



**City of Newport
City Council Minutes
October 1, 2015**

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 – Bruce Hanson, Supt. of Public Works; Steve Wiley, Fire Chief; Renee Eisenbeisz, Executive Analyst; Fritz Knaak, City Attorney; Jon Herdegen, City Engineer;

Staff Absent – Deb Hill, City Administrator;

4. ADOPT AGENDA

Attorney Knaak - I would ask that my matter be moved to the end because I may want to have the meeting closed to discuss attorney-client matters related to the Quade case. We just got some information in the last day or two.

Motion by Geraghty, seconded by Rahm, to adopt the Agenda as amended moving the Attorney's Report to the end of the agenda. With 5 Ayes, 0 Nays, the motion carried.

5. ADOPT CONSENT AGENDA

Councilman Lund - I would like to pull Resolution No. 2015-37.

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

- A. Minutes of the September 17, 2015 Regular City Council Meeting
- B. List of Bills in the Amount of \$116,942.53

With 5 Ayes, 0 Nays, the motion carried.

C. Resolution No. 2015-37 - Accepting Donations for the Period of August 4 - September 27, 2105

Councilman Lund - I just want to make sure that the donations from Cottage Grove Athletic Association is going to the Newport Athletic Association.

Executive Analyst Eisenbeisz - They do 10% and 15% each month and usually the 15% goes towards a community organization. I did notify them that the Newport Athletic Association is back up and running. I can double check to see what the past couple checks have been for, I don't believe they've sent one to NAA for a while. The 10% is for the City.

Councilman Lund - That's the standard?

Executive Analyst Eisenbeisz - Yes. The 15% does go towards community events and they choose that. I'll remind them that the Athletic Association is up and running.

Councilman Lund - I would like us to consider giving that to the Athletic Association at some point.

Motion by Lund, seconded by Sumner, to approve Resolution No. 2015-37 as presented. With 5 Ayes, 0 Nays, the motion carried.

6. VISITORS PRESENTATIONS/PETITIONS/CORRESPONDENCE

A. Washington County - Presentation on BizRecycling

Danielle Lesmeister, Washington County, and Mike Weitekamp, MN Waste Wise, presented on this item as outlined in the October 1, 2015 City Council packet.

Councilman Sumner - With the organics, where does the compost go? Is it available for residents?

Mr. Weitekamp - There are two main composting sites, one is just south of Rosemount and one is in Shakopee. They're marketing it through the Mulch Store.

Councilman Sumner - What's the cost?

Mr. Weitekamp - I believe it's \$25 per cubic yard but don't quote me on that.

Councilman Sumner - Is it a dry product?

Mr. Weitekamp - It has moisture content, it's a really rich black dirt. They do deliveries as well.

7. MAYOR'S REPORT –

A. Summary of the September 17, 2015 Closed Session

Mayor Geraghty - On September 17, we closed the meeting to discuss the pending Quade vs. City of Newport lawsuit.

8. COUNCIL REPORTS –

Councilman Sumner - Nothing to report.

Councilman Ingemann - Within the last week I have had the pleasure of meeting with a lot of different people from various law enforcement agencies. They had a lot of very interesting things to say that were very enlightening. One person asked a very interesting question, and that was, "Did the city consider the fact that if there is no longer a police department, and the county has taken over the job of police protection, that Newport will no longer receive the following revenue for the city?"

- Police town aid \$45,000.00
- Police training reimbursement \$2,300.00
- Accident report charge \$100.00
- Fines and forfeits \$52,000.00

