



**CITY OF NEWPORT
REGULAR COUNCIL MEETING
NEWPORT CITY HALL
MARCH 20, 2014 – 5:30 P.M.**

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

City Administrator: Deb Hill
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 March 6, 2014 Regular City Council Meeting
 - B. Minutes of the March 6, 2014 City Council Workshop Meeting
 - C. List of Bills in the Amount of \$274,619.00
 - D. **Resolution No. 2014-6** - Supporting the Authorization of the Commissioner of Transportation to Perform an Engineering and Traffic Investigation to Determine the Reasonable and Safe Speed Limit on County Road 74
 - E. Approval of the Park Board's 2014 Goals
6. VISITORS PRESENTATIONS/PETITIONS/CORRESPONDENCE
7. MAYOR'S REPORT
8. COUNCIL REPORTS
9. ADMINISTRATOR'S REPORT
 - A. **Ordinance No. 2014-1** - Approving a Zoning Amendment to Section 1300 General, Section 1310 Administration and Enforcement, Section 1340 Residential Districts, and Section 1350 Non-Residential Districts
 - B. Presentation from Sherri Buss, TKDA Planner, on the Costs of Reviewing Plan Applications
 - C. **Ordinance No. 2014-2** - Amending Chapter 8, Section 800.04, of the City Code to Provide for Additional Penalties for Chronic or Repeated Property Nuisance Offenders Within the City (Bench Handout)

Agenda for 03-20-14

- D. **Ordinance No. 2014-3** - Repealing Chapter 4, Section 410, Tobacco Sales, and Approving Amendments to Chapter 4, Licensing, and Section 750, Tobacco
- E. **Resolution No. 2014-7** - Amending Resolution No. 2014-5 Establishing a Credit for Water Usage for Properties that are Running Water 24-7 to Prevent Frozen Water Lines

10. ATTORNEY'S REPORT

- A. Prosecution Report

11. POLICE CHIEF'S REPORT

- A. February 2014 Activity Report

12. FIRE CHIEF'S REPORT

13. ENGINEER'S REPORT

- A. 2014 Street Improvement Projects
 - 1. **Resolution No. 2014-8** - Approving Plans and Specifications and Ordering Advertisement for Bids
 - 2. **Resolution No. 2014-9** - Calling Hearing on Improvement

14. SUPERINTENDENT OF PUBLIC WORKS REPORT

15. NEW / OLD BUSINESS

16. ADJOURNMENT

Upcoming Meetings and Events:

- | | | |
|--------------------------------|----------------|-----------|
| 1. Park Board Meeting | March 27, 2014 | 7:00 p.m. |
| 2. City Council Meeting | April 3, 2014 | 5:30 p.m. |
| 3. Planning Commission Meeting | April 10, 2014 | 6:00 p.m. |
| 4. City Council Meeting | April 17, 2014 | 5:30 p.m. |



**City of Newport
City Council Minutes
March 6, 2014**

1. CALL TO ORDER

Mayor Pro Tem Ingemann called the meeting to order at 5:30 P.M.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL -

Council Present –Tom Ingemann; Bill Sumner; Tracy Rahm; Steven Gallagher

Council Absent – Tim Geraghty;

Staff Present – Deb Hill, City Administrator; Bruce Hanson, Supt. of Public Works; Curt Montgomery, Police Chief; Mark Mailand, Fire Chief; Renee Helm, Executive Analyst; Fritz Knaak, City Attorney; Jon Herdegen, City Engineer;

Staff Absent –

4. ADOPT AGENDA

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

5. ADOPT CONSENT AGENDA

Mayor Pro Tem Ingemann - Out of the list of bills, there were some that were paid two weeks ago because the February 20 meeting was cancelled due to weather. They are Blueline Training for \$350, St. Paul Park Refining for \$2,249.87, Cardmember Services for \$978.80, Fleet One for \$3,774.79, and Sam's Club for \$168.99. They were paid so that there would be no late fees.

