



**CITY OF NEWPORT  
REGULAR COUNCIL MEETING  
NEWPORT CITY HALL  
JANUARY 7, 2016 – 5:30 P.M.**

MAYOR: Tim Geraghty  
COUNCIL: Tom Ingemann  
Bill Sumner  
Tracy Rahm  
Dan Lund

City Administrator: Deb Hill  
Supt. of Public Works: Bruce Hanson  
Fire Chief: Steven Wiley  
Asst. to the City Admin: Renee Eisenbeisz

**AGENDA**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. ADOPT AGENDA
5. ADOPT CONSENT AGENDA – All items listed under this section are considered routine and non-controversial by the Council and will be approved by a single motion. An item may be removed from the consent agenda and discussed if a Council member, staff member, or citizen so requests.
  - A. Minutes of the December 17, 2015 Regular City Council Meeting
  - B. List of Bills in the Amount of \$475,944.76
  - C. **Resolution No. 2015-35** - Accepting Part II of the Wellhead Protection Plan
6. VISITORS PRESENTATIONS/PETITIONS/CORRESPONDENCE
7. MAYOR'S REPORT
8. COUNCIL REPORTS
9. ADMINISTRATOR'S REPORT
  - A. Memorandum of Agreement between the City of Newport and Law Enforcement Labor Services Local 347
  - B. Friends in Need Donation Request
  - C. 2016 Annual Appointments
    1. **Resolution No. 2016-1** - A Resolution for the Appointment of Responsible Authority
  - D. **Ordinance No. 2016-1** - Amending Chapter 6, Animals
10. ATTORNEY'S REPORT
11. WASHINGTON COUNTY SHERIFF'S OFFICE REPORT
12. FIRE CHIEF'S REPORT
13. ENGINEER'S REPORT

Agenda for 01-07-16

A. Certificate of Survey Discussion

14. SUPERINTENDENT OF PUBLIC WORKS REPORT

15. NEW / OLD BUSINESS

16. ADJOURNMENT

Upcoming Meetings and Events:

- |   |                  |           |
|---|------------------|-----------|
| 1. Planning Commission Meeting                        | January 14, 2016 | 6:00 p.m. |
| 2. City Offices Closed for Martin Luther King Jr. Day | January 18, 2016 |           |
| 3. City Council Meeting                               | January 21, 2016 | 5:30 p.m. |
| 4. Park Board Meeting                                 | January 28, 2016 | 6:30 p.m. |



**City of Newport  
City Council Minutes  
December 17, 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; Renee Eisenbeisz, Executive Analyst; Fritz Knaak, City Attorney;

**Staff Absent** – Steve Wiley, Fire Chief; Jon Herdegen, City Engineer;

**4. ADOPT AGENDA**

**Mayor Geraghty** - I do want to pull item 5.D from the consent agenda, there's a change that the homeowner wishes to make.

**Motion by Rahm, seconded by Sumner, to adopt the Agenda as presented. 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 December 3, 2015 Regular City Council Meeting
- B. List of Bills in the Amount of \$131,078.23
- C. Kennel Permit

**With 5 Ayes, 0 Nays, the motion carried.**

**D. Farm Animal Permit**

**Kim Brown, 1675 Kolff Street** - I would like to apply for additional horses, I'm willing to pay \$1,000 a year in addition to the \$25 I already pay.

**Executive Analyst Eisenbeisz** - She has six horses right now and is requesting 14. We would need to amend the City Code if the Council wished to increase that number.

**Mayor Geraghty** - We'll research it and bring it forward at the January meeting.

**6. VISITORS PRESENTATIONS/PETITIONS/CORRESPONDENCE**

**7. MAYOR'S REPORT** – Nothing to report.

**8. COUNCIL REPORTS** –

**Mayor Geraghty** - If you have something to say related to the law enforcement, please keep it until that time.

**Councilman Rahm** - We've received a reimbursement from the South Washington County Telecommunications Commission. It's from the fees that are in excess. It was a little over \$12,000 this year. That's under review, if that will continue in the future. They've hired a consulting firm to review that policy. The member cities are Cottage Grove, Woodbury, and St. Paul Park.

**Councilman Ingemann** - Nothing to report.

**Councilman Sumner** - I attended the groundbreaking ceremony for the new food shelf in St. Paul Park. I encourage people to support that organization. It has an important position and function in our community.

**Councilman Lund** - I met with Commissioner Bigham and relayed my concerns regarding a house-centric project in the TIF district. She was very receptive and I said that it's important to get some businesses in there so if the City moves forward with making a substantial contribution through TIF that we get a good return on investment. I also met with Deb, Senator Sieben and Representative Schoen on the I&I issue and they were very helpful on that. They were receptive in potentially finding us some funding for the utilities under 1st Street.

**9. ADMINISTRATOR'S REPORT** –

**A. Public Hearing - To Review Charges Against Troje's Trash and Recycling from the MN Department of Revenue for a debt owed**

**The public hearing opened at 5:36 p.m.**

Executive Analyst Eisenbeisz presented on this item as outlined in the December 17, 2015 City Council packet.

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

**Jeff Marone, Republic Services** - We are a customer-service focused business and understand the intent of the ordinance to reduce wear and tear on the streets. I ask for a simple delay of six months to a year. I am new to the company and just learned of this requirement a couple months ago. We had 53 at that point and have increased it to 82 since.

**Mayor Geraghty** - Can we waive that tonight?

**Attorney Knaak** - You can if you wish.

**Councilman Lund** - So we gave them notice that Troje's license might be revoked. I think it makes sense to waive it for 2016.

**Councilman Rahm** - If the idea is to spur competition.

**Councilman Sumner** - And you continue to actively seek customers?

**Mr. Marone** - Yes.

**Councilman Rahm** - Can other haulers come in since we're waiving it?

**Executive Analyst Eisenbeisz** - No because we're just waiving it for Republic

**Motion by Geraghty, seconded by Lund, to approve Resolution No. 2015-49 waiving a requirement in Section 440.06, Subd. 1 for Republic Services for 2016. With 5 Ayes, 0 Nays, the motion carried.**

**B. Public Hearing - To Consider an Interim Ordinance Establishing a Moratorium on Development in Portions of the Residential Estates Zoning District**

**The public hearing opened at 5:41p.m.**

Sherry Buss, TKDA Planner, presented on this item as outlined in the December 17, 2015 City Council packet.

**Councilman Sumner** - There were some time limits, can you touch on those?

**Ms. Buss** - It's one year with an extension of 18 months. I think the Engineer is confident that we can get it done in one year.

**Councilman Sumner** - And you've reviewed this Council?

**Attorney Knaak** - Yes.

**The public hearing closed at 5:44 p.m.**

**Councilman Lund** - We have the ability to pull it back at any time but given the significant investment we're looking at for sewer and water, I think it makes sense.

**Ms. Buss** - We also haven't heard from anyone that this might hurt.

**Motion by Sumner, seconded by Lund, to approve Ordinance No. 2015-9. With 5 Ayes, 0 Nays, the motion carried.**

**Motion by Sumner, seconded by Lund, to approve the Summary of Ordinance No. 2015-9. With 5 Ayes, 0 Nays, the motion carried.**

**C. Law Enforcement Services**

**Mayor Geraghty** - We can take these in any order. I know it's an emotional issue and would ask everyone to remain civil and focused and not get into any employee's performance or anything in that nature. I want to discuss the pros and cons and hopefully we can make a decision tonight and move on.

**Councilman Ingemann** - I'll move Resolution No. 2015-XX to hire a chief. The system is broke and we need a leader. The people out here don't care how much it'll cost, they won't see any savings.

**Councilman Rahm** - I'll second it.

**Councilman Ingemann** - Any savings you think will be there won't be because the school district just jacked everything up. These guys have been here, they're working hard and busting their butt. All we need is a chief and the one we had was anything but.

**Mayor Geraghty** - We're not going to talk about performance.

**Councilman Ingemann** - I know, I'm not.

**Councilman Sumner** - You just did.

**Mayor Geraghty** - You just did. As far as taxes go, we don't control the school district taxes, we control ours.

**Councilman Ingemann** - The system's broke, we just need a leader.

**Mayor Geraghty** - I agree with that, how we get there, we may not agree,

**Councilman Rahm** - I think it's a very important strategic question that we're talking about tonight. It affects our residents tonight and for the next foreseeable future. The decision, in my opinion, is whether or not we disband our police department and contract with the County. I want to thank and believe that the County did an excellent job of providing augmentation for our police services and stepping in at a difficult time and auditing our procedures and shed some light on things we need to improve. I'm not happy with some of the performances we've had in our police force and operations but do believe that Newport having its own police department is beneficial in the long term. It gives the opportunity for the community to directly control its police services and make any changes it wants to. Washington County has excellent capabilities and opportunities for its police force. There are pros and cons. I want to sit there and say that as I make my decision, I'm looking at the health of Newport long term and the cost and benefit. It's hard to put a cost on things. I do commend the Council, you have always looked at decisions and being able to look at them in a good, evaluative manner and being frugal and cost-competitive. I think this issue is about leadership and strategic direction. I would ask you to look at the long-term and think what the best thing is for Newport. The easier thing to do is outsource to the County because we don't have to clean it up. The tougher thing to do is clean it up, hire a new chief and fix things. When I ran for election, I commend myself for fixing Newport and improving our police operations. I made a commitment when I campaigned and I'm going to keep that, which might not make any sense but I'm going to keep that commitment.

