



**City of Newport
City Council Minutes
October 2, 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; Bruce Hanson, Supt. of Public Works; Curt Montgomery, Police Chief; Fritz Knaak, City Attorney; Jon Herdegen, City Engineer; Sherri Buss, TKDA Planner

Staff Absent –Mark Mailand, Fire Chief; Renee Eisenbeisz, Executive Analyst;

4. ADOPT AGENDA

Mayor Geraghty - I would like to give a brief report of our closed meeting under my report.

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

5. ADOPT CONSENT AGENDA

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

- A. Minutes of the September 18, 2014 Regular City Council Meeting
- B. List of Bills in the Amount of \$182,086.75
- C. Publication of Ordinance No. 2014-14
- D. Minutes of the September 18, 2014 and September 24, 2014 Closed Session

With 5 Ayes, 0 Nays, the motion carried.

6. VISITORS PRESENTATIONS/PETITIONS/CORRESPONDENCE

7. MAYOR'S REPORT –

A. Summary of October 2, 2014 Closed Session

Mayor Geraghty - I just wanted to report that the Council did meet prior to this Council meeting for a closed session to review five complaints against members of the Police Department. The complaints were against Officer Brodin, Officer Martin, Officer Crist, Office McArdell and Officer Muellner. The complaints against Officers Brodin and Martin were found to be unfounded and no further action will be taken on those two Officers. The complaints against Officers Crist, McArdell and Muellner have been referred to the City Administrator and Chief of Police for further review and action if it is to be warranted.

8. COUNCIL REPORTS –

Councilman Gallagher - Nothing to report.

Councilman Sumner - I attended the fire fighter's appreciation dinner. It was nice to look at the faces of the people that get out of bed at night, rush to fires, and put themselves in danger on our behalf. I'd like to thank each and every one of them. Also, there was an award given to one of our Councilmembers who is also on the Department. Councilman Ingemann was recognized for 40 years of service with the Department. I think that's quite commendable and we do appreciate that. The guys say that the spirit of the fire fighters is very strong and I think that he's contributed to that. Thanks Tom.

Councilman Ingemann - I also attended that dinner.

Councilman Rahm - I also attended that dinner.

9. ADMINISTRATOR'S REPORT –

Admin. Hill - I attended a meeting with Met Council to discuss our I & I problem. We have a work order from them for over \$800,000 that we need to accomplish within the next four years. I'll be talking with Bruce and Jon about a couple of the ideas. The weather has impeded the screening on the Knauff property, they have over half of it done. They screened at least six inches down.

10. ATTORNEY'S REPORT - Nothing to report

11. POLICE CHIEF'S REPORT -

Councilman Gallagher - I know the Safe and Sober program ended October 1. How did we do?

Chief Montgomery - I can give you the stats, I don't have them now. We did very well. We were in the top half for an area level.

Councilman Gallagher - Does the new year start October 1?

Chief Montgomery - Yes.

Councilman Gallagher - Do you know how much we're getting next year?

Chief Montgomery - It's been cut.

Admin. Hill - When we had the officers come to say that they were overstressed and overworked, I asked the Chief, how do we justify adding more overtime. I haven't received a response for that yet. I spoke with the County and they said we can start over at any time I just haven't received an explanation for that.

12. FIRE CHIEF'S REPORT – Nothing to report

13. ENGINEER'S REPORT –

A. 2013 and 2014 Street Improvement Update

Jon Herdegen, City Engineer, presented on this item as outlined in the October 2, 2014 City Council packet.

Councilman Sumner - Bruce, everything is done for 2013?

Supt. Hanson - Yes.

Motion by Gallagher, seconded by Sumner, to approve the Final Payment for the 2013 Street Improvement Project for \$25,317.81. With 5 Ayes, 0 Nays, the motion carried.

Mayor Geraghty - How much is left after this payment?

Engineer Herdegen - We're 60% paid after this request.

Motion by Sumner, seconded by Ingemann, to approve Partial Payment #4 for \$720,477.93. With 5 Ayes, 0 Nays, the motion carried.

Councilman Sumner - Is there a chance that the curb on 1385 3rd Avenue will be picked up in the next project?

Engineer Herdegen - It would be anticipated that we could pick up from where the existing curb is. We did not put a concrete apron here.

Supt. Hanson - It's not schedule for anything we have right now.

Mayor Geraghty - Do you have a recommendation for the new amount?

Engineer Herdegen - Your mill and overlay assessment is \$2,900 with curb or \$2,400 with no curb. I think it would be appropriate to adjust it to that level. Keep in mind that if a project is done on 3rd Avenue in the next ten years, they would not be assessed for that next project.

Councilman Sumner - Would we pick up a project in the next ten years? Would it be best to not assess at all?

Engineer Herdegen - That's difficult to say.