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

- A. Minutes of the February 6, 2014 Regular City Council Meeting
- B. List of Bills in the Amount of \$257,068.74

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

6. VISITORS PRESENTATIONS/PETITIONS/CORRESPONDENCE

A. South Washington Watershed District Update

Matt Moore, Administrator of the South Washington Watershed District, was present to provide updates on several activities for 2013 and 2014. Some of the accomplishments of the Watershed for 2013 are: the overflow project was started, the North Ravine project was finalized, the Watershed gave a grant to the City of Newport for de-icing equipment on the new plow truck, they continue to provide legal assistance for the acquisition of properties on the levee, and they continue to support the study for the Red Rock Gateway area. The Watershed continues to monitor the groundwater strategies from the State Agencies and will work with the City regarding it. For 2014, the Watershed will continue to work on the overflow project and the Grey Cloud Restoration project. They are also doing some work in Denmark Township.

Councilman Sumner - What were the areas covered by the overflow project?

Mr. Moore - It covers our northern watershed, which is mostly Woodbury and it extends to Oakdale and Lake Elmo. It all drains south through Woodbury.

Councilman Sumner - Is that all gravity fed?

Mr. Moore - Woodbury actually built a lift station at the end of Bailey Lake. That pumps the water over the hill and it's gravity fed from there.

Councilman Sumner - And that's all going into the Mississippi?

Mr. Moore - It's going indirectly to the Mississippi through large basins that we've purchased the title on. We use those for infiltration. We also rely on those basins for flood control.

Councilman Sumner - What percent of the overflow do you think will be infiltrated if the basins are working properly?

Mr. Moore - The design is for a 100-year event and in our design we don't account for any infiltration. Given the information we know about infiltration, we've never had water come out of the watershed since 1994. We think infiltration will work very well. We think the water will stay within the watershed.

Councilman Sumner - Where are the infiltration sites?

Mr. Moore - The basins are on the Woodbury/Cottage Grove border just to the west of County Road 19 and extend south to 70th Street. There's open space next to the DR Horton development that is ours as well.

7. MAYOR'S REPORT – Nothing to report.

8. COUNCIL REPORTS –

Councilman Rahm - I attended the Metro Cities Watershed Conference. The good thing is that we're a water-rich State. The interesting thing is that they are saying that South Washington County will have the most pressure on our aquifers. Some of the actual measurements show that places like Woodbury and Cottage Grove when they wanted to develop more sunk a well and put up a tower. Unless we change our water management, that will be limited in the future. I think they'll start some of these projects up north around the northern parts of White Bear Lake. I think it will impact us over time. I also attended the strategic plan workshop.

Mayor Pro Tem Ingemann - I went up in a helicopter today to do the deer count and more information will come at a later date.

Councilman Sumner - I attended the strategic plan workshop that we had. I also attended the Community Advisory Committee meeting at the Refinery and discussed a concern about noises that a citizen of Newport had. They are aware of this and are monitoring it. They had the Pollution Control Agency out there and they found that they were operating within acceptable standards. We'll continue to monitor this on an ongoing basis.

Councilman Gallagher - Nothing to report.

9. ADMINISTRATOR'S REPORT –

A. Discussion Regarding Frozen Water Lines and Utility Bills

Admin. Hill and Superintendent Hanson presented on this item as outlined in the March 6, 2014 City Council packet. Due to the extreme winter conditions, the City has had several frozen water and sewer lines and also has a frozen main line. The City is seeing eight to ten feet of frost and as such is recommending that citizens run their water at a pencil width stream to ensure they don't freeze. Citizens can check the temperature of their water and if it is around 40 degrees right as it comes out of the faucet they should start running water immediately. It is anticipated that this will last until the beginning of May.

Councilman Gallagher - How easy would it be to give a credit for everyone in Newport?

Councilman Sumner - We could look at their usage for the last quarter.

Admin. Hill - That would be one way to do it. We have asked all residents to run a pencil width stream of water if their water is below 40 degrees. That is cheap insurance. What we could do is forgive that extra water if they request it.

Mayor Pro Tem Ingemann - South St. Paul requires residents to notify the City if they are running their water to prevent frozen lines and then give them a credit for the overage. The City is not going to give everyone a credit, that's not realistic.

Councilman Rahm - I think we should look into it soon.

Admin. Hill - We just read meters today and the running just started. If someone contacts City Hall moving forward, we will make note of that and their next bill will be adjusted.

Councilman Sumner - If someone contacts us, we should work with them and give them credit for the overage. If someone comes in and has been running it for the past two weeks we can make a minor adjustment for that as well since we're just notifying them of this now.