**Councilman Lund** - I think it's very convenient to blame leadership. Policing has changed in this country. I think it's more difficult to run a small police department then it was 10 years ago, certainly 20 years ago. I think technology, training, equipment, policies and procedures are changing. There are more lawsuits against police officers. It's more expensive to run a small police department. I know a lot more than when I ran and what I learned is that I don't think it makes fiscal sense for a city this size to keep its own police department. It's not what other cities our size have done and I think we've seen some of the problems that can come out of trying to hold costs down for 24/7 policing. I don't think we can afford to spend more on our police and I think to have a healthy department, we would have to. The simple matter is that Newport is not big enough to support its own police department with 24/7 coverage. I think the Newport Officers should be very proud of their service. I think our former Police Chief should be proud that he held it together as long as he did. I do not think it's fair to blame all the problems on him because it's a difficult thing to do to keep a police force this size running when you have one guy on 24 hours a day. We stretched them really thin doing that. I don't think it makes sense to continue. I know a lot of people will be disappointed, it will be a big change if we decide to outsource but I don't think we can continue down this path. I think we've seen what it gets us and I think it's time to make Newport healthier by doing what most or nearly every community our size has realized, that having 24/7 coverage is too expensive for a community our size.

**Councilman Ingemann** - The reason they were stretched so thin is because the Councils before were trying to save money. They were the ones that eliminated the sergeant position which stretched these guys to the thin line they are now.

**Councilman Lund** - We spend more on our policing per capita then some cities in Washington County spend on their entire budget.

**Councilman Ingemann** - And the citizens don't care.

**Councilman Lund** - They do care, they voted against the school referendum. I know those kids need the money more than we do. If what we have to do to maintain 24/7 coverage is go to Washington County, I think that's where we can find our citizens some savings.

**Councilman Rahm** - When you look at a per capita basis, we are higher because we have a lower population. I think the number that's more important is the cost per officer hour. It's the same cost in Washington County or somewhere else. I guess your argument is that because we're a small community, we can't afford that. I disagree with that. I don't think the savings with outsourcing will be there because providing the officers, equipment and training will cost the same.

**Mayor Geraghty** - Except we won't have a chief so there will be a savings. When I started this when the Chief retired, my number one priority was public safety. It still is and I believe going to the County, they have the infrastructure, backup, procedures, policies, supervision and leadership for that. Better than having a small town chief.

**Councilman Rahm** - I don't disagree with that.

**Mayor Geraghty** - Number two was protecting the Officers' jobs and I've succeeded in doing that. My third was savings if we could accomplish them along the way and we have.

**Councilman Sumner** - If it passes.

**Councilman Rahm** - In this interim contract, we actually spent a little more than we would have. When it comes down to it, it proves that the cost for labor is the cost. My thing is that if we think we're too small to provide a police force, that's a different issue.

**Councilman Lund** - I agree, the labor cost is going to be the same but we're going to save on a Chief. Where we've really fallen off is the rest of it. The organizational and structural issues. They cost money to keep up to date.

**Councilman Rahm** - I agree but I disagree, that's a leadership issue about you manage your officers and department. The buck has to stop somewhere and it stops at us in the Council.

**Councilman Ingemann** - In two years, it'll cost more to reinstate the police department.

**Mayor Geraghty** - That's a true statement. If that happens.

**Councilman Ingemann** - And it will.

**Councilman Sumner** - I'm going to take a big step forward. I see a lot of officers in the back of the room. There's talk about leadership, there's also responsibility of the employees. No leader told them, and there are things in public, I don't think any leader told them to go do those things that we now know happened. I think we need a change of the leadership that can be provided by the Sheriff's Department. A new look at things. From the beginning, I have been in support of keeping the same officers as they shift to the County. There were things that were not known by the majority of the citizens until just recently. An attempt was made to solve one issue, it was done privately. Another issue was brought forward into arbitration which made all of the evidence and information public. The public now knows a majority of what is available. This has been confirmed through a Dakota County investigation and the findings were affirmed by an arbitrator. These are not findings that are just made up. They were documented and confirmed. At this point, I think we need to go where the leadership and higher degree of responsibility is available. If at the end of two years, there's a reason to change back, it could be done. This is not like the construction of Highway 61 where it can't be changed. This could be if it was deemed in the best interest of the citizens. I don't think hiring a Chief is the responsible step to take.

Executive Analyst Eisenbeisz conducted a roll call vote:

- Councilman Rahm - Yes

- Councilman Ingemann - Yes
- Councilman Lund - No
- Councilman Sumner - No
- Mayor Geraghty - No

**Motion by Ingemann, seconded by Rahm, to approve Resolution No. 2015-50 directing staff to seek candidates for the position of Chief of Police for the purpose of hiring an individual. With Ingemann and Rahm voting Aye and Geraghty, Sumner, and Lund voting Nay, the motion failed.**

**Mayor Geraghty** - I'll make a motion to approve Resolution No. 2015-50 to contract for police services from the Washington County Sheriff's office.

**Councilman Sumner** - I'll second. I'll again say, the Sheriff and Washington County had told us that the intention was to bring forward the current officers even with the knowledge of the first series of events. I haven't heard that it'll change. To my knowledge, they'll also be serving in Newport if they choose. I also understand that there may be some pay raises. I hope that the officers who get those aren't offended by that. I hope that the officers whose pay is kept steady understand that. I hope the citizens understand that this is not being made lightly but there's a tremendous amount of information available and a resolution to conduct a second investigation. I have no idea of what happened with the second issue, I want an independent investigator tell us what happened. In the meantime, I think we need the Sheriff to provide the leadership so I'll vote yes.

**Councilman Lund** - I think our Officers and department should be very proud of the services they provided. I don't think we need to focus on articles. I think that's a very minor part of the legacy and the real legacy is with the community and support that's been demonstrated throughout this process. It should be something that they should be proud of. I'm proud to be in a community where people are this interested and love their guys. I hope they choose to stay policing Newport under the County's leadership.

**Councilman Ingemann** - They may be assumed by the County but it doesn't say anywhere that they'll stay in Newport. They could place them anywhere in the County. If you're in fantasyland thinking they won't do what they think the County needs to do. That's a fact, they could end up anywhere in the County. It doesn't say as police, just employees. It doesn't say they'll stay in Newport. If you want to think that's great, go for it. I don't agree.

**Councilman Rahm** - I think we've all agreed in a roundabout way that changes are needed. I think we disagree on the approach. I do think, what's in the best interest of Newport long-term. I share the Mayor's concern about public safety. I'm a little less on the cost perspective because we've increased our fund balance, it's not like we're against the wall.

**Councilman Lund** - Our residents' backs are against the wall. We're burying them in taxes.

**Councilman Rahm** - We've kept it flat for years.

**Councilman Lund** - Because it doubled ten years ago. Just because we've been charging too much doesn't mean we should continue to do so.

**Councilman Rahm** - I agree at looking at things but it depends on what you believe are core services and how you want to provide those. As long as Newport is independent, it depends on what you think the best policy is.

**Mayor Geraghty** - There are people in the audience that have come to me on many occasions asking what we're going to do on taxes and this is an opportunity to do something.

**Councilman Rahm** - How we make such a decisive issue, I'd rather spend on time on how we get new businesses here and clean up Highway 61. I would rather we focus on that then this. There's other things we can do to help

grow the tax base.

**Councilman Ingemann** - The hundreds of people that have come to talk to me don't care how much it costs to keep the local police.

**Mayor Geraghty** - We're not taking any public input.

**Councilman Ingemann** - We have an election next year.

**Councilman Rahm** - It's an emotional decision.

**Mayor Geraghty** - I expected there to be standing room only tonight. There's a silent majority that in the end, I think will agree with us.

**Councilman Ingemann** - I don't think so but you won't be here.

**Councilman Rahm** - It's a policy direction when it comes down to it.

Executive Analyst Eisenbeisz conducted a roll call vote:

- Councilman Rahm - No
- Councilman Ingemann - No
- Councilman Lund - Yes
- Councilman Sumner - Yes
- Mayor Geraghty - Yes

**Motion by Geraghty, seconded by Sumner, to approve Resolution No. 2015-50 authorizing and contracting for police services for the City from the Washington County Sheriff. With Geraghty, Sumner, and Lund voting Aye and Ingemann and Rahm voting Nay, the motion carried.**

**D. Resolution No. 2015-44 - Approving Levy Certification for Levy Year 2015, Payable 2016, and Adopting the 2016 General Fund Operating Budget, the 2016 Water, Sewer, Storm Water, and Street Light Enterprise Funds, the 2016 NEDA Budget, and the 2016-2020 CIP**

Admin. Hill presented on this item as outlined in the December 17, 2015 City Council packet. There are two different resolutions and budgets for Council consideration. The first is a 0% change that was proposed at the December 2, 2015 meeting. The second is for \$100,000 less.

**Councilman Ingemann** - I'll make a motion we approve the 0% levy. That's what we agreed on. I'm sure there are expenses that will come up that no one foresaw.

**Mayor Geraghty** - We foresaw them.

**Councilman Ingemann** - There are more coming.

**Councilman Rahm** - I'll second it.

**Mayor Geraghty** - I'm not going to support that. I think we should reduce it \$100,000. I said I would and I think we should.

**Councilman Lund** - How much are we expected to save between the two budgets?

**Admin. Hill** - We'll have some expenses. About \$160,000.

**Mayor Geraghty** - There will be some transitional costs.

**Admin. Hill** - That'll be about \$65,000 - \$70,000 for vacation payout.

**Councilman Ingemann** - Which to you and I is nothing.

**Councilman Rahm** - Not to me.

**Councilman Lund** - I only support giving back the whole \$160,000, we have enough in our fund budget to cover expenses without changing anything.

