



**City of Newport
City Council Meeting Minutes
March 17, 2016**

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; Renee Eisenbeisz, Assistant to the City Administrator; Fritz Knaak, City Attorney; Larry Osterman, Sergeant; Jon Herdegen, City Engineer;

Staff Absent – Steve Wiley, Fire Chief;

4. ADOPT AGENDA

Councilman Sumner – There's a couple corrections on the minutes, just minor things.

Mayor Geraghty – Alright we'll pull the minutes and you can point them out.

Motion by Geraghty, seconded by Ingemann, to approve the Agenda as amended. With 5 Ayes, 0 Nays, the motion carried.

5. ADOPT CONSENT AGENDA

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

- A. Minutes of the March 3, 2016 Regular City Council Meeting
- B. List of Bills in the Amount of \$94,201.91
- C. **Resolution No. 2016-11** - Approving a Gambling Application for the St. Paul Park-Newport Lions Club to Conduct Off-Site Gambling at Tinucci's on April 30, 2016

With 5 Ayes, 0 Nays, the motion carried.

A. Minutes of the March 3, 2016 Regular City Council Meeting

Councilman Sumner – Well just two things...on the staff present it was mentioned that Steve Wiley, the Fire Chief, was absent and then later on it comes up with his report and it says "nothing to report". I think it should more correctly reflect that he was absent.

Asst. to the Administrator Eisenbeisz – Okay

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Councilman Sumner – On page two of nine, a quote from Councilman Lund says “I traded messages with Commissioner Bigham and she said they had to intent on doing anything along these lines”. I’m sure it meant “no” intent on doing anything along these lines, first line. That was all.

Asst. to the Administrator Eisenbeisz – Okay

Motion by Geraghty, seconded by Sumner, to adopt the Minutes of the March 3, 2016 Regular City Council Meeting as amended. With 5 Ayes, 0 Nays, the motion carried.

6. VISITORS PRESENTATIONS/PETITIONS/CORRESPONDENCE

A. Newport-on-the-Move Request

Susan Lindoo, 1280 Wild Ridge Trail – I’m Susan Lindoo and I live at 1280 Wild Ridge Trail.

Linda Michie, 475 2nd Avenue – I’m Linda Michie and I live at 475 2nd Avenue.

Susan Lindoo, 1280 Wild Ridge Trail – We’re here to ask permission to place some small boxes on city property. I don’t want to use the term “little free libraries” but I think if I use that term you’ll know what I’m talking about and our organization, “Newport on the Move”, we’d like to build about five little boxes. We’re probably not going to register them with the little free libraries because that costs quite a bit per box but we’re going to create what will essentially be little libraries and they’ll be little boxes with a plexi-glass cover and people can open them up and take a book or leave a book. We’ll have books for kids and books for adults and the idea is to have these little wayside places where people can stop and get a book. If you’ve been up in St. Paul, they’re all over St. Paul and Minneapolis. I think in fact, the idea originated in Hudson, Wisconsin originally but we’d like to build them. We’re asking for permission to put four of them on city property and the properties would be Pioneer Park, Lions Park, Loveland Park, and the Community Garden. They’ll be about two feet by two feet with a little door. We’ll build and maintain them and we’ll work with public facilities to ask for their help in figuring out where they should be put. We’ll maintain them, we’ve talked with Jamie Smith from the library and she said that she’d start setting aside extra donated books that they’ve got so we can have a supply of children’s and adult books for them. We’re not sure what we’re going to call them, we’re thinking we might call them “Libraries on a Stick” or something of that sort or “Tiny Libraries”, something of that sort. So we’re asking for permission, we want to let the public know that hopefully by this summer we’ll have them up.

Mayor Geraghty – Sounds like a great idea.

Councilman Sumner – I have a question. I think it’s a great idea, I love to get books out there. Have we had any similar experiences with cities that you’ve been involved with? Sergeant?

Sgt. Ostermann – Yes (hard to hear, he didn’t speak into the microphone).

Councilman Sumner – Okay. Are they targets for vandalism or do people respect them and appreciate them?

Sergeant Ostermann – No they seem to appreciate them (hard to hear, he didn’t speak into the microphone).

Councilman Sumner – Okay that’d be the only concern. Yeah let’s go ahead and get five of them out there and get people.

Councilman Rahm – Is it going to be like wood colored or are they going to be painted different colors?

Linda Michia, 475 2nd Avenue – We’re going to start with a basic box and then we’ve had some discussion of getting local kids involved with decorating them.

Councilman Rahm – Okay.

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Susan Lindoo, 1280 Wild Ridge Trail – We thought we'd like to have some different themes, maybe the one next to the fire station might look kinda like a fire station and the one near the garden might have gardening things to it. Something like that to give it a little more personality.

Councilman Rahm – Okay.

Councilman Sumner – Are they going to be the same quality as we see in the flower boxes?

Linda Michie, 475 2nd Avenue – Of course. Everything we do is good quality.

Councilman Sumner – I just want the public to hear that. Okay.

Motion by Ingemann, seconded by Geraghty, to authorize “Libraries in the Parks”. With 5 Ayes, 0 Nays, the motion carried.

7. MAYOR'S REPORT

Mayor Geraghty – Deb and I attended the chamber breakfast at 3M last Tuesday and it was good event. Good speaker on employee engagement and morale and was quite entertaining. Deb and I and Bill met with Northern Tier to talk about some of their property in town and to see if they wanted to put any of it on the market or think about opening it up because we need the development. It was a good discussion and they had some good ideas on certain pieces of the property so hopefully that will lead to something down the road. That's the end of my report, Tracy.

8. COUNCIL REPORTS

Councilman Rahm – Nothing to report Mr. Mayor.

Councilman Ingemann – I got an advertisement I'm assuming last week. It was some sort of insurance policy that I could pay some money towards to ensure that if my water line or sewer line ever got tree roots in it that they would cover it. Well, I just had my street repaired last year, brand new street, and they took care of the water lines and took care of the sewer lines. So the chances are real slim to zero that I'm going to need this particular policy and I would suggest that has recently had their streets done, it's probably a good idea to give a second thought to that particular advertisement but if you want to buy the insurance, go for it. That's all I've got.

Councilman Sumner – I've got a question on that. Have you seen those advertisements, Bruce? Or our attorney? And what are your thoughts on them. Are they bogus or is there some rationale for them that's a good one?

Supt. Hanson – I've seen them. I've had several calls about it. It seems to be a legit company. Again, with any insurance you're taking your chances on it but... it's very limited coverage from what the person that read it to me on the phone. Personally it didn't sound like a good deal to me. I don't know where it came from, I haven't actually seen the flier.

Councilman Rahm – And just the streets we've done happen to get the insurance I guess, right?

Councilman Ingemann – Renee, do you still have that letter?