Admin. Hill - We can work with them on a case by case basis.

Mayor Pro Tem Ingemann - I had mine running and got an outside thermometer from the hardware store to measure the temperature.

Councilman Rahm - How are we going to communicate this to residents? Will it go on our website?

Admin. Hill - Yes.

Councilman Gallagher - Can we put something out through Code RED again to tell them to notify the City if they plan on running. I think a lot of our residents received the Code RED and started running their water immediately and now we're saying that they need to contact us to get the credit. I don't know if we can look at bills and if they have 200 gallons per day then they're obviously running water.

Councilman Sumner - I think if their bill goes up significantly they will contact us.

Admin. Hill - Can we do a Code RED for that?

Councilman Gallagher - I received a lot of phone calls from individuals saying they are running and they asked if we are going to credit their bills and if we go back and say only if you contact the City will we go backwards. I think we should be proactive. It costs the City a lot of money when a sewer or water line breaks.

Mayor Pro Tem Ingemann - We need to know who is doing it.

Superintendent Hanson - I'm not sure if we can issue a Code RED for this because it is an emergency outlet. I can ask but there is a cost to do it as well.

Councilman Gallagher - Then can we send a mailer to all the residents?

Councilman Sumner - That's expensive.

Councilman Gallagher - It's worth it.

Admin. Hill - We'll be sending out water bills next week, we can put a message on there and highlight it. Then we can

credit them on a case by case basis.

Mayor Pro Tem Ingemann - Do we need a resolution to accept the City staff adjusting the water bills because of the problem?

Attorney Knaak - I think since you are talking about changing a policy you do need to pass a resolution that would indicate that you would waive any increases for a period of time.

Councilman Gallagher - Are we able to decrease the sewer portion based on the water usage or is that mandated by Met Council?

Superintendent Hanson - That will be a hard cost to us to pay the sewer. We can forgive the additional water usage but bill them for the sewer.

Admin. Hill - The extra sewer would be about \$15 per month.

Councilman Gallagher - Have we contacted Met Council to see if they would forgive any of this?

Admin. Hill - They've been silent.

Superintendent Hanson - I've been looking to see if they will penalize us for running so much extra water.

Admin. Hill - I would recommend that we forgive the water portion but not the sewer.

Mayor Pro Tem Ingemann - I think they should notify the City that they are doing this.

Councilman Gallagher - Do you want average temperatures over town?

Superintendent Hanson - We could do that, it needs to be first draw. If it's below 40 degrees you know you're close. I can ask to do the Code RED again but there is a cost to it, a couple hundred dollars.

Councilman Gallagher - If they can do it, do it.

Councilman Rahm - How much will we waive?

Councilman Gallagher - The increase in water usage above their average.

Councilman Rahm - And they need to notify the City to get the credit?

Admin. Hill - Yes.

Councilman Gallagher - I want to make sure that if someone comes in and says that they ran water but didn't contact us that we'll work with them.

Admin. Hill - Yes.

Superintendent Hanson - We do also have the capability to see when they ran the water.

Motion by Ingemann, seconded by Gallagher to approve Resolution No. 2014-5 to forgive the increase in water usage due to the necessary measures taken to keep the lines from freezing if they contact City Hall and to forgive the whole water portion for the residents that are running their water at three gallons per minute as requested by the City. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

10. ATTORNEY'S REPORT –

Attorney Knaak - Just so you know, the prosecution reports will be reported on at the second meeting so it can make the packets.

**11. POLICE CHIEF'S REPORT –
A. 2013 Year-End Summary**

Chief Montgomery presented on this item as outlined in the March 6, 2014 City Council packet.

Councilman Gallagher - It appears our Part I crimes are low per capita.

Chief Montgomery - Yes and that's what you want.

Councilman Rahm - Good presentation. For the Council and you, technology is changing, especially with wearable recording devices like Google Glass, I would like to know how we're going to address that, especially with our policies and procedures. Something just happened in St. Paul where the police settled out of court because of something on a video. I just want to know how we're going to change with that.

Chief Montgomery - Our squad cars have video cameras in them. They are activated when the lights go on. The audio travels for some distance, which is nice.

