



**City of Newport
City Council Minutes
September 4, 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; 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; Renee Eisenbeisz, Executive Analyst; Fritz Knaak, City Attorney; Jon Herdegen, City Engineer; Sherri Buss, TKDA Planner

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

4. ADOPT AGENDA

Mayor Geraghty - I was going to add one item under the Administrator's Report, Resolution No. 2014-42 and I also wanted to move the Draft Response for the Mississippi Corridor to the Visitor's Presentation after the Wellhead Protection Plan.

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

- A. Minutes of the August 21, 2014 Regular City Council Meeting
- B. List of Bills in the Amount of \$533,001.01
- C. Employee Personnel Policy
- D. Publication of Ordinance No. 2014-11

With 5 Ayes, 0 Nays, the motion carried.

6. VISITORS PRESENTATIONS/PETITIONS/CORRESPONDENCE

A. Wellhead Protection Plan Part I

John Greer, Barr Engineering, presented on this item as outlined in the attached PowerPoint.

Councilman Rahm - How are the vulnerability assessments determined because you have green and yellow areas right next to red areas?

Mr. Greer - It's based on the underlying geology.

Councilman Rahm - Could potential contamination be gas stations?

Mr. Greer - It could be gas stations, hazardous waste generators, any type of chemical storage. Wells are also potential contamination sources because they can be a pathway from the surface to the aquifer.

Councilman Rahm - Are wells on private property identified?

Mr. Greer - Yes.

Councilman Sumner - Is this a study that you're going to conduct for the City or for the County?

Mr. Greer - It's done for the City. Your City Engineer did Part 2 of the original Plan and we did Part 1 and the Part 1 amendment. You'll provide a copy to the Health Department, Cottage Grove, Woodbury, and the County.

Councilman Sumner - Who conducts their studies?

Mr. Greer - We did Woodbury's. Every water supplier has a wellhead protection plan.

Councilman Sumner - This is an additional charge to be budgeted?

Engineer Herdegen - Part 1 was budgeted, I don't know if Part 2 was budgeted.

Councilman Sumner - How long do they take?

Mr. Greer - Between 6 and 12 months.

Councilman Rahm - And there are multiple firms that do this?

Mr. Greer - Yes.

Councilman Sumner - Have you been selected or are you here to ask that?

Mr. Greer - No, I'm just here to present on Part 1.

Councilman Gallagher - Deb has this been budgeted?

Admin. Hill - It'll come out of our water enterprise fund.

B. Draft Response for the Mississippi River Corridor Critical Area Rules

Sherri Buss, TKDA Planner, presented on this item as outlined in the September 4, 2014 City Council packet.

Councilman Gallagher - Has this been distributed to land owners along the Mississippi?

Ms. Buss - They've seen the new rules and have been invited to three meetings this summer.

Mayor Geraghty - It should be on the website.

Executive Analyst Eisenbeisz - It's in the packet and I can also link it to a paragraph that's on the homepage about this.

Councilman Gallagher - Can we see any correspondences that come in for it?

Executive Analyst Eisenbeisz - Yes.

Mayor Geraghty - Is the Planning Commission having a public hearing?

Ms. Buss - It's just a public item up for discussion. Based on what's discussed there, we'll bring any changes to you at the next meeting. We'll certainly share any comments with you.

Councilman Sumner - So they have two weeks to respond?

Executive Analyst Eisenbeisz - Yes and I put it on the website before the Labor Day weekend and it invites residents to come to the meetings to comment or email us their comments.

Councilman Sumner - This has an impact to every resident because there's a potential for extremely expensive requirements that would be initiated and taxed against all of us.

Kay Buetow, 1777 3rd Avenue - The reason I'm here tonight is that I have some grave concerns regarding the talks about merging our Police Department. I believe that this is a totally wrong issue to be discussing, that our police force is here to protect us. It's your job as elected officials to continue to provide this service to us. We see a police officer at our elementary school every day. Granted, there needs to be budget cuts but there are other ways of cutting money. One of the reasons I'm also concerned is that a decision of this magnitude needs to be presented at a public meeting, not something discussed behind closed doors. We see articles in the newspaper about an investigation, this information to my thoughts, should never have been put in the press without facts. How it got leaked to the press, I can give my opinion but so be it.

Councilman Rahm - I would like to know your opinion.

Mayor Geraghty - There was a data request from the newspaper.

Ms. Buetow - Really. Who released that?

Councilman Rahm - We have to release it when they request it.

Ms. Buetow - I think it's an inside leak but that's my opinion. Our taxes are one of the highest taxes in the County. I doubt somehow that the money you're talking about saving will reflect on our taxes, I think it'll be used for some other land purchase for some new City Hall that would house an Administrator, maybe a secretary, maybe a part-time secretary. I'm really upset about this. Our police know us, know what to watch for, our Chief just gave a review about the crime increase in our City. Granted some of them weren't crime crimes but they required a police response. I'd really like you to reconsider this.

Mayor Geraghty - I believe most of you are here for this issue. The Council is not having closed door meetings, we're looking at options. We've talked about this for years. The previous administrator talked with the County also. As an elected official, I do take public safety very seriously and I'm not going to jeopardize that but I feel an obligation to look at these numbers. We are one of the highest taxed and we're having a budget discussion after this meeting and you're all welcome to stay and tell me where you want us to cut. The point is that it won't jeopardize public safety. We've all talked with the County independent of each other and doing our due diligence and getting the facts. This item is not on the agenda tonight and we're not going to take any action on it. We're going to do a deliberate process and at some point we will take a vote on it. Currently, Washington County is contracting with 14 or 15 other communities and covering about 40,000 residents. I don't think they all feel not safe or are not getting a good response. The fact is that we would have a squad here 24/7 and assigned staff from the County. It would be a consistent group of deputies. Let us do our job and research this, it's a considerable savings, \$200,000-\$300,000.

Councilman Ingemann - That's peanuts on our budget.

Mayor Geraghty - Then people complain about taxes.