**Councilman Ingemann** - That's not part of the resolution.

**Councilman Lund** - That's what I'll support. If you guys support no discount and you support \$100,000, we'll be here a long time.

**Councilman Rahm** - I'll support it as written. There was \$100,000 savings that the Mayor proposed. If this one fails, I'll support that one.

**Mayor Geraghty** - This is the one for 0%.

Executive Analyst Eisenbeisz conducted a roll call vote:

- Councilman Rahm - Yes
- Councilman Ingemann - Yes
- Mayor Geraghty - No
- Councilman Lund - No
- Councilman Sumner - No

**Motion by Ingemann, seconded by Rahm, to approve Resolution No. 2015-44 approving a levy for \$2,430,416. With Ingemann and Rahm voting Aye and Geraghty, Sumner, and Lund voting Nay, the motion failed.**

**Mayor Geraghty** - I'll make a motion to approve Resolution No. 2015-44 approving a levy for \$2,330,416.

**Councilman Sumner** - I'll second it.

**Councilman Rahm** - I'll support that.

**Councilman Sumner** - Mr. Ingemann, what additional expenses do you think...

**Councilman Ingemann** - I'm not going to talk to you, I'm going to vote no. Roll call, I say no.

**Councilman Sumner** - We could offer friendly amendments right?

**Mayor Geraghty** - Depends what it is. Let's just go with dropping \$100,000.

**Councilman Sumner** - If we drop it the full amount, then we're showing that there will be substantial savings. If there's some expenses that come up which some people think they know but won't share, we have reserves. How difficult is it to take out of reserves.

**Admin. Hill** - That's possible. There's one thing you need to consider is that for the first three years, you'll be

getting a credit for the cars of \$27,000.

**Councilman Ingemann** - We're just talking about the first year.

**Admin. Hill** - You'd have to raise that to break even then.

**Mayor Geraghty** - There are other ways we can bring down the reserves. There's other land that we can buy.

**Councilman Rahm** - We need a super majority don't we?

**Attorney Knaak** - Yes.

**Councilman Lund** - This Council has been planning forward for more than enough time and we have a lot in our reserves. We have a lot of land that we hope to turn into cash, we don't need to think about 2017. We have lots that we can sell in 2016. We have \$1,000,000 in the general fund. Let's give it back to the citizens. We should stop trying to pay for 2017 in 2016. I'm supporting \$160,000.

Executive Analyst Eisenbeisz conducted a roll call vote:

- Councilman Rahm - Yes
- Councilman Ingemann - No
- Mayor Geraghty - Yes
- Councilman Lund - No
- Councilman Sumner - Yes

**Motion by Geraghty, seconded by Sumner, to approve Resolution No. 2015-44 approving a levy for \$2,330,416. With Geraghty, Sumner, and Rahm voting Aye and Ingemann and Lund voting Nay, the motion failed.**

**Mayor Geraghty** - My next would be to drop it \$150,000.

**Councilman Lund** - I'll support that.

**Councilman Rahm** - I would be more supportive of the \$100,000 because of the transfers and that's what the real savings is.

**Councilman Sumner** - There was some concern that we weren't going to give back anything so we're showing that we will.

**Attorney Knaak** - I stand corrected, it's a simple majority.

**Mayor Geraghty** - So it passed?

**Attorney Knaak** - It was stated as failing so it didn't pass.

**Councilman Lund** - Let's do \$150,000 then.

Executive Analyst Eisenbeisz conducted a roll call vote:

- Councilman Rahm - Yes
- Councilman Ingemann - No
- Councilman Lund - Yes

- Councilman Sumner - Yes
- Mayor Geraghty - Yes

**Motion by Lund, seconded by Geraghty, to approve Resolution No. 2015-44 approving a levy for \$2,280,416 and the 2016 budget. With Geraghty, Sumner, Rahm and Lund voting Aye and Ingemann voting Nay, the motion carried.**

**Mayor Geraghty** - So you'll take the savings out of the public safety budget?

**Admin. Hill** - We'll just take it off of the property taxes and be in the negative. Some of the savings is in capital, which is a different fund.

#### **E. Title Change for Executive Analyst**

Admin. Hill presented on this item as outlined in the December 17, 2015 City Council packet.

**Councilman Sumner** - With the pay study, what impact does this have?

**Admin. Hill** - Nothing, it's just a title.

**Councilman Lund** - Whatever Renee's preference is is fine by me.

**Councilman Ingemann** - Why not just Assistant City Administrator?

**Admin. Hill** - They have different duties. The Assistant to is more correct for what she does.

**Councilman Ingemann** - Wanda was the Assistant.

**Admin. Hill** - No, she was Deputy Clerk.

**Councilman Sumner** - I think Bart Fisher was for a little bit.

**Motion by Ingemann, seconded by Sumner, to approve the title change from Executive Analyst to Assistant to the City Administrator effective January 1, 2016. With 5 Ayes, 0 Nays, the motion carried.**

#### **F. Annual Appointments**

Attorney Knaak noted that this needs to be done at the first meeting in 2016. The Council directed staff to change one of the members of the Newport Fire Relief Association to Councilman Ingemann since he is retiring from the Fire Department effective January 1, 2016. Additionally, they directed staff to change item #17, the responsible authority to administer requirements for collection, storage, use, and dissemination of data.

**Admin. Hill** - Dakota County has agreed to do the investigation for us. They'll start in January.

**10. ATTORNEY'S REPORT** - Nothing to report.

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

**12. FIRE CHIEF'S REPORT** - Nothing to report.

**13. ENGINEER'S REPORT** - Nothing to report.

**14. SUPERINTENDENT OF PUBLIC WORKS REPORT** -

**Councilman Sumner** - How are we doing with salt?

**Supt. Hanson** - Fine.

**Councilman Ingemann** - Will we have any issues with waterlines freezing?

**Supt. Hanson** - It depends on how cold it gets and how fast. I'd be more worried about having a wet spring.

**15. NEW/OLD BUSINESS**

**16. ADJOURNMENT**

**Motion by Geraghty, seconded by Rahm, to adjourn the regular Council Meeting at 6:29 P.M. With 5 Ayes, 0 Nays, the motion carried.**

Signed: \_\_\_\_\_  
Tim Geraghty, Mayor

Respectfully Submitted,

Renee Eisenbeisz  
Executive Analyst

To: Mayor Tim Geraghty and our esteemed City council,

My name is Tony Mahmood, chairman of the planning commission and proud citizen of Newport.

It saddens me to hear the petition (save our police department) gathered by my wife, myself and others was dismissed without, I feel, due consideration. Yes one petition gathering volunteer and his son are not residents of Newport, but no law or statute was violated that would allow you to dismiss this petition based on that fact alone .

We did not go out looking to change people's views on this issue we went out with one goal and that was to get the signatures of people who care about our police department. This simply was a case of a concerned citizen trying to help you and the council get a better idea of what **we the people** are thinking.

Mayor Geraghty and the esteemed city council members I hope you will not disregard the request of over 300 Newport citizens just because you're not willing to roll up your sleeves and do the hard work of overhauling something that is broken **in the name of saving money**. I wouldn't have voted for you if I didn't think you would do the right thing! So please all of you respect and listen to what **we the people** are saying and do the right thing.

Thank you for taking the time to read this.

Tony Mahmood

P.S. I would hope that one of you would read this aloud so that the 311 people that did sign the petition will know that at least their voices we heard.

**Recurring**

Paid Chk# 000563E	CENTRAL BANK	12/14/2015	\$4.00 Bounced check for water paymen
Paid Chk# 000564E	CENTRAL BANK	12/14/2015	\$4.00 Bounced check for water paymen
Paid Chk# 000565E	FEDERAL TAXES	12/22/2015	\$7,072.01 FICA, Medicare, Federal
Paid Chk# 000566E	MN REVENUE	12/22/2015	\$1,377.07 State taxes
Paid Chk# 000567E	MSRS	12/22/2015	\$3,267.64 HCSP & Vol. Retirement
Paid Chk# 000568E	SELECTACCOUNT	12/22/2015	\$1,044.07 HSPA
Paid Chk# 018152	DEBORA HILL	12/17/2015	\$71.99 Mileage reimbursement
Paid Chk# 018153	XCEL ENERGY	12/17/2015	\$7,251.17
Paid Chk# 018154	ING LIFE INSURANCE & ANNUITY	12/22/2015	\$100.00
Paid Chk# 018155	LAW ENFORCEMENT LABOR SERVICES	12/22/2015	\$235.00
Paid Chk# 018156	PERA	12/22/2015	\$7,256.52
Paid Chk# 018157	NATE PETERSON	12/22/2015	\$730.52 Education reimbursement
Paid Chk# 018159	FLEET ONE LLC	12/29/2015	\$1,198.61 Petrol
Paid Chk# 018160	COMCAST	12/31/2015	\$138.03
Paid Chk# 018161	DEBORA HILL	12/31/2015	\$51.13 Mileage reimbursement
Paid Chk# 018162	NCPERS MINNESOTA	12/31/2015	\$48.00
Paid Chk# 018163	SAMS CLUB DIRECT	12/31/2015	\$141.15
Paid Chk# 018164	DEB SCHULZ	12/31/2015	\$67.55 Mileage, supplies and petty ca
Paid Chk# 018165	VERIZON	12/31/2015	\$315.76
	Staff		\$24,040.55

