RESOLUTION 2004-13

A RESOLUTION OF THE CITY OF NEWPORT ESTABLISHING A CITY OF NEWPORT POLICY WITH RESPECT TO FUTURE FLOODS OF THE MISSISSIPPI RIVER AFFECTING PRIVATE PROPERTY AND LEVEES WITHIN THE CITY

CITY ACTIONS AS THEY RELATE TO A PREDICTED FLOOD OF THE MISSISSIPPI RIVER

WHEREAS, The City of Newport recognizes the existence of private levees as identified as Levee Reach #1 and Levee Reach #2, as noted in the Initial Appraisal, Mississippi River at City of Newport, Minnesota, Section 205 of the Flood Control Act of 1948 prepared by the US Army Corps of Engineers, St. Paul District, Final report April 2002. In light of their deteriorating condition, the City of Newport has decided to establish and publish a policy by resolution that will clearly delineate the City's position with respect to those private levees in the event of another major flood event.

WHEREAS, The City of Newport has ascertained that, in establishing a public policy with respect to flood response, it must achieve the following:

OBJECTIVES:
- Protect the health, welfare, and safety of the public.
- Encourage the Corps of Engineers to include a public purpose cost/benefit analysis as 5.1.3 Alternate 3 in accordance with the Section 205 of the Flood Control Act of 1948, Final 2002 for the Mississippi River at City of Newport, Minnesota, that would be applied to the above-referenced private levees.
- Support the fair market purchase and removal, by a governmental supported authority, of homes endangered by the removal or breaching of the private levees, Reach #1, and Reach #2.
- Support the creation of a passive use river park.
- Support the creation of a natural habitat island south of the extension of 17th Street, and a channel navigable to small craft on the easterly side of the island.

NOW, THEREFORE, BE IT RESOLVED, That the City of Newport City Council states and adopts, as a matter of City Policy of the City of Newport, that City Staff, assigned City Consultants and others affiliated on behalf of the City, herein-after referred to as "the City", would be expected to adhere to the following policies in the event of a predicted flood of the Mississippi River that would affect the City of Newport:

The City May, and Without Obligation, attempt to:
- Encourage homeowners to purchase National Flood Insurance.
- Provide a limited quantity of sand and sand bags for the use of homeowners and residents.
- Monitor flood predictions and river elevations as issued by the National Oceanic Atmospheric Administration (NOAA).
- Protect all City infrastructures, including but not limited to:
  - Locate sanitary sewer and water shut-offs.
  - Inspect homes, as permitted by private property owners, for infiltration into the sanitary sewer and/or contamination of the municipal water system and discontinue those services if necessary.
  - Disconnect sanitary and water services.
  - Block or barricade city streets as required for public safety.
  - Block or plug storm sewers located at the west outlets of 16th, 17th and 21st Streets when the river reaches a flood stage of 698'.
- Provide collection of empty sand bags.
- Provide a site for disposal of sand bag fill.

The City WILL NOT:
- Place or conduct any flood protection measures on private property.
- Provide labor or volunteers for implementing any flood protections measures on private property.
- Fill sand bags for use on private property.
- Provide temporary utility service for private property.
- Pump the pond located at or near 1651 and 1645 Cedar Lane (otherwise identified along Skiles Lane).
- Collect filled sand bags.
- Restore damaged private property.

BE IT FURTHER RESOLVED THAT this policy and the City Council directives may be amended or superceded by subsequent policy, ordinance or the Mayor acting under the emergency powers granted by Minnesota statutes.

Adopted this _____ day of March 2004 by the Newport City Council.

The following Council members voted Aye: _____
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                                           _____
                                           _____
                                           _____

The following Council members voted Nay: _____
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                                           _____
                                           _____

Signed:_____
                    Mayor Kevin Chapdelaine

ATTEST:_____
            Larry Bodahl, City Administrator