Councilman Rahm - My concern is how to respond to when the people that we arrest or apprehend are wearing video cameras. I want to make sure that they don't get ruined or that any information on it is not tampered with. It's just about having our policies up to date.

Chief Montgomery - Luckily, they're making the technology with our cameras tamper proof. I think we need to stay flexible with technology because it changes so fast.

Councilman Rahm - Do we need videos in those vehicles that we don't have them in?

Chief Montgomery - One of them is the CSO's vehicle and we only take that out if there's a blizzard. The other one is an investigator car and he doesn't need one because he's not making stops.

Councilman Gallagher - What else do you possibly need for the officers and department. We've had some discussion about increasing an officer.

Chief Montgomery - It would relieve some of the stress on the number of calls. I have a young, efficient department. It would be nice to have another officer but that is your realm, I just ask for it. You will have to decide if it's feasible.

Councilman Gallagher - When do you plan on asking for it? Now?

Chief Montgomery - Sure, we had a workshop and I mentioned it then.

Councilman Rahm - You did say that the calls per officer were more than other cities.

Chief Montgomery - I took numbers from Cottage Grove, Woodbury, and St. Paul Park and they ended up being around 450 calls per officer and we are at 600 calls per officer. They're young and do a great job. It's hard for them to take time off and sometimes overtime or sick time needs to be taken in order to do so.

Mayor Pro Tem Ingemann - You don't want them to get burned out too early.

Chief Montgomery - That's correct.

Councilman Gallagher - Should we have a discussion about increasing the Police Department by one.

Councilman Rahm - I think it should be a future agenda item. I would like to have the Mayor back, I'll do it now too if you want to.

Councilman Sumner - I think we should wait until the Mayor is back. I'm in favor of it but think we should wait.

Councilman Gallagher - As long as we agree to put it on the agenda otherwise I'll make a motion to add someone right now.

Councilman Sumner - I'll make a motion to put it on the agenda.

Councilman Rahm - I think we need to look at it but would like to see some more information.

Motion by Sumner, seconded by Rahm to place this item on the April 3, 2014 agenda for discussion. With 3 Ayes, Gallagher voting Nay, 1 Absent, the motion carried.

Councilman Gallagher - I would rather do it now.

Councilman Rahm - I think it's better to have data with something like this.

Mayor Pro Tem Ingemann - You need to know what the cost will be.

Councilman Gallagher - We have those costs.

Mayor Pro Tem Ingemann - I would rather see a full-time officer than a CSO.

Councilman Rahm - That's my issue too.

Councilman Gallagher - Would you eliminate the CSO and put those duties on a full-time officer?

Chief Montgomery - I could do that. The CSO is ready to go to become a full-time officer. I could put him on those duties. We've done that in the past and it's worked.

Councilman Rahm - I've heard feedback that CSO is the last thing that an officer wants to do and they don't have time to do it.

Chief Montgomery - Sometimes that is true but there is downtime. Unfortunately some of the downtime is during the middle of the night. It's a tough one to say that it'll work unless we try it.

Councilman Rahm - I think a CSO has a tougher job because they're doing code enforcement.

Chief Montgomery - It's the least liked position.

Councilman Rahm - I've heard the police don't like doing it because it's unpopular.

Mayor Pro Tem Ingemann - You can always go back to a part-time CSO if it doesn't work.

Councilman Gallagher - I think the person we hire would need to understand that code enforcement would be part of their job. I assume that if you hire someone brand new they would be stuck doing night shifts.

Chief Montgomery - Not necessarily. There are some officers that want to work nights. Most of our officers were CSO's at one point in time. I was thinking a ten hour shift Monday through Thursday.

Councilman Sumner - Come back with some suggestions.

Chief Montgomery - It takes 12 to 16 weeks to get someone trained. If we go with the current CSO, it would take about 3 weeks.

Councilman Gallagher - Would you hire the CSO?

Chief Montgomery - I would hire him in a heartbeat. He's an excellent officer and has a lot of feelers out there.

Mayor Pro Tem Ingemann - We have a month to come up with information.

Admin. Hill - The costs are not there. There are uniforms, ammunition, it's not just the officer. The impact on the levy will be significant.

Councilman Gallagher - Also, come back with where we could take the money from. Can we do a transfer from the EDA fund for this year?