**Non-recurring**

Paid Chk# 018166	ABRAMS & SCHMIDT	1/7/2016	\$2,610.00 Legal fees
Paid Chk# 018167	AGGREGATE INDUSTRIES MIDWEST	1/7/2016	\$684.45 Ball Dura Gravel
Paid Chk# 018168	ATOMIC DATA, LLC	1/7/2016	\$1,949.95
Paid Chk# 018169	BOND TRUST SERVICES CORP.	1/7/2016	\$266,453.75 2013A & 2014A GO Bond payment
Paid Chk# 018170	DIETRICH ELECTRIC, INC	1/7/2016	\$682.68 Electircal inspections
Paid Chk# 018171	DONALD SALVERDA & ASSOC.	1/7/2016	\$600.00 Leadership Group
Paid Chk# 018172	DVS RENEWAL	1/7/2016	\$96.00 6 Public Works vehicles
Paid Chk# 018173	EHLERS	1/7/2016	\$315.00 General financial consulting
Paid Chk# 018174	FAIR OFFICE WORLD	1/7/2016	\$222.48 Office supplies
Paid Chk# 018175	FERGUSON WATERWORKS #2516	1/7/2016	\$146.00 Supplies
Paid Chk# 018176	FLEET ONE LLC	1/7/2016	\$1,336.72 Petrol
Paid Chk# 018177	GALLS, LLC	1/7/2016	\$130.00 Police uniform
Paid Chk# 018178	GERLACH OUTDOOR POWER EQUIP.	1/7/2016	\$8.79 Switch ignition
Paid Chk# 018179	GOPHER STATE ONE-CALL	1/7/2016	\$53.65
Paid Chk# 018180	GRAINGER PARTS	1/7/2016	\$206.26 Exit sign with emergency light
Paid Chk# 018181	HAWKINS	1/7/2016	\$10.00 Chlorine Cylinder
Paid Chk# 018182	INSTRUMENTAL RESEARCH, INC.	1/7/2016	\$36.00 Coliform Bacteria
Paid Chk# 018183	JOHN JACOBSON	1/7/2016	\$193.95 Escrow reimbursement
Paid Chk# 018184	JOHN BARTL HARDWARE	1/7/2016	\$73.62 PW repairs
Paid Chk# 018185	KISS-S	1/7/2016	\$8,917.93 Police repairs
Paid Chk# 018186	LEAF	1/7/2016	\$580.49 Printer and copier
Paid Chk# 018187	LEAGUE OF MINNESOTA CITIES	1/7/2016	\$9,001.00 Workers compensation
Paid Chk# 018188	MACQUEEN	1/7/2016	\$143.41 #27 Repair
Paid Chk# 018189	MENARDS - COTTAGE GROVE	1/7/2016	\$83.29 Supplies
Paid Chk# 018190	MN POLLUTION CONTROL AGENCY	1/7/2016	\$23.00 Wastewater certification renew
Paid Chk# 018191	MSA PROFESSIONAL SERVICES, INC	1/7/2016	\$4,210.00 City engineering
Paid Chk# 018192	NEWPORT POST OFFICE	1/7/2016	\$225.00
Paid Chk# 018193	NORTHLAND TRUST SERVICES, INC	1/7/2016	\$105,317.50 2011A GO Bond
Paid Chk# 018194	OXYGEN SERVICE CO.	1/7/2016	\$643.92 Welding supplies
Paid Chk# 018195	PATHFINDER CRM, LLC	1/7/2016	\$9,000.00 Yearly fee for Heritage adviso

Paid Chk# 018196	CITY OF SAINT PAUL	1/7/2016	\$97.64 Asphalt
Paid Chk# 018197	JAMIE SMITH	1/7/2016	\$64.21 Reimburse for purchases
Paid Chk# 018198	SO ST PAUL PARK STEEL SUPPLY	1/7/2016	\$392.05 FD Repair
Paid Chk# 018199	SOUTH SUBURBAN RENTAL, INC.	1/7/2016	\$57.00 Propane
Paid Chk# 018200	TENNIS SANITATION LLC	1/7/2016	\$125.40 Garbage service city hall and
Paid Chk# 018201	TKDA	1/7/2016	\$2,416.69 City planning
Paid Chk# 018202	UNIFORMS UNLIMITED, INC.	1/7/2016	\$389.84 Police uniforms
Paid Chk# 018203	VIKING ELECTRIC SUPPLY	1/7/2016	\$147.50 Emergency lights
Paid Chk# 018204	WASHINGTON CTY SHERIFF	1/7/2016	\$1,545.30 Radio fees
Paid Chk# 018205	WASHINGTON CTY SHERIFF	1/7/2016	\$2,000.00 Dispatch and Alerts MDC lease
Paid Chk# 018206	WINZER	1/7/2016	\$339.52 Shop supplies
			<b>\$475,944.76</b>



More ideas. Better solutions.®

# Memo

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**To:** Honorable Mayor and City Council  
**From:** Jon Herdegen, P.E. – City Engineer  
**Subject:** Wellhead Protection Plan  
**Date:** January 4, 2016 – For the January 7<sup>th</sup> Council Meeting

---

At the September 3, 2015 meeting, the Council conducted a public hearing, as required by State Statute, for Part Two of the Wellhead Protection Plan. Resolution No. 2015-35 was presented for approval at the conclusion of the hearing but the Council decided to table the discussion to take a closer look at a few items outlined in the plan. At the November 19, 2015 Meeting, the Council moved to approve the plan and directed staff to submit the plan to MDH for review. The original resolution was not included in the November 19<sup>th</sup> agenda for Council consideration and was never formally approved. Thus the original resolution is included for consideration under the Consent Agenda at this meeting.

---

**Offices in Illinois, Iowa, Minnesota, and Wisconsin**

60 Plato Blvd. East, Suite 140, St. Paul, MN 55107-1835  
(612) 548-3132 (866) 452-9454

FAX: (763) 786-4574 WEB ADDRESS: [www.msa-ps.com](http://www.msa-ps.com)

**RESOLUTION NO. 2015-35**

**A RESOLUTION ACCEPTING PART II OF THE WELLHEAD PROTECTION PLAN**

**WHEREAS**, the City of Newport first created its Wellhead Protection Plan (WHPP) in 2005 and the requirements through the Minnesota Rules for Wellhead Protection planning state a plan must be revisited every ten years and updated, and

**WHEREAS**, Part I of the Plan was completed in July, 2014. In Part I of the Plan, in compliance with the Minnesota Wellhead Protection Rules (MN Rules 4720.5100 through 4720.5590), the Wellhead Protection Areas (WHPA) and Drinking Water Supply Management Areas (DWSMA) were delineated, and vulnerability assessments of the wells and corresponding DWSMA were completed, and

**WHEREAS**, the City of Newport directed MSA Professional Services to prepare Part II of the plan in accordance with MN Rules Chapter 4720.5200 to review and assess the physical data elements of the City of Newport; identify potential contaminant source inventory (PCSI) for each DWSMA; identify changes, issues, problems and opportunities related to the DWSMAs and potential contaminant sources; discuss management strategies for potential sources of pollution including goals, objectives and action plans associated with each strategy, and

**WHEREAS**, a public hearing was held in City Council Chambers on September 3, 2015 to receive Council & public input on the draft plan, and

**WHEREAS**, MSA has incorporated all comments received during the hearing and subsequent comments from Minnesota Rural Water, the City’s technical assistance provider, into the final draft of the plan

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF NEWPORT MINNESOTA:**

1. The City of Newport accepts Part II of the Wellhead Protection Plan as amended by comments received at the Public Hearing and from Minnesota Rural Water.
2. The City of Newport directs MSA Professional Service to submit the Plan on their behalf to the Minnesota Department of Health for final acceptance.

Adopted by this council this 7<sup>th</sup> day of January, 2016.

Motion by: \_\_\_\_\_, Seconded by: \_\_\_\_\_

VOTE:	Geraghty	_____
	Ingemann	_____
	Sumner	_____
	Lund	_____
	Rahm	_____

Signed: \_\_\_\_\_  
Tim Geraghty, Mayor

ATTEST: \_\_\_\_\_  
Deb Hill, City Administrator





the end of hunger

Friends in Need  
Food Shelf

December 30, 2015

City of Newport  
596 7th Ave.  
Newport, MN 55055-1345

Dear Deb Hill,

**We just want to thank you for the amazing help you gave us with the Holiday Train Fundraiser! We are so grateful for the support of our generous community.**

As you may have heard, we've been blessed to have our current building donated for the past 20 years but it will be torn down in May. Northern Tier has graciously offered to continue their support by helping us with the mortgage to construct a new Food Shelf building just a few blocks away. But we are going to need a lot of additional help as we need to pay our part of the mortgage as well as numerous ongoing expenses that we aren't currently paying. For this reason, we have launched a Capital Campaign to help us raise \$500,000. We've broken ground on the new building and it will be done in the late spring. There will be changes in how our clients shop for their food and we hope to convert from a paper system to computers for client intake, donations and stats. We will continue to update the community on the progress.

One of the things we're especially proud of is that we allow clients to come in every other week (instead of once a month, which is the norm) and we give them more food than most food shelves. We want to continue to give this high level of support to our clients when we are in the new building. We are so grateful to work in this generous community.

Sincerely,

**Michelle Rageth**  
Director  
(Fed. Tax #41-1794212)



## **Canadian Pacific Holiday Train**

### **Cottage Grove Stop 2015**

### **Benefiting the Friends in Need Food Shelf**

*Serving the Residents of Cottage Grove, Grey Cloud Island, Newport & St. Paul Park*

December 2015

City of Newport  
Deb Hill  
596 7th Ave.,  
Newport, MN 55055-1345

Dear Deb Hill:

Thank you for your support of the Canadian Pacific Holiday Train Stop in Cottage Grove. Your monetary donation enabled us to get closer to our goal of \$90,000 for the Friends in Need Food Shelf serving the residents of Cottage Grove, Grey Cloud Island, Newport and St. Paul Park.