Councilman Ingemann - They're willing to spend that money. They're talking about St. Paul Park or Cottage Grove and that's not going to happen.

Michael Wilson, Corner of 10th Avenue and High Street - I would ask the panel to take a look at the sign behind you, look at it, none of you are looking. That sign says "City of Newport." Last night, I went to Super America, there was a guy in there that was creeping the manager out, I was there, last night. I asked him to leave, I did. As I was walking home, something told me to go back and I did and saw a meth deal going down in the parking lot, I asked them to leave and they did. Days before that, another manager asked me to stick around. Our police have the quickest response time for our community, Newport. Mayor, you were elected to serve the people of Newport.

Mayor Geraghty - That's what I'm doing.

Mr. Wilson - I understand that but how can our people be served if our Police Department goes away?

Mayor Geraghty - Did you not hear what I just said? You don't think the Sheriff's Department will respond as quickly if they have a squad here?

Mr. Wilson - No. We need our Police Department, they know the neighborhoods, the people, what's wrong and what's right. We do not need a merger of Police Departments that have no familiarity with the community. I urge you, I urge the panel to vote no on it when it comes up. I myself have personally been the beneficiary of a gracious landlord, I have vested myself in our community. There is no stronger statement that I can make to the people of Newport, read the Constitution of the U.S. and Minnesota and bring your rights to the table. We do not have to lose our Police Department. They care for us, they are the first responders. You elected them. I will go to jail before our community, would they? Mayor, everybody here listens to you. We want to keep our Police Department. They're good people, dedicated officers, they do their job rightly. Who will we replace them with? People that don't know us? What will we do then? We don't need a consolidation. I have the upmost respect for your office Mayor, have the upmost respect for our Department.

Mayor Geraghty - I understand, let us do our work. It's not my decision, it's the Council's decision.

Councilman Gallagher - We understand where you're coming from. The discussion here hasn't been about merging departments, it's about dismantling the Police Department and this is where we're having an issue. I'm extremely happy that everyone here showed up and I encourage each and every one of you to come up and say the same thing, that you disagree with this decision or action. We need to hear it.

Henry Taylor, 1392 4th Avenue - I've been here for 14 years, I have not yet seen anyone that needs to be arrested in my neighborhood because these officers take care of their job. How many officers are here?

Mayor Geraghty - 7.

Mr. Taylor - Good, let's not fire them, let's get rid of some of this up here. Are we paying for this Council?

Councilman Sumner - What do you think we earn?

Mr. Taylor - If we're paying for something we don't really want we could combine two of these jobs into one. Leave the policemen alone and let them do their job. Leave us alone, leave them alone.

Ron Leisman, 1652 Cedar Lane - I've had five or six emergencies at my home in the last two years. This Police Department has been the best for response time. These guys are great. If they are disassembled or any of them are lost or replaced with someone else, they won't know the City, the patterns, any of this stuff. These guys are great, they're the best in the world. Whatever you do, please do it right.

David Eichman, 1868 2nd Avenue - Simply put, what do you intend to do with these guys and their families when they lose their jobs? Are you going to help them out? They have kids, kids going to college. Any thoughts on that? With a job market where there's 3,000 eligible applicants, including me? Any plans or are you just going to get rid of them?

Councilman Gallagher - Tom and I had a meeting with Washington County Sheriff and Deb and we asked that question. The Sheriff said they can apply for a position but wouldn't be granted it.

Mr. Eichman - So would I and 300 other applicants. These are good people, if a mistake was made, don't leak it to the press and then bring it up, That's perfect timing, awesome.

Mayor Geraghty - It wasn't leaked.

Mr. Eichman - That's how it looks. Either way, think about the families. We love our Police Department, they're good guys. Go spend some time at Super America past 10:00 p.m., it's not a joke. That's why our cops are sitting there two hours a night, they're not taking breaks. Take a look for yourselves. You might get your permit to carry after that.

David Winkler, 1161 4th Avenue - I've been a resident in Newport since 1975. Just four simple words for those of you who are considering this, what are you thinking?

Councilman Ingemann - I'll state my opinion right now, I'm now against merging or disbanding the Police Department for any reason whatsoever, a \$300,000 savings in a City budget is peanuts. The people of Newport are willing to spend the money to have their Police Department. I'll state that today now and I'm glad you all showed up.

Erica Goebel, 340 15th Street - I've been a resident for about two months. As a new homeowner, something you look at is a good police department. Don't take it away, you'll lose a big piece in attracting newcomers to your community.

Kathy Weibusch, 2185 Circle Drive - I would be devastated if we lost our department. I'm on a dead-end cul-de-sac. If it weren't for the Police, I don't think anyone else would patrol my street. Every day I see at least two patrols at the school watching our kids and making sure it's safe. With the money you're going to spend on the investigation and research, can't you just use that to pay our guys? Save the money on the research, pay our guys.

Mike Chamberlain, 1275 Kolff Court - I think losing the Police Department is definitely the wrong thing to do. I personally know several of these guys. I think it would be a better idea to sit down with Bruce Hanson to figure out how we can cut the overhead in the Public Works, I'd rather have a slippery road than slipper safety.

Anthony Mahmood, 822 High Street - Everything everyone said, I agree with 100%. When you look at a city, it's supposed to provide protection. If you can't figure out a way to keep our Police Department, then we might as well not be the City of Newport, we might as well be St. Paul Park. There's no point in being a city if you're not going to have your own Police Department.

Councilman Ingemann - I'll make a motion to cease any talk with the City of Cottage Grove, St. Paul Park, and Washington County about replacing or merging the Police Department.

Councilman Gallagher - I'll second that.

Mayor Geraghty - I still want to do the due diligence and go through it. This is happening right with the investigation. They're not linked and I think to make a decision when we're in the midst of it is wrong. I think we need to have a separation. To be honest, this will either be the best thing or the worst thing. It's not going to cost anything.

Councilman Gallagher - We don't need to wait for the investigation to come forward, you just said they're separate. If the investigation comes up positive or negative it doesn't matter, we still need to address this. It's either yes or no.

