



**City of Newport
City Council Minutes
May 2, 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; John Neska, Asst. Supt. of Public Works; Curt Montgomery, Police Chief; Mark Mailand, Fire Chief; Fritz Knaak, City Attorney; Jim Stremel, City Engineer;

Staff Absent – Bruce Hanson, Supt. of Public Works; Renee Helm, Executive Analyst;

4. ADOPT AGENDA

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

5. ADOPT CONSENT AGENDA

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

- A. Minutes of the April 16, 2013 Public Hearing Meeting
- B. Minutes of the April 18, 2013 Regular City Council Meeting
- C. List of Bills in the Amount of \$312,977.27

With 5 Ayes, 0 Nays, the motion carried.

6. VISITORS PRESENTATIONS/PETITIONS/CORRESPONDENCE

Fred Leimbek, 603 7th Avenue – Why is the City burning down the houses on Cedar Lane?

Mayor Geraghty – Right now, we only owe two of them but our long-term plan is to turn it into a park and buy out those that are in jeopardy if the levy fails.

Mr. Leimbek – Wouldn't it be more economical to build up the dyke.

Mayor Geraghty – No, because that is \$5 to \$10 million.

Mr. Leimbek – How many other houses are there?

Mayor Geraghty – I believe eight more.

Mr. Leimbek – How much does it cost Newport to buy them?

Mayor Geraghty – We're paying half price because the market is down and we partner with the DNR.

Mr. Leimbek – Every time you tear them down you're losing people and a tax base.

Mayor Geraghty – Part of it is to make that area a little more attractive.

Mr. Leimbek – Is there any Federal money for the dyke?

Mayor Geraghty – No, we've been asking for several years.

7. MAYOR'S REPORT –

A. Proclaiming May 2013 as Preservation Month

Mayor Geraghty – We have a proclamation citing May 2013 as Preservation Month so I'll sign that. Also, we had our first planning meeting for Pioneer Day 2013. The Newport Business Association will be more involved this year.

8. COUNCIL REPORTS –

Councilman Gallagher – Nothing to report.

Councilman Sumner – On Wednesday, May 8th, the Heritage Preservation Commission will be meeting at 4:30. They will be discussing the 125th Anniversary of Newport at the meeting. From 7:30 to 9:00 p.m. there will be a presentation at the Library that night. I have a question regarding the tree trimming at the Community Garden. Why were they taken down?

Asst. Supt. Neska – There were several trees that were dying off over the last couple years and our power supply was being threatened so we decided to clean up the trees to protect our electric supply.

Councilman Ingemann – Nothing to report.

Councilman Rahm – Nothing to report.

9. ADMINISTRATOR'S REPORT –

A. Resolution No. 2013-18 – Amending the 2013 General Fund Operating Budget and 2013 Economic Development Authority Budget

Admin. Hill presented on this item as outlined in May 2, 2013 City Council packet.

Councilman Sumner – So there's no increase, it's just a redistribution?

Admin. Hill – Correct.

Councilman Rahm – And there's no other areas that need revising?

Admin. Hill – No.

Councilman Gallagher – We can take some blame as well, we should have seen some of that.

Mayor Geraghty – The Department Heads should have noticed as well.

Motion by Sumner, seconded by Ingemann, to approve Resolution No. 2013-18. With 5 Ayes, 0 Nays, the motion carried.

B. Resolution No. 2013-19 – Amending the Planning Commission Meeting Time and Policy Guide

Motion by Sumner, seconded by Gallagher, to approve Resolution No. 2013-19. With 5 Ayes, 0 Nays, the motion carried.

Admin. Hill – I have an update in regards to the deer hunt. A couple of the members walked through the parks with John and will be sending us a sample agreement. Would anyone on the Council like to sit down with Bruce and I to set the dates and parameters?

Councilman Gallagher – I'll do that.

10. ATTORNEY'S REPORT –

Attorney Knaak – You should have the prosecution report, which is down but still higher than what it has been historically.

Councilman Gallagher – It seems like the hearing officers don't have a high resolution rate. I thought it was supposed to be around 70%, is there a reason it's so low?

Attorney Knaak – I have no explanation, they are under the supervision of the court. We offer certain directives where they are allowed to negotiate. We see people there that will go to the hearing officer and will get an offer and turn it down to see if they can get a better deal. Also, someone could try to get a deal outside of the parameter. I think overall, the participation and results have been good. I would like to see it higher. I can certainly follow up with the hearing officer.

Councilman Rahm – Is the Linn case that we won, is there any further information or is that done?

Attorney Knaak – I would like to hand something out regarding that case. This is the appeal of your decision to turn down a license application for Steven Linn. The Court of Appeals did uphold your decision and procedures without any further discussion.

Councilman Ingemann – Would it be prudent to set a standard where particular establishments need to be a certain distance apart?

Attorney Knaak – You can certainly do that without impacting the decision.

Councilman Ingemann – I think that would good.

Councilman Rahm – Is there any follow-up to 515 4th Avenue?

Attorney Knaak – We're in the process of drafting a resolution to declare it a hazardous building. If Council approves and we get no response within 20 days then the City will go in to clean it up and demolish it. The costs will be assessed to the property. Typically, the property owners do come in to negotiate with the City. I don't think there's much of a problem with this property since the utilities are turned off. I'm confident that it will be a very easy determination to defend.

11. POLICE CHIEF'S REPORT –

Chief Montgomery – On May 2, 1992 a gentleman named Todd Hanson went missing from South St. Paul, he was 25 at the time. If anyone has any information regarding Mr. Hanson, please contact the BCA at 1-800-996-6222 or they can contact Newport Police or Washington County Sherriff's Office.

Councilman Rahm – Any more information on that situation that occurred at Newport Elementary?

Chief Montgomery – No.

12. FIRE CHIEF'S REPORT – Nothing to Report

13. ENGINEER'S REPORT –

A. 2013-2015 Street Improvement Projects

Engineer Stremel presented on this item as outlined in the May 2, 2013 City Council packet. In regards to the schedule, it

is recommended that the City Council authorize the bidding at the May 16, 2013 meeting and have a special meeting on June 27, 2013 to receive the bids and award the contract. Additionally, the second neighborhood meeting will be June 19, 2013.

Councilman Sumner – In regards to Ford Road, it's changing to a full-depth reconstruction east of 8th Avenue. Will that happen this fall?

Engineer Stremel – No that will take place in 2014. The section west of 8th Avenue will be completed in 2013.

Motion by Geraghty, seconded by Rahm to approve Resolution No. 2013-20 receiving the amended feasibility report. With 5 Ayes, 0 Nays, the motion carried.

Motion by Geraghty, seconded by Ingemann, to schedule the neighborhood meeting for June 19, 2013 at 6:00 p.m. for the 2013 Projects. With 5 Ayes, 0 Nays, the motion carried.

Motion by Geraghty, seconded by Ingemann, to schedule a special City Council meeting for June 27, 2013 at 5:30 p.m. With 5 Ayes, 0 Nays, the motion carried.

14. SUPERINTENDENT OF PUBLIC WORKS REPORT –

Asst. Supt. Hanson – Public Works will begin flushing on Tuesday, May 7, 2013. Also, we are hoping to begin patching as well now that the weather is cooperating.

15. NEW/OLD BUSINESS

16. ADJOURNMENT

Motion by Ingemann, seconded by Gallagher, to adjourn the regular Council Meeting at 6:03 P.M. With 5 Ayes, 0 Nays, the motion carried.

Signed: _____
Tim Geraghty, Mayor

Respectfully Submitted,

Renee Helm
Executive Analyst