These figures are from your own budget proposal for 2016. By the way the total comes to \$99,400.00 that the city of Newport will not see again. All this money and more will all go to the county because there will be no

police department in Newport anymore. Also, when the county has to go to court, will they do it for free or will they charge the city of Newport for time spent in court? Another cost not figured in. There will be more of these types of charges to come from the county for sure. It seems as if all your "savings" is going away rapidly, or should I say what savings you thought was there? Will the current Ad Valorem tax be the same after a county takeover of the police department? Will the market value of homes not fall because of no local police department? Will any new businesses want to come into the city because of no local police department? If the county comes in and the police department is dissolved, the city will no longer have any control what-so-ever over policing matters, the county will say, "tough luck". Who will keep track as to whether the county is providing 24/7 patrol in the city of Newport? The county does NOT want to be here, but by state law, they have to be here. Why would I want someone to provide public safety for our community who doesn't want to be here? Why should any of us citizens of Newport have to lower our public safety standards so our Mayor can save \$10.00 on his property tax? I am more than willing to pay for that service provided by someone who wants to be here rather than by someone who doesn't want to be here but has to be (by law). Our officers, if absorbed by the county will have to go through the county FTO (Field Training Operations) and can be fired for any reason during that time. No such guarantee of job security. How can any different organization guarantee the same seniority and vacation time when there are different unions and different groups of employees trying to work together? Only in a dream of course, but not in reality. If a normal citizen is to believe that all police jobs are guaranteed, they are being led into the same Wonderland as some members of the City Council, along with Alice. Last year the at a meeting in Stillwater, the Sheriff told us that the officers would have to apply for the job positions and that there is no guarantee, but now we're being told (by Deb and Tim) that now there is a guarantee? What has changed? Also at the same meeting we were told that if our cops were hired by the county, they would not be serving the community they came from, but different parts of the county. Now, who is telling us the truth? What is going to happen after the contract expires? I'll tell you what, the contracted prices will go up and it will be a LOT and we will have no choice in the matter. Also, it will cost so much more to re-establish our own police department, when now, all we have to do is hire a new Police Chief like we were planning to do before you (Tim and Deb) decided to have the county come in and take over. Also, you two never even considered contacting St. Paul Park or Cottage Grove until we brought it up at our last meeting. Statistics pulled from the 2014 Uniform Crime Report show that Newport's clearance rate for part one crimes (Murder, Rape, Robbery, Assault, Larceny, Motor Vehicle Theft, Human Trafficking) is 73% and the clearance rate for part two crimes (Forgery, Fraud, Embezzlement, Vandalism, Prostitution, Narcotics, other offenses) is 87%. In the same report, it stated that Washington County Sheriff office has a clearance rate for part one crimes of 15%, and of part two crimes, a clearance rate of 58%. Makes one wonder why should I lower my safety standard just to save possibly \$10 per household. The Sheriff's office has a hard time with what they do now. Why are you telling people that there will be this enormous savings, when in fact it is untrue. It cost the City of Hugo \$860,213.43 for the county to provide police protection for the year of 2015, and Newport has our police budget for 2015 set at \$856,400.00. Savings?? Many years ago, the Newport police department used to have a Chief, an inspector, a Sargent and 6 patrol officers, and over the years, Tim has brought down the Police Department and now is trying to eliminate it completely just to save a few dollars, and by putting your safety at risk. I consider my safety worth a whole lot more than \$10.00. If I have an emergency, and need help, I want someone to respond and get to my assistance as soon as possible. What are they thinking?? At the present time in the world, and with all of the weirdoes out there, it is standard protocol that if a call for medical assistance, fire, or any other possible emergency is made, and the police have not arrived yet, the ambulance will not show up until that situation is cleared and no threat is eminent. That time lag could be the difference between life or death, and the Mayor wants to save a buck and let someone suffer or die. The staff was directed to check and get information from different organizations, and came back, and they came back with just one option that they are trying to force down the throats of the citizen of Newport. They did not even contact the Cities of St Paul Park or Cottage Grove about the possibilities of a merger. You both seem to be turning a deaf ear to the wishes of all our Newport citizens. It appears that some members of the administration and members on the council are going by the saying, "we are penny wise but really pound stupid". We have heard from many of these citizens, and they tell us that they do not want this to happen. They all want our own police department. How about we follow the wishes of our citizens instead what you want. I believe you were elected to support the needs of the people of this city. Let's get back to the "government of the people, by the people, and for the people" shall we? When a city loses its police force, it loses its identity. Every citizen from Newport should call each of their elected officials to inform them where they stand on this matter. Their phone numbers are on the City web