Admin. Hill - That's a big blow to your economic development. We're buying the Johnson properties, the MNDot property, the Cedar Lane properties, that's a lot.

Councilman Rahm - I would also like to see how the CSO duties would be distributed among the force.

Chief Montgomery - I would only have one officer do the CSO duties.

B. January 2014 Activity Report

There were no questions on the January 2014 Activity Report.

12. FIRE CHIEF'S REPORT –

A. 2013 Year in Review

Chief Mailand presented on this item as outlined in the March 6, 2014 City Council packet. In the past few weeks, the Fire Department has responded to a couple smoke alarms, power lines down, and accidents on the highway. Chief Mailand thanked Public Works for the plowing and keeping up with the water.

13. ENGINEER'S REPORT –

Engineer Herdegen - Our plan set is essentially complete. We completed the survey for 3rd Avenue and tweaked 14th Street slightly. We're starting the reviews of the televising footage. We've had some where we need to go into the house to get the lines televised. We hope to have a set of plans for the March 20 meeting for the Council to consider for going out for bids.

Councilman Sumner - I heard that we might be removing some trees for this project, can you comment?

Engineer Herdegen - We are planning to remove some trees. The only removal we'll do is when they have direct impact to the street and they're in the right-of-way. Generally, the trees that will be removed will be those that will come close to the curb lines. We protect more trees than we necessarily take.

Councilman Sumner - Are we making an effort to make sure that no water is diverted down people's driveways.

Engineer Herdegen - Yes. On the full reconstruct streets, every driveway will get an apron which will elevate above the curb line so that any water will stay in the curb. We're very concerned about water going into the driveways so we've adjusted the grade of the road to try to keep water in the road. Some places there's not a lot we can do but we've mitigated it to the best of our ability.

14. SUPERINTENDENT OF PUBLIC WORKS REPORT –

Superintendent Hanson - Our warming houses will close for the season at the end of the shift on Sunday.

Councilman Sumner - People can still skate?

Superintendent Hanson - Until they become unsafe.

Councilman Gallagher - How much salt did you go through this year compared to last year?

Superintendent Hanson - Right now, I'm at 125% of everything that I ordered with the addition to what we had left over from last year. We've started mixing it with sand. We have enough for a couple events.

Councilman Gallagher - Do we have an emergency fund if you need to buy more salt?

Superintendent Hanson - That doesn't worry me as much as being able to get it. Nationwide, it's stretched out. We've worked with St. Paul Park and Washington County in the past.

Councilman Gallagher - Will you adjust for next year to compensate?

Superintendent Hanson - I will adjust it somewhat because I did use all of the excess.

Councilman Gallagher - And we won't be fined for using sand and having it go down the sewer system?

Superintendent Hanson - No but there are additional costs to cleaning it up.

15. NEW/OLD BUSINESS

16. ADJOURNMENT

Motion by Ingemann, seconded by Sumner, to adjourn the regular Council Meeting at 6:43 P.M. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

Signed: _____
Tim Geraghty, Mayor

Respectfully Submitted,

Renee Helm
Executive Analyst



**City of Newport
City Council Workshop Meeting Minutes
March 6, 2014**

1. ROLL CALL -

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

Council Absent – Tim Geraghty,

Staff Present – Deb Hill, City Administrator; Bruce Hanson, Superintendent of Public Works; Curt Montgomery, Police Chief; Renee Helm, Executive Analyst; Fritz Knaak, City Attorney; Jon Herdegen, City Engineer;

Staff Absent - Mark Mailand, Fire Chief;

2. DISCUSSION REGARDING ORDINANCE FOR DISTRESSED PROPERTIES

Attorney Knaak presented on this item as outlined in the March 6, 2014 City Council Workshop packet.

Councilman Gallagher - You don't know of any other city that is doing this?

Attorney Knaak - I don't.

Councilman Gallagher - So hypothetically, someone who leaves every summer and doesn't mow their lawn for three consecutive years so they get a violation, with this it's saying we can put them in jail or have an \$800 fine.

Attorney Knaak - I can put them in jail right now. It's a misdemeanor in any case. What we're doing here is increasing the floor of the minimum fine. You can't impose more than a \$1,000 fine and the Courts typically impose a \$50 fine. So this is increasing the minimum fine. It does require enforcement and us charging them for the multiple offense.