**The Holiday Train stop in Cottage Grove on December 10<sup>th</sup> and the pre-stop events raised over \$79,580 in funds and collected in excess of 10,400 pounds of toiletries and food.** This was the 13<sup>th</sup> year the CP Holiday Train stopped in Cottage Grove on its trek across North America riding the rails to raise awareness of hunger "One Stop at a Time". In the 13 years that the Holiday Train has stopped in Cottage Grove local businesses, individuals and organizations have generously donated over \$846,600 and collected over 156,400 pounds of toiletries, food and toys.

**THE NEED KEEPS GROWING!** By the end of 2015 the Friends in Need Food Shelf will have served over 33,000.

December 10<sup>th</sup> was a beautiful evening and over 12,000 people attended for a magical evening of experiencing the Holiday Train arrive and the fantastic performances from Kira Isabella and Doc Walker.

Thank you and we hope that you will participate again next year at this great Holiday family and community event.

#### **2015 Holiday Train Committee**

**Mary Slusser, Co-Chair and Colleen Stelmach, Co-Chair**

**Randy Bachman  
Mayor Myron Bailey  
Barb Brown  
Jean Brown  
Lori Edwards  
Mayor Keith Franke  
Mayor Tim Geraghty**

**Captain Pete Koerner  
Jeff Kraus  
Barb Lacher  
Rhonda Mann  
Elaine Manovich  
Molly Pietruszewski**

**Michelle Rageth  
Chief Rick Redenius  
Sandy Shiely  
Heather Melstrom  
Phil Wagner  
Emily White  
Ryan Ziniel**



# MEMO

TO: Mayor and City Council  
Deb Hill, City Administrator

FROM: Renee Eisenbeisz, Assistant to the City Administrator

DATE: January 4, 2016

SUBJECT: 2016 Annual Appointments

---

## BACKGROUND

Each year the City Council revises its annual appointments for items such as official newspaper, inspectors, Council Advisory Boards, and Council Appointed Committees. A draft of the 2016 Annual Appointments is attached for your review.

## DISCUSSION

The City Council will need to discuss the 2016 Annual Appointments below:

**Responsible Authority to Administer Requirements for Collection, Storage, Use, and Dissemination of Data.** - Since the City Council approved a contract with the County for law enforcement services, it needs to appoint a new staff member as the responsible authority for data. Staff is recommending myself to be appointed. The City Council will need to approve this on the annual appointments and Resolution No. 2016-1.

**Council Advisory Board and Council Appointed Committees** - Staff contacted the following members whose terms expire December 31, 2015:

- Park Board
  - Anita Perkins
  - Emily White
  - Marge Meconis
- South Washington County Cable Commission
  - Virginia Keenan
  - Barb Wilcziek (Alternate)

Anita Perkins and Emily White, Park Board, have both requested reappointment. Additionally, Virginia Keenan and Barb Wilcziek, South Washington County Cable Commission, have stated that they would be happy to be reappointed but if someone else applies they would give up their seat to them.

Marge Meconis, Park Board, is not seeking reappointment. Additionally, Tom Aguilar-Downing, Park Board, has informed the City that he will be moving in early 2016 and as such will not be able to continue his role on the Park Board and there is a vacancy on the Library Advisory Committee.

The City placed an advertisement for the vacancies on the website and Facebook page, in the Winter Newsletter, and also sent information to the South Washington County Bulletin in November 2015. To date, the City has not received any applications for the vacancies. The City will continue to advertise for the Park Board and Library Advisory Committee vacancies. Staff has spoken with Ms. Keenan and Ms. Wilcziek and they are willing to be reappointed since no one applied.

Staff is recommending that the City Council re-appoint the following:

- Park Board
  - Anita Perkins
  - Emily White
- South Washington County Cable Commission
  - Virginia Keenan
  - Barb Wilcziek (Alternate)
  -

**Ramsey/Washington Recycling and Energy Board** - The City Council approved appointing Councilman Ingemann to this Board as an ex-officio member.

**Newport Fire Relief Association (Ex-Officio Members)** - Councilman Ingemann requested to be added to this since he has retired from the Fire Department effective January 1, 2016.

**Washington County Sheriff's Office Liaison** - Per the contract with the County, each organization shall provide a liaison. Mayor Geraghty asked to be the Council liaison and staff is recommending that Admin. Hill be the staff liaison.

Please note that the rates for the City Attorney, Auditor, Engineer, Building Inspector, Plumbing and Heating Inspector, and Electrical Inspector are expected to remain the same for 2016. Please note that the rates for the Planner are expected to increase 2% in 2016. TKDA has not increased their rates in several years.

**RECOMMENDATION**

It is recommended that the City Council provide direction on the 2016 Annual Appointments.



## CITY OF NEWPORT 2016 ANNUAL APPOINTMENTS

- |  |                                  |
|--|----------------------------------|
| 1) MAYOR PRO TEM (Until 12/31/2016):   | Tom Ingemann                     |
| 2) OFFICIAL NEWSPAPER:   | South Washington County Bulletin |
| 3) OFFICIAL DEPOSITORIES:  | Central Bank                     |
| 4) CITY ADMINISTRATOR / CLERK / TREASURER:   | Debora Hill                      |
| 5) CITY ATTORNEY:  | Holstad & Knaak PLC              |
| 6) CITY AUDITOR:   | Jim Eichten (MMKR)               |
| 7) CITY ENGINEER:  | MSA                              |
| 8) CITY HERITAGE PRESERVATION CONSULTANT:  | Robert Vogel                     |
| 9) CITY PLANNING PROFESSIONAL:   | Sherri Buss (TKDA)               |
| 10) BUILDING INSPECTOR:  | City of Cottage Grove            |
| 11) PLUMBING/HEATING INSPECTOR:  | City of Cottage Grove            |
| 12) ELECTRICAL INSPECTOR:  | William Dietrich                 |
| 13) FIRE MARSHAL:  | Steven Wiley                     |
| 14) WEED INSPECTOR:  | Tim Geraghty                     |
| 15) ASST. WEED INSPECTOR:  | Bruce Hanson                     |
| 16) CIVIL DEFENSE DIRECTOR:  | Steven Wiley                     |
| 17) RESPONSIBLE AUTHORITY TO ADMINISTER<br>REQUIREMENTS FOR COLLECTION, STORAGE,<br>USE, AND DISSEMINATION OF DATA | Renee Eisenbeisz                 |

**COUNCIL ADVISORY BOARDS (3-Year Terms)**

18) PLANNING COMMISSION:

Expiration Date:

- |  |            |
|--|------------|
| a. Anthony Mahmood                       | 12-31-2016 |
| b. Kevin Haley                           | 12-31-2016 |
| c. Matt Prestegaard                      | 12-31-2017 |
| d. Marvin Taylor                         | 12-31-2017 |
| e. David Tweeten                         | 12-31-2017 |
| f. <u>Tom Ingemann (Council Liaison)</u> | 12-31-2016 |

19) PARK BOARD:

Expiration Date:

- |                                      |            |
|--------------------------------------|------------|
| a. Anita Perkins                     | 12-31-2018 |
| b. Emily White                       | 12-31-2018 |
| c. Heidi Tweeten                     | 12-31-2017 |
| d.                                   | 12-31-2016 |
| e.                                   | 12-31-2018 |
| f. <u>Dan Lund (Council Liaison)</u> | 12-31-2016 |

20) LIBRARY ADVISORY COMMITTEE:

Expiration Date:

- |                                      |            |
|--------------------------------------|------------|
| a. Nancy Wetsel                      | 12-31-2016 |
| b. Jo Bailey                         | 12-31-2016 |
| c. Beverly Bartl                     | 12-31-2016 |
| d. Pam Geraghty                      | 12-31-2017 |
| e.                                   | 12-31-2017 |
| f. <u>Dan Lund (Council Liaison)</u> | 12-31-2016 |

21) HERITAGE PRESERVATION COMMISSION:

Expiration Date:

- |   |            |
|---|------------|
| a. Linda Michie                         | 12-31-2016 |
| b. Fred Leimbek                         | 12-31-2016 |
| c. Beverly Bartl                        | 12-31-2017 |
| d. Jo Bailey                            | 12-31-2017 |
| e. Mary Ann Newman                      | 12-31-2017 |
| f. <u>Bill Sumner (Council Liaison)</u> | 12-31-2016 |

## COUNCIL APPOINTED COMMITTEES

22) NEWPORT / BAILEY SCHOOL FOREST GOVERNANCE COMMITTEE: Expiration Date:

- a. Tim Geraghty Indefinite
- b. Matt Yokiel Indefinite
- c. Laura Duffey Indefinite
- d. Marge Meconis Indefinite

23) RAMSEY/WASHINGTON RECYCLING AND ENERGY BOARD (1-Year Term): Expiration Date:

- a. Tom Ingemann (Ex-Officio Member) 12-31-2016

24) SOUTH WASHINGTON COUNTY CABLE COMMISSION (1-Year Term): Expiration Date:

- a. Virginia Keenan 12-31-2016
- b. Barb Wilcziek (Alternate) 12-31-2016
- c. Tracy Rahm (Council Liaison) 12-31-2016

25) RED ROCK CORRIDOR COMMISSION: (1-Year Term) Expiration Date:

- a. Tracy Rahm (Council Liaison) 12-31-2016
- b. Dan Lund (Council Liaison Alternate) 12-31-2016

26) NEWPORT FIRE RELIEF ASSOCIATION (EX-OFFICIO MEMBERS)

- a. Tom Ingemann 12-31-2016
- b. Deb Hill 12-31-2016

27) WASHINGTON COUNTY SHERIFF'S OFFICE LIAISON

- 1. Tim Geraghty 12-31-2017
- 2. Deb Hill 12-31-2017

28) CITY APPROVED SOCIAL MEDIA OUTLETS

- a. Facebook Indefinite
- b. Twitter Indefinite
- c. You Tube Indefinite

# RESOLUTION NO. 2016-1

## A RESOLUTION FOR THE APPOINTMENT OF RESPONSIBLE AUTHORITY

**WHEREAS**, Minnesota Statutes, Section 13.02, Subdivision 16, as amended, requires that the City of Newport appoint an employee as the Responsible Authority to administer the requirements for collection, storage, use and dissemination of data on individuals, within the City; and

**WHEREAS**, the City of Newport City Council shares concern expressed by the legislature on the responsible use of all City data and wishes to satisfy this concern by immediately appointing an administratively qualified Responsible Authority as required under the statute.

