



**City of Newport
City Council Minutes
November 5, 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 – Deb Hill, City Administrator; Bruce Hanson, Supt. of Public Works; Steve Wiley, Fire Chief; Renee Eisenbeisz, Executive Analyst; Jon Herdegen, City Engineer; Fritz Knaak, City Attorney;

Staff Absent –

4. ADOPT AGENDA

Mayor Geraghty - At the end of our meeting, after New/Old Business, I'm going to recess the Council meeting to conduct our NEDA meeting and then we'll reconvene and go into the closed session.

Motion by Sumner, 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 October 15, 2015 Regular City Council Meeting
- B. List of Bills in the Amount of \$304,420.64
- C. Gambling Permits for Capital City Strutters
- D. Deer Hunt Agreement
- E. **Resolution No. 2015-39** - Establishing the City's Contribution for Employee Health and Dental Insurance Coverage

With 5 Ayes, 0 Nays, the motion carried.

6. VISITORS PRESENTATIONS/PETITIONS/CORRESPONDENCE

Craig Rice, 512 2nd Avenue - Just to rehash, come back to the issue of the Police Department. My previous comments were directed to fairly specific members and the Council itself. Just to mostly really consider what you're considering. We're not going grocery shopping but talking about life-changing things. Councilman Sumner...

Mayor Geraghty - Please address your comments to the Council.

Mr. Rice - Sorry, there were people that went out and got feelings. I did that myself in the neighborhood. It takes

a lot to rattle a cop. These guys are rattled, I can see why. I don't want to see Chief Montgomery under the bus but in construction we've run into the issue where they are good in the line but can't be a foreman. Chain of command does not stop at the Chief. I know in my life, I have to wear many hats just to perform life but I also manage time to be a carpenter. What I'm basically saying is that if the body does not have the expertise to evaluate or command performance for those under, then it's up to them to direct or make changes, not throw the whole thing out.

7. MAYOR'S REPORT – Nothing to report

8. COUNCIL REPORTS –

Councilman Lund - I'm meeting with the Sheriff tomorrow morning to talk about how things are going. I'll pass along that we've been appreciative of their efforts.

Councilman Sumner - A few weeks ago was Buckthorn Day. That went well. I also met with the City Engineer on the Wellhead Protection Plan and that will be coming back to the Council.

Councilman Ingemann - Nothing to report.

Councilman Rahm - Nothing to report.

9. ADMINISTRATOR'S REPORT –

A. Public Hearing - To consider, and possibly adopt, an amendment to Chapter 4, Licensing

The public hearing opened at 5:35 p.m.

Executive Analyst Eisenbeisz presented on this item as outlined in the November 5, 2015 City Council packet.

Councilman Sumner - That group of three will be able to pick up any accounts left by the one that is not being renewed?

Executive Analyst Eisenbeisz - Yes, last year we had a couple that didn't meet the requirement and they sent letters stating that their license wouldn't be renewed and to contract with one of the remaining haulers.

Councilman Sumner - Is there a date that the changes need to be made by?

Executive Analyst Eisenbeisz - Not for the 2017 requirements but the 2016 renewals are due by December 15th and I've already notified the one that doesn't meet the 2016 requirements that they don't and will need to notify their customers.

The public hearing closed at 5:38 p.m.

Councilman Rahm - Three is the minimum that we'll go to?

Executive Analyst Eisenbeisz - Our code states that we'll have at least three.

Motion by Geraghty, seconded by Sumner, to approve Ordinance No. 2015-8 as presented. With 5 Ayes, 0 Nays, the motion carried.

Executive Analyst Eisenbeisz - I sent out letters for annual appointments. There were five individuals, one from the Park Board is not seeking reappointment, we still have a vacancy for the Library Advisory Committee, and the two from the cable commission are willing to be reappointed but asked that we advertise in case there's anyone else interested. Those will be advertised on the website and newsletter.

Admin. Hill - I do have an update from last week's workshop for a police study. I had a meeting with Charlene Stevens and Kevin Walsh regarding whether or not their cities would be interested in a study. I heard from Charlene, they are interested depending on the cost. They were also interested in doing a fire study at the same time but said that's not a deal breaker since it hasn't been discussed. Kevin hasn't polled his Council yet. He thinks they might be interested in a study. Whether that changes due to their Chief announcing his retirement and them moving forward with filling it. I think they might be looking at a contracted situation. I've also been in touch with a couple outfits that do studies like the example we were given to see what their experience is. When I hear back from Kevin, I'll email the Council.

Mayor Geraghty - You got the impression that the Park would want to do a contract, not merge?

Admin. Hill - Yes.

Mayor Geraghty - What about Cottage Grove?

Admin. Hill - For a city their size, contracting would make more sense as a whole. That was my impression.

Mayor Geraghty - What's left to study?

Admin. Hill - Whether or not we want to contract.