Asst. to the Administrator Eisenbeisz – I do.

Councilman Ingemann – She's got it. I gave her mine. I wrote nasty remarks on the envelope like “what the blank is this?” So she's got it.

Mayor Geraghty – Anything Bill?

Councilman Sumner – Yeah. After the Council meeting last time, we went over to the Newport Elementary School. Mr. Lund and I did, and participated in the spaghetti dinner and it was excellent. We would urge all the

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Commission and Council members to join us next time because that's a public meeting and we could meet there couldn't we?

Mayor Geraghty – We'll just announce it.

Councilman Sumner – Yes. That was very good. We also had the group that went out and trimmed trees again the last two Sundays and we're planning to do it again this coming Sunday. Susan Lindoo, who happens to be president, is taking the task of organizing that. She's done an excellent job. She's paired us up in committed workgroups and we've gotten a lot done. Bruce has gone out the next day or sent his crew out the next day to pick up the sticks that have been trimmed and I think it's made the trees look a lot better. It just makes you realize how many trees there are and the tough shape they've been in. Also, we had a Heritage Preservation Committee meeting and afterwards a consultant gave a talk about the mill ponds so as we go forward with attempts to develop that area, we need to keep in touch with him and work closely. One point that he made was that there has been controversy and arguing amongst members of the city and outside agencies for a long time. That was no great surprise to us here in Newport. Finally, I'm sure that the sergeant will be speaking more about this. On Wednesday, March 23 at the North Pole Restaurant there's going to be something called "Coffee with a Cop" from five to seven. It's a chance to sit down and just have a little get together with one of or several of our cops and you can talk more about that later if you want. That's it.

Councilman Lund – I'm planning to attend the metro cities and met council environmental services meeting tomorrow afternoon, they're going to go over some water issues and hopefully talk about opportunities for funding but also their fee and their plan for the metro area. Hopefully I'll learn something useful and also put a good foot forward for Newport to get on the list for potential outside funding.

Councilman Sumner – Where's that?

Councilman Lund – The League of Minnesota Cities building in St. Paul from 1:30 to 3:30.

9. ENGINEER'S REPORT

Engineer Herdegen – I don't have anything formal Mr. Mayor but I can stand for questions.

Councilman Lund – Could you e-mail me a final copy of the inflow and infiltration report?

Engineer Herdegen – The facility plan?

Councilman Lund – Yes.

Engineer Herdegen – Yep.

Councilman Sumner – And you did get that off on time? The resolution?

Engineer Herdegen – Yes.

10. ADMINISTRATOR'S REPORT

A. **Resolution No. 2016-12** – Approving an interim use permit for property located at 1675 Kolff Street

Sherris Buss, TKDA Planner, presented on this item as outlined in the March 17, 2016 Regular City Council Meeting packet

Councilman Rahm – Dense vegetative cover? Do you mean grass?

Ms. Buss – Yes, grass. At least 3 inch high grass.

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Councilman Rahm – In the pasture?

Ms. Buss – In the pasture, yes.

Councilman Rahm – With that many horses?

Ms. Buss – Yep. So that's going to be a challenge.

Councilman Rahm – Yes it's going to be very challenging. I've owned horses and that is very challenging, go on.

Ms. Buss – I'm really relying on what the university equine specialist and the Washington County specialist suggest. They both own horses as well. They feel that because of the water the water moves from this property to the folks to the south who are here tonight, that there needs to be vegetative cover in the pasture or there will be runoff to the neighbor property. So then we need to review this after six months and then make a determination about whether this use will be allowed for the full term of an interim use permit. It was a lengthy discussion, I think we're relying on these experts. There were at least two planning commissioners that weren't totally comfortable with that but I think the others concluded that given that the experts say that it's managed well, we can avoid the impacts and that they were willing to recommend approval on a trial basis for six months. So that is the Planning Commission recommendation to you on this is approval for a trial period for six months with all the conditions and then a review of it at the end of that six months to determine if the use can continue. The neighbors expressed concerns, they hadn't done it before but at the first meeting expressed concerns they had experienced increased flies and odors as the number of animals has increased on the property. What the experts have told me is that if she is managing manure well that should not be happening, and so those are some ways that our inspectors would need to take a look at what's going on adjacent properties. The commission also suggested to neighbors that they need to communicate with the city if there are problems during this trial period so we have some sense of what's happening. That is the Planning Commission's recommendation to you.

Councilman Ingemann – Sherri, when I left the Planning Commission I was under the understanding that there would be eight horses that are adults.

Ms Buss – Yep.

Councilman Ingemann – The eight foals would not be considered adults because they're less than six months old but in the next paragraph you've got ten horses.

Ms Buss – No, that's not part of the recommendation. That's ten horses can be in the pasture, so eight adult horses, eight foals. The eight foals are still considered horses in your ordinance so what that means is she can have up to ten of those sixteen animals in the barn and six can be out in the pasture. Part of the what the experts told us is that the foals are as hard on the pasture or harder than the grown-ups because they run around a lot and because their nature is to graze, whereas the adults are typically not grazing. They're typically eating other things.

Councilman Ingemann – My understanding is that she's got eight horses that are pregnant so if they all come to fruition and have colts or foals, then there's 16 yes?

Ms Buss – Yep.

Councilman Ingemann – Okay, and they're considered horses as long as...if they go over 6 months old they're not longer foals they're horses and she's only allowed eight horses. Eight adult horses.

Ms Buss – Eight adult horses. Your ordinance does not distinguish. Your ordinance just says animals, the distinction has come in the discussion with the folks from the University of Minnesota. Your ordinance would consider all sixteen to be horses. We're making a distinction in this case to say eight adults, eight foals, and to make some limitations on the number of those sixteen that are using the pasture at any given time.

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Councilman Ingemann – Yeah but if they go over six months then they're beyond the eight horses.

Ms Buss – Yeah and they'll need to be gone then and that's what the applicant has told us will happen that she'll be selling horses. That the foals on the property will be no more than six months of age and she will have no more than eight adult horses.

Councilman Ingemann – Then the question came up, and I'm going to bring it up now. Yeah get some coffee because I'm going to be a while. Home occupation or is this a business enterprise or is she doing this as a hobby?

Ms Buss – That hasn't been part of this application.

Councilman Ingemann – I know it's not part of this application but it comes into consideration.

Ms Buss – It does.

Councilman Ingemann – Are we looking at another one now?

Ms Buss – One of the Planning Commissioners believes based on some things he has heard that this is an actual business operating on the property. If it's operating as a home occupation within those rules, that can happen and the city does not require a permit for that. The proper thing to do if someone thinks it's beyond a home occupation is to file a complaint and have the city take a look at it but the applicant has not filed an application to run a commercial business or to run a horse boarding business on the property. So at this point in time we don't know.

