



**City of Newport
City Council Minutes
September 15, 2011**

1. CALL TO ORDER

Mayor Tim 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, Steve Gallagher

Council Absent – Tracy Rahm

Staff Present – Brian Anderson, City Administrator; Bruce Hanson, Supt. of Public Works; Curt Montgomery, Police Chief; Mark Mailand, Fire Chief; Renee Helm, Executive Analyst; John Stewart, City Engineer; Fritz Knaak, City Attorney

Staff Absent – None

4. ADOPT AGENDA

Motion by Sumner, seconded by Ingemann, to adopt the Agenda as presented. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

5. ADOPT CONSENT AGENDA

Motion by Sumner, seconded by Gallagher, to adopt the Consent Agenda, which includes the following items:

A. Minutes of the September 1, 2011 Regular City Council Meeting

B. List of Bills in the Amount of \$71,105.63

With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

6. VISITORS PRESENTATIONS/PETITIONS/CORRESPONDENCE

Steve Lanz, 648 7th Avenue, Newport– Mr. Lanz was present to discuss the Civil War Sesquicentennial, which will take place September 23 -25, 2011 in Pioneer Park. On Friday, several students will be visiting to learn about the Civil War. There is also a picnic taking place on Friday night. Saturday will be open to the public from 10:00 a.m. to 5:00 p.m. On Sunday, the Regiment will be traveling to surrounding cemeteries, where the 44 soldiers were buried. There will be a dedication at 1:00 p.m. on Sunday.

Mayor Geraghty – As you know, the City installed new water meters earlier this year and residents have not had their meters read in at least five months. The first set of bills that went out was in error and I would like to apologize for that mistake. The second rounds of bills went out and are correct. The City is only trying to collect the money that is owed to the City.

Paul Hanson, 1925 10th Avenue, Newport - Mr. Hanson was present to discuss the recent water bills that were sent out. Mr. Hanson is concerned with the additional cost to the taxpayers for having to resend the bills a second time. Mr. Hanson compared his bill with Mr. Murray's. Mr. Murray used 50,000 gallons, where he used 26,000 gallons, yet Mr. Murray's bill is still lower. Mr. Hanson thinks there's been

some improvement but would like to see more improvement. He has asked previously, who is responsible for this? He believes this mistake is inexcusable and would like to have his bill reanalyzed.

Mayor Geraghty – Staff will reevaluate your bill but you will need to eventually pay it.

Lynn Murray, 1130 Mark Court, Newport – Mr. Murray was present to discuss the recent water bills that were sent out. Mr. Murray was told by staff to “live with it and pay the bill” because the City will not adjust it any further but he believes it needs to be adjusted further as outlined by Mr. Hanson’s previous statement. Mr. Murray compared his 2010 bills and it was less than the current bill. Mr. Murray will not be happy with this until it is reviewed and something is done about it.

Councilman Gallagher – If you have a senior discount, it could account for the difference between your bills. Also, the meters that were replaced were old and therefore didn’t turn as fast as these brand new ones.

Supt. Of Public Works, Bruce Hanson – Some of the meters were about 50 years old and were losing accuracy which is why they were replaced.

Mr. Murray – A staff member did come out to take a look for leaks and he didn’t find anything. I feel like I know what I’m talking about.

Councilman Gallagher – It sounds like the City is trying to work with you to resolve the issue and I think it’s been pretty fair.

Mr. Murray – I don’t see how I could have used twice as many gallons as last year. I’ll bring the bills in on Monday for staff to take a look at it. I asked for my past bills and staff informed me that I would need to pay for them.

Admin. Anderson – I can assure you that we are not charging residents to look at their past bills. The City is trying to accommodate everyone that comes in regarding it and we are waiving the late fees. I take full responsibility for this and we are trying to deal with this. We did realize that there was an error within 4 hours of residents receiving the first round of bills and made a decision that day to send out a second round of bills.

7. MAYOR’S REPORT

Mayor Geraghty – The Park Board had a meeting on September 13 to discuss the Buckthorn Removal Day. The event is taking place on Saturday, October 29 from 9:00 a.m. to 12:00 p.m. at Newport Bailey School Forest Park. The City is still looking for volunteers. Information is available online.

8. COUNCIL REPORTS

Councilman Gallagher – I have been in contact with Surly Brewery and the City sent a letter to them to see if they would like to take a look at some of the property that’s available in Newport for their new brewery.

Councilman Sumner – I attended the Community Advisory Panel meeting with Northern Tier Energy and am happy to report that they have added 77 new employees, all of which are local. Also, there is very good news in regards to the amount of oil that they are finding in North and South Dakota. They think the fields are larger than that in Saudi Arabia and if we can provide a more reliable source of American oil that will help our economy greatly. I wanted to share that good news with everyone.

Councilman Ingemann – I attended the Planning Commission meeting last Thursday and we have some

information in regards to the Red Rock Gateway study that Sherri will be presenting on later.

9. ADMINISTRATOR'S REPORT

A. Ordinance No. 2011-8 – Amending Chapter 1300, Section 1380 Signs of the City of Newport Code of Ordinances

Admin. Anderson – Admin. Anderson presented on this ordinance as outlined in the September 15, 2011 City Council packet. This ordinance came in as a request from the elementary school for the installation of a dynamic display sign on the side of the building. A public hearing took place at the Planning Commission on September 8. No comments were made at the public hearing.

Councilman Gallagher – Is there a sign fee for permits? If so, does this change the cost at all? Also, do these changes increase the amount of staff time that is taken on the permit?

Executive Analyst Helm – This does not affect the sign fee at all since it is based on the project cost.

