



**CITY OF NEWPORT  
REGULAR COUNCIL MEETING  
NEWPORT CITY HALL  
FEBRUARY 16, 2012 – 5:30 P.M.**

MAYOR: Tim Geraghty  
COUNCIL: Tom Ingemann  
Bill Sumner  
Tracy Rahm  
Steven Gallagher

City Administrator: Brian Anderson  
Supt. of Public Works: Bruce Hanson  
Chief of Police: Curt Montgomery  
Fire Chief: Mark Mailand  
Executive Analyst: Renee Helm

**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 February 2, 2012 Regular City Council Meeting
  - B. List of Bills in the Amount of \$86,646.44
6. VISITORS PRESENTATIONS/PETITIONS/CORRESPONDENCE
7. MAYOR'S REPORT
8. COUNCIL REPORTS
9. ADMINISTRATOR'S REPORT
  - A. Discuss the 2030 Comprehensive Plan
10. ATTORNEY'S REPORT
11. POLICE CHIEF'S REPORT
  - A. 2011 Year-End Summary

Agenda for 02-16-2012

12. FIRE CHIEF'S REPORT

13. ENGINEER'S REPORT

14. SUPERINTENDENT OF PUBLIC WORKS REPORT

15. NEW / OLD BUSINESS

16. ADJOURNMENT

Upcoming Meetings and Events:

- |  |                   |           |
|--|-------------------|-----------|
| 1. Presidents' Day – City Offices will be closed | February 20, 2012 |           |
| 2. City Council Meeting                          | March 1, 2012     | 5:30 p.m. |
| 3. Planning Commission Meeting                   | March 8, 2012     | 7:00 p.m. |
| 4. City Council Meeting                          | March 15, 2012    | 5:30 p.m. |



**City of Newport  
City Council Minutes  
February 2, 2012**

**1. CALL TO ORDER**

Mayor Tim Geraghty called the meeting to order at 5:30 P.M.

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL -**

**Council Present** – Tim Geraghty, Tom Ingemann, Bill Sumner, Tracy Rahm, Steven Gallagher

**Council Absent** –

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

**Staff Absent** – Curt Montgomery, Police Chief;

**4. ADOPT AGENDA**

**Mayor Geraghty** – I would like to add one item under “New and Old Business.”

**Motion by Ingemann, seconded by Sumner, to adopt the Agenda as amended. With 5 Ayes, 0 Nays, the motion carried.**

**5. ADOPT CONSENT AGENDA**

**Motion by Sumner, seconded by Rahm, to approve the Consent Agenda as presented, which includes the following items:**

- A. Minutes of the January 5, 2012 Regular City Council Meeting
- B. Minutes of the January 9, 2012 Special City Council Meeting
- C. List of Bills in the Amount of \$281,957.10
- D. Gambling Permit for Knights of Columbus
- E. Kennel Permit for Debra Boughton
- F. Liability Coverage Waiver Form

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

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

**Pauline Schottmuller, 97 10<sup>th</sup> Street** – I have three questions for the Council. The last time I was here was in the springtime and I had questions about Dan’s Containers. It was a business that the City had shutdown because it was operating out of a residential estate district. The City took him to court and the business was told that they could no longer operate the business from that property. However, I noticed Dan’s containers all over the place so I came to the Council and asked where he was operating from. The Council told me at that time that they didn’t know, didn’t want to know and wasn’t going to go up to 505 Century Avenue to find out because that would be harassment and it was made clear that no one was going to follow up. I did get some feedback from residents who had been visited by Police to make sure that a violation had ceased to exist and they were surprised because they thought the Police were just doing their job and didn’t know they were being harassed. I went away without a good answer to my question. Dan’s Containers operated quite profitably based on the number of containers that were out there. The rumor was that he was very popular because he was offering his containers for \$100 less than his competitors and he was shuffling the containers from one property to the next, he wasn’t taking them to a spot to sit. A trash hauler needs to have a base license from the City in which it is operating and they also need a license from the County. The County can at any time inspect the business. I called the County and they were

surprised to learn that Dan's Containers did not have a license with the City. The City did not inform the County of the lawsuit. Dan applied for a license and listed the address as a PO Box, which is surprising because I don't know how you would store a garbage truck at a PO Box and I don't know how a County inspects that business. I let the matter go but I knew in the winter, he would need to store the containers. I called the County again and asked if they inspected Dan's Containers and they said yes. They inspected the business at 505 Century Avenue. I received the inspection report and gave it to the City. I've been recently told that the Police did file a report regarding Dan's Containers and that report has been given to the Attorney. I was asked a very good question regarding this "The players haven't changed, there is still the same Council and same lawyer, how can you expect a different outcome?" So that is my question, now that you know that he's still operating out of 505 Century Avenue, will something different happen this time?

**Mayor Geraghty** – I'll let the Attorney answer this one.

**Attorney Knaak** – The City has been observing that site for some time and a criminal complaint has been filed. We're dealing with the nuisance and violation. This is a situation where we anticipated a fight so we wanted to make sure that everything was done correctly and it has been and I believe we have a rock solid case. I can't tell you offhand when the next court hearing is but I will keep you up to date as the case moves forward.

**Ms. Schottmuller** – So you don't think you had a rock solid case the first time?

**Attorney Knaak** – It was a good case. What we're dealing with here is that, notwithstanding the court order, he has decided to defy the City. He is already potentially looking at some jail time which is why we have to be careful with the case. It is moving forward.

**Ms. Schottmuller** – Thank you. Moving forward to the second item, which is the water bills. It used to be that I would get one large water bill and the other three were never too much. That has changed however. The September water bill was big, which surprised me because I did almost no watering. It was bigger than the summer I had my son's wedding in my yard and I was watering every other day. I know water rates have gone up, it's now run as an enterprise fund and I voted for a couple rate changes. It's my understanding that Newport has the highest rates in the area, which was in the Pioneer Press at least.