page. If they do not hear from the citizens, they will think this is a good idea. The City needs to post the job for Police Chief as soon as possible, to get that person on the Job by January 1, 2016. I remember at one time the council decided that political information would not go into the city newsletter, but it appears as if information has gone out to the public that does not have all the proper information for people to make an informed decision. There are many non-correct statements that the city sent to the public regarding the police department. This information is what some people in the city would want you to believe, when in fact not all of the statements are true and many questions have yet to be answered! We all know what happens when you assume! Oh I forgot, gas is \$.10 cheaper in South St. Paul than it is here in Newport. It is also cheaper in Hastings by about the same and more. As you know, it gets cheaper the farther you get away from Newport and the refinery (go figure) as is must have something to do with their high transportation costs. Getting back to this notice that was sent out. The City has given us some information where they say it costs the City \$246.87 per person to provide police protection. That's an incorrect number. They're also using an incorrect census number. Using the City's budget from the past years, you take the revenue that comes in, town aide, training and reimbursement, fines and forfeitures, and background checks, and you subtract that from the budgeted amount gives you the actual cost. In 2011, the actual cost per person was \$128.48, for 2012 it was \$110.47, for 2013 it was \$100.85, for 2014 it was \$104. Proposed for this year, it \$107.13. I don't know where they got the \$248 but that's bogus and incorrect. On the flip side, they say that the budget is \$920,290, that is incorrect. According to the budget that we went through in September, the budget is \$869,290, which is a whole lot less but if you take away the revenue, it comes down. Where you got your numbers that you're giving to the public is incorrect. Either state the numbers as factual or don't state them at all. This thing is so full of bogus numbers, it's ridiculous. To find out the actual cost, it's what's brought in minus what's spent, not these inflated numbers. I hope anyone who wants copies of this, not a problem, I can print some more.

Mayor Geraghty - I don't know where to begin Tom. I know why there's a lot of misinformation out there by the way you're talking. Did the Sheriff tell you he didn't want to come here?

Councilman Ingemann - It is a known fact that the County does not want to come down here.

Mayor Geraghty - Last meeting you said it was a fact that Cottage Grove wanted to assist us for free and that was bogus. You're making stuff up.

Councilman Ingemann - You never asked Cottage Grove or St. Paul Park for a proposal until now. We asked the Sheriff to come and talk with us at a workshop and he doesn't want to. I'm not going to call him, it's like talking to you.

Mayor Geraghty - We'll still get the fines and forfeitures and state aid.

Councilman Ingemann - No you won't.

Mayor Geraghty - Yes it is, I checked with the Sheriff, is that true?

Attorney Knaak - Yes, anything generated from prosecution the City will get.

Mayor Geraghty - So throw out the crap that you don't know anything about.

Councilman Ingemann - Answer the questions that I asked.

Mayor Geraghty - This chart came from the Washington County website.

Councilman Ingemann - That's wrong, those census numbers are wrong.

Executive Analyst Eisenbeisz - It came from Washington County.

Mayor Geraghty - And I believe staff ran this by you.

Councilman Ingemann - And I told them that it looked like bogus and said don't send it out.

Mayor Geraghty - We have your email. You said it was fine.

Councilman Ingemann - I went to the budget and looked at the numbers and pulled the census that says 3,715 and that's what I came up with. You have bogus numbers, I got bogus numbers, whose are wrong.

Mayor Geraghty - That's our job to sort out the truth.

Councilman Ingemann - Maybe we should do a feasibility study like St. Paul Park suggested a while ago.

Mayor Geraghty - The Sheriff put it in writing that the guys would have their jobs.

Councilman Ingemann - So he lied to us last year.

Mayor Geraghty - This year. He changed his mind.

Councilman Ingemann - So he won't change his mind next year?