Mayor Geraghty – Yeah so...Kim, do you want to say anything?

Kim Brown, 1675 Kolff Street – Number one this is not a commercial business. Anybody that thinks they're going to make money in this horse business is sadly mistaken. This is a hobby, I have worked for 52 years of my life to save up to build this barn and have my own property and that's what it is. I buy and sell show horses. I am right now raising American thoroughbred racehorses. The babies are only on the property for 6 months. At the point they need to be weaned from their mother. Then the mothers go to a separate facility and the babies will be sold. Unless there's an instance where the horse is really, really quality, then he'll end up going to the track the second year. My goal is not to have sixteen horses in the pasture it never has been. I want a certain period of time where I can possibly have up to six. The majority of the time there's not going to be that. My barn is impeccably clean. My manure management is amazing. I spent \$10,000 on a dump trailer which the manure is put in on a daily basis, actually four times a day my barn is cleaned and brought off the property once a week.

Councilman Ingemann – It's out there now.

Mayor Geraghty – So what's the history? When you came? What did you start with and where do you want to go?

Kim Brown, 1675 Kolff Street – This is where I'm going, this is it.

Mayor Geraghty – Okay.

Councilman Ingemann – She just wants to be in compliance. Right now the horses are pregnant so she wants to be in compliance.

Kim Brown, 1675 Kolff Street – That's all I'm doing, trying to be in compliance.

Councilman Rahm – And this is not a business?

Kim Brown, 1675 Kolff Street – No.

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Mayor Geraghty – Do you hire anybody?

Kim Brown, 1675 Kolff Street – No.

Mayor Geraghty – So you don't have anybody helping?

Kim Brown, 1675 Kolff Street – I have an independent contractor that trains my horses.

Mayor Geraghty – So you have someone coming in and working there?

Kim Brown, 1675 Kolff Street – Everyday.

Mayor Geraghty – And then you're selling horses?

Kim Brown, 1675 Kolff Street – I'm selling horses.

Mayor Geraghty – Are you doing training?

Kim Brown, 1675 Kolff Street – I'm training my horses. I'm paying him to train my horses.

Mayor Geraghty – So you don't give training to anybody else?

Kim Brown, 1675 Kolff Street – No.

Councilman Rahm – But then these horses get sold or they stay there? They stay there? Or they eventually get sold?

Kim Brown, 1675 Kolff Street – They're show horses.

Councilman Rahm – So they eventually get sold?

Kim Brown, 1675 Kolff Street – Eventually they get sold. That's the purpose.

Councilman Rahm – It sounds like a business to me. It's not a business?

Kim Brown, 1675 Kolff Street – No. It's no different from someone liking to golf except you go to a golf course. It's a hobby nothing more. You can ask the IRS about that, it's a hobby.

Councilman Ingemann – Could be an expensive one but it's a hobby.

Kim Brown, 1675 Kolff Street – It is an expensive hobby and I work very very hard to afford it.

Mayor Geraghty – Right but there are concerns about the odor and the flies. Residents have told me that there is an issue with smell and flies and people are concerned about the well water and other issues.

Kim Brown, 1675 Kolff Street – I have well water, I don't have a problem.

Mayor Geraghty – Not today but it could come years from now.

Kim Brown, 1675 Kolff Street – I have well water.

Mayor Geraghty – We want to keep it safe.

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Councilman Ingemann – What they're asking for on this resolution is a six month trial to see how it works. At the end of six months if it doesn't work then it's gone. That's the way I read this.

Mayor Geraghty – What happens at the end of three years?

Councilman Ingemann – You have to reapply.

Mayor Geraghty – So they'd have to re-up it?

Ms. Buss – There is not a chance to.....it cannot be renewed in your ordinance.

Councilman Ingemann – No. After 6 months if everything is fine and everything works out then I would still like to see at least a weekly. Because right now you're saying just check it once a month?

Kim Brown, 1675 Kolff Street – He was at my property today.

Councilman Ingemann – Yeah. No what I'm saying is once we stop by and check it out it's not going to hurt anything because the guys are in that are anyhow.

Kim Brown, 1675 Kolff Street – They're at the pumping station all the time.

Councilman Ingemann – And that's just up the hill.

Kim Brown, 1675 Kolff Street – Well I see them all the time.

Councilman Ingemann – I would say if you're going to move this forward have a weekly inspection and if it continues after 6 months it's still going to be a weekly inspection. Because if after a while, let's say 6 months, and everything's hunky dory and they say well we'll do it once a month thereafter. Things can go sour in a month.

Mayor Geraghty – I know but if it was approved at the end of the 3 years we gotta change the ordinance to allow more horses. What you're saying is that it can't be renewed?

Ms. Buss – Right. Interim use permits are 3 years max. I don't know if that was a consideration when you decided that that was the permit you would give for animals in your ordinance but you decided when you adopted the revised animal ordinance that it was an interim use permit and in your ordinance, an interim use permit is a maximum of 3 years. So at that point, if she wants to continue to do this the options are to reduce the number of animals on the property so that it meets the requirement in your animal ordinance. To apply for a conditional use permit for something like boarding animals and if she's not boarding animals that doesn't make any sense, or for her to request a change in the ordinance to allow this kind of a use on a more permanent basis but right now the longest she could have the number of animals she's requesting is 3 years.

Councilman Ingemann – But it'd be for a 6 month trial right now?

Ms. Buss – Right now it'd be a 6 month trial that's right.

Councilman Lund – Before we have a full discussion on this I think it makes sense to get more input from the audience.

Mayor Geraghty – Yeah I will I just want to give Kim an opportunity to....if you have anything else to say.

Kim Brown, 1675 Kolff Street – No I don't.

Peder Wallace, 1651 11th Ave – We've been at the meetings here for the planning commission and in going through all the information that Sherri has given, we still feel that 8 horses is still very generous. We think with

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the ordinance that was changed 2 months ago. You guys changed the ordinance basically to accommodate Kim Brown to 8 horses. We just felt that to bump this up to 16 right off the get go....shouldn't there have been a trial of 8 horses before you go to 16? So that's our concern, we've had issues with manure odor and a lot of flies and I recently had my water tested just a week and a half ago and the nitrates are elevated and they say that can be from manure. So at least now I have a benchmark with my water so in the future, 6 months, a year, 3 years we test it and the nitrates continue to elevate, somebody's going to have to get me clean water because we're on a well system as well that's 200 feet from the pasture and all the runoff drains right down and pools in our backyard. So for her to keep green space on that pasture I feel is going to be impossible with 8 horses. I don't know how you can possibly do it with 6 horses. Maybe with one horse in that pasture you could keep green space. If you look at the map....Kim Brown's getting 16 horses, I know she says it's not going to be in the pasture but that just means... the pasture's in our backyard. Our grilling area and when we have friends over is right next to the pasture on the south side. She did move the fence a little bit now about 50 feet but we're just concerned about the manure and the water and other issues that come along with it. As far as all the conditions, we still feel that a city employee is not the right person to be checking this farm out. You have no experts on staffs that are equine specialists. That is a specialty barn, she's got show horses that's for sure but there are no farming people on staff that are experts. I feel that if you're going to push this through, you have to have a specialist that does this everyday. Like Sherri Buss said about the Washington County person who is an expert, those kind of people know exactly what's going on at a farm like that. So I guess we are still opposed to it but we've seen it get pushed through on the planning commission so we'll just have to see how you feel about it. Thank you. Any questions?