**Councilman Ingemann** – That was wrong.

**Ms. Schottmuller** – I know from my own bill that the water bill is a significant bill to my budget. I know the answers to the two things that I am bringing up but I want you to say them publicly. We still have the senior citizen discount and that meant that two-three years ago we were subsidizing them at about \$65,000/year. That was your figure Brian.

**Admin. Anderson** – It's about \$16,000/year.

**Ms. Schottmuller** – That's not what's in my email. Anyways, we are subsidizing senior rates and at the time that that was instituted we weren't running the water like we are now. When this issue serviced a couple years ago, I was trying to say that we needed to have this means-tested and I brought information from the census that we have senior citizens who are making over \$100,000 a year and I'm wondering why I'm subsidizing water rates for someone whose making more money than me. The census data didn't sway anyone up there back then. I read David Brooks in the Pioneer Press about the Federal Government and he talks about senior citizens. He notes that in 2009, the net worth of households headed by senior citizens was 35 times the net worth of households under 35. I'm just throwing facts out there. At some point, if we would like to have a welfare program disguised as a water program then at least we should get it means-tested. Finally, we've cut staff a lot in the past couple years. We used to have three support staff, now we have two. We no longer have an economic development director. We used to have a full-time CSO and we may get a part-time CSO, we're down a Police Officer and you laid off a Public Works employee and that wasn't for poor performance or because Public Works' workload decreased, it was for budget reasons. If the budget is so bad, have you five gentlemen cut your own salaries?

**Mayor Geraghty** – We haven't cut anybody's salary.

**Ms. Schottmuller** – You didn't cut Council's salary but you laid off? If the budget is bad enough to take away a job from someone, it is my opinion that you could have done a symbolic gesture of reducing your own salary. Thank you.

## 7. MAYOR'S REPORT

**Mayor Geraghty** – I volunteered last weekend at the book drive and it was very successful. Mike has a lot of work to do for a while. I also attended the Park Board meeting and they worked on their 2012 goals and the Mike Phillips Pavilion, which we'll talk about later. Finally, I want to emphasize the change of ownership in the Sure Lock Motel.

## 8. COUNCIL REPORTS

**Councilman Gallagher** – Nothing to report

**Councilman Sumner** – That display we just saw once again, I want to try and stay positive and don't want to sink to that level but it's kind of comparable to being attacked by an ankle-biting dog over and over. There are aspects of the law that I feel are important. I've been working for the State for over a decade enforcing complex criminal laws and I think there's a materiality issue. I think if we're looking for the overall good for the City of Newport I think that the issue that was dealt with with changing the ownership of the Sure Lock motel was the most important thing that I have had to deal with. I think there are issues that are more important and am extremely thrilled to be involved behind the scenes with what I believe are the most critical issues facing the City. You make the law and you make the criminal. I think we can look at crimes and look at their impact. I was watching a documentary regarding two bears that got in a fight and the commenter said that if one of the bears got his jaw broken then he would lose his way of living. I think that if we're going to be involved with taking away a person's way of making a living that is not a violent disgusting crime, I have a problem with that. I understand that there are laws out there but I think materiality comes into my weighing of the law. Those are just some of my thoughts.

**Mayor Geraghty** – I'll just add that I believe in free speech and it comes with the territory. If we can't handle the heat then get out of the kitchen. I try not to let it bother me because everybody has the right to speak and bring up their issues. Sometimes it does drag on but I've never cut anyone off and I don't intend to but I wonder sometimes if we should have a limit.

**Councilman Sumner** – I don't think we should take that away but I hope people watching understand, it's my view and I'm proud to make those public. In regards to being involved in the City, I have been more involved in the past but lately I've been working full time and have been taking care of my daughter full time who had a horrible car accident and is recuperating. My heart is still in support of the City but I may not always be present.

**Councilman Ingemann** – I had a Planning Commission meeting in January with the two new members and I thought it went very well. I've been getting questions about the Library. If people donate books, do they get receipts? I'm on the Resource Recovery Commission and am ready for the next meeting.

**Mayor Geraghty** – Yes they do get a receipt.

**Councilman Rahm** – I attended the South Washington County Telecommunication meeting. They discussed the work plan for the coming year. They discussed communications and how to best service the member cities.

## 9. ADMINISTRATOR'S REPORT

**Admin. Anderson** – Mike Laughton was hired by the City to manage the Library and he's done a good job so far. He's trying to get some volunteers to extend the hours of the Library. I see a lot of kids down there, which is what we wanted the Library to be. We're still planning on an open house. There are three laptops which we got donated

by the County so there are six computers total.

**Councilman Ingemann** – Are we looking at the possibility of eBooks?

**Admin. Anderson** – That might be a little bit down the road but we’ll look into it. I also wanted to mention that there is meeting space available for groups to rent out.

**A. Public Hearing – To Consider Amending the City Code of Ordinance Chapter 11, Housing and Buildings, by adding Section 1170, International Property Maintenance Code – Adoption by Reference**

Admin. Anderson presented on this item as outlined in the February 2, 2012 City Council packet. The International Property Maintenance Code regulates the minimum maintenance requirements for properties such as basic equipment, lighting, ventilation, heating, sanitation, and fire safety. By adopting the Code, the City will be able to use it as a reference for properties located within the City.

**The public hearing was opened at 6:01 p.m.**

**Councilman Sumner** – How many parts of this code differ from the existing code?

**Admin. Anderson** – Quite a bit, it adds more teeth in regards to enforcement because it covers more.

**Councilman Gallagher** – It covers quite a bit, I went through both of the codes and this one is more in depth.

**Councilman Sumner** – Is this what Minneapolis uses?

**Admin. Anderson** – This is the international building code. Minnesota approves the international building code so you’ll see this in many cities.