Mayor Geraghty - The action of this Council could be changed in January. It's not going to go away. In the end I haven't made up my mind.

Councilman Gallagher - The citizens should know who they're voting for and unfortunately there are only two or three people running. It's up to you Tracy.

Councilman Rahm - I'll talk about and for full disclosure, I'm running for reelection. I think a police department is one of the most important core services that the city does and is part of the city identity. Having said that, one our jobs as the

Council is that any time someone brings up ideas for cost-savings we have to take them seriously. We are, per capita, the third highest taxing city in Washington County. I get that every day. This is one cost measure. Our City logo says 1889, my job in looking at long-term Newport is to have that same patch in 2089. However, I will link the two things together. We have some things which you have not had the full information on. We might have to do some things, make some changes, or rebuild our Police Department. That does not mean that I encourage or am supporting outsourcing our Police Department and I'll say that publicly. Unfortunately, until all of the information comes out you'll need to be kept in the dark because we've been given instructions not to release information until it's completed. Having said that, when I make a decision, I make one based on what's the best long-term interest for Newport. I do believe as far as having its own police force and its branding strategy. I have little children, have you ever seen that Norman Rockwell picture of a police officer sitting with a child in a diner? I wanted to do that with my son for a marketing thing. I don't want to give that up. These things are not easy decisions. One thing too, and I'm not alleging this, but I will not tolerate corruption from administration or any kind of abuse of power. My libertarian instincts says that that's wrong long-term and for our city. I've made this speech and you can judge me for that when you vote. I've left things open based on the outcome of the investigation.

Councilman Ingemann - My comment would be to cease discussions for this year. If after the investigation results are revealed and we need to replace or modify, we do it at that time but right now to calm the citizens down, we should stop talking about it. It's budget time and forget it for this year.

Councilman Rahm - Are you modifying?

Councilman Sumner - What are you saying?

Councilman Ingemann - Stop talking about it this year, it's budget time. If you have a problem, we'll bring it up in January. If there's a concern at that time. Let's put all these rumors to rest, we won't do anything this year and it won't be in next year's budget.

Councilman Rahm - But there are things that we might have to do earlier than January based on the investigation.

Councilman Ingemann - We won't know.

Councilman Gallagher - No one has read the investigation.

Attorney Knaak - I would recommend that any comments to any investigation simply not be commented on.

Councilman Gallagher - The vote is to stop it?

Mayor Geraghty - Yes.

Motion by Ingemann, seconded by Gallagher to cease discussions with Cottage Grove, St. Paul Park, and Washington County about outsourcing the Police Department until 2015. With 3 Ayes, Geraghty and Sumner Voting Nay, the motion carried.

Mr. Taylor - These guys work 24/7, what are your hours?

Mayor Geraghty - It feels like 24/7.

Councilman Gallagher - Our phones ring 24/7.

Mr. Taylor - You don't work 24/7 so you don't know what these guys are going through and doing for us. If you live in the neighborhood you know. They're out there protecting our lives, they're not protecting St. Paul Park, Cottage Grove, Vadnais Heights, they're here 24/7. Don't take something away from us that we need and respect.

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 - Next time someone calls me at 3:00 a.m. maybe I'll tell them that I don't work 24/7. It's by the same gentleman and I've made jokes about it over time. I understand that officers have a difficult time.

9. ADMINISTRATOR'S REPORT –

A. Ordinance No. 2014-13 - Amending Chapter 6, Animals

Executive Analyst Eisenbeisz presented on this item as outlined in the September 4, 2014 City Council packet.

Councilman Gallagher - How did you come up with four?

Executive Analyst Eisenbeisz - The resident that came at the meeting asked for four. Usually when you have pigeons as a pet you have multiple.

Councilman Sumner - I think four is a low number. I think my biggest concern is sanitation and as long as we can enforce that it's fine.

Executive Analyst Eisenbeisz - This ordinance is saying you can have more than four, it's just if you do then you would need to get a permit.

Councilman Ingemann - It just lets the City know.

Councilman Sumner - I don't think there should be a charge, it's like having cockatoos in your house.

Councilman Gallagher - But these would be outdoors.

Councilman Rahm - I think a pot-bellied pig is a wild animal, do we have an ordinance for those?

Executive Analyst Eisenbeisz - We do, we don't allow them.

Councilman Sumner - Pigs are very docile animals in the right home. They are as well-mannered as the best of dogs or cats. They can be trained indoors.

Councilman Gallagher - They're smarter than dogs.

Councilman Sumner - They're in a different class than the ones you see at the State Fair.

Councilman Gallagher - If my neighbor has 50 pigeons, I think that would be pretty loud. There's no audible noise?

Individual from Audience - Not any more than song birds, they're not as bad as chickens.

Councilman Gallagher - What would be a reasonable number? I'm ok with four.

Councilman Ingemann - Anything over four, they should get a permit. It lets the City know that if they want to check on the sanitary conditions, you can.

Councilman Gallagher - What if there was a complaint?

Councilman Ingemann - Then you would check on that.

Executive Analyst Eisenbeisz - The permit would expire every year similar to our farm animal and chicken permit.

Councilman Sumner - It's going to be \$25 every year?

Executive Analyst Eisenbeisz - Yes and that's the same for our chicken, farm animal and kennel permits.

Councilman Sumner - But we don't have something similar for dogs?

Executive Analyst Eisenbeisz - If they have four or more dogs then they need a kennel license.

Councilman Sumner - What if you have one dog?

Executive Analyst Eisenbeisz - Then you need a license and need to get that each year. It's \$10 if they get it before January 31 and it's \$20 if they get it after.

Councilman Sumner - Then do \$10 for the pigeons.

Councilman Gallagher - Under four nothing but over four, \$25.

Councilman Rahm - Let's be consistent with the other language.

Attorney Knaak - I had a case about 20 years ago with three pot-bellied pigs. The owner was adamant that they were pets and I couldn't imagine how you could get in a weigh them, they were huge. There was a complaint and they were charged because they weren't allowed. They were removed by the owners.