Mayor Geraghty – Okay thank you. Anyone else wish to comment? Susan?

Susan Lindo, 1280 Wild Ridge Trail – My concern is that I was thinking of us as living in a residential district and I'm really bothered by a farm in the midst of a residential district. I checked in the ordinance tables that we had done to look at what kinds of uses were permitted there in the RE district and it didn't appear that farming was. My thought that was if we were all on 10 or 15 acres a farm wouldn't be that big of a deal because we'd all be far enough away from it. I'm really bothered about what looks and sounds like a farming business in the middle of a residential district because we're closer together than that. We're only 1 to 2 acre sized lots and we're on that fragile bluff area as it is. I am concerned that the aquifer could get contaminated. I don't think it would happen in 6 months but what I understand about aquifer and I would expect Tracy and Dan to know more about this but from what I understand, it takes a while for the water to get through the layers to the aquifer. I have some real concerns that if we did get bacterial contamination down there it wouldn't show up for a few years so it just feels like a risky prospect to me and something that feels like an experiment and as a former scientist I like experiments but I'm not sure I want to live next to an experiment and that's kind of how I'm feeling. It really does worry me it just doesn't feel like what ought to be a part of a residential district and if I look at the zoning ordinance of what can be in a residential district, a small farm isn't a part of that district. I'm not sure exactly where it would fit in Newport. Maybe the industrial district I'm not even sure where it does fit but it doesn't feel to me like a residential use and that's really my concern. Thank you.

Mayor Geraghty – Kim do you want to say anything further?

Kim Brown, 1675 Kolff Street – I better not right now.

Mayor Geraghty – This might be the only opportunity.

Councilman Sumner – I've got something to say. I did meet with Mr. Wallace and I went onto Kim's property unannounced so that there could be no scurrying around or changing things or hiding things. In the barn, it was very clean, there are shavings in the stalls and the entire barn is on a concrete floor correct?

Kim Brown, 1675 Kolff Street – No it is not.

Councilman Sumner – Okay. How about the paddocks or the stalls?

Kim Brown, 1675 Kolff Street – No it is not.

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Councilman Sumner –The stalls are on concrete. So where the horses stay the majority of the time there's not going to be any infiltration from their urine into the groundwater.

Kim Brown, 1675 Kolff Street – No there's not.

Councilman Sumner – The stalls were very clean. I've worked in animal agriculture, I've worked at the University of Minnesota managed their dairy research and teaching facility for 13 years and I know that animal cleanliness is important and the animals were clean. Outside, there was a cart to put the manure in. Manure management depends heavily on season. When the temperature is lower, the reproductive rate and the time it takes for flies to pupate is longer than in the summer. As temperatures go up, I would anticipate that that manure would have to be removed more often in order to keep the flies from hatching there.

Kim Brown, 1675 Kolff Street – It's removed weekly.

Councilman Sumner – Now I will also say that in Newport, you can go to our City Parks and be attacked by flies too and they're nowhere near any horse areas. Flies are a part of Minnesota in the summer and I did mention to Mr. Wallace that I would be willing.... and I think it would be best to go with a member of the city staff, one of the public works people. I would go up there with somebody once a month. I'd be willing to do that and report back.

Kim Brown, 1675 Kolff Street – That's fine.

Councilman Sumner – Which is an offer that I would make on this but flies are a part of Minnesota summers. Mosquitoes are a part of Minnesota summers.

Mayor Geraghty – Well there's flies and then there's flies.....

Councilman Sumner – Exactly and flies are often periodic. If you have a deer die up in the woods you'll get a thousand maggots out of that deer carcass. If you have a mouse die you're going to get 50 maggots and flies coming out of there so that's something beyond her responsibility and that's why going up there with two independent voices. If we walk onto the place and the flies just eat you alive that's one thing and we'll go over and see. If the manure is crawling with flies then that's a problem.

Kim Brown, 1675 Kolff Street – I've never noticed a fly problem at my house and it's right there. I've sat on the patio, I don't have a fly problem. I've never noticed a fly problem. I don't smell the manure unless it's a really hot humid day of some sort. Obviously that could happen but you can also smell the marathron plant which is a lot worse than horse manure to me.

Councilman Sumner – To me the biggest concern we have is the Sanimax plant and I've been around animal agriculture and horses and cattle don't bother me. Sanimax turns my stomach but that's a different issue. Some people like it and some people don't like it so those are individual perceptions but certainly flies are a big concern and manure management is a big aspect of fly control.

Kim Brown, 1675 Kolff Street – You saw my manure management today.

Councilman Sumner – Yeah it was all in a container.

Councilmen Rahm – Well I've had horses too, not as many as that. I had 1 horse on 3 acres and 1 horse for 3 acres will keep the grass very well groomed without destroying the pasture. When I had more horses up there they would start destroying the pasture just so you know. I think you probably do have very good manure management because if you didn't you'd be overwhelmed quickly because I know what 1 horse does and I can't imagine 8 or whatever.

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Kim Brown, 1675 Kolff Street – Right.

Councilmen Rahm – I think my issue here in my opinion is that we set certain standards like 1 animal per acre for a certain reason. We think that's going to be for health and safety when it comes right down to it as far as not having too much population density. If I remember correctly, and I agreed to it, we already upped this to 1 animal per acre and at the time I said I thought that was kind of high based off of my own experience owning horses but I went along with it. Now we're exceeding it even more possibly and that does concern me.

Councilman Lund – I kind of agree with what you're saying. We looked at what surrounding communities are doing and we're on the really liberal end and I think Kim clearly does an exceptional job of keeping her barn clean but I don't think it really makes sense for the city to get in the business of monitoring and regulating horses. That's well beyond our core function and it kind of shows how extreme this request is. The only way it would make sense for us to allow it is for us to be up there all the time checking on it so in my opinion we just shouldn't do it. 8 is enough, it's generally a residential place and there are places not that far away where something like that would be allowed where the character of the neighborhood is a lot different than what it is here. So I think we were very permissive with 8 and more than that is clearly infringing on what the neighbors consider to be the character of the neighborhood.

Councilman Ingemann – Alright now she's got 8 pregnant horses and if they all come due at the same time there will be 16.