**The public hearing was closed at 6:02 p.m.**

**Motion by Ingemann, seconded by Gallagher, to approve Ordinance No. 2012-2 amending Chapter 11 of the City Code by adding Section 1170, International Property Maintenance Code – Adoption by Reference. With 5 Ayes, 0 Nays, the motion carried.**

**B. Resolution No. 2012-1 – Approving the Bailey School Forest Learning Facility Work Plan and Payment of Approximately \$12,000 for the Learning Facility**

Admin. Anderson presented on this item as outlined in the February 2, 2012 City Council packet. The Park Board reviewed the Work Plan at its January 26, 2012 meeting and is recommending that the City Council approve the Work Plan. The complete cost of the Learning Facility is outlined below:

1. 45’ Gazebo	\$44,000
2. Picnic Tables	5,400
3. Sign (To match Newport City Signs)	600
4. Labor (City will complete)	0
5. Footing (Aggregate Industries)	0
<b>Total</b>	<b>\$50,000</b>

The Governance Committee is recommending the following for financing this project:

1. City	\$12,000 (secured)
2. ISD 833	12,000 (secured)
3. Mike Phillips Fund	10,000 (secured)
4. Other Donations/Grants	10,000 (pending)

5. Bailey Family	<u>6,000</u> (secured)
<b>Total</b>	<b>\$50,000</b>

**Mayor Geraghty** – I’m not sure everyone knew Mike Phillips but he was a long-time resident and volunteer. I worked with him on the origination of the School Forest and I think it’s long overdue. I would like to the pavilion installed and dedicated by the end of August.

**Councilman Sumner** – I have a question about the laminated columns. Isn’t that usually the weakest point. Can we make it so that they last as long as the roof or longer?

**Superintendent Hanson** – Generally, they bolt into place on top of the footings and don’t go directly in the footings.

**Councilman Sumner** – That’s not how they are pictured.

**Admin. Anderson** – You can order them two ways but Bruce is right.

**Superintendent Hanson** – If this goes forward then we’ll get more detailed plans.

**Councilman Rahm** – So the City portion is coming out of the Parks and Recreation budget correct?

**Admin. Anderson** – Yes, the Special Revenue Fund which is money that’s set aside for projects like this or maintenance.

**Councilman Rahm** – Did we specifically have that on our plan?

**Mayor Geraghty** – The Park Board has had it on their plan for the last couple years but we were waiting.

**Superintendent Hanson** – We’ve had a plan since it became a school forest.

**Councilman Rahm** – You’re saying the opportunity is right now because of the matching grants and this is the best time to do it?

**Admin. Anderson** – Right. If I hear Mayor Geraghty right, we’re still looking for the \$10,000 but the City may want to float the extra \$10,000 so that it can be installed and dedicated by the end of August.

**Mayor Geraghty** – Right and we can hold off on the picnic tables and sign until we get that money. We’re pretty close to cover the actual pavilion.

**Admin. Anderson** – Some of these grants are the smaller ones. I think a lot of the money will come from local businesses.

**Mayor Geraghty** – I think there’s some savings in the budget as well for it.

**Councilman Rahm** – That was my question about whether or not we should wait until we get the funding.

**Admin. Anderson** – There is still \$80,000 in the Park’s budget and we will have \$80,000 in there at the end of the year. If we have to float that extra ten for now, it’ll bring it down to \$70,000, which is still more than we had in there a couple years ago.

**Councilman Sumner** – We could take this money out of the Park’s budget.

**Admin. Anderson** – We have funds in our EDA fund as well.

**Councilman Rahm** – This goes along with our discussion about priorities. We also have the tennis court that needs to be repaired, where does that fall?

**Admin. Anderson** – Last year there was a storm and a branch came down and crashed the gate. We brought a plan before the City Council to repair the courts and turn two of them into basketball courts. Part of the reason the fence hasn't been repaired yet is because we would have to take down the fence to repair the courts and there's no point in repairing the fence and having to take it down immediately after. We applied for a grant to repair the tennis court, which prolonged the process. We did not get the grant and then the prices went up greatly. I made a decision on my own not to proceed with that because it was such a large increase. I explained this to the Council at the time.

**Councilman Rahm** – My concern and philosophy is that we should repair what we have before building new stuff.

**Mayor Geraghty** – On the other hand, we do have commitments for matching funds and who knows if those will stay if we wait. I also think this was a high priority for the Park Board.

**Councilman Sumner** – I'm curious about the open design. Will the school access this in the winter time?

**Admin. Anderson** – The reason that it's an open design is for security and to make it multi-functional. We did look at doing a sod house and we felt that would be a little too dark. We could have also done a garage but the school did request the gazebo style.

**Councilman Rahm** – Again I have concerns about spending money on this when times are tight and I'm wondering if we should spend money somewhere else like paving the streets or something.

**Admin. Anderson** – I understand where you're coming from.

**Motion by Geraghty, seconded by Ingemann, to approve Resolution No. 2012-1 approving the Bailey School Forest Learning Facility Work Plan and payment of approximately \$12,000 for the Learning Facility. With 3 Ayes, 2 Nays, the motion carried.**

#### **C. Contract Agreements with International Union of Operating Engineers and Law Enforcement Labor Services**

Admin. Anderson presented on this item as outlined in the February 2, 2012 City Council packet.

**Councilman Gallagher** – It looks like the negotiations were well done on both sides.

**Admin. Anderson** – I want to let the City Council know that we're still talking with the Local 49 about their uniforms.

**Motion by Ingemann, seconded by Gallagher, to approve the contract agreements with International Union of Operating Engineers and Law Enforcement Labor Services. With 5 Ayes, 0 Nays, the motion carried.**

#### **D. Agreement between the City of Newport and Payment Service Network for Online Credit Card Payments**

Admin. Anderson presented on this item as outlined in the February 2, 2012 City Council packet. Staff is recommending that the City provide online payments for utility bills only as it is the least expensive route. The annual amount that the City would pay is \$244.40. The resident would pay a transaction cost of \$2.99 each time they paid online.

**Councilman Sumner** – Would people be able to see their bill online?

**Executive Analyst Helm** – Yes, they will be able to view their bill online. The City would receive the money two-three days after.

**Councilman Ingemann** – People can still receive the hard copy and pay with a check correct?

**Executive Analyst Helm** – Correct. They have to go online to sign up for the service.

**Councilman Ingemann** – Could they go online to pay for permits and stuff?

**Admin. Anderson** – They can only pay for utility bills. We can't pass a convenience fee onto the residents if they came in to pay with a credit card.