Councilman Gallagher - The intersection of Clinton Avenue and Franklin Avenue, is not the best at all. There was a lady who had two pigs as pets against Minneapolis City Code. One night, someone broke into her house and the pigs bit the intruder and held them down until the police showed up. If you do a Google search for "Arnold the Crime Fighting Pig" you will find it on YouTube.

Councilman Rahm - They can get big and that's a problem.

Councilman Sumner - They can get big and I think it'd be more of a problem unless they get the mini pigs.

Executive Analyst Eisenbeisz - A new popular pet is to have a little teacup pig that doesn't get any bigger than 20 lbs. We can certainly keep them as farm animals.

Councilman Rahm - I would recommend that.

Executive Analyst Eisenbeisz - Then all of you have before you is Ordinance No. 2014-13 which allows for pigeons.

Councilman Sumner - Unless you change it to \$25 I'm going to vote no.

Motion by Ingemann, seconded by Gallagher to approve Ordinance No. 2014-13 as presented and imposing a fee of \$25 for the special animal permit. With 4 Ayes, Sumner Voting Nay, the motion carried.

B. Resolution No. 2014-42 - Authorizing St. Paul Park-Newport Lions Club to Continue Lawful Gambling Operations at Opinion Brewing Company, 374 21st Street, Newport, MN 55055

Executive Analyst Eisenbeisz presented on this item as outlined in the attached. The City Council discussed two items in

regards to this Resolution. The first was whether or not a term should be placed on the Resolution. The second was whether or not the City would like to require the Lions to give 25% of their net earnings to the City, 10% of which go to the City and 15% of which go to community functions.

Councilman Gallagher - Could we have it end on December 31 and then it can be on the consent agenda?

Executive Analyst Eisenbeisz - Yes and then they would need to submit a letter stating that they would like to continue for the next year.

Councilman Sumner - I'm not sure we should tell them how to spend their money, I know they're very generous.

Councilman Ingemann - We do it with Cottage Grove and the Lady Slippers.

Councilman Gallagher - I don't think that would be fair.

Councilman Rahm - We should be consistent. Why isn't there an application?

Executive Analyst Eisenbeisz - There isn't one because they no longer need to submit a renewal application with the State so we won't see one at all.

Motion by Gallagher, seconded by Ingemann, to approve Resolution No. 2014-42 authorizing St. Paul Park-Newport Lions Club to continue lawful gambling operations at Opinion Brewing Company, 374 21st Street, Newport, MN 55055 for a period of September 1 - December 31, 2014. With 5 Ayes, 0 Nays, the motion carried.

10. ATTORNEY'S REPORT -

Attorney Knaak - Just a brief comment on the Quade matter. Half of the right-of-way in question is St. Paul Park's. I received a letter from the local pipeline. There is some discussion. St. Paul Park has indicated that they need to vacate it with them and they would not necessarily oppose a vacation if they can deal with Magellan Pipeline. This City is still taking the position that the need to access the railroad right-of-way is important enough so we're not prepared to just offer one up. The consensus on both cities is that they need to come in to request a vacation. They're approaching Magellan. The issue with the railroad right-of-way has not been approached yet.

11. POLICE CHIEF'S REPORT - Nothing to report

12. FIRE CHIEF'S REPORT - Nothing to report

13. ENGINEER'S REPORT -

A. Partial Payment #3

Jon Herdegen, City Engineer, presented on this item as outlined in the September 4, 2014 City Council packet. The dead sod from the 2013 project will be removed on Saturday and replaced on Monday, September 8.

Councilman Gallagher - Isn't there a penalty if they don't get done by a certain time?

Engineer Herdegen - We do have liquidated damages on the project. They can make a claim for weather days and days beyond their control. At this point, they can do work but it's slower. We've talked with their foreman and superintendent, they feel confident that they can get it done. Weather and utilities are beyond their control.

Councilman Gallagher - I did have a complaint from a couple businesses on 21st Street about not having a sign saying that businesses are open when the street was closed.

Engineer Herdegen - I believe there was a sign.

Councilman Gallagher - It took a while to get up and they felt that it should have been up right away.

Engineer Herdegen - They submit a traffic control plan and that was included. It's up to us to make sure that goes up.

Councilman Gallagher - I noticed that they closed it and reopened it and then closed it again.

Engineer Herdegen - It should be open now.

Councilman Sumner - Have you verified that the utility isn't responding to their requests?

Councilman Ingemann - Xcel hasn't moved their poles yet.

Engineer Herdegen - Leaving out gas because that's underground, the issue is that two organizations own the poles so you need to get both of them to move the poles and three utilities to move the wires. It's a coordination issue with the contractor. We have a liaison with Xcel Energy and have been working with them to get this working.

Councilman Sumner - Is it up to the City to grant an extension without a penalty then?

Engineer Herdegen - Yes, they'll make a request.

Councilman Sumner - Should we hold anything back?

Engineer Herdegen - We're holding back 5%. I don't see any reason to hold any more than that.

Motion by Geraghty, seconded by Gallagher to approve Partial Payment #3 for \$643,363.61. With 5 Ayes, 0 Nays, the motion carried.

Councilman Gallagher - Is there an update on the cattle guard?

Engineer Herdegen - Both owners have paved their driveways 40 feet up. One owner installed their own cattle guard and the other owner place compacted rock at the edge of the concrete. The flatter of the two seems to be working. The steeper of the two brought in bituminous millings and compacted it all the way up to the top of the hill. We're still seeing some of those millings come down the driveway. That driveway will have a lot more maintenance with that. Right now, we're in a wait and see mode to see how well that fix will work.

Councilman Sumner - Isn't that part of the ordinance? That they can't discharge anything on to the road.

Engineer Herdegen - Yes. There's a \$15,000 assessment for his share of the cattle guard, which we can't do now because they went ahead with the concrete. That's good because we didn't want the maintenance. There's still an assessment and from our standpoint, we're prepared to leave that on there until we get resolution. The problem has been improved drastically.