Councilman Lund – Well....I didn't get those horses pregnant.

Kim Brown, 1675 Kolff Street – At the current time, only 3 are pregnant.

Councilmen Rahm – It's a tough balance because I want people to be able to enjoy their property and use it.

Kim Brown, 1675 Kolff Street – Yeah that's why I bought it.

Councilmen Rahm – There are limits on some of these things too though. We have limits on chickens, we have limits on domestic animals, we have limits on everything.

Kim Brown, 1675 Kolff Street – I don't think you understand. My goal is to not always have 6 horses in that pasture. That is not what I'm asking for. All I'm trying to do is say that I have mares that are ready to foal and they're probably going to be there for 3 months and then I'll be down to 2 again.

Councilman Ingemann – She just wants to be legal.

Kim Brown, 1675 Kolff Street – I'm just trying to be honest. I'm just trying to tell you that.

Councilmen Rahm – I do appreciate that.

Councilman Sumner – So you'll see a population with spikes like that?

Kim Brown, 1675 Kolff Street – I'm not going to continue to breed these thoroughbreds forever. This could be my last year, it depends.

Councilman Sumner – So we've got monthly options for 6 months and then we have a 3 year cutoff to manage this and to me the conditions look like they're pretty tight.

Councilman Ingemann – I'd like to have them just a little tighter, Instead of monthly I'd like to have weekly inspections.

Councilmen Rahm – My concern is that after 6 months then the special use will stop or we review it again?

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Councilman Ingemann – Yeah we have to review it because it's only good for 6 months.

Councilman Sumner – No it's 6 months and then it goes to a year.

Councilman Ingemann – 6 month trial period.

Admin. Hill – After the 6 months you then review it and possibly extend it.

Councilman Ingemann – It doesn't mean you need to extend it, you could extend it.

Councilmen Rahm – When are the horses due? The spring?

Kim Brown, 1675 Kolff Street – Right now I have one that's due to foal the middle of April and two more at the end of May.

Councilmen Rahm – How many do you currently have? How many horses?

Kim Brown, 1675 Kolff Street – My pregnant mares aren't even on my property, they're somewhere else. I just have the babies and they're going this weekend.

Councilmen Rahm – So you have other properties that you can ship the horses to other than this property?

Kim Brown, 1675 Kolff Street – Yeah I have a friend who's fencing right now.

Councilmen Rahm – So if you rearranged your hobby, you could stay within the limit or could you not?

Kim Brown, 1675 Kolff Street – Yeah all I'm saying is that I just want them there until they foal until they're weaned.

Councilmen Rahm – I understand.

Kim Brown, 1675 Kolff Street – I'm not looking to keep 16 horses in the pasture, I'm not. That's not my goal.

Councilman Lund – I noticed that we had a couple more people walk in. Should we see if there's more input?

Mayor Geraghty – Does anyone want to speak to this issue?

Councilman Ingemann – I'll make a motion that we approve this resolution 2016-12 for 6 months which is a trial period.

Councilman Sumner – Which is how it's written.

Councilman Ingemann – I want the inspections weekly though I don't want them once a month.

Councilmen Rahm – Who's going to do the inspections? Councilman Sumner or somebody else?

Councilman Ingemann – I think as it is now, you guys stop by right?

Supt. Hansen – Well that's the way it's setup but I'm not sure with this if the county has a manure management specialist if we shouldn't contract with them.

Ms. Buss – She's retiring at the end of the year and felt that she was not a good candidate to do it. We could ask the conservation district if they have someone else who could do it if you would be more comfortable with that

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and it would be writing a contract with them to have someone do those inspections but it's not likely to be Wendy who gave these recommendations.

Admin. Hill – Mr. Mayor, we originally asked Matt Yokiell the assistant of public works to do this, he grew up on a farm and understands manure. It's basically manure management, flies, and odor so it's not like you need an expert for that unless something else comes up.

Councilman Ingemann – Yeah the neighbors will tell you if it's getting worse or better.

Admin. Hill – They are up at the pump house often enough so if there's flies there or they can smell something they can do sort of a "drive by" but that's why we asked Matt Yokiell.

Kim Brown, 1675 Kolff Street – They can see where the manure is going in the dumpster. It's right there.

Councilman Ingemann – The dumpster's right there. The dumpster is covered right?

Kim Brown, 1675 Kolff Street – Yes. There should be photos of it.

Councilmen Rahm – I didn't see any photos I just saw the arrow. Again I believe that you have to have good manure management because if you don't it would get out of control and you know that.

Mayor Geraghty – Do you want to discuss it more?

Councilman Ingemann – I think it's been discussed.

Asst. to the Admin. – Is this with weekly or monthly inspections?

Councilman Ingemann – I'm looking at weekly. Is that okay Bill? Somebody come by weekly and take a look at it. It's not a big deal.

Kim Brown, 1675 Kolff Street – It's not a big deal, you can come anytime you want.

Councilman Ingemann – Unannounced.

Kim Brown, 1675 Kolff Street – Anytime unannounced, it doesn't matter.

Councilman Sumner – Let me ask the supervisor.

Councilman Sumner – I don't know can we spare somebody weekly from the city to do that? Are they up at the pump house?

Kim Brown, 1675 Kolff Street – They're up there almost everyday.

Councilman Ingemann – How much time does it take? Bruce?

Supt. Hansen – I'm not concerned about the time as much as the quality. It's about who's making the decision. You're saying Matt's going to do it or any of my people can do it? That's the question. I'm not comfortable with the guys having that responsibility.

Councilman Ingemann – We're looking at manure management, they'd be able to smell it or see flies. The neighbors would stop you.

Supt. Hansen – I understand.

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Councilman Lund – I say again is this really in the scope of what we think the city outta be doing? This is a pretty extreme way to try and fit this into our residential neighborhood.

Admin. Hill – We originally asked Matt because of the convenience and his farm background.

Councilman Rahm – Again I don't think we'd be having this discussion if it was within the limit that we set. It's that hump that we have here and once you get past this first hump here as far as these mares foaling and stuff, are you going to have another one down the road?

Kim Brown, 1675 Kolff Street – No.

Mayor Geraghty – So it's just temporary?

Councilman Ingemann – She's trying to be legal. She could just do this and not say a damn word.

Mayor Geraghty – We could keep our ordinance and give it time to work itself out.

Councilman Ingemann – I think 6 months is a good trial.

Councilman Rahm – So we're going to check it weekly? Monthly? Who's going to check it? I still don't know if I understand that.

Asst. to the Admin. – The resolution says at least monthly. You could approve the resolution as presented and make a recommendation for weekly.

Mayor Geraghty – Which leaves discretion to do it more often.

Councilman Ingemann – I'd be willing to do it more often.

