changes in their properties, not only will they have more hoops to jump through but because you need to issue permits for vegetation management, for storm water, special ones in that district. You guys will have some additional work because of these rules.

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Councilman Lund – Didn't they try this in 2010 before their legislative authority died?

Ms. Buss – Yes.

Councilman Lund – I don't think we should do anything on our end because the last time around they ran out of time and nothing happened.

Ms. Buss – Part of it was that there were so many objections from local governments to their rules that the commissioner decided to pull that first set back and get rid of them and that's why they ran out of time. You're right there's no reason to start anything until the rules are adopted which is probably the end of this year.

Councilman Lund – Last time around we made comments that were similar to a lot of other communities and the on difference I remember was that because of our sewer and water infrastructure that the setback made no sense for Newport. We couldn't comply and would make most of the lots on the river unbuildable.

Ms. Buss – What they suggested for that is there are some provisions in the rules that allows for flexibility for unique situations in communities. So when we get around to writing your ordinances, I think that's when we need to ask for that flexibility from their rules given the situation.

Councilman Lund – As a more general matter, worrying about water quality within the city when you have drain tile in all of western Minnesota feeding into the Minnesota River, it just makes no sense. The nitrates and sediment go right into the river. That's where you actually make a difference. This is just window dressing.

Ms. Buss – The Minnesota Public Works Association and a lot of cities have made that comment. They feel that they put so many rules on the cities and agriculture is left without any rules.

Mayor Geraghty – What's our normal cycle on updating the comp plan?

Ms. Buss – You need to have it done by the end of 2018. Most people get it in by early 2018 because there's a 6 month review by neighboring communities and the process through the Metro Council. The critical area chapter of the comp plan needs to wait until all of these rules are done.

Councilman Lund – Maybe it makes sense to push the comp plan into 2017.

Ms. Buss – It's your call on that, about how much change there might be.

Mayor Geraghty – For sure by January 2017 but no later.

Councilman Ingemann – That depends on what they decide after this 3 month period of review. You'll have any idea of where things are going.

Ms. Buss – Maybe at the point where development reviews fall off which typically happens around the holidays and can be an easy time to start. I'll put the letter together based off of your previous ones and we'll get that submitted during that comment period.

9. ATTORNEY'S REPORT

Attorney Knaak – The one thing that I can say for sure is that with the arrival of the new regime in the police dept. our volumes have increased again. There was a period where they seemed to go down quite a bit to what used to be normal and now we're back to the new normal. My work with the new department has been unremarkable and therefore excellent.

10. WASHINGTON COUNTY SHERIFF'S OFFICE REPORT

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Sergeant Ostermann – The activity is going up, in the summer time there's more people out and about. The ordinance enforcement is going real well with the second wave of going around checking properties that we've identified already going on next week again. There have only been 2 that haven't made much change but everybody's made some change. I hopefully won't have to issue citations for that. Prior to the contract with the Sheriff's Office when you had the Newport Police Dept. The city owns 2 shotguns; they're 870s which are police riot type shotguns. What I'm asking for is permission to utilize those 2 shotguns for what's called a "less lethal" option meaning that the forearms and the stocks are exchanged for bright orange replacements which are plastic fiber and do not look like a normal shotgun after that. What those items are used for is a less lethal round like a bean bag round. It gives the deputies another option and we try to employ that type of option in all the squads. When we switched over several years ago the sheriff's cars to have both rifles and shotguns, we didn't have enough shotguns to do all the cars. If we utilize the 2 shotguns that are sitting in storage right now, then all of the squads assigned to this area will have that option.

Mayor Geraghty – I would say go ahead and we'll transfer them to the county.

Motion by Lund, seconded by Ingemann, to transfer the ownership of two city owned shotguns to the Washington County Sheriff's Office. With 5 Ayes, 0 Nays, the motion carried.

11. **FIRE CHIEF'S REPORT** – Not present.

12. **ENGINEER'S REPORT** – Not present.

13. **SUPERINTENDENT OF PUBLIC WORKS REPORT** – Nothing to report.

14. **NEW / OLD BUSINESS**

15. **ADJOURNMENT**

Motion by Ingemann, seconded by Geraghty to adjourn the regular City Council meeting at 6:09 p.m. With 5 Ayes, 0 Nays, the motion carried.

Upcoming Meetings and Events:

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| 1. Planning Commission Meeting | April 14, 2016 | 6:00 p.m. |
| 2. City Council Meeting | April 21, 2016 | 5:30 p.m. |
| 3. Park Board Meeting | April 28, 2016 | 6:00 p.m. |
| 4. City Council Meeting | May 5, 2016 | 5:30 p.m. |

Signed: _____
Tim Geraghty, Mayor

Respectfully Submitted,

Andrew Brunick
Administrative Intern/Administrative Assistant

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