14. SUPERINTENDENT OF PUBLIC WORKS REPORT -

A. Public Hearing - To Receive Public Opinion on the Adequacy and Effectiveness of the Storm Water Pollution Prevention Program

The Public Hearing opened at 6:55 p.m.

Asst. Superintendent Neska presented on this item as outlined in the attached.

Mr. Taylor - Where will the waste go from the light rail?

Councilman Gallagher - There won't be any light rail, it'll be buses.

Councilman Sumner - How much waste is taken out of the storm sewers when we clean them?

Asst. Supt. Neska - We strictly clean the grates. Our intent is to GPS all of the ponds, the elevation of the water, the depth of the water to see how full they're getting. The sanitary sewers get cleaned, the storm sewers rarely get cleaned except for the grates.

Councilman Sumner - So anything that washes into them can lay there and plug them up?

Asst. Supt. Neska - They usually have enough pitch so they end up in the ponds. The silt and sand builds up. We haven't had to clean anything yet.

Councilman Sumner - Can anything be done to remove the vegetation from these ponds?

Asst. Supt. Neska - I think the cost would be exorbitant, unless it really affects someone.

Mr. Mahmood - Do you think cleaning the pond at High Street would make it so it doesn't stink so bad?

Asst. Supt. Neska - I've been there several times and it'd be a huge project to clean it and I don't know if that's the answer. The pond has been there since the 1990's and the smell has only been there for the last couple years. I don't have a good explanation, we've asked several people.

The Public Hearing closed at 7:11 p.m.

Mayor Geraghty - Do you have a report for us to accept?

Executive Analyst Eisenbeisz - His presentation was the report.

Motion by Gallagher, seconded by Rahm to accept the Annual Report for 2013. With 5 Ayes, 0 Nays, the motion carried.

15. NEW/OLD BUSINESS

16. ADJOURNMENT

Motion by Ingemann, seconded by Gallagher, to adjourn the regular Council Meeting at 7:12 P.M. With 5 Ayes, 0 Nays, the motion carried.

Signed: _____
Tim Geraghty, Mayor

Respectfully Submitted,

Renee Eisenbeisz
Executive Analyst

A close-up photograph of a single water droplet falling into a body of water, creating concentric ripples. The background is a soft, out-of-focus blue with green foliage visible in the upper right corner. The text is overlaid in white with a slight drop shadow.

City of Newport

Wellhead Protection Plan
Part 1 Amendment

Public Information Meeting
September 4, 2014

John Greer, PG

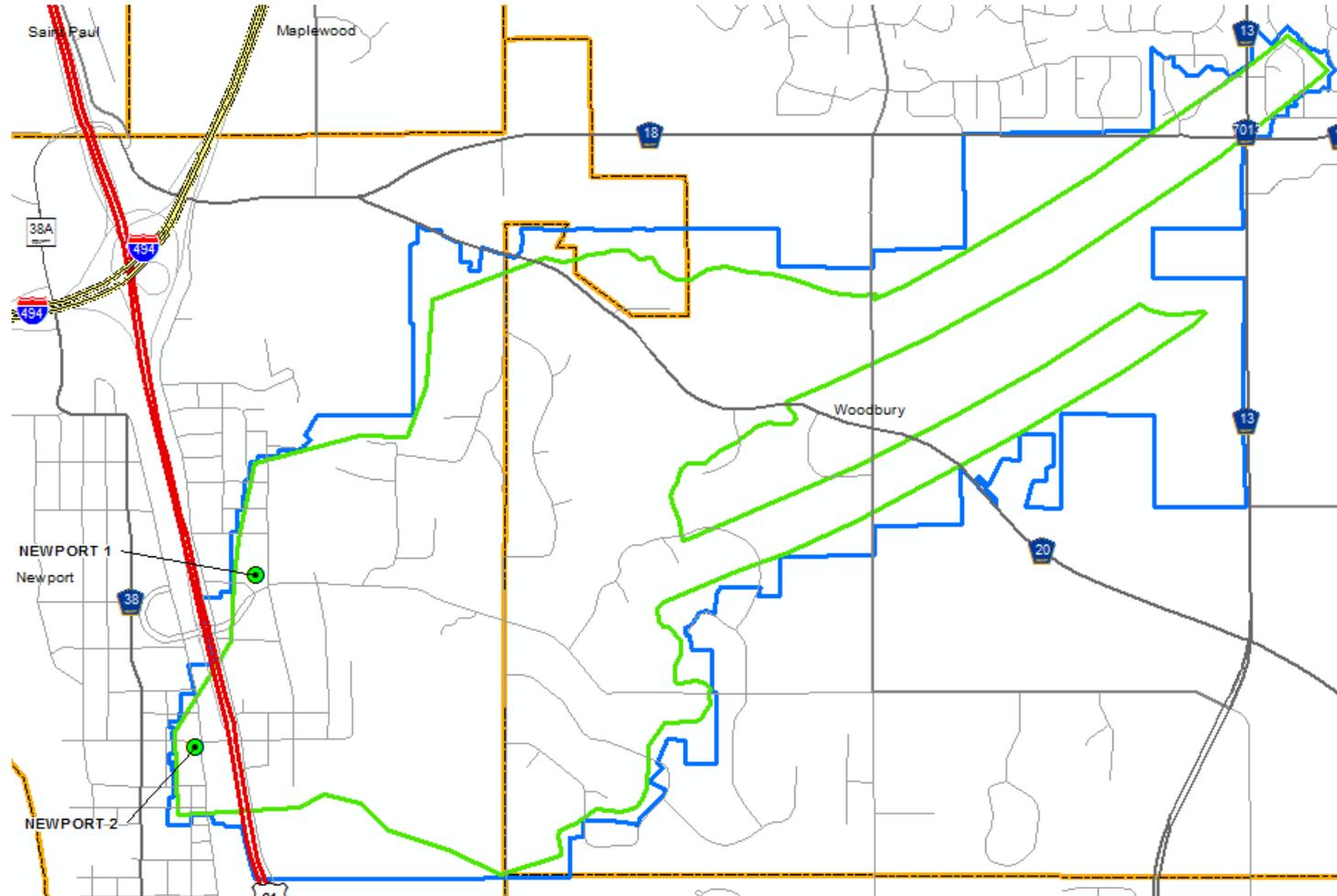
Barr Engineering Co.