Councilman Sumner – I'd be willing to do it monthly, I'd go up with Matt or one of the guys. I told Peter to call me if it's something bad and I'll come up there. I'll put my head on the chopping block for this.

Kim Brown, 1675 Kolff Street – I didn't know he had a problem until he came to these meetings. He could have come to me and said you had an issue and I would've fixed it then.

Councilman Sumner – Okay that's a separate issue but I would go in there. I just wanted two people because then it's not well....Bill's been on the farm forever and doesn't know any better or Bill's prejudice to the farm but if there's an issue I can get somebody from the city to come down and verify it because an hour later it's not going to change. So monthly and other times as requested or as determined or as needed? Is that okay?

Councilman Ingemann – Yeah that's good.

Mayor Geraghty – Ready?

Councilman Rahm – I have a question. Do you support a temporary thing like this or not?

Peder Wallace, 1651 11th Ave – No we don't want to keep coming to meetings; we don't want to keep coming to meetings 6 months from now again and again and again. Can Kim do it? She probably can but wouldn't you start your expectations lower than ramp up to 16 right away? Can she do it? Possibly but is there going to be green pasture? I don't know how there's going to be green pasture but that's something that the city's supposed to look for. Green cover, complete green cover.

Councilman Ingemann – We'll find out.

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Motion by Ingemann, seconded by Sumner, to adopt Resolution 2016-12 for an Interim Use Permit. With 2 Ayes, 3 Nays, the motion failed.

Mayor Geraghty – Do we have to do anything with the permit then?

Asst. to the Admin Eisenbeisz – With the farm animal permit?

Attorney Knaak – She still has the horses so there's nothing wrong with permitting the horses that she has but what I was going to suggest since you provided a negative vote she would be entitled to an explanation for the decision of the Council in writing.

Ms. Buss – Along with findings for the negative decision.

Attorney Knaak – You're anticipating exactly what I was just going to say. So what I'm suggesting you do is direct the staff to prepare findings for purposes of having it done in resolution form for you at the next meeting.

Councilman Sumner – To make a resolution of our determination?

Attorney Knaak – Yes. The findings of fact.

Councilman Lund – Do you want some suggestions on findings?

Ms. Buss – I think it'd be good if we had your thoughts.

Councilman Lund – Two things. The impact on the surrounding neighbors was too much for what she was asking for.

Ms. Buss – Potential impact. Is that what you mean?

Councilman Lund – We heard about the impact they already have so impact with less than 16 is already getting close to what an individual should expect for the fair use of their property and two, I don't think the city should be bending over backwards to try to regulate horses. That's well outside the scope of the things we're normally doing and it takes away from the city's resources even if she's paying for it. We only have so many people here and we only have so many things we can get done during a work week. It's just too much to ask for.

Councilman Rahm – I think there's also a similar argument in that it exceeds our current limit on animals per acreage.

Mayor Geraghty – There's also a concern about water quality.

Attorney Knaak – Mr. Mayor if I understand it correctly. It's an undue burden on city resources.

Ms. Buss – In your ordinance, you do allow people to apply to have more so that is a hard thing to use as a finding since you allow it but I think it's the burden on resources that you identified. I wanted to clarify whether you meant existing or potential impacts on neighbors

Admin. Hill - .Are you talking about Matt's time?

Mayor Geraghty – No we're just being general with this.

Ms. Buss – So this is just kind of outside the scope of what the city does. You don't really have staff that do this kind of thing.

Admin. Hill – Using Matt, that was my suggestion that we could ask Matt.

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Mayor Geraghty – Well no I think fundamentally we just don't think it's a good fit to have 16 horses up there and the surrounding houses in the RE district.

Admin. Hill – I just thought you were saying that the public works time was going to be burdened on.

Mayor Geraghty – No.

Admin. Hill – Okay I'm sorry.

Councilman Lund – I think so. We've got a lot we're trying to accomplish.

Councilman Rahm – I have some questions as far as if they're running a business or not as far as an issue. Is that permissible do you think?

Attorney Knaak – Well certainly if something has the impact of a business even though you didn't find that it is a business. You could certainly indicate that it is the kind of use or extension of the use that would be inconsistent with the residential neighborhood.

Attorney Knaak – Are you going to draft that?

Ms. Buss – I'll draft up the resolution.

Councilman Ingemann – Is it a business or a home occupation?

Mayor Geraghty – It can't be a business.

Councilman Ingemann – So it's a home occupation.

Attorney Knaak – So as I understand it the staff has been directed to provide you with findings of fact for your consideration at the next meeting.

Ms. Buss – At the next meeting, okay. Yeah we need findings for denial.

Councilman Rahm – Is there anything at the planning commission that could be used or not?

Ms. Buss – It was similar concerns I think to yours particularly the existing and potential impacts on neighbors. The concern about the size of pasture. I do have to say that I have worked throughout Washington County and in the townships where I work, the county's rule is 2 grazeable acres per animal unit and a horse is 1 animal unit. A cow is 1.5 animal units. That is based on a lot of studies about manure management and what you need and a grazeable acre is flat pasture. It's not steep woodland. People can exceed that if they do a manure management plan that's approved by the county but your current animal ordinance is very generous about what you allow and it might be something you want to think about and revisit because this is a good example of how on properties in the city that have a lot of slope and all.....you allowing it on any 4 acre parcel and not having that word grazeable in there is much more generous than most cities would be.

Councilman Lund – I think that's a great finding of fact that we don't think it's appropriate for 16 horses to have 1 grazeable acre.

Ms. Buss – Yeah.

Councilman Lund – That's not consistent with our rules even with chickens where we require them to have their 10 square feet.

Ms. Buss – Thank you I know that was a very hard one and it was hard for the planning commission as well.

B. Farm Animal Permit for Kim Brown

Asst. to the Admin Eisenbeisz – The ordinance as it stands now allows for 1 farm animal unit per acre. She does have 8.76 acres so you can decide to either round up or down to allow for 8 or 9 horses but she still does have horses so she needs a farm animal permit.

Councilman Rahm – I would round up.

Councilman Sumner – I'll second that.

Councilman Lund – Really?

Councilman Rahm – Yep I would be as generous as we possibly can be to a limit.

Councilman Lund – We're already double the county's recommendation and that's in the pasture. I think you need at least an acre.

Councilman Sumner – I think the fact that these animals are inside the vast majority of the time is a different setup than having horses outside all the time, only outside. It's a very different setup.

Asst. to the Admin Eisenbeisz – So the motion is for 9 horses?

Councilman Lund – On this one do we have the same requirements that they maintain the grass cover?

Councilman Ingemann – Nope.

Asst. to the Admin Eisenbeisz – No.

Ms. Buss – We don't have any performance standards really other than a setback for buildings. It's another issue about your animal ordinance you really don't have much for performance standards. There's nothing about separation from wells. Typically an ordinance, if it was in the zoning ordinance, would have some standards about these kinds of facilities.