**NOW THEREFORE BE IT RESOLVED** that the City Council of the City of Newport appoints Renee Eisenbeisz, Assistant to the City Administrator, or her designee as the Responsible Authority for the purposes of meeting all requirements of Minnesota Statutes, Chapter 13, as amended, and with rules as lawfully promulgated by the Commissioner of Administration as published in the State Register on August 31, 1981 and amends the 2015 Annual Appointments to reflect this.

Adopted by this council this 7th day of January, 2016.

Motion by: \_\_\_\_\_, Seconded by: \_\_\_\_\_

VOTE:	Geraghty	_____
	Ingemann	_____
	Sumner	_____
	Rahm	_____
	Lund	_____

Signed: \_\_\_\_\_  
Tim Geraghty, Mayor

ATTEST: \_\_\_\_\_  
Deb Hill, City Administrator



# MEMO

TO: Mayor and City Council  
 Deb Hill, City Administrator

FROM: Renee Eisenbeisz, Assistant to the City Administrator

DATE: December 21, 2015

SUBJECT: Chapter 6, Animals - Request to Increase Farm Animals

## BACKGROUND

Kim Brown, 1675 Kolff Street, came to the December 17, 2015 City Council meeting to request that the City Council increase the number of farm animals allowed per lot so that she can have 16 horses (see attached letter). The City Council directed staff to research what other communities allow and bring it back for discussion. Currently, Section 600.21, Farm Animals, allows farm animals with a permit with the following conditions:

- There shall be at least four acres for the first farm animal, and one additional acre for each additional farm animal.
- No more than five farm animals may be kept on a single tract. A separate permit shall be required for each separate tract.
- The barn, stable, housing, or hive shall be located at least 150 feet from the nearest property line of adjacent property owners and must be built according to the zoning code.
- The barn, stable, housing or hive shall be considered accessory structures.
- All farm animals shall be kept confined by a sturdy wood or metal fence for pasture. The fence shall not be located nearer than 50 feet from any building used for human habitation. Barbed wire fences shall not be permitted.

The City Council approved a farm animal permit for 6 horses in 2015 for Ms. Brown. Please see an attached aerial of Ms. Brown's property. It is 8.76 acres.

## DISCUSSION

Staff reviewed several communities to see what they allow for farm animals. Below is information from those communities. Please note that St. Paul Park, South St. Paul and West St. Paul do not allow farm animals.

City	Farm Animals Allowed	Minimum Acreage for Farm Animals	Maximum Number of Farm Animals Allowed	Opportunity to Increase Maximum Number
Cottage Grove	Yes	5 acres	1.5 acres per farm animal unit	Yes - with a Conditional Use Permit
Hastings	Yes	1 acre	N/A	N/A
Inver Grove Heights	Yes	1.75 acres - for horses only	N/A	N/A
Washington County	Yes	5 acres	2 grazable acres per animal unit	Yes - with a Conditional Use Permit
Woodbury	Yes	5 acres	1 acre per farm animal	Yes - with a Conditional Use Permit

\*Grazable Acre - open, non-treed acreage providing enough pasture or crops capable of supporting summer grazing

Cottage Grove and Washington County uses the following from the MPCA for animal units:

Animal	Animal Unit
One mature dairy cow	1.4
One slaughter steer or heifer	1.0
One horse	1.0
One swine over 55 pounds	0.4
One goose or duck	0.2
One goat or sheep	0.1
One swine under 55 pounds	0.05
One turkey	0.018
One chicken	0.01

The City Council will need to discuss whether or not they would like to amend Section 600.21 to allow for more farm animals. If so, the City Council will need to discuss the following:

- What should be the minimum acreage?
- How many animal units should be allowed per acre?
- Does it want to take into account grazable acres? If so, please note that Ms. Brown has about 1 acre of grazable area.
- Does it want to increase the number of animals with a conditional use permit or interim use permit? A conditional use permit runs with the land whereas the interim use permit doesn't necessarily run with the land. If the City Council decides that a property owner can increase with a CUP or IUP, the property owner would need to go through the Planning Commission and City Council for approval.

Below is red-lined language that staff has drafted. The below language is also included in the attached Ordinance.

**600.21 Farm Animals.**

**Subd. 3 Requirements.** No farm animal permit shall be issued unless the following standards shall be met:

- A. The property must contain at least five (5) acres in contiguous ownership.
- ~~B. There shall be at least four acres for the first farm animal, and one additional acre for each additional farm animal.~~
- B. The property must contain at least one acre per farm animal unit. This number may be exceeded only by interim use permit. Animal units are calculated with the following:

Animal	Animal Unit
One mature dairy cow	1.4
One slaughter steer or heifer	1.0
One horse	1.0
One swine over 55 pounds	0.4
One goose or duck	0.2
One goat or sheep	0.1
One swine under 55 pounds	0.05
One turkey	0.018
One chicken	0.01

- ~~C. No more than five farm animals may be kept on a single tract. A separate permit shall be required for each separate tract.~~
- D. The barn, stable, housing, or hive shall be located at least 150 feet from the nearest property line of adjacent property owners and must be built according to the zoning code.

- E. The barn, stable, housing or hive shall be considered accessory structures.
- F. All farm animals shall be kept confined by a sturdy wood or metal fence for pasture. The fence shall not be located nearer than 50 feet from any building used for human habitation. Barbed wire fences shall not be permitted.

With the above language, Ms. Brown would be allowed 9 horses and the ability to increase with a CUP or IUP.

**RECOMMENDATION**

It is recommended that the City Council provide direction on Ordinance No. 2016-1.

Newport City Council

12/17/15

Meeting notes:

Kim L Brown, Owner personal use and sales only.

Additional horses on property located at 1675 Kolff St. Newport MN

Ordinance increase of horses on property.

Currently the amount of horses allowed on my premise is 6 I would like to see if you will increase this to 16 total.

I raise and sell American Saddlebred show horse and Thoroughbred Race horses. I have three Thoroughbred mares in foal to be delivered In April of 2016 and I also have 4 other horses that I want to purchase as 4 year old American Saddlebred show horses to be trained and shown to be sold. There would most time not be 16 horses here.

The manure is being sold to various nurserys around the area for an Amount of \$300per dumpster. Training will be done in the barn on the property. I am will to pay an additional \$ 1000 per year on top of the \$25.00 permit fee for the original 6.



**City of Newport, Minnesota  
ANNUAL FARM ANIMAL PERMIT**

Name of Applicant: Kim L Brown

Address: 11675 Wolff St Newport

Phone: [REDACTED]

Upon application made by the above name individual and approved by the Newport City Council at its regularly scheduled meeting of \_\_\_\_\_, and subject to the requirements of Newport City Code Section 600.21, \_\_\_\_\_ has been granted this permit for the farm animals identified below for property located at: \_\_\_\_\_

The applicant has also provided the following information to the City:

- Site Plan of Property, identifying property lines, location and size of pasturage area and shelters
- Kind and number of animals to be kept: Show Horses
- If the applicant is keeping bees, a list of the property owners that were provided with written notification

Approved by the Newport City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.  
This license is valid until December 31, 20\_\_.

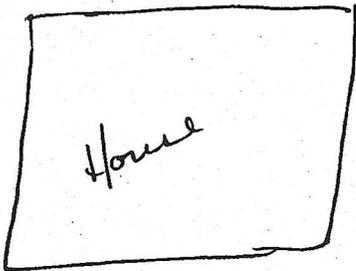
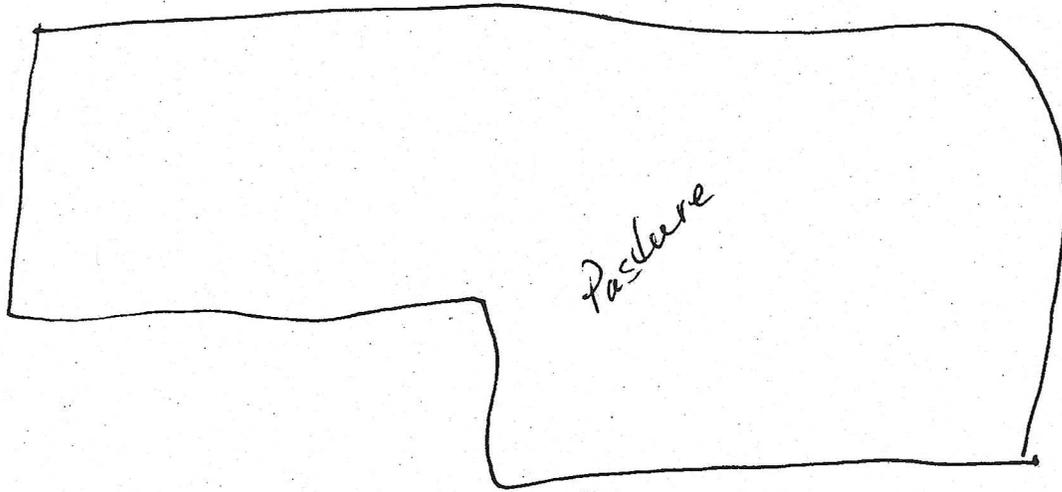
\_\_\_\_\_  
Applicant