Councilman Sumner - Is the sewer bad at all? That's why we're doing the projects.

Councilman Rahm - Unless we televise, we won't know.

Councilman Gallagher - This is a new home and they were still assessed for sewer service?

Engineer Herdegen - Yes and that was inadvertent. When the roll was put together, every lot that fronted even a portion was included and my guess is that I put in one sewer service for every home on that street.

Councilman Gallagher - That should be taken away since it's a new home.

Engineer Herdegen - Yes. The question is what to do with the street.

Councilman Sumner - Is there pavement in front of their house?

Engineer Herdegen - There is new street in front of their place. It's a transition from the old width to the new width.

Councilman Gallagher - I would like to make a motion to not assess 1385 3rd Avenue for anything.

Engineer Herdegen - There is one resolution for all three properties.

Mayor Geraghty - Are you recommending that the \$15,000 be removed from both Ford Road properties?

Engineer Herdegen - Certainly for Ellingboe, we feel the improvements to his driveway have effectively eliminated the discharge onto Ford Road. In review of Lewis' driveway, it appears, certainly during these last few rains, that we're not seeing any of the milled bituminous come back onto the road. Our only concern is if it's a permanent fix.

Mayor Geraghty - Is this the latest we can do this so it doesn't appear on his taxes?

Engineer Herdegen - Yes.

Mayor Geraghty - Can we come back in the spring and put it back on his taxes if it hasn't been resolved?

Attorney Knaak - That's very hard to do.

Councilman Sumner - We could continue to charge him for any cleanup costs, which would be extensive.

Attorney Knaak - You can assess for an ongoing nuisance. If you leave it on there, he can argue for an abatement or refund.

Mayor Geraghty - Can we collect it and keep it as escrow?

Attorney Knaak - I wouldn't recommend that. If you think the problem is immediately resolved, you release it and if there is an ongoing problem down the road then you assess for different reasons.

Councilman Sumner - How difficult is that?

Attorney Knaak - It's less than ideal.

Mayor Geraghty - Can we put something in the resolution to make a stronger case if we need to come back?

Attorney Knaak - No. If you don't want to release it you could have it assessed and reimburse him next year if the problem is fixed. The original agreement was that if he fixed the problem, we wouldn't assess him. If you have something that the Engineer can sign off on then I would recommend that you let it go.

Mayor Geraghty - Is the property for sale?

Engineer Herdegen - I believe it is. I know he had a potential buyer.

Admin. Hill - If we have to sweep the streets, can't we assess that at the end of the year like we do for mowing lawns?

Attorney Knaak - Yes.

Mayor Geraghty - I'm tempted to leave it on unless you two can tell me it's been taken care of for sure.

Engineer Herdegen - He's met the ordinance that says he needs to pave the first 40 feet of his driveway. At this point, he has compacted millings on his driveway that are being collected by his sediment trap. We can look at the trap after a half dozen rains and see that we're not seeing many of those millings come down onto the street.

Mayor Geraghty - Did you approve the design and did he put it in the way you approved it?

Engineer Herdegen - We required him to put in something that worked. We did not give him a design and we did not approve his design because we were only concerned with the final product.

Councilman Ingemann - My understanding is that the milling wasn't approved for Knauff but it was for him, why is that different?

Supt. Hanson - The first 40 feet are concrete so it's different.

Councilman Gallagher - Did you tell him to put in 40 feet of concrete?

Engineer Herdegen - He knew that he had to put in 40 feet according to the ordinance.

Councilman Gallagher - We were assessing him because of that?

Engineer Herdegen - It was because of a nuisance.

Councilman Ingemann - Every time it rained, it was a gravel pit.

Councilman Sumner - And that was being driven into the bituminous every time cars drove over it.

Councilman Gallagher - Have you noticed anything?

Engineer Herdegen - It's difficult to see any impact down the road now because we have a lot of topsoil that needs to be protected. We need to get turf established and an apron needs to be paved on that driveway.

Mayor Geraghty - Do you want to assess the \$15,000 or not?

Councilman Sumner - What's going to happen in the winter?

Engineer Herdegen - I would consider it to be the same as a gravel road. Between plowing and freeze thaw, you'll lose a certain percentage of that every time you plow it.

Councilman Ingemann - He took care of the first 40 feet.

Engineer Herdegen - The millings help to a certain extent but they'll degrade faster than a paved surface.

Councilman Ingemann - Don't assess it.

Councilman Sumner - We have the nuisance available to us.

Engineer Herdegen - You have another mechanism to collect for damages.

Councilman Sumner - For 1385, are those people in agreement that one side will be curbed and one won't be?

Engineer Herdegen - They requested to have curb placed across their entire property but in my eyes, that's a waste of money because it would need to be taken out once 3rd Avenue is designed. It's unlikely that we could tie into that curb.

Mayor Geraghty - They're basically getting half for free and will pay next time we do something.