**Councilman Gallagher** – A lot of cities are no longer taking Visas because they cannot pass on the convenience fee.

**Executive Analyst Helm** – Visa will allow the fee to be passed on for utility bills.

**Mayor Geraghty** – Can they use debit cards?

**Admin. Anderson** – There are several different methods for paying, including debit cards

**Councilman Rahm** – Is there an estimate of how many people will take advantage of this?

**Executive Analyst Helm** – PSN estimated that about 15% would pay online, which is about 180 accounts.

**Councilman Gallagher** – Could we offer a one-time \$5 credit if they sign up for it?

**Admin. Anderson** – Yea we certainly can.

**Mayor Geraghty** – What about reporting?

**Admin. Anderson** – I believe Deb would receive reports and it would help with the efficiency.

**Executive Analyst Helm** – PSN has a module with Banyon so it'll be a lot easier to integrate with them.

**Councilman Gallagher** – Do you know offhand how many other cities use PSN?

**Executive Analyst Helm** – No.

**Motion by Rahm, seconded by Geraghty, to approve the agreement with PSN for online credit card payments. With 5 Ayes, 0 Nays, the motion carried.**

#### **E. iPad Policy**

Admin. Anderson presented on this item as outlined in the February 2, 2012 City Council packet. The iPad Policy protects the iPad and user. The iPads would be used for Council packets and other information that is pertinent to the City Council such as the Comprehensive Plan and City maps.

**Councilman Gallagher** – Are you looking for adoption of the policy?

**Admin. Anderson** – We can discuss the policy and if you would like any amendments to it. Right now, the policy provides for a lot of freedom.

**Councilman Gallagher** – I heard the iPad 3 may be coming out in March. Do we want to wait for those to come out?

**Admin. Anderson** – We're aware of that and we were going to shop around. We're not going to purchase them tomorrow. One thing that we are looking for is deals. Target or Sam's Club will occasionally have deals where you'll get a \$40 gift card if you purchase an iPad. We could use the gift cards for accessories.

**Councilman Ingemann** – Wouldn't the iPad 2's be cheaper when the iPad 3 comes out?

**Councilman Gallagher** – No, not necessarily.

**Mayor Geraghty** – I'm curious in regards to the security and email. A number of us use personal email addresses and I would be getting personal emails not related to the City. Are they stored on the device or server? Anybody can request to view emails related to City business.

**Admin. Anderson** – They would be stored on the device.

**Councilman Gallagher** – It's kind of like an outlook. You can delete emails from your iPad but it's still on the server like g-mail or yahoo.

**Councilman Sumner** – So is that accessible to anyone who comes in looking for City-related correspondences?

**Attorney Knaak** – I would encourage you to isolate your personal email so that it's not accessible. But if you're using your own personal iPad for City-related items you will need to turn that in for people to access the items that are on the device.

**Councilman Gallagher** – What would it take to have a City email address?

**Councilman Ingemann** - \$15/month/email address

**Admin. Anderson** – Can we give them a hard copy of the email or do we need to give them access to the iPad?

**Attorney Knaak** – If the email is on the iPad then they do have access to it.

**Mayor Geraghty** – What kind of capabilities are there to monitor the device?

**Admin. Anderson** – These will not be set up to monitor. We can look up the history but we would need to turn that over to someone at Apple.

**Mayor Geraghty** – If a member decides to use their own personal device, can they use it for the City?

**Admin. Anderson** – I see no reason why you can't.

**Attorney Knaak** – You can but I would recommend that you set up some separation for each of the accounts.

**Councilman Rahm** – What problem are we trying to solve here?

**Admin. Anderson** – Reduce time and money such as staff time and printing costs. We'll also be making information more accessible.

**Councilman Rahm** – I think it moves us forward towards digitalization and transparency. Is this in our budget?

**Admin. Anderson** – The budget is there. We've saved money in our IT account by taking Public Works off of Atomic; however we didn't reduce the budget.

**Councilman Gallagher** – Renee, I can't look at PDF files on my iPhone, can you look at them on the iPad?

**Executive Analyst Helm** – I've been able to open all of the PDF's that I've put in the dropbox.

**Councilman Sumner** – Will this work throughout the entire city?

**Admin. Anderson** – No, you'll need Wi-Fi at home. You can go to the Library and use that Wi-Fi.

**Executive Analyst Helm** – You only need to access Wi-Fi once to download the packet and once it's on your device you can go somewhere with no Wi-Fi and still access it.

**Councilman Sumner** – So there is money savings in the office and we are providing residents with access to more documents. I just want to make sure we cover our bases.

**Admin. Anderson** – Well some of the things that we have done to help reduce the work load also reduced the budget. This has been brought up several different times at City Council meetings and I have not received any negative feedback.

**Councilman Rahm** – What happens if someone doesn't follow the policy? I think the iPad should be taken away from them.

**Admin. Anderson** – We can add that.

**Councilman Gallagher** – Tracy, would Southwest Telecommunications put our packet on their website?

**Councilman Rahm** – I'll ask them.

**Councilman Gallagher** – I would like to recommend that the City look at the iPad 3 and also maybe put a list together of acceptable apps.

**Admin. Anderson** – We're going to look at the iPad 3. In regards to the apps, I will leave that discretion up to you since there are so many apps out there.

**Motion by Sumner, seconded by Rahm, to approve the iPad Policy as amended. With 5 Ayes, 0 Nays, the motion carried.**

#### **10. ATTORNEY'S REPORT**

**Attorney Knaak** – You have before you the monthly prosecution report. The total cases were 45, which is a new record for the City. The issue at the Sure Lock seems to be resolving itself. Charges have been filed against Mr. Theobald for Dan's Containers. In regards to Mr. Hunter, his final attempt to delay prosecution was unsuccessful. The matter is proceeding as normal.