\_\_\_\_\_  
City Administrator

\_\_\_\_\_  
Mayor

Fee: \$25

Receipt #: 3921 Date: 11/23/15 Cash: \_\_\_\_\_ Check #:





**CITY OF NEWPORT  
ORDINANCE 2016-1**

**AN ORDINANCE OF THE CITY OF NEWPORT, MINNESOTA, AMENDING THE CITY CODE OF  
ORDINANCES CHAPTER 6, ANIMALS**

THE CITY COUNCIL OF THE CITY OF NEWPORT, MINNESOTA, HEREBY ORDAINS THAT:

**600.21 Farm Animals.**

**Subd. 3 Requirements.** No farm animal permit shall be issued unless the following standards shall be met:

- A. The property must contain at least five (5) acres in contiguous ownership.
- B. The property must contain at least one acre per farm animal unit. This number may be exceeded only by interim use permit. Animal units are calculated with the following:

<b>Animal</b>	<b>Animal Unit</b>
One mature dairy cow	1.4
One slaughter steer or heifer	1.0
One horse	1.0
One swine over 55 pounds	0.4
One goose or duck	0.2
One goat or sheep	0.1
One swine under 55 pounds	0.05
One turkey	0.018
One chicken	0.01

- C. The barn, stable, housing, or hive shall be located at least 150 feet from the nearest property line of adjacent property owners and must be built according to the zoning code.
- D. The barn, stable, housing or hive shall be considered accessory structures.
- E. All farm animals shall be kept confined by a sturdy wood or metal fence for pasture. The fence shall not be located nearer than 50 feet from any building used for human habitation. Barbed wire fences shall not be permitted.

The foregoing Ordinance was moved by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_.

The following Councilmembers voted in the affirmative:

The following Councilmembers voted in the negative:

**Effective Date**

This Ordinance becomes effective upon its passage and publication according to law.

**Adopted** by the City Council of the City of Newport, Minnesota on the 7th day of January, 2016.

Signed: \_\_\_\_\_  
Tim Geraghty, Mayor

Attest: \_\_\_\_\_  
Deb Hill, City Administrator



# Memo

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**To:** Deb Hill, City Administrator  
Bruce Hanson, Superintendent of Public Works

**From:** Jon Herdegen, City Engineer

**Subject:** Certificate of Survey Protocol

**Date:** January 4, 2016 – For the January 7<sup>th</sup> Council Meeting

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MSA has assisted the City with review of documentation associated with new residential and commercial building construction. The process, as it is currently administered, requires the application to submit a Certificate of Survey with the building permit application and an As-Built survey upon completion of construction. MSA reviews the Certificate of Survey for relevant City standards, applicable building code requirements, utility connections, etc. In recent years, there has been a growing trend of submittals containing insufficient information leading to multiple rounds of review by City Staff and confusion of applicants. When the As-Built survey is submitted, staff has noticed many significant changes from the approved certificate but there is little recourse since the construction is completed. Ultimately these issues are causing delays on the issuance of the Certificate of Occupancies of the new homes.

In an attempt to make this process more clear, we have updated Certificate of Survey checklist to provide applicants with clear explanation of the City's requirements/expectations. We have also prepared a sample certificate illustrating the checklist requirements. A copy of these documents have been enclosed for your reference. We recommend modifying the City's current review process to follow the outlined protocol below to help clarify and streamline the process:

Step One:

The City provides a copy of the Certificate checklist and example survey to each applicant with the Building Permit application.

Step Two:

An approved Certificate is required prior to the issuance of the building permit. The initial engineering fees associated with the certificate review would be covered as part of the Building

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**Offices in Illinois, Iowa, Minnesota, and Wisconsin**

60 Plato Blvd. East, Suite 140, St. Paul, MN 55107-1835  
(612) 548-3132 (866) 452-9454  
FAX: (763) 786-4574 WEB ADDRESS: [www.msa-ps.com](http://www.msa-ps.com)

## MEMO

January 4, 2016

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Permit fee. We suggest the City consider charging the applicant for subsequent review efforts on an hourly basis.

### Step Three:

MSA conducts a "Top of Block" verification for all building permits. This verification serves three main purposes:

1. Alerts the applicant/contractor that the City intends to conduct a site visit during construction to monitor progress.
2. Enables the City to be proactive if there are substantive changes to the building elevations.
3. Allows the City to verify proper implementation and maintenance of erosion control BMP's.

### Step Four:

MSA conducts a "Grading" verification upon completion of final grading activities but prior to vegetation (sod or seed). This verification would replace the City's current requirement for an as-built survey submittal. The purpose of this verification is to provide the City with their own independent assessment of the grading work conducted by the contractor rather than simply accepting what the contractor provides.

MSA can conduct these verifications for a flat rate of \$300 each site visit. We strongly recommend that engineering fees associated with subsequent site visits resulting from failed verifications would be the applicant's responsibility.

We believe that the implementation of this new protocol provide a streamlined approach to the building permit process and will help prevent numerous review iterations and delays in the issuance of the Certificate of Occupancies as seen in recent years. I look forward to your review and comments on the revised protocol we have outlined. Please give me a call to discuss after you have had a chance review. Thanks in advance for your consideration.

**City of Newport Certificate of Survey Requirements**  
 For New Single Family/Multi-Family Home Construction



Applicant \_\_\_\_\_

Address \_\_\_\_\_

✓	Acceptable
X	Unacceptable
N/A	Not Applicable

Permit No. \_\_\_\_\_ Date: \_\_\_\_\_

Checked By: \_\_\_\_\_

Check for:

- 1 General Requirements: Name/Registration # for Surveyor, date of survey, north arrow, graphical scale, legal description, total lot area, street address, zoning designation, ect.
- 2 Survey Shows Underlying Data from City of Newport **Approved Grading Plan** (New Development Only)
- 3 Property Boundaries: Bearing & distance on lots, monumentation, ROW limits, easements, ect
- 4 Existing Features: Structures, utilities, driveways, structure faces on adjacent lots, ect
- 5 Existing Topographical Information: One-foot contours, critical spot elevations, utilities, vegetation, defined swales, ect
- 6 Existing and Proposed Elevations for All Lot Corners (Proposed Must Match Existing)
- 7 Proposed Structures : Lowest floor elevation, lowest opening elevation, top of foundation block elevation, main floor finished elevation, garage floor finished elevation, foundation dimensions with off-set stakes.
- 8 Proposed Finished Grade Elevations at Building Corners
- 9 Indicate Zoning-, Wetland-, Waterway-, Bluff-Setback(s) and Buffer Strip Requirements Graphically
- 10 Proposed Grading Requirements: 1-foot contours, critical spot elevations, 6-iches of elevation drop within 10-feet of proposed building perimeter, min 2% grade for remaining lot
- 11 Proposed Retaining Walls: Indicate top and bottom spot elevations along length of wall, maximum 4-feet in height (unless designed by a registered engineer)
- 12 Drainage Swales: Provide spot elevation for top/tow/top, flow line alignment to ROW, drainage arrow(s), percent of grade (min 2%)
- 13 FEMA 100-Year Flood Elevation
- 14 Proposed Service Stubs
- 15 Driveway Requirements: Standard City apron; width measured at curb line and ROW line, max 24-foot; grade min 2% plus 12-iches max 10%
- 16 Existing Top of Curb (or Bituminous Edge) Elevations at the Extension of Side Lot Lines
- 17 Identify Survey Benchmarks: Shall be nearest permanent hydrant or geodetic benchmark
- 18 On-Site Sewage Treatment System Location and Potable Well Location, if applicable
- 19 Silt Fence and Erosion Control BMPs
- 20 Temporary Rock Construction Entrance Location
- 21 Total Lot Impervious Surface Determination (Square Footage & Total Lot Percentage)
- 22 1 Front Yard Tree per Lot
- 23 1 Boulevard Tree per Lot

**Review Status**

Corrections Requested

Application Rejected

Application Approved

Builder Name: \_\_\_\_\_ Surveyors Name: \_\_\_\_\_

Applicants are advised that the City of Newport will inspect the condition of Driveways, Sidewalks, Curb and Gutter and other municipal facilities located in the public right of way prior to issuance of a C of O. The Permittee will be held liable for any damages noted by the City.