Admin. Hill - Can they put in their own curbing?

Engineer Herdegen - No, not in the right-of-way.

Motion by Geraghty, seconded by Gallagher to approve Resolution No. 2014-46 adopting an amendment to the assessment roll for 1385 3rd Avenue, 1111 Ford Road, and 1125 Ford Road. With 5 Ayes, 0 Nays, the motion carried.

Councilman Rahm - Is there a status on the transit station?

Supt. Hanson - The first lift is on the parking lot and the building is 70% done. They're still scheduled to be done mid-October. Red Rock Crossing still needs to be done.

Councilman Sumner - What's involved in Red Rock Crossing?

Supt. Hanson - It's the street.

14. SUPERINTENDENT OF PUBLIC WORKS REPORT -

Supt. Hanson - I have two items for you that I've handed out quotes for (see attached). The first is for installing radiant heat at Fire Hall #1. I gave you three options, they're all relatively different. I would like to recommend Schadegg Mechanical and option #1. I believe this is the best option for our goal to go green and efficient. I believe it's a good price and is a budgeted capital item. We have \$30,000 in the budget and this is well within that.

Councilman Sumner - How soon would this be done?

Supt. Hanson - This year.

Motion by Ingemann, seconded by Gallagher, to approve the bid from Schadegg Mechanical for \$19,950 to install infrared heaters at Fire Hall #1. With 5 Ayes, 0 Nays, the motion carried.

Supt. Hanson - The second item is for carpet at Fire Hall #1, the training room and offices. The Chief would like the offices done as soon as possible. I'm recommending the first option from Hiller Carpet. The option is \$2,836 for the training room and \$972 for the offices. This was a budgeted item for \$3,000, this brings us up to \$3,800 but we're under \$10,000 for the furnace.

Mayor Geraghty - How many bids did you get for this one?

Supt. Hanson - Three but they're all the same.

Councilman Sumner - Is it a quality product?

Supt. Hanson - Yes, it's generally a 20-year carpet.

Motion by Geraghty, seconded by Rahm, to accept the bid from Hiller Commercial Floors to include the upper level and two offices. With 5 Ayes, 0 Nays, the motion carried.

15. NEW/OLD BUSINESS

Councilman Sumner - I want to remind the public and Councilmembers that there will be the Buckthorn Removal Day on Saturday, October 25 at 9:00 a.m. in Bailey School Forest. Please come and contribute.

16. ADJOURNMENT

Motion by Geraghty, seconded by Rahm, to adjourn the regular Council Meeting at 6:04 P.M. With 5 Ayes, 0 Nays, the motion carried.

Signed: _____
Tim Geraghty, Mayor

Respectfully Submitted,

Renee Eisenbeisz
Executive Analyst



225 Bridgepoint Dr.
 So. St. Paul, MN 55075
 Phone 651.292.9933
 Fax 651.292.9929

Sheet Metal ♦ Piping ♦ S/S Fabrication ♦ Plumbing ♦ Service

To:	Bruce R Hanson	Phone:	651-459-2475
Company:	City of Newport	Fax:	651-459-2043
Address:	596 7 th Ave	Date:	10-1-2014
City/State/Zip:	Newport MN 55055	Subject:	Newport Fire Station 155 20 th Street

PROPOSAL

We propose the following mechanical work for your review:

- Remove (2) existing unit heaters and dispose of
- **Option #1:**
- Provide and install Vantage super high efficiency modulating infrared heaters (1) 115,000 BTUs, (2) 80,000 BTUs, (2) electronic zone sensors, (2) 20' side reflector kits and hardware
- Gas piping, power wiring, controls, and venting are included

Price.....\$19,950.00

- **Option #2:**
- Provide and install Vantage standard efficiency with upgraded sealed combustion burner box
- (1) 100,000 BTUs, (2) 80,000 BTUs, (2) 24 volt thermostats, (1) transformer/relay, (2) 20' side reflector kits and hardware
- Gas piping, power wiring, controls, and venting are included

Price.....\$18,600.00

- **Option # 3:**
- Provide and install Gordon-Ray standard efficiency with standard non sealed combustion (Not recommended because of possible high moisture content in the garage)
- (1) 100,000 BTUs, (2) 80,000 BTUs, (2) 120 volt thermostats, (1) Transformer relay kit, (2) 20' side reflector kits and hardware
- Gas piping, power wiring, controls, and venting are included

Price.....\$15,800.00

Exclusions : Overtime,

Terms:
 This quote is good for 30 days. Invoice terms are Net 30 Days.

Proposed by:
 Schadegg Mechanical Inc.