Councilman Gallagher - I understand that we're looking for the chronic offenders with this but I'm thinking about the individuals that go on vacation every year and their neighbor is mad at them so they call the CSO about their lawn and the CSO writes them a ticket.

Attorney Knaak - The purpose of the ordinance is to reduce the amount of discretion and impose a fine.

Councilman Gallagher - I think we need to have some discretion in our enforcement at the same time. We do have some bad properties that this would have been great for.

Chief Montgomery - We've had it where we issue warnings for elderly individuals who can't do something like put the new tabs on their vehicle so our CSO did that because they called and explained themselves when they got the warning. There's flexibility we have to have too.

Attorney Knaak - The flexibility doesn't go away with this. Unless we know it's a troubled property, it probably won't come to my attention. Most of these charges that come in, the discretion will continue. You'll be the ones that will need to know if it's a chronic issue or not.

Chief Montgomery - Ok.

Councilman Gallagher - What do you do for a business? Like the Veolia property was terrible for a while, did you send out tickets for that?

Chief Montgomery - Yes, they would get the warning and then come out and mow.

Individual from Audience - Has the City ever taken in revenue from fines?

Attorney Knaak - Yes and this is no different from any other crime or misdemeanor. The problem is, I think, unless you're dealing with an obvious nuisance and hazard, the Court will probably treat this like a petty misdemeanor and not react as severely as a careless driving case.

Individual from Audience - To me it seems perfectly clear, if the codes are on the books, why aren't they enforced? I look at the newsletters that come out and you have a list of all of the nuisances and everyone has an offense. There is not a house on my block that doesn't have a vehicle in the front yard. We went through three years of hell on 4th Avenue and I don't know if it's sold. Is it sold?

Admin. Hill - Yes.

Individual from Audience - Why is he still there? Have the permits been pulled for this new owner?

Admin. Hill - Yes.

Individual from Audience - I called you Chief and you didn't know it was being sold and sent an email to Deb Hill to see if permits were pulled. There is no communication.

Chief Montgomery - The permits are not pulled from us.

Individual from Audience - But shouldn't there be communication on a problem property?

Chief Montgomery - I didn't know when the sale was going to go through but I knew it was for sale. The new owner may allow the previous owner to come there.

Individual from Audience - I know you'll say this is old history now because it's sold but it's just a matter of what goes on in the City.

Another Individual from the Audience - I think this residence is a poster child for why this is happening today. We don't want this to be anyone else's neighbor. I don't think the ordinance should be for people not cutting their lawn, it should be for the problem properties.

Councilman Gallagher - That's why we have this before us tonight. The problem is that this is for any nuisance violation. We can't say there are greater nuisance violations than others. I don't want it to be like that either.

Mayor Pro Tem Ingemann - Like the Chief said, the warning typically solves the problem but if they ignore the warning then they are issued a ticket. This ordinance escalates it if it becomes a chronic issue.

Chief Montgomery - Fritz, the judge can waiver from this can't they?

Attorney Knaak - That's an interesting question. I'll argue that they don't have the discretion if we have a mandatory sentence on there.

Councilman Gallagher - This is essentially like mandatory minimum sentences from the State Legislature correct?

Attorney Knaak - Yes and they can waive those under specific circumstances. If a judge waived these penalties, I would report it to you, presumably it would be reported in the newspaper and they would need to deal with the consequences of that.

Councilman Rahm - Some of these ordinances, I think we need to look at and see if they're realistic.

Councilman Sumner - I've heard from several people and they said that they got a notice for their lawn during the heat spell and got called to court because their dad, who is in his 70's, held off on mowing the lawn during the heat spell. I think it's a sad state of affairs when we can have someone dragged in for having tall vegetation in their yard before getting a violent, serial sex offender out of town. I think laws need to be looked at with that in mind. What are the priorities? I would rather have the officers focus on break-ins and other crimes. Some cases, yes, there are extreme circumstances but some people are barely getting by and to have the cops after them... I don't want to see a vigilante type of treatment and I think that's where this is going. I'm uncomfortable with it. I think this is going in the wrong direction. I think we need a whole lot of discretion.

Councilman Rahm - So you're against an ordinance like this?