Councilman Lund - Would you be in favor of a joint workshop?

Admin. Hill - I can contact them to see if we could have two people on each Council or everyone.

Councilman Ingemann - At a workshop you can't make any decisions anyways but you can get a feel.

Councilman Lund - I think we need at least two from everyone but we don't need to limit it.

Admin. Hill - I can explore that.

Councilman Rahm - Did we get anything on extending the contract with the County?

Admin. Hill - I spoke with Bill about that and they had a meeting yesterday on it. It all depends on how long we need because we are taxing them to a certain degree with their management coming here versus their regular jobs. I'll hopefully have something more firm by next week.

10. ATTORNEY'S REPORT -

Attorney Knaak - Just to confirm that we are now starting to forward the monthly prosecution report to you.

Councilman Lund - Presumably, our settlement worked out fine?

Attorney Knaak - You can presume that. We do have one more act that will be at the next Council meeting.

11. POLICE CHIEF'S REPORT - Nothing to report.

12. FIRE CHIEF'S REPORT -

Chief Wiley - Over the course of the year I've given updates on our relationships with other departments including the refinery. They were kind enough to send one of our members to Texas A&M for a training course. In that continued working together, two weeks ago, we sent four of our members to the refinery for a live burn training. Their Chief visited our Department on Tuesday and gave an update on where they are and their vision and presented a check to the Department for \$10,000 on behalf of Northern Tier. I'd like to thank them for their generosity.

Mayor Geraghty - That's good news. We'll send a letter as well.

13. ENGINEER'S REPORT -

A. Partial and Final Payment #9 to Redstone Construction Company

Engineer Herdegen - You have a final payment for the 2014 street improvement project. We had been withholding \$3,000 until they finished their restoration work. We believe that's complete at this point. On a side note, the original contract cost was \$3,414,000 and we came in about \$86,000 under budget.

Councilman Sumner - Would the last concern be the weeds?

Councilman Ingemann - Yes.

Councilman Sumner - They looked better. Do we have any concerns?

Supt. Hanson - I was happy with the blown compost, I think it did a good job.

Motion by Ingemann, seconded by Rahm, to approve the final payment to Redstone Construction Company. With 5 Ayes, 0 Nays, the motion carried.

14. SUPERINTENDENT OF PUBLIC WORKS REPORT -

Supt. Hanson - The compost closes on November 14th. We'll also start street sweeping next week so residents, please don't blow your leaves into the street.

Councilman Sumner - Are most of them off of the trees?

Supt. Hanson - About 90%, I think they'll be down by the end of this weekend. We did rebuild the intersection of 17th and Cedar. The street failed from the 2014 flood so we turned it into FEMA for funding. The bids came in quite high so we took on a lot of it ourselves and it's turned out pretty well.

Councilman Sumner - Is that something that Public Works could do in the future?

Supt. Hanson - It needed to be done and we couldn't get a contractor at a fair price. My guys learned a lot, it was taxing on the Department but I think it was worth it for the experience.

15. NEW/OLD BUSINESS

Councilman Ingemann - Did we find out anything about the Lee's house on Cedar Lane?

Admin. Hill - It wasn't part of the flood plain because of the elevation of the first floor.

Councilman Ingemann - They pay flood insurance and the high water mark was behind their house at one point.

Supt. Hanson - The original proposal was based on elevations and theirs was higher by at least a foot.

Councilman Ingemann - They're paying for flood insurance.

Supt. Hanson - I believe most of those people are.

Councilman Lund - Is that house unique with the basement?

Supt. Hanson - No.

Councilman Ingemann - I didn't want any future problems. If the levee goes and they're underwater, they'll be talking with Mr. Knaak.

Supt. Hanson - At 700 feet, it wouldn't. If it goes to 702 or 703 that's a different story. But we would put flood protection on Cedar Lane where we have a solid foundation.

The City Council recessed the City Council meeting at 5:53 p.m. to hold the Newport Economic Development Meeting.

The City Council reconvened the City Council meeting at 6:57 p.m.

16. CLOSE THE MEETING TO THE PUBLIC FOR THE PURPOSE OF DISCUSSING SECURITY DATA PURSUANT TO MN STATUTE 13D.05, SUBD. 3D

The City Council closed the meeting to the public at 6:57 p.m.

The meeting was closed to discuss materials designated by the Sheriff's office as security data contained in a report to the City pursuant to Minn. Stat. 13.D.05, subdivision 3 (d). No action was taken.

The City Council opened the meeting to the public at 7:20 p.m.

17. ADJOURNMENT

Motion by Geraghty, seconded by Rahm, to adjourn the regular Council Meeting at 7:20 P.M. With 5Ayes, 0 Nays, the motion carried.

Signed: _____
Tim Geraghty, Mayor

Respectfully Submitted,

Renee Eisenbeisz
Executive Analyst