**11. POLICE CHIEF'S REPORT** – No Report

**12. FIRE CHIEF'S REPORT** – No Report

**13. ENGINEER'S REPORT** –

**A. Ordinance No. 2012-3 – Amending the City Code of Ordinances Chapter 10, Water and Sewer Systems, of the City of Newport Code of Ordinances**

Jim Stremel, BDM Consulting, presented on this item as outlined in the February 2, 2012 City Council packet. It's recommended that Sections 1025.14 – 1025.17 be removed from the ordinance and instead put in a separate document that's referenced in the code. These sections tend to change on a regular basis.

**Motion by Sumner, seconded by Ingemann, to approve Ordinance No. 2012-3 as amended. With 5 Ayes, 0 Nays, the motion carried.**

**B. Resolution No. 2012-2 – Accepting bids and awarding the contract of the North Ravine Project**

Mr. Stremel presented on this item as outlined in the February 2, 2012 City Council packet. It's recommended that the City Council award the contract to Park Construction Company contingent upon clearance from the Minnesota Department of Transportation.

**Motion by Sumner, seconded by Geraghty, to approve Resolution No. 2012-2 accepting bids and awarding the contract of the North Ravine Project to Park Construction Company contingent upon their clearance from the Minnesota Department of Transportation. With 5 Ayes, 0 Nays, the motion carried.**

**C. Resolution No. 2012-3 – Amending the Contract with Insituform to Include a Change Order to Increase the Contract Amount**

Mr. Stremel presented on this item as outlined in the February 2, 2012 City Council packet. The Public Works Department completed additional inspections in December and found excessive cracking and significant infiltration on a 600 foot section of pipe along 11<sup>th</sup> Street between 5<sup>th</sup> and 7<sup>th</sup> Avenues. It's recommended that the City include this section in the project to repair.

**Mayor Geraghty** – Do we have the extra funds in our budget?

**Admin. Anderson** – At the end of this year, we should have approximately \$338,762 and \$275,608 at the end of 2013. This would be \$17,250. Instead of taking away from some of the areas that we were going to do, we felt we would save in the long run because it could collapse, which would cost at least \$10,000.

**Councilman Ingemann** – And the cost for this is cheaper than the fine from the MPCA correct?

**Admin. Anderson** – Yes

**John Stewart** – The grant from Met Council is predicated on us reducing the maximum sewer flow to their system and when we have an instance like this it will remove a lot of I/I for the amount that we are spending.

**Councilman Rahm** – Does this need to be replaced instead of repaired?

**John Stewart** – The cost of digging it up and replacing it is about three times more than the cost that we brought before you tonight. I've been doing repairs like this since the 1990's and have never had a problem.

**Councilman Sumner** – How'd this come to our attention?

**Superintendent Hanson** – We had a backup and had trouble getting to it and when we televised it we found pieces of clay pipe, which means the sewer was busted.

**Councilman Sumner** – And this was outside of the area that we scanned?

**Superintendent Hanson** – Yes, simply because it’s above the elevation that we worked on.

**Admin. Anderson** – Bruce goes off of the pumping reports from the lift stations and we’re able to tell where there are issues.

**Councilman Gallagher** – How long is this new material supposed to last for?

**John Stewart** – I’m thinking about 40-60 years.

**Councilman Rahm** – It looks like we’re doing a good long-term solution.

**Mayor Geraghty** – What percent of our streets is this project?

**John Stewart** – About 20%.

**Motion by Geraghty, seconded by Rahm, to approve Resolution No. 2012-3 amending the contract with Insituform to include a change order to increase the contract amount. With 5 Ayes, 0 Nays, the motion carried.**

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

**Superintendent Hanson** – We did take delivery of our new dump truck, which replaced the 1990 truck. It’s very nice. Also, the rinks are closed tonight due to the weather. I expect it will be for the season.

**Councilman Sumner** – There’s been some talk that we did not get the best price on the truck. Can you go through the bid process?

**Superintendent Hanson** – It came off the MN State Bid. They run a complete bid check and run through all the numbers. We belong to a consortium and therefore we can buy off of their bids. You get fleet costs and everything is included in the cost.

**John Stewart** – You could have gotten a lower price but you would have bought less.

**Superintendent Hanson** – Chances are you would have paid more if I did it myself.

**15. NEW/OLD BUSINESS**

**Mayor Geraghty** – I was asked by the Cable Commission to give some periodic tapings and did one broadcast already. I think putting information on the website regarding the budget and other City information. I asked Brian to rewrite it and place it on the website. If anyone has any revisions or comments, please send them to Brian.

**Admin. Anderson** – I would also like to note that we have over 130 “Likes” on Facebook and will be using that more and more as a tool for communication. I encourage people to add us on Facebook.

**16. ADJOURNMENT**

**Motion by Sumner, seconded by Gallagher, to adjourn the regular Council Meeting at 7:18 P.M. With 5 Ayes, 0 Nays, the motion carried.**