Wellhead Protection Plan – Part 1

- required under Minnesota wellhead protection rules (4720.5100 – 4720.5590)
- Part 1 – delineation of wellhead protection areas (WHPAs) and drinking water supply management area (DWSMA); well & aquifer vulnerability assessment
- original delineations approved by MDH in October 2003

Wellhead Protection Plan – Part 1



Newport WHPA & DWSMA approved in 2003



Wellhead Protection Plan – Part 1

- rules require WHPPs be amended/updated at least every 10 years
- both Newport wells pump from the Jordan Sandstone aquifer
- new WHPA delineation required to include porous media and fracture flow evaluations as well as surface water contribution area

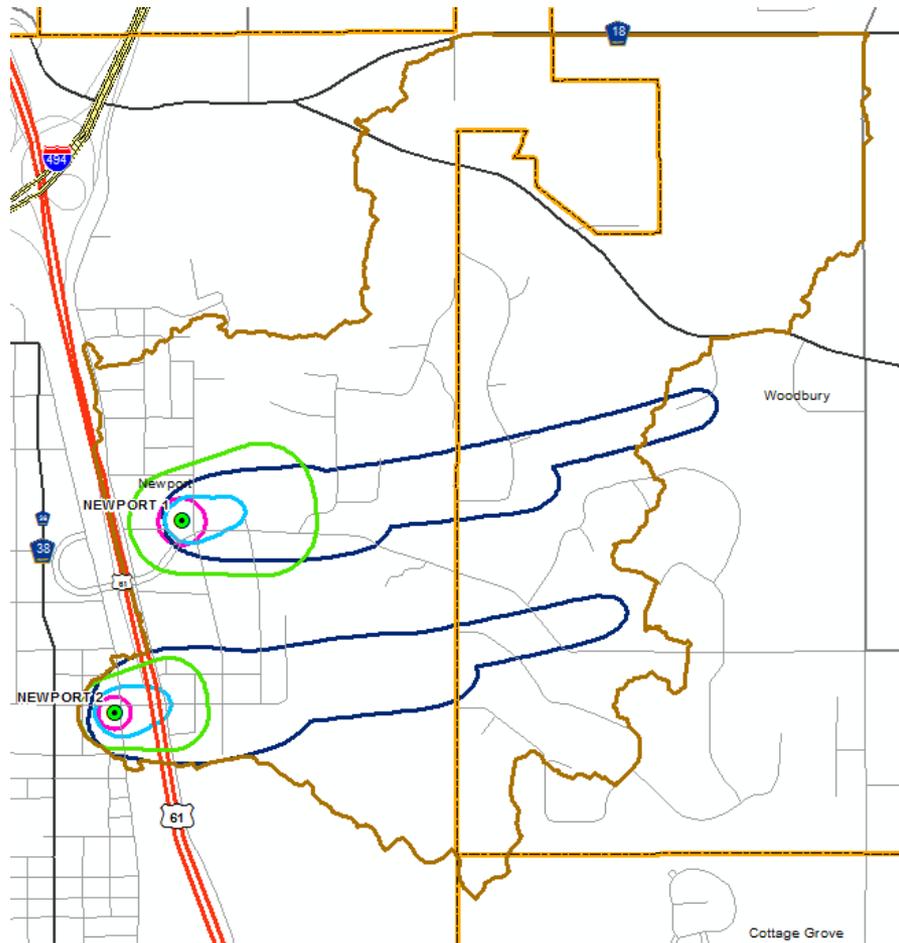


Wellhead Protection Plan – Part 1

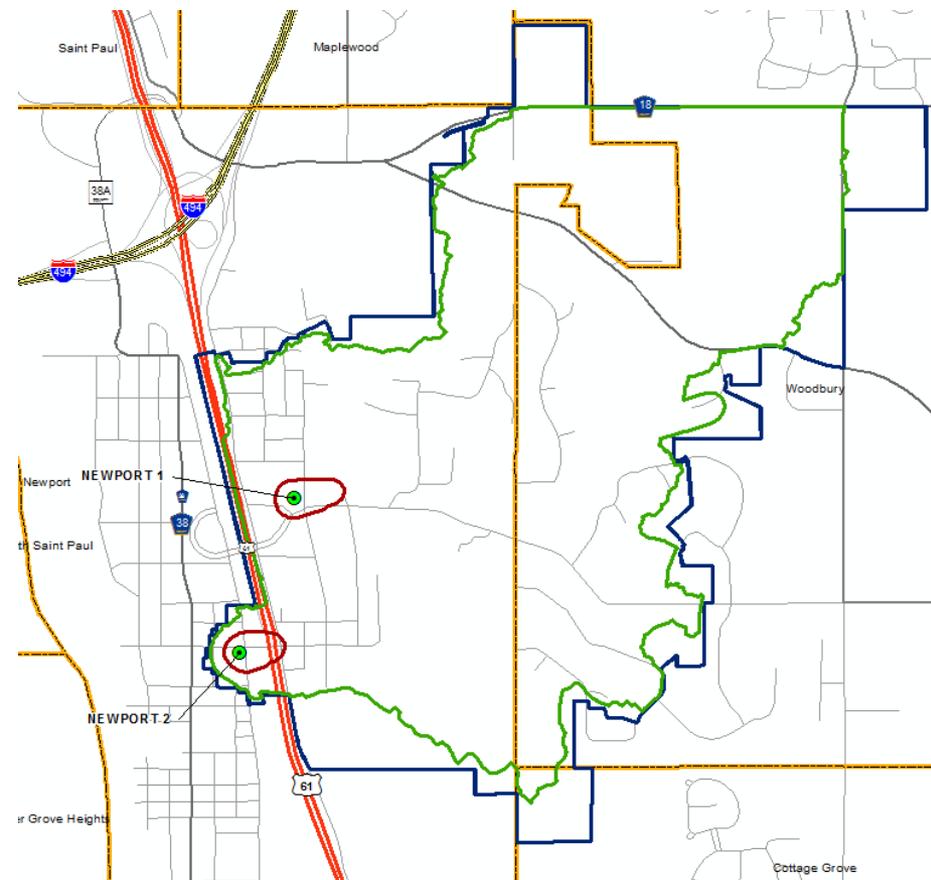
- flow evaluations
 - ▣ porous media: Metro Model 2-Southern Washington County Refinement (slightly modified) used to delineate 1- and 10-year groundwater time of travel zones
 - ▣ fracture flow: methods from MDH guidance used to delineate 1- and 10-year groundwater time of travel zones