Councilman Sumner - I haven't pondered on it but going after people with an ax because they have stuff in their yard is way beyond what I want to support.

Councilman Rahm - That gets to another issue that I thought would be part of this which is what brings a property to this level.

Mayor Pro Tem Ingemann - It would be the number of calls.

Chief Montgomery - Sometimes it can get to the point of it's one person's treasures and one person's junk and the CSO needs to have good judgment on cases like that.

Councilman Gallagher - I'm looking at this 20 years from now where we have brand new officers and it could be taken advantage of.

Councilman Sumner - We had that, where people were targeted and people didn't like that. Every enforcement requires a balance and I think there's an issue that's legitimate of your concern.

Councilman Gallagher - This would have been perfect for their case.

Councilman Sumner - Would fining him have done anything different?

Councilman Gallagher - I think it would have pushed him more. Can you have tiers of nuisances?

Attorney Knaak - This goes through a filtering system with the Police Department and by the time it gets to our office and we have a charge, there's been a lot of discussion on it. There are a lot of ways that these can be handled with some discretion and I would argue it is. The debate you're having has been had before and it seems to happen every three or four years. My sense is that there are some complaints that it's being under enforced right now and so there's some things that can be done to tweak that. Overall, it's a decision on your end that you want it enforced consistently and then that will be done.

Councilman Rahm - I've heard that residents want it to be consistent.

Chief Montgomery - It's hard to be consistent because of the chronic issues or when you have someone that is

not able-bodied. The CSO has the toughest job as far as making a judgment call and they need to have common sense.

Individual from the Audience - How do we enforce rental properties?

Chief Montgomery - We go after the landlord and have inspections every three years.

Councilman Rahm - One of our strategies is to improve the appearance of Newport. We need to look at our policies and codes to help enforce them and do it in a common sense way so that we're not under or over enforcing.

Mayor Pro Tem Ingemann - The word here is chronic, so this would be something that is an issue over a period of time.

Councilman Gallagher - Can you change this to two violations in one year, three violations in two years, and four violations in three years? I would be more willing to support that.

Attorney Knaak - Yes. This ordinance should not stop you from using civil remedies as well such as abatement.

Councilman Rahm - Don't we normally give warnings first?

Chief Montgomery - Yes and the CSO will work with someone as well if they contact him after the warning is issued and show that they are taking care of the issue.

Mayor Pro Tem Ingemann - Ok, so you have an idea of what to change and then bring it back.

3. DISCUSSION REGARDING FATS, OILS, AND GREASE ORDINANCE

Jon Herdegen, City Engineer, presented on this item as outlined in the March 6, 2014 City Council Workshop packet.

Councilman Ingemann - Is an interceptor like a sand trap?

Engineer Herdegen - Yes.

Councilman Rahm - Some businesses are reclaiming grease now because it's worth money so it no longer goes down the drain.

Councilman Gallagher - How much does this cost?

Superintendent Hanson - It will depend on how much retrofitting will need to be done.

Councilman Sumner - Does it go underground?

Superintendent Hanson - It would be right before it hits the main service line. We'll require the same thing from all food preparation businesses. Each type of business has their own requirement.

Councilman Sumner - How do they clean it?

Superintendent Hanson - It's accessible, it would be about three or four feet deep.

Councilman Gallagher - How much does it cost to pump out our lift station?

Superintendent Hanson - About \$1,500 each time.

Councilman Sumner - And those charges are assessed against the businesses?

Admin. Hill - No, our sewer enterprise funds eats that.

Councilman Sumner - Can we identify whose causing that?

Superintendent Hanson - Pretty easily yes. It's too late once you get to that point.

Councilman Rahm - From my experience, the problem is because they're dumping grease down the drain.

Superintendent Hanson - Yes but if you have a proper grease trap it can't go down the drain.

Councilman Sumner - Have we talked to the businesses in town?

Admin. Hill - No.

Councilman Gallagher - We should notify them.

Councilman Sumner - I would hate to force someone to spend money to put this in if there's no issue.

Admin. Hill - If they have food preparation, they have grease.

Mayor Pro Tem Ingemann - So notify the businesses of this.

Admin. Hill - Yes, we'll come up with a list.

Councilman Gallagher - I think