<b>FOR OFFICE USE ONLY</b>	Date Last Reviewed _____
<b>Certificate of Survey Approval</b>	<b>Reviewer Contact Info:</b>
BY: _____	<b>Name:</b> Curt Schley
MN Reg: 49907      Curtis E. Schley, PLS	<b>Email:</b> <a href="mailto:cschley@msa-ps.com">cschley@msa-ps.com</a>
	<b>Phone:</b> (612) 548-3132

<b>Top of Block Verification Approval</b>			
Name: _____	Approval:	Pass	Fail
Date: _____	Notes:	_____	

<b>Grading Verification Approval</b>			
Name: _____	Approval:	Pass	Fail
Date: _____	Notes:	_____	

**LEGEND**

**CERTIFICATE OF SURVEY: NAME OF CLIENT**  
 SITE ADDRESS, CITY OF NEWPORT, WASHINGTON COUNTY, MINNESOTA, 55055

- ⊕ . . . . FIRE HYDRANT
- ⊙ . . . . WATER VALVE
- . . . . MANHOLE
- ⊞ . . . . CATCH BASIN
- ⊗ . . . . POWERPOLE
- ⊛ . . . . LIGHT POLE
- . . . . GUY
- ⊠ . . . . TRANSFORMER
- ⊡ . . . . ELECTRIC METER
- ⊣ . . . . TV PEDESTAL
- ⊤ . . . . TELEPHONE PEDESTAL
- ⊥ . . . . AIR CONDITIONER
- ⊦ . . . . HAND HOLE
- ⊧ . . . . SEMAPHORE
- ⊨ . . . . GAS METER
- S . . . . SANITARY SEWER
- ST . . . . STORM SEWER
- W . . . . WATERMAIN
- UG . . . . UNDERGROUND GAS MAIN
- T . . . . UNDERGROUND TELEPHONE
- E . . . . UNDERGROUND ELECTRIC
- TV . . . . UNDERGROUND CABLE T.V.
- OU . . . . OVERHEAD UTILITY LINES
- . . . . IRON MONUMENT FOUND
- . . . . IRON PIPE MONUMENT SET
- ⊙ . . . . EXISTING SPOT ELEVATION
- ⊚ . . . . SOIL BORING
- ⊛ . . . . SIGN
- ⊜ . . . . DECIDUOUS TREE
- ⊝ . . . . CONIFEROUS TREE
- ⊞ . . . . DENOTES TREE AND BRUSH LIMITS
- ⊟ . . . . DENOTES FLARED END SECTION
- ⊠ . . . . DENOTES FRENCH DRAIN
- ⊡ . . . . CURB STOP
- ⊣ . . . . CLEAN OUT
- ⊤ . . . . BUSH
- ⊥ . . . . BARBECUE GRILL
- ⊦ . . . . AUTO SPRINKLER
- ⊧ . . . . BASKETBALL HOOP
- ⊨ . . . . BENCH
- ⊩ . . . . WATER SPIGOT
- ⊪ . . . . TRENCH DRAIN
- ⊫ . . . . XXXXXXXXXX
- ⊬ . . . . STORM DISIPATER
- ⊭ . . . . SATELITE DISH
- ⊮ . . . . TELEPHONE
- ⊯ . . . . ELECTRIC PEDESTAL
- ⊰ . . . . FLAG POLE
- ⊱ . . . . GROUND LITE
- ⊲ . . . . MAILBOX
- ⊳ . . . . ROOF DRAIN
- ⊴ . . . . TRANSMISSION TOWER
- ⊵ . . . . VENT PIPE
- ⊶ . . . . WELL

**LEGAL DESCRIPTION:**

LOT 5, BLOCK 1, PLATTED ADDITION NAME ACCORDING TO THE PLAT ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY RECORDER, WASHINGTON COUNTY, MINNESOTA.

**AREA:**

LOT AREA= 28,818 SQUARE FEET OR 0.66 ACRES

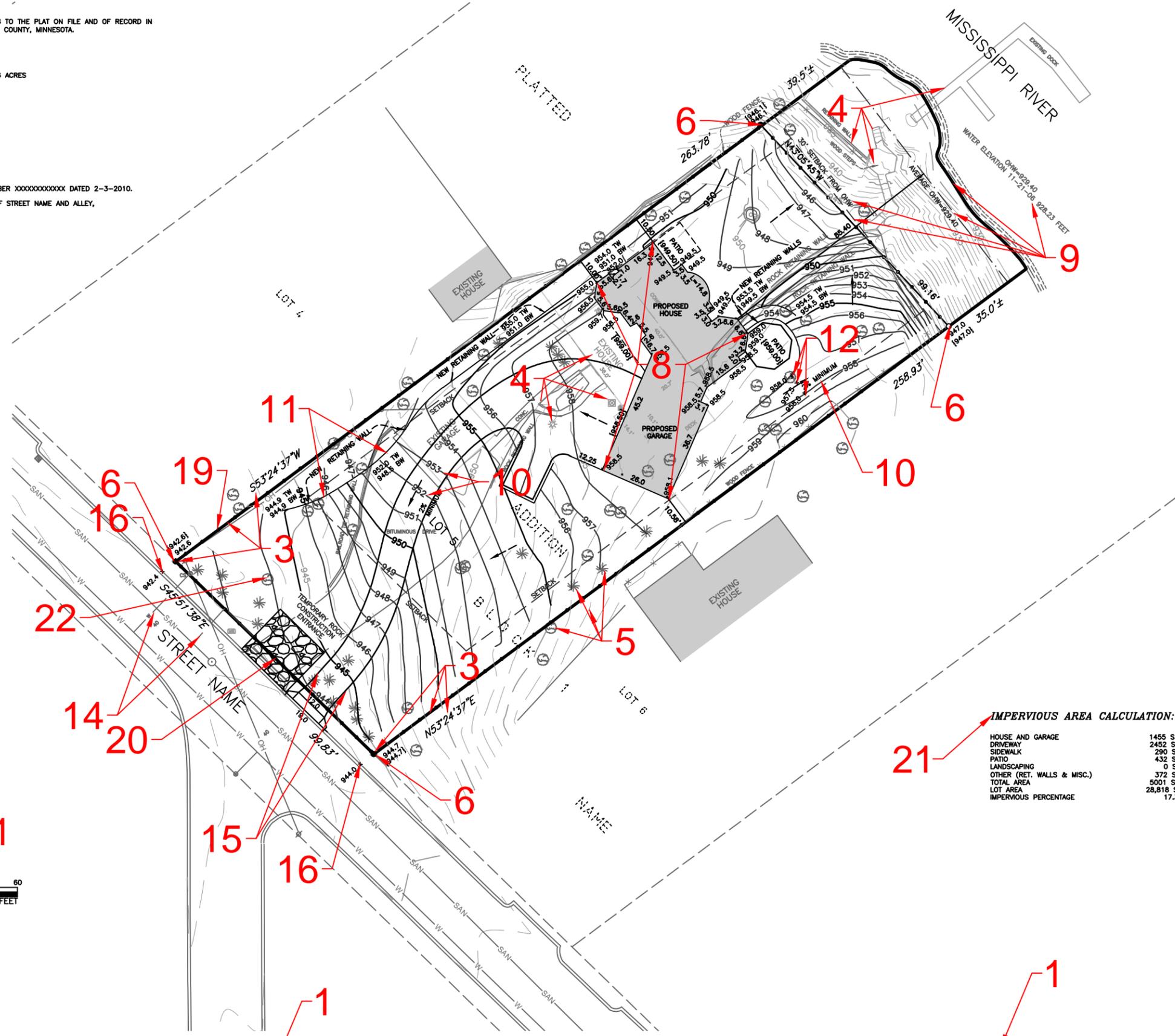
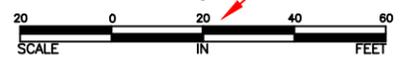
**NOTE:**

100 YEAR FLOOD ELEV.= 935.0 PER FIRM MAP NUMBER XXXXXXXXXXXX DATED 2-3-2010.  
 BENCHMARK= TOP NUT HYDRANT AT INTERSECTION OF STREET NAME AND ALLEY,  
 ELEV.= 930.00, DATUM NGVD 88

GARAGE FLOOR ELEV.= 958.50  
 TOP OF BLOCK ELEV.= 958.83  
 MAIN FLOOR ELEV.= 960.00  
 BASEMENT FLOOR ELEV.= 949.50  
 LOWEST OPENING ELEV.= 949.50

MUST HAVE A MINIMUM OF AT LEAST 6 INCHES OF DROP IN GRADE 10 FEET FROM THE BUILDING.

- . . . . DENOTES ELEC. LINE
- X- . . . . DENOTES FENCE LINE
- FO- . . . . DENOTES FIBER OPTIC
- G- . . . . DENOTES GAS LINE
- S- . . . . DENOTES SANITARY SEWER
- ST- . . . . DENOTES STORM SEWER
- T- . . . . DENOTES TELEPHONE LINE
- TV- . . . . DENOTES TV LINE
- OU- . . . . DENOTES OVERHEAD UTL.
- W- . . . . DENOTES WATERMAIN
- WETLAND . . . . DENOTES WETLAND
- WETLAND TREELINE . . . . DENOTES TREELINE
- RAILROAD . . . . DENOTES RAIL ROAD



**IMPERVIOUS AREA CALCULATION:**

HOUSE AND GARAGE	1455 S.F.
DRIVEWAY	2452 S.F.
SIDEWALK	290 S.F.
PATIO	432 S.F.
LANDSCAPING	0 S.F.
OTHER (RET. WALLS & MISC.)	372 S.F.
TOTAL AREA	5001 S.F.
LOT AREA	28,818 S.F.
IMPERVIOUS PERCENTAGE	17.3%

**ZONING:**

ZONED COMMERCIAL DISTRICT ( C2 )

**SETBACKS:**

FRONT: 50.0  
 SIDE: 10.0  
 REAR: 30.0 FROM OHW

PROJECT NO.	PROJECT NO	SCALE: AS SHOWN	NO.	DATE	REVISION	BY
PROJECT DATE:		DRAWN BY: INIT				
F.B.:		CHECKED BY: INIT				

I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

PROFESSIONAL LAND SURVEYOR \_\_\_\_\_ Date \_\_\_\_\_ Registration No. \_\_\_\_\_

BUILDER NAME	FILE NO.
OWNER NAME	SHEET
ADDRESS	