Wellhead Protection Plan – Part 1

WHPA and DWSMA delineations



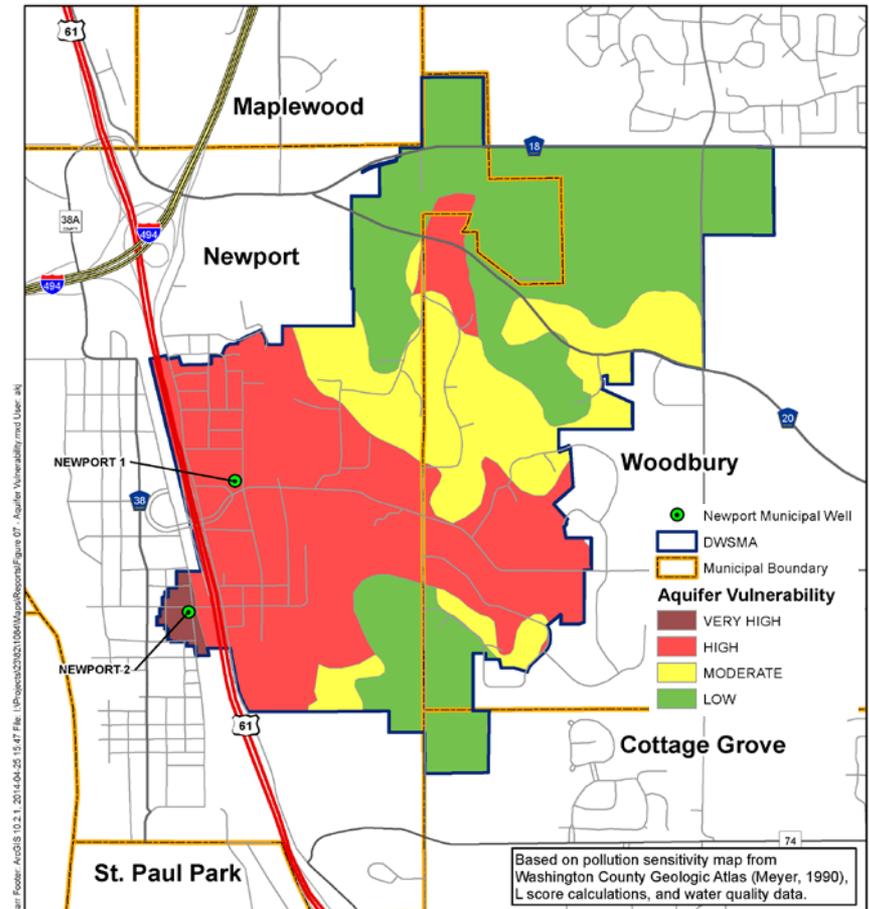
Porous media & fractured media capture zones and surface water contribution area



ERZ, WHPA and DWSMA

Wellhead Protection Plan – Part 1 vulnerability assessments

- well vulnerability for all Newport wells: vulnerable
- aquifer vulnerability: low to very high
- DWSMA extends into Cottage Grove & Woodbury
- Part 1 WHPP approved by MDH on 7/30/2014



Next Step

- Wellhead Protection Plan – Part 2 amendment
 - ▣ inventory potential contaminant sources in the DWSMA
 - ▣ develop management activities to protect the aquifer
- Part 2 amendment must be completed by August 6, 2015



St. Paul Park - Newport Lions Club

P.O. Box 262
Newport, Minnesota 55055-0262

September 3, 2014

City of Newport
796 7th Avenue
Newport, MN 55055

Re: Charitable Gambling Resolution

The St. Paul Park Newport Lions Club would ask that the City of Newport renew their resolution allowing our organization to continue to operate our State licensed charitable gambling operation at the Opinion Brewing Company, located at 374 21st Street in Newport.

The Lions have long been supporters and partners with the City and we look forward to continuing this relationship.

If there are any questions or concerns relating to this request please contact me at 651-238-1363.

Sincerely,

A handwritten signature in black ink, appearing to read 'Robert H. Boeck', written over a white background.

Robert H. Boeck
Charitable Gambling Manager

Cc: Club Secretary

RESOLUTION NO. 2014-42

A RESOLUTION AUTHORIZING ST. PAUL PARK-NEWPORT LIONS CLUB TO CONTINUE LAWFUL GAMBLING OPERATIONS AT OPINION BREWING COMPANY, 374 21ST STREET, NEWPORT, MN 55055

WHEREAS, The City Council of Newport approved an application for the St. Paul Park-Newport Lions Club to operate lawful gambling at 374 21st Street, Newport, MN 55055 on March 6, 2008 through Resolution No. 2008-8; and

WHEREAS, Resolution No. 2008-8 specified that the permit was approved from June 1, 2008 to May 31, 2010; and

WHEREAS, The State of Minnesota Gambling Regulations no longer requires non-profit organizations to renew their permits every two years; and

WHEREAS, The City Council received a request from the St. Paul Park-Newport Lions Club to renew Resolution No. 2008-8.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Newport City Council hereby authorizes the St. Paul Park-Newport Lions Club to continue lawful gambling operations at Opinion Brewing Company, 374 21st Street, Newport, MN 55055 for the period of September 1 - December 31, 2014.
2. That a copy of this Resolution be sent to the St. Paul Park-Newport Lions Club.
3. That the St. Paul Park-Newport Lions Club will present the City with 25% of its monthly net earnings to the City of Newport, 10% of which will fund City functions and 15% of which will fund community-related functions.