Councilman Rahm - I attended the Fire Dept banquet last Saturday and would like to thank the volunteer firefighters for their service and support. I also attended a South Washington County Telecommunications meeting last week. If you have Comcast and get Xfinity internet connections, as of August 27, your speeds can be doubled depending on your package. If you have a performance package, your speeds will go to 50 mbs from 25, if you have blast, they'll go from 50 to 105, and extreme goes up to 150. These increases are at no additional costs. To take advantage, you need to power cycle your modem. I think the reason this is coming is because of competition coming into the market. We're still in negotiations with CenturyLink but they're providing broadband and higher speed services. The other issue is that every year, there has been a reimbursement of excess cable franchise fees that are shared among the local municipalities. There was a motion to change the formula for the reimbursement. The motion was to only reimburse Woodbury and Cottage Grove but that was tabled. If that motion does go, Newport would lose that revenue. We were always told never to budget for it. When I know the final resolution, I'll report it. As far as the police matter, I have some comments on it but I'll wait for the next meeting.

Councilman Lund - I would like to say that I've seen both the Washington County Sheriff's Office and Newport Police Department provide excellent service and there's a lot of mutual respect. I don't appreciate Tom dragging one service through the mud over the other. We have issues we're talking about related to budgeting. I think both agencies should be commended during this difficult time and they both provided excellent customer service to Newport and the County so thank you to both.

9. ADMINISTRATOR'S REPORT –

A. Ordinance No. 2015-7 - Amending the City Code of Ordinances Chapter 8, Nuisances

Executive Analyst Eisenbeisz presented on this item as outlined in the October 1, 2015 City Council packet.

Motion by Rahm, seconded by Sumner, to approve Ordinance No. 2015-7 as presented. With 5 Ayes, 0 Nays, the motion carried.

10. ATTORNEY'S REPORT -

This item was moved to after New/Old Business.

11. POLICE CHIEF'S REPORT -

Mayor Geraghty - You're part of this and I will say that I don't want to jeopardize public safety and I won't. I do want to protect the officers' jobs as well. That is the number one goal for me. I don't know how it will end up.

12. FIRE CHIEF'S REPORT – Nothing to report.

13. ENGINEER'S REPORT - Nothing to report.

14. SUPERINTENDENT OF PUBLIC WORKS REPORT -

Supt. Hanson - We are flushing hydrants. If you do notice dirty water, please run your cold water first. It'll be going on for the next week to week and a half.

Councilman Sumner - Have they discovered any issues during the flushing?

Supt. Hanson - No, it's just routine maintenance.

15. NEW/OLD BUSINESS

Mayor Geraghty - Tom, can you send your document to Renee so she doesn't have to type it over.

Councilman Ingemann - Yes.

Councilman Sumner - I would like a copy of that too.

16. ATTORNEY'S REPORT

Attorney Knaak - I would like to go into closed session since my report will focus entirely on the Quade matter which is pending litigation.

Councilman Sumner - I have a question, I do believe we've commented several times over the last couple years that there is a new normal for the number of cases that are being brought forward and to trial, is that correct?

Attorney Knaak - Yes, the volume has stayed high. We continue to submit a report to the staff if you'd like to review it.

Councilman Rahm - Do we still get it?

Executive Analyst Eisenbeisz - No, it was requested by the City Council to not include it in the packet.

Councilman Sumner - I would like to see those.

Councilman Rahm - Me too, I don't see those anymore.

Councilman Sumner - We also used to get a monthly report from the Police Department, can you please send the last two annual reports from them?

Attorney Knaak - The reports are the same.

Councilman Sumner - Those numbers are very important.

Councilman Rahm - I think we should get those reports.

Executive Analyst Eisenbeisz - Ok.

Mayor Geraghty - Then I will close the meeting to discuss pending litigation for the Quade matter.

The City Council closed the meeting to the public at 6:15 p.m.

The meeting was closed to discuss the pending Quade vs. City of Newport lawsuit.

The City Council opened the meeting to the public at 6:58 p.m.

17. ADJOURNMENT

Motion by Geraghty, seconded by Sumner, to adjourn the regular Council Meeting at 6:58 P.M. With 5Ayes, 0 Nays, the motion carried.

Signed: _____
Tim Geraghty, Mayor

Respectfully Submitted,

Renee Eisenbeisz
Executive Analyst