Councilman Lund – So what we learned today is that everything that applies to 16 horses applies to 8 horses. Picking up the manure everyday and keeping the grass on the slope.

Ms. Buss – You could probably do those. For an animal permit can they do the same conditions they would have had or something similar or not? It's just strictly number.

Attorney Knaak – No not unless it's already in your ordinance. You don't have the discretion you can impose for example in a situation where you're doing it. There's a lot of discretion that you get for an interim use permit but if they've got the animals and they've got the acres they get the permit.

Mayor Geraghty – Do we even have to specify the number here? Because this was modified right?

Attorney Knaak – Yeah actually you will have to do that.

Mayor Geraghty – Was it listed before? I see it's redlined here.

Asst. to the Admin Eisenbeisz – Yep and I put that in.

Mayor Geraghty – What was in the standard? Did we put in a number?

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Asst. to the Admin Eisenbeisz – For the kind and number of animals to be kept. She had just put show horses so I had put the 8 adult horses and 8 foals.

Mayor Geraghty – I think we should be consistent with what we just decided.

Councilman Ingemann – She's got 8 now doesn't she?

Councilman Lund – Sherri thinks that we should probably change our ordinance that we require an approved manure management plan when you don't have enough pasture.

Councilman Ingemann – But you can't do that now.

Councilman Lund – No but....

Councilman Rahm – No but it does make some sense about grazeable land, it does.

Councilman Lund – Yeah.

Councilman Lund – And to maintain grass cover in your pasture area but we can't do that now.

Councilman Rahm – Yeah we can't do that now and grass cover I'm a little bit concerned because that's very difficult.

Councilman Lund – Well and that's a steep slope too which certainly doesn't help anything.

Councilman Rahm – I think 9 is being very generous with the land use and everything.

Mayor Geraghty – I'm confused. What does the ordinance say they can have?

Asst. to the Admin Eisenbeisz – 1 per acre. She has 8.76 acres.

Mayor Geraghty – Okay so the interim was just trying to go to the.....

Asst. to the Admin Eisenbeisz – The ordinance allows for an increased number with an interim use permit so that's what that was for.

Motion by Ingemann, seconded by Rahm, to approve a Farm Animal Permit for 9 horses at 1675 Kolff Street. With 3 Ayes, 2 Nays, the motion carried.

C. **Resolution 2016-13** - Approving a variance for property located at 1280 Kolff Court

Sherri Buss, TKDA Planner, presented on this item as outlined in the March 17, 2016 Regular City Council Meeting packet.

Councilman Sumner – I have a question on the 11 foot setback. Are you going to continue to have the garage doors opening in the same direction? You're not going to open to the street?

Steve Bern, 1280 Kolff Court – Right.

Councilman Sumner – There was some mention made about parking.

Steve Bern, 1280 Kolff Court – Yes but it was in a different context. (Hard to hear him since he was not speaking into the microphone)

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Ms. Buss – He's not 11 feet back from the street, he's actually 11 feet back from the right of way and so he's actually further back from the street but there is a condition in here to prohibit parking on the city's right of way in the winter time to allow for snow removal and make sure there's no damage to some vehicles there. It's a prohibition only in the winter time related to snow plowing.

Steve Bern, 1280 Kolff Court – I think Bill to your point. Usually when there's a variance like this you're driving right in.

Councilman Sumner – Yeah.

Steve Bern, 1280 Kolff Court – It doesn't matter to me but that provision is not relevant in this case. (Hard to hear him)

Councilman Sumner – If you look at the picture Bill...it comes in.

Ms Buss – It can easily be off of that right of way.

Councilman Sumner – I just wanted to confirm that there wasn't a change in that. As you say it's kind of a non-issue to have that in there but it's probably gotta be put in there anyhow.

Ms. Buss – Unless he has a big party or something on a day when it snows. It's a pretty standard condition we've done for everybody who's gotten closer so it's just something that the engineer recommended whenever we do one like this.

Councilman Sumner – When do you think this will start? This year?

Steve Bern, 1280 Kolff Court – Well yeah it's kind of a complicated project. Never build a garage on a retaining wall. (Unable to make out the rest of what he said, he did not speak into the microphone)

Councilman Sumner – I just don't want to see another expiration of your....

Steve Bern, 1280 Kolff Court – Neither does my pocketbook. (Unable to make out the rest, did not speak into the microphone)

Motion by Sumner, seconded by Ingemann, to approve Resolution 2016-13 requesting a variance by Steven Bern of 1280 Kolff Court . With 5 Ayes, 0 Nays, the motion carried.

D. Ordinance No. 2016-4 - Amending Section 450

Admin. Hill – Maybe Fritz can pop in on this and Renee. What we have is Cottage Grove Athletic Association has pull tabs at the Clover Leaf Bar and our ordinance says that this is supposed to be done by the Cottage Grove Athletic Association. Bar employees have been participating in selling the pull tabs and this actually cleans it up with state law to clarify who can sell pull tabs.

Attorney Knaak – Right. As you know you had a very general, very forgiving, very brief ordinance related to charitable gambling and it provided relatively little guidance and a person could look at it and not really know what kind of charitable gambling was or was not allowed in the city. So you passed a pretty basic ordinance and low and behold you found out what type of charitable gambling was being conducted in the city. This is not illegal by the way what's been proposed. It's just in addition to what otherwise would be allowed. It's expressly permitted to have and that's a revision I guess but it is expressly permitted to have the bar employees do it. There are some additional requirements obviously but they have to be complied with so this allows you to basically allow a practice that's been going on that you did. As I'm sure you recall authorize and make sure that they're in

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compliance otherwise what they'll have to do is significantly modify how they do business in the City. This is consistent with what Cottage Grove does so you're not an outlier.

Councilman Lund - I think the proposed language is a little awkward. What if instead of adding anything we just struck the portion after "may sell pull tabs" and then strike out "from a booth used solely by the licensed lawful gambling organization". What if we just strike that part out?

Attorney Knaak – Well because I think that what we want to do is expressly permit bar sales. That's one of two kinds of sales like this that are allowed. One is by a booth and then the other thing that the statute allows is bar sales. So since you are calling out and expressly authorizing it that was intended to be just as minimal as possible to permit the practice.

Councilman Lund - So it's not clear from the current language that the bar operations part applies to the pull tab part.

Attorney Knaak – Not clear enough and obviously they were concerned as well.

Councilman Lund - No I mean in the proposed change. Is there any way we can....because we talk about the pull tabs first and then we say "or conduct other such forms of lawful gambling with lawful gambling devices, including bar operations".

Attorney Knaak – Including bar operations right.

Councilman Lund - Does that mean that we gamble at the bar?

Councilman Ingemann – No it means that the bartender can...