Adopted this 4th day of September, 2014 by the Newport City Council.

Motion by: _____, Seconded by: _____

VOTE:	Geraghty	_____
	Ingemann	_____
	Sumner	_____
	Gallagher	_____
	Rahm	_____

Signed: _____
Tim Geraghty, Mayor

ATTEST: _____
Deb Hill, City Administrator

This is the annual Public Hearing involving our Storm Water Pollution Prevention Program for 2014. The purpose of it is to take comments from the Public regarding the effectiveness and adequacy of the program that is in place.

What is an MS4? MS4 is a Municipal Separate Storm Sewer System designed for collecting or conveying storm water only. This includes streets, curbs, gutters, catch basins, ditches, manmade channels and storm drains.

In 1972; Federal legislation developed the Clean Water Act which is designed to protect all surface water in the United States. This includes Rivers, Ponds and Streams.

In 1987; it was amended requiring the Environmental Protection Agency to develop a comprehensive phased program to regulate storm water discharges.

This means that each community was to take gradual steps guided by the EPA and the Minnesota Pollution Control Agency to gear up to control and maintain the chemical, physical, and biological integrity of the waters of Newport and all waters of Minnesota through management and treatment of urban storm water runoff.

We need to make sure the water flowing to Rivers, Ponds and Streams is as clean as we can keep it.

In Newport; our concern is directly related with the Mississippi River.

With construction of the 494/hwy 61 Highway and including the newly finished North ravine project, The City acquired 20 new ponds that are containment sites for water runoff related to this watershed. Each pond is designed to collect the runoff and then guide it to the Mississippi River. The pond acts as a filter by removing the silt, leaves, grasses, chemicals and trash that is in the water as it continues to the river.

Water enters these ponds and the river through catch basins. These are the same grates that you see in the gutter lines of our streets. Many of these grates are piped straight into the river. There are over 800 catch basins in Newport that collect runoff water and guide it to the filtering pond systems and then into the river.

The Storm Water Pollution Prevention Program is divided into six categories.

1. Public Education and Outreach.

How does Newport educate the public about Storm Water Pollution?

A. The first step is by conducting the Annual Public Hearing we are having tonight. We are live on the South Washington County Cable System.

This program is repeated throughout the month and is available to those that have Cable access.

B. We publish information Quarterly in the Newport Newsletters.

C. We have information on the City of Newport Website concerning all of the departments and events in the community

2. Illicit discharge detection and elimination.

An illicit discharge is any drain or pipe on the surface or subsurface which allows non storm water discharge such as sewage, process water, wash water or any unsanctioned connections to drain into the storm water system from any drains or sinks.

We are always watching for things draining into the storm sewer that are not legal.

3. Construction site storm water control

When construction starts and there is going to be a disruption of the soil; silt fence is installed to keep the mud, dirt and fine silt from entering into the storm system. You will see silt fence on all construction areas. There were thousands of feet of silt fence on the North Ravine Project, and there was a great amount surrounding the Transit station. You will also see silt fence surround the Knauff property in the next week or two. This works as a great filtering process.

4. Post construction storm water management.

This is usually discussed when a commercial development of one acre or more of land is to be disrupted. We want to know how much runoff there will be on a specific site after the project is complete. This will be discussed in the future as tracts of land in Newport start to develop. The Knauff site...Raceway to fun..etc.

5. Pollution prevention/good housekeeping for Public Works operations.

- A. We always Pave, seal coat and Patch streets only in dry weather.
 - 1. The oils and chemicals used to produce blacktop can bleed when wet and end up in the storm line
- B. We always cover manholes and catch basins prior to paving, patching, etc.
 - 1. For the same reasons
- C. Always clean all fluid leaks immediately
 - 1. Hydraulic leaks can occur on any of our equipment and would contaminate water.
 - 2. This is also true of diesel fuel and gasoline.
- D. Maintain roadside vegetation – restrict pesticide use
 - 1. Decaying and composting vegetation makes the water rich in nutrients
 - 2. Chemicals can be washed off into storm lines
 - 3. This means we as citizens should not mow the grass and leaves from our yards into the street which in turn run into the catch basins.
 - 4. Also it is the intent to GPS the location and elevation of all of the ponds that handle storm water in Newport. We will have to monitor them as time goes by to see that they do not fill up with silt, sand etc. Records will be kept; and these ponds will have to be dug out to the elevations that were in place when they were designed
- E. Sweep/vacuum roadways and shoulders to remove debris, and particulate matter
 - 1. DO THIS WHEN EVER POSSIBLE
 - 2. We have started to document the specific areas that we sweep and then record the amounts of material that we pickup
 - 3. We then compare the loads of product used for ice control and winter maintenance to the loads of material that are swept in the spring.
 - 4. With the recent purchase of the New Sweeper, we will have the capability to do a complete fall sweeping of leaves and debris.

6. The last category is that of Public participation.

What can the Public do to help our effort?

- A. Help to keep our catch basins clean. Remove any debris, grass or garbage that you see on the grate. This also prevents water from backing up and flooding roadways.
- B. Do not mow your lawns out into the street. Composting vegetation makes the waters very rich in content. This promotes algae growth on the surfaces of stagnate water. This also prevents the forming of stagnant air in the storm sewers.
- C. Clean up all liquid and oil spills that occur on your driveways or hard surfaces. These too may run into the catch basins and eventually reach the river.

In conclusion; I have to say that the City of Newport will continue to work hard on all minimum control measures that are required to continue to have a successful Storm Water Pollution Prevention Program. We are meeting the goals created early in the program; and we are progressively working to meet the demands that are put on us.

Are there any Public Comments regarding how we are doing in regards to this program?