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

Respectfully Submitted,

Renee Helm  
Executive Analyst

## \*Check Summary Register©

February 2012

Name	Check Date	Check Amt	
<b>10100 Central Bank</b>			
Paid Chk# 000010E DELTA DENTAL OF MN	2/2/2012	\$1,133.95	dental insurance
Paid Chk# 000011E MSRS	2/8/2012	\$415.66	hcsp
Paid Chk# 000012E MN REVENUE	2/9/2012	\$2,036.48	state income tax
Paid Chk# 000013E FEDERAL TAXES	2/9/2012	\$8,933.58	federal taxes
Paid Chk# 013226 ATOMIC-COLO, LLC	2/2/2012	\$2,369.90	computer support
Paid Chk# 013227 BDM Consulting Engineers	2/2/2012	\$14,764.50	engineering/planning
Paid Chk# 013228 CATCO PARTS AND SERVICE	2/2/2012	\$55.11	dump truck axle seals
Paid Chk# 013229 COMCAST	2/2/2012	\$130.66	cable, internet
Paid Chk# 013230 COTTAGE GROVE, CITY OF	2/2/2012	\$1,215.94	building inspection
Paid Chk# 013231 FAIR OFFICE WORLD	2/2/2012	\$437.19	office supplies
Paid Chk# 013232 GENERATOR SPECIALTY CO. IN	2/2/2012	\$90.84	truck repairs
Paid Chk# 013233 GERLACH OUTDOOR POWER E	2/2/2012	\$126.57	mower repair
Paid Chk# 013234 GOPHER STATE ONE-CALL	2/2/2012	\$100.00	annual fee
Paid Chk# 013235 GRAINGER PARTS	2/2/2012	\$41.65	library lock/keys
Paid Chk# 013236 HAWKINS	2/2/2012	\$15.00	well house chemicals
Paid Chk# 013237 HIGHLAND SANITATION	2/2/2012	\$182.77	recycling/trash
Paid Chk# 013238 HSBC BUSINESS SOLUTIONS	2/2/2012	\$252.77	15th st light
Paid Chk# 013239 Knaak & Assoc. PA	2/2/2012	\$5,200.00	legal
Paid Chk# 013240 LIBERTY NAPA OF NEWPORT	2/2/2012	\$265.50	fd truck supplies
Paid Chk# 013241 MICHAEL LAUGHTON	2/2/2012	\$43.23	valentine/office supplies
Paid Chk# 013242 MINNESOTA AWWA	2/2/2012	\$732.00	water school
Paid Chk# 013243 MN NCPERS LIFE INSURANCE	2/2/2012	\$112.00	life insurance
Paid Chk# 013244 SEAN MCARDELL	2/2/2012	\$26.62	office supplies
Paid Chk# 013245 SHAFER SIGNS & ADVERTISING	2/2/2012	\$180.00	library sign
Paid Chk# 013246 SMOKE-EATER PUBLICATIONS	2/2/2012	\$175.00	magazines - fire dept.
Paid Chk# 013247 SW/WC SERVICES COOPERATI	2/2/2012	\$14,526.00	health insurance
Paid Chk# 013248 VERIZON	2/2/2012	\$362.11	cell phones
Paid Chk# 013249 WASHINGTON CTY CHIEF OF P	2/2/2012	\$50.00	dues - Montgomery
Paid Chk# 013250 WASHINGTON CTY ELECTIONS	2/2/2012	\$940.00	election machinge maint.
Paid Chk# 013251 XCEL ENERGY	2/2/2012	\$7.64	electricity
Paid Chk# 013260 ANCOM TECHNICAL CENTER	2/9/2012	\$262.35	civil defense siren
Paid Chk# 013261 ATOMIC-COLO, LLC	2/9/2012	\$760.69	computer support
Paid Chk# 013262 CENTURY LINK	2/9/2012	\$376.13	phone
Paid Chk# 013263 CINTAS -754	2/9/2012	\$294.14	uniforms
Paid Chk# 013264 COMCAST	2/9/2012	\$361.15	cable, internet
Paid Chk# 013265 FERRELLGAS	2/9/2012	\$272.06	propane lov. Park
Paid Chk# 013266 FLEET ONE LLC	2/9/2012	\$1,457.75	fuel
Paid Chk# 013267 ING LIFE INSURANCE & ANNUIT	2/9/2012	\$1,024.62	employee cont.
Paid Chk# 013268 INTERNATIONAL UNION OF OP.	2/9/2012	\$160.00	union dues
Paid Chk# 013269 Metropolitan Council	2/9/2012	\$15,613.70	wastewater treatment
Paid Chk# 013270 MINNESOTA DNR-OMB	2/9/2012	\$539.95	water use report
Paid Chk# 013271 ON SITE SANITATION	2/9/2012	\$80.16	unit rent
Paid Chk# 013272 PERA	2/9/2012	\$8,037.88	
Paid Chk# 013273 RIVERTOWN NEWSPAPER GRO	2/9/2012	\$372.99	printing - legals
Paid Chk# 013274 SELECTACCOUNT	2/9/2012	\$581.00	employee cont.
Paid Chk# 013275 WASHINGTON CNTY TAX SERVI	2/9/2012	\$35.00	tax levy report

\*Check Summary Register©

February 2012

Name	Check Date	Check Amt
Paid Chk# 013276 WATER CONSERVATION SERVI	2/9/2012	\$573.55 water break locate
Paid Chk# 013277 XCEL ENERGY	2/9/2012	\$920.65 electricity
<b>Total Checks</b>		<b>\$86,646.44</b>