_____ Date:
 Troy Burger
 Special Projects Manager

Accepted by:

_____ Date:
 Name:
 Title:

PROPOSAL



2441 Ventura Dr. Ste. #100 ♦ Woodbury, MN ♦ 55125 ♦ Phone (651) 773-9000 ♦ Fax (651) 773-9010

Company Name City of Newport	Phone / Fax	Date 9-26-14
Street Address	Project Name Fire station heat	
City, State, Zip	Project Location NEWPORT FIRE DEPT	
Attention: BRUCE	Project Description ADD INFRA RED HEAT	

We propose the work you requested. Included in our quote is the following:

- Furnish and install (6) Spacera burner packages with infra red tubes as needed in the two garage spaces (3 per garage)
- Furnish and install gas piping as required to new units from the existing meter.
- Furnish and install new venting and intake piping through the roof as required for fresh air and exhaust. Roofing is included.
- Provide power and control wiring as required
- Start up and test
- Provide permits.

WE PROPOSE hereby to furnish material and labor - complete in accordance with above specifications, for the sum of:

Cost: Twenty Three Thousand Nine Hundred Fifty Dollars-----\$23,950

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Kraft Contracting, L.L.C. accepts the responsibility for the construction work only as it relates to the bid scope as detailed in the bidding documents. We exclude engineering liability for the design or code compliance of the construction. Any alteration or deviation from above specifications involving extra costs will become an extra charge over and above the estimate. Kraft Contracting, L.L.C. will not be held liable for agreements contingent upon strikes, accidents or delays beyond our control. Building owner to carry fire, property and other necessary insurance. Our workers are covered by workmen's compensation insurance. Kraft Contracting, L.L.C. will not be responsible for, nor will bid on this project, any work or cost of asbestos abatement. Building owner to provide safe work area with free access to carry out above work. All work to be performed during normal workday on straight time unless otherwise noted. 1 1/2 % charged on all accounts over 30 days. As part of this Proposal, if it is required by the Contract, Kraft Contracting L.L.C. will provide commercial general liability insurance to the fullest extent of its current insurance coverage. Kraft Contracting will not assume any insurance obligations beyond that included in its current insurance policy.

Note: Proposal may be withdrawn by us if not accepted will in 30 days.

Eric Pearson,

Phone (651) 773-9000

Fax (651) 773-9010

ACCEPTANCE OF PROPOSAL - The above prices, specifications and conditions are satisfactory and hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance _____ Authorized Signature _____

AIR MECHANICAL INC
AIR MECHANICAL INC
HEATING, COOLING & PLUMBING
"Creating Custom Comfort Since 1985"

City of Newport
596 7th Avenue
Newport, MN 55055

Date: 09/29/2014

Attn: Bruce R. Hanson
Re: Infra-Red Heaters

We are pleased to quote the following on the above mentioned project.

1. Demo the existing unit heaters and dispose of them properly.
2. Furnish and install: (2) Two, Infra-Red heaters, (1) One, 30'-0", 100,000 BTU/H and (1) One 40'-0", 125,000 BTU/H.
3. Furnish and install: All necessary venting up through the roof.
4. Furnish and install: All necessary natural gas piping, ball valves and pressure regulators.

Note: All natural gas piping we furnish will meet the local and state gas codes.

		Cost: \$ 11,469.00
Electrical: Wiring of the infra-red heaters and thermostats.	Add	Cost: \$ 3,150.00
Roofing: Budget	Add	Cost: \$ 1,200.00
Engineered Signed drawings if required by the city.	Add	Cost: \$ 500.00



2909 South Broadway
 Rochester, MN 55904
 P: 888-724-1766
 F: 507-288-8877

Flooring Proposal for the City of Newport
 Fire Hall Upper Level
 Revised September 25, 2014

I. Roll Carpet	Upper Level	2 Offices
108yd/36yd Change in Attitude @ \$20.00/yd Installed	\$ 2,160.00	\$ 720.00
Take-up & haul old carpet	\$ 324.00	\$ 108.00
Stair Labor	\$ 112.00	----
120' Vinyl Base @ \$2.00	<u>\$ 240.00</u>	<u>\$ 144.00</u>
	<u>\$ 2,836.00</u>	<u>\$ 972.00</u>
II. Tile Carpet		
96yd/40yd Carpet Tile @ \$27.50/yd	\$ 2,640.00	\$ 1,100.00
10yd Roll carpet for steps	\$ 200.00	-----
Take-up & haul old carpet	\$ 324.00	\$ 108.00
Scrape old glue at carpet tile	\$ 259.00	\$ 97.00
120' Vinyl Base	\$ 240.00	\$ 114.00
Stair Labor	\$ 112.00	-----
4' Stair Nose	<u>\$ 76.00</u>	-----
	<u>\$ 3,851.00</u>	<u>\$ 1,449.00</u>

Owner to move & reset furniture

Submitted By:

Dave Bahr

Dave Bahr
 Hiller Commercial Floors
 September 25, 2014
 DB/lib