Admin. Anderson – The contractor needs to provide a signed certificate stating that it does not exceed the limits in the ordinance. They also need to obtain a permit.

Mayor Geraghty – Is it a recurring fee?

Admin. Anderson – No, it's a one-time fee.

Motion by Gallagher, seconded by Ingeman, to approve Ordinance No. 2011-8 amending Chapter 1300, Section 1380 Signs of the City of Newport Code of Ordinances. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

B. South Washington Watershed District Items

Admin. Anderson – I was planning on having items between the City of Newport and the South Washington Watershed District but unfortunately those items were not available this week. However, I would like John Stewart to provide an update on the project.

John Stewart – The Watershed District's attorney has contacted the four individuals from whom we need those easements. Agreements have all been reached, however the State requires that the money for the easements be dispersed before they will approve the City advertising for bids. We think this project will be postponed until November and construction will begin in spring 2012.

C. Resolution No. 2011-28 – Authorizing issuance and sale of \$1,185,000 General Obligation Bonds, Series 2011A

Admin. Anderson – Admin. Anderson presented on this item as outlined in the September 15, 2011 City Council packet. The bond is for the following items: I&I Project, Water Meters, Public Works Truck, and the Fire Truck. This will be paid back through the Water and Sewer Utility Funds, as well as through the tax levy. The sale will occur on Thursday, October 6, 2011, at which time we will either approve one bid or reject all of the bids.

Councilman Sumner – At this point do we think that the bond rates are still in the area that we calculated? I don't think there's been much movement in the market lately. With regards to the I&I project, we talk about portions A and B, B had to be completed anyhow, that's not a frivolous item.

Admin. Anderson – I believe the rates are still at what we calculated. We figured there'd be more savings as well by doing both portions A and B at the same time because there is a bigger I&I issue in

portion B.

Motion by Sumner, seconded by Ingemann to adopt Resolution No. 2011-28 authorizing issuance and sale of \$1,185,000 General Obligation Bonds, Series 2011A. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

D. Discuss the proposed land use and zoning for the Red Rock Gateway Site.

Admin. Anderson – There was a very productive Planning Commission meeting last Thursday to discuss the Red Rock Gateway area and the future land use for the site. The Planning Commission came to a consensus in regards to what they would like to see in this area. In order for Ehlers to complete a financial analysis, they need to understand the land use that the City would like to have in that area. Sherri Buss with TKDA will present on this item more.

Sherri Buss presented on this item as outlined in the September 15, 2011 City Council packet. One decision that the City Council needs to decide on is how far the MX-T district should extend.

Councilman Ingemann – The MX-T District should stop at 2nd Street.

Councilman Sumner – I agree with that. I don't see any option for light manufacturing or assembly. There's a lot of talk now about bringing back some sort of manufacturing to the U.S.

Sherri Buss – Do we want to add some light manufacturing that is inside the building with no outside storage and is quiet.

Councilman Sumner – Not another steel mill but something that can be done inside. If we don't have that type of wording, I don't think we can get that. There's a lot of medical assembly and medical development that could be done that has very high value and offers high paying jobs. It would be my strong suggestion to add that use.

Sherri Buss – Would you like it in the MX-R or MX-T?

Councilman Sumner – Appropriately type designed businesses can go in the MX-R. It depends on what they do.

Sherri Buss – You're thinking more of things that are inside and quieter that might be compatible with nearby residential units?

Councilman Sumner – Yes. We don't know what the new type of assembly is going to be. I don't want to exclude options.

Councilman Gallagher – I think we would like to we get the most options available in that area so we can attract developers now and make a decision later. I think we're up for a great deal of flexibility.

Mayor Geraghty – Is there a way to say that government buildings can go anywhere instead of picking a spot now?

Sherri Buss – Yes and the zoning code will say anywhere. The illustrative example is more for Ehlers to use for the financial analysis.

Mayor Geraghty – MX-T does not allow single family right? The only thing that causes me to pause is the apartments. I think we have an abundance of apartments right now.

Sherri Buss – MX-T can allow for anything, that is up to you. This does not obligate you to approve a development.

Councilman Sumner – I would like to clarify the overlay district. It allows for existing businesses to expand in the existing zoning, it's only if they want to start over that they could have other options, correct?

Sherri Buss - Correct. That is one reason that we did not change the zones here because we did not want to make those properties non-conforming. I will bring all of these comments to the Planning Commission.

10. ATTORNEY'S REPORT

Attorney Knaak – Starting in October, the packet will include my report on a monthly basis instead of a bi-monthly basis. I am still waiting for a signature regarding the Johnson item. My secretary, Lois, is retiring and I now have a paralegal secretary, Michelle, who I will be bringing by for you to meet. I have not heard anything regarding the Hunter case.

11. POLICE CHIEF'S REPORT

Chief Montgomery – I just want to remind everyone to watch out for the buses and kids. Also, please lock your car doors at night. There have been a number of burglaries in unlocked cars and they are taking cigarettes, change and CDs.

12. FIRE CHIEF'S REPORT

Chief Mailand – No Report

13. ENGINEER'S REPORT

John Stewart – The company that is performing the sewer rehabilitation will try very hard to begin work this year.

14. SUPERINTENDENT OF PUBLIC WORKS REPORT

Councilman Sumner – How are we doing with salt and sand?

Supt. Of Public Works, Bruce Hanson – It is on order.

15. NEW/OLD BUSINESS

None

16. ADJOURNMENT

Motion by Ingemann, seconded by Gallagher, to adjourn the regular Council Meeting at 6:00 P.M. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

Signed: _____
Tim Geraghty, Mayor

Respectfully Submitted,

Renee Helm
Executive Analyst