FILTER: None

\*Budget Control Summary

Current Period: February 2012

Account Descr	2012		2012		2012		2012		2012		2012		2012	
	Cumulative Budget	Cumulative Actuals	Cumulative Variance	% Variance	Adopted Budget	Forecast	Variance at Completion	YTD Part Complete	Est to Complete					
<b>FUND 101 GENERAL FUND</b>														
Revenue Accounts														
DEPT 00000 ALL DEPARTMENTS	\$2,978,785.00	\$84,142.09	\$2,894,642.91	97.18%	\$0.00	\$2,978,785.00	-\$2,978,785.00	0.13	-0.26					
DEPT 45000 Parks (GENERAL)	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00					
DEPT 45100 Recreation (GENERAL)	\$2,000.00	\$0.00	\$2,000.00	100.00%	\$0.00	\$2,000.00	-\$2,000.00	0.00	-0.50					
Total Revenue Accounts	\$2,980,785.00	\$84,142.09	\$2,896,642.91	97.18%	\$0.00	\$2,980,785.00	-\$2,980,785.00	0.12	-0.26					
Expenditure Accounts														
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00					
DEPT 41000 Administration (GENERAL)	\$326,277.00	\$46,935.37	\$279,341.63	85.61%	\$0.00	\$326,277.00	-\$326,277.00	0.51	-0.25					
DEPT 41110 Mayor and Council	\$24,081.00	\$1,771.93	\$22,309.07	92.64%	\$0.00	\$24,081.00	-\$24,081.00	0.02	-0.62					
DEPT 41410 Elections	\$7,000.00	\$940.00	\$6,060.00	86.57%	\$0.00	\$7,000.00	-\$7,000.00	0.38	-0.62					
DEPT 41600 Professional Services	\$297,000.00	\$32,939.06	\$264,060.94	88.91%	\$0.00	\$297,000.00	-\$297,000.00	0.13	-0.76					
DEPT 41910 Planning and Zoning	\$39,067.00	\$7,993.47	\$31,073.53	79.54%	\$0.00	\$39,067.00	-\$39,067.00	0.13	-0.37					
DEPT 41940 City Hall Bldg	\$18,542.00	\$1,296.66	\$17,245.34	93.01%	\$0.00	\$18,542.00	-\$18,542.00	0.05	-0.96					
DEPT 42000 Police Department(GENERAL)	\$845,095.00	\$80,513.10	\$764,581.90	90.47%	\$0.00	\$845,095.00	-\$845,095.00	0.04	-0.66					
DEPT 42100 Civil Defense	\$0.00	\$262.35	-\$262.35	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00					
DEPT 42260 Fire Protection	\$180,068.00	\$1,317.42	\$178,750.58	99.27%	\$0.00	\$180,068.00	-\$180,068.00	0.07	-0.69					
DEPT 42280 Fire Stations No. 1	\$14,246.00	\$1,110.44	\$13,135.56	92.21%	\$0.00	\$14,246.00	-\$14,246.00	0.03	-0.98					
DEPT 42290 Fire Station No. 2	\$3,818.00	\$298.16	\$3,519.84	92.19%	\$0.00	\$3,818.00	-\$3,818.00	0.02	-0.48					
DEPT 43000 PW Street (GENERAL)	\$439,283.00	\$40,260.73	\$399,022.27	90.83%	\$0.00	\$439,283.00	-\$439,283.00	0.06	-0.48					
DEPT 43100 Public Works Garage	\$17,759.00	\$1,604.94	\$16,154.06	90.96%	\$0.00	\$17,759.00	-\$17,759.00	0.03	-0.97					
DEPT 43160 Street Lighting	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00					
DEPT 43260 Composting	\$5,000.00	\$500.00	\$4,500.00	90.00%	\$0.00	\$5,000.00	-\$5,000.00	0.13	-0.13					
DEPT 45000 Parks (GENERAL)	\$251,284.00	\$33,860.86	\$217,423.14	86.52%	\$0.00	\$251,284.00	-\$251,284.00	0.15	-0.41					
DEPT 45100 Recreation (GENERAL)	\$3,500.00	\$0.00	\$3,500.00	100.00%	\$0.00	\$3,500.00	-\$3,500.00	0.00	-0.38					
DEPT 45206 Parks Bldgs. & Warming Houses	\$5,500.00	\$632.37	\$4,867.63	88.50%	\$0.00	\$5,500.00	-\$5,500.00	0.03	-0.47					
DEPT 45501 Library Bldg	\$24,753.00	\$2,312.03	\$22,440.97	90.66%	\$0.00	\$24,753.00	-\$24,753.00	0.04	-0.41					
DEPT 45550 Heritage Pres. Committee	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00					
DEPT 49470 Street Lights	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00					
DEPT 49754 Railroad Tower	\$1,182.00	\$62.32	\$1,119.68	94.73%	\$0.00	\$1,182.00	-\$1,182.00	0.12	-0.63					
DEPT 49985 Special Contributions	\$5,000.00	\$0.00	\$5,000.00	100.00%	\$0.00	\$5,000.00	-\$5,000.00	0.00	-1.00					
DEPT 49995 Miscellaneous Contingency	\$10,000.00	\$0.00	\$10,000.00	100.00%	\$0.00	\$10,000.00	-\$10,000.00	0.00	-0.50					
Total Expenditure Accounts	\$2,518,455.00	\$254,611.21	\$2,263,843.79	89.89%	\$0.00	\$2,518,455.00	-\$2,518,455.00	0.12	-0.51					
Total FUND 101 GENERAL FUND	\$462,330.00	-\$170,469.12	\$632,799.12	136.87%	\$0.00	\$462,330.00	-\$462,330.00							



# MEMO

TO: Newport City Council

FROM: Brian J. Anderson, City Administrator

DATE: February 11, 2012

SUBJECT: Review of the Newport Comprehensive Plan

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## Background

The update of Newport's Comprehensive Plan began in the spring of 2008. The timing coincided with an important turning point in the community's history. Since completion of the previous Comp Plan, changes to Interstate 494, the Wakota Bridge, Hwy 61 and related frontage roads have eliminated congestion and train conflicts and improved circulation for cars, bikes and pedestrians within Newport. These changes to the transportation system have reshaped the community, and have created both challenges and opportunities for local residents and businesses. With these changes to the Comp Plan largely completed by 2008, the City of Newport began to move forward to plan and build for the future in the areas of land use, economic development, housing, public infrastructure, transportation, among others. As stated in the City's Code of Ordinances, the review of the Comprehensive Plan shall be reviewed every two years or when requested to do so by the City Council, making recommendations for updating. Due to the number of redevelopment project currently being pursued along with the infrastructure projects underway, it is being proposed that the City Council host a series of community meetings to review the current Comp Plan and Vision.

## Discussion

The City updated its plan to meet statutory requirements, and completed a comprehensive road map that has guided many significant decisions during the coming years. The Comprehensive Plan serves the following roles:

- Establish the community's vision for its future.
- Guide development and redevelopment efforts.
- Preserves desired qualities and resources.
- Enhances efficiency of public expenditures.
- Sparks interest in new investment and reinvestment.
- Coordinates development and growth with other governments.

*Economic Development is one of the key levers local governments have to support job growth, business development and overall quality of life in the community. Although the fiscal climate is making it difficult for cities to implement even those activities proven to increase local economic vitality, pursuing job growth and better meeting the needs of the business community can still be within reach. The solution lies in examining our current capacity and realigning existing economic development resources with local realities.*

The goal of the public review is the following:

### 1. Review Current Comp Plan & Vision

Date: TBD

- a. Guiding Principles and Implementation Strategy Policies
- b. Mission & Vision Statements
- c. Land Use and Vision Maps

### 2. Perform Environmental Scanning

Date: TBD

- a. Seek Input on Trend Identification and the Guiding Principles
- b. Seek Input on Newport's Likes/Concerns
- c. Housing Trends, Land Use (Energy), Public Facilities, Transportation, Economic Development, Env. Protection, Parks Infrastructure, CIP, etc.