Councilman Lund – No I know what we intend it to mean. It's not clear that bar operations...."including bar operations" sounds like a lawful gambling device not related to selling pull tabs.

Attorney Knaak – We can certainly improve it.

Councilman Lund – So that'd be my suggestion to change it around somehow. What if we just say "may sell pull tabs from a booth?". So the booth has to be run by the nonprofit? Is that the deal?

Attorney Knaak – If there's a booth that's run by the nonprofit.

Mayor Geraghty – It's okay then I think.

Councilman Lund – Okay well what if we move the...."from a booth used solely by the", what if we move the bar operations part up there?

Mayor Geraghty – Well if you just read the "or" it covers it. Everything after the "or" covers it. "Other gambling operations" includes pull tabs too doesn't it?

Attorney Knaak – May sell pull tabs or conduct, it's either or, they can either sell pull tabs from the booth or do something else allowing the other things. In other words that's kind of an either or exclusive including bar operations so "may sell pull tabs from a booth or conduct". Bar operations has to be in there.

Mayor Geraghty – Can you use the "lawful gambling including pull tabs?"

Attorney Knaak – "May sell pull tabs from a booth". That's language lifted straight from the statute.

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Councilman Lund – What if we say “or conduct lawful gambling devices including bar operations?” Instead of saying “other forms of lawful gambling?”

Attorney Knaak – Which one are you looking at?

Councilman Lund – Right now it says “or conduct such other forms of lawful gambling”. What if we just say “or conduct lawful gambling”. Just cross out the other. It appears that the bar operations part only applies to the other forms of gambling.

Attorney Knaak – Which is what it would be.

Councilman Lund – The only gambling they do is pull tabs.

Councilman Ingemann – Not necessarily. They have meat raffles.

Attorney Knaak – Okay, “pull tabs from a booth used solely or bar operation”. Maybe this needs more work.

Councilman Ingemann – The athletic association does come in every so often with bingo.

Asst. to the Admin. Eisenbeisz – Their permit allows for pull tabs, meat raffles, bar bingo.

Councilman Ingemann – So that’s other gambling there. The language looks good to me the way it is.

Councilman Rahm – This was much easier during prohibition.

Councilman Lund – What if we add instead “may sell pull tabs from bar operations or from a booth”?

Attorney Knaak – Getting nit picky now.

Councilman Lund – And then leave the rest of it, the other bar operations talking about other forms of lawful gambling?

Attorney Knaak – If you were to say pull tabs from a booth....well the booth is used exclusively by the licensed gambling.

Councilman Lund – Yeah so we’re going to insert it before that. We’re going to say “may sell pull tabs via bar operations or from a booth”

Attorney Knaak – That works.

Asst. to the Admin. Eisenbeisz – Before you do make a motion. Another question came up in the last couple days from Clover Leaf itself when the Cottage Grove Athletic Association and the individual teams conduct meat raffles, the athletic association has been telling them to go to St. Paul Park or Cottage Grove because we’ll take the 10% off of the individual teams’ meat raffles or fundraisers. So it is a question for the Council if you would exempt the 10% gambling fund from being taken from the individual teams’ fundraisers and meat raffles and then also in the past we have not collected 10% percent from meat raffles from the Lions Club or the Newport Fire Dept. I was wondering if you would like to continue not collecting from them.

Mayor Geraghty – Yeah we would.

Attorney Knaak – That is a valid issue but it’ll stoke up the conversation that we were just about to conclude on the language and I think you’ve got it. This is another valid issue that you’d probably want to consider.

Councilman Lund – Do we need a public hearing for this?

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Asst. to the Admin. Eisenbeisz – No.

Motion by Lund, seconded by Sumner, to approve Resolution 2016-4 as proposed. With 5 Ayes, 0 Nays, the motion carried.

E. Park Board Appointments

Motion by Ingemann, seconded by Rahm, to appoint John Graber to the Park Board to a term ending December 31, 2018. With 5 Ayes, 0 Nays, the motion carried.

Motion by Geraghty, seconded by Sumner, to appoint Paul Hansen to the Park Board to a term ending December 31, 2016. With 4 Ayes, 1 Nays, the motion carried.

11. ATTORNEY'S REPORT – Nothing to report.

12. WASHINGTON COUNTY SHERIFF'S OFFICE REPORT

Sgt. Ostermann – I'd like to invite everybody next Wednesday, March 23 to Coffee with a Cop at the North Pole from 5-7. All the deputies that work this area will be there and we'll be around the restaurant. We invite the public to come sit down with any or all of us and ask whatever you want to ask. Whether you have a question on an ordinance or just to see how things are going or whatever, just open conversation. The other piece I was going to remind everybody that the snow is gone. Please look around your yard, clean up any debris you find. If you've got questions, Renee at City Hall is a great resource and Deb. We've been around and talked to a lot of folks about the ordinances from cleaning up branches to unregistered vehicles we've had a lot of contact. So we just ask people to police themselves and make sure their yards are presentable and keep the neighborhood looking nice for not only the city but your community.

13. FIRE CHIEF'S REPORT – Not present.

14. SUPERINTENDENT OF PUBLIC WORKS REPORT – Nothing to report.

15. NEW / OLD BUSINESS

Admin. Hill – I'd like to wish Renee the best of luck in the next few months in "babyland".

Mayor Geraghty – Yeah I want to thank you for hanging in there up until almost the last day. Enjoy your time off and take your phone off the hook or turn it off and bring the baby in when you feel you're ready to. I want to wish everyone a Happy St. Patty's Day and don't celebrate too much.

Councilman Lund – Just real quick I'd like to ask that we look at giving ourselves the option to regulate animal permits by requiring manure management and pasture management like we all discussed and learned today. So if we could put that on a to-do list for future animal permits.

Admin. Hill – We can do that.

Mayor Geraghty – After the Council meeting we will have a Workshop Meeting at which time we will discuss the baseball field and also have the performance review for Deb and that will be a closed meeting. I will announce that at the Workshop as well.

Councilman Ingemann – That's closed.

16. ADJOURNMENT

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Motion by Geraghty, seconded by Ingemann, to adjourn the meeting at 6:55 p.m. With 5 Ayes, 0 Nays, the motion carried.

Upcoming Meetings and Events:

- | | | |
|--------------------------------|----------------|-----------|
| 1. Park Board Meeting | March 24, 2016 | 6:00 p.m. |
| 2. City Council Meeting | April 7, 2016 | 5:30 p.m. |
| 3. Planning Commission Meeting | April 14, 2016 | 6:00 p.m. |
| 4. City Council Meeting | April 21, 2016 | 5:30 p.m. |

Signed: _____
Tim Geraghty, Mayor

Respectfully Submitted,

Andrew Brunick
Administrative Intern/Administrative Assistant