### 3. Develop a Strategic Plan

Date: TBD

- a. To create a Strategic Policy Plan that includes a Vision Goals, Policies & Statements, Maps, CIP items

#### **Recommendation**

Staff would like Council's input and approval to continue to work with Council Member Rahm on developing the City's Comp Plan Review & Strategic Plan that will help guide the City through 2020.

# Newport Police Year End Report 2011

Submitted by Curt Montgomery  
Newport Chief of Police



▶ The Newport Police Department has the following personnel with over a total of 78 years experience.

▶

▶

▶ Chief of Police: Curt Montgomery Date of hire: 01-02-1995

▶

▶ Patrol & Investigations: Brian Domeier Date of hire: 07-11-1988

▶

▶ Senior Patrol Officer: Scott Freemyer Date of hire: 09-02-1997

▶

▶ Patrol Officer: Joel Muellner Date of hire: 05-06-1999

▶

▶ Patrol Officer: Sean McArdell Date of hire: 02-27-2006

▶

▶ Patrol Officer: Jeremy Brodin Date of hire: 07-28-2008

▶

▶ Patrol Officer: Tyler Martin Date of hire: 01-11-2010

- Officers and their specialties:
  - Firearms certified trainer: McArdell, Domeier, Muellner
  - Use of force trainer: Freemyer
  - Taser certified trainer: Freemyer
  - Field Training Officers: Freemyer, McArdell, Montgomery
  - Data Practices: Montgomery, Domeier
  - Advanced Investigation: Domeier
  - Standardized Field Sobriety: Brodin, Muellner, Freemyer
  - Intoxilizer certified: Muellner, McArdell, Freemyer
  - Training/training records: McArdell
  - Special Response Team: Freemyer

## Call Comparison 2009, 2010, 2011

- Initial Complaint Reports
  - In 2009 we had 2,933 Initial Complaint Reports
  - In 2010 we had 3,747 Initial Complaint Reports
  - In 2011 we had 3,456 Initial Complaint Reports

This was a decrease of 8% from the 2010 numbers and yet it's still an increase of 15% above the 2009 numbers.

## Noticeable Crime Related Differences 2010 vs 2011

- ▶ Misdemeanor arrests were up 36%      41 vs 64
- ▶ Burglary was up 36%      16 vs 25
- ▶ Thefts were down 17%      133 vs 111

## Other calls and events that were up

- ▶ Motor vehicle crashes are up 28%      83 vs 116
- ▶ Assists to the public were up 18%      1473 vs 1807
- ▶ Medicals were up 23%      167 vs 217
- ▶ Ordinance violations were up 54%      104 vs 226
- ▶ Suspicious activity events were up 20%      218 vs 274

Issues involving minor individuals (age related crimes or acts that involve the police). These are acts that wouldn't be a crime if the person was over the age of 18.

- ▶ Juvenile non-traffic citations are up 73%      6 vs 22
- ▶ Juvenile problems calls are up 37%              44 vs 70
- ▶ Runaway calls are down 70%                      3 vs 10

## Total all events

- ▶ 2010 was 7139
- ▶ 2011 was 7845
- ▶ Total all events are up 9%

## How can we have more Events with fewer Initial Complaint Reports from the 2010 year to the 2011 year?

- ▶ Not all calls or events will generate a new Initial Complaint Report.
- ▶ Some of the activities that may not generate Initial Complaint Reports would be:
  - Assists to the public
  - Assists to other officers
  - Some ordinance violations
  - Suspicious activities observed by an officer and
  - Other minor activities that do not require reports that are logged by an officer.

### 2010 and 2011 side by side comparison

	2010 Total	2011 Total		2010 Total	2011 Total	
ACCIDENTS	83	116	DRUNKS/DETOX	27	23	
ADMINISTRATIVE	846	802	DRIVING WHILE			
ALARMS	129	111	INTOXICATED D.W.I.	20	33	
ANIMAL CALLS	125	121	FIRECALLS	52	56	
ARRESTS			FORGERY	17	16	
	Felony	26	27	FOUND PROPERTY	20	11
	Misdemeanor	41	64	HARASSING		
	Gross Misd.	21	18	COMMUNICATIONS	32	53
ASSAULTS	Aggravated	5	7	HANG UPS (911)	27	43
	Simple	16	15	JUVENILE PETTY CITATIONS	6	22
ASSIST OTHER			JUVENILE PROBLEMS	44	70	
DEPT/OFFICER	446	601	LOCK-OUTS	42	44	
ASSIST PUBLIC	1473	1807	MEDICAL CALLS	167	217	
AUTO THEFT			MISSING PERSONS	5	7	
	Attempted	1	1	ORDINANCE VIOLATIONS	104	226
BURGLARY			ORDINANCE WINTER PARK	84	85	
	Attempted	2	3	PROWLERS	6	3
CHILD ABUSE/NEGLECT	6	10	ROBBERY	3	4	
CIVIL DISPUTES	110	107		Attempted	2	1
CRIMINAL SEXUAL						
CONDUCT	3	2	RUN-AWAY	10	3	
CURFEW	3	6	STOLEN AUTOS RECOVERED	13	3	
DAMAGE TO PROPERTY	55	76	SUSPICIOUS ACTIVITY	218	274	
DEATH INV.	4	6	THEFT	133	111	
DISORDER CONDUCT	20	17		Attempted	1	
DOMESTICS	133	153	CITATIONS	1113	1080	
DRIVING COMPLAINT	148	161	TRAFFIC WARNINGS	1248	1178	
DRUGS/PARAPHERNALIA	15	20	<b>Total All Events</b>	<b>7139</b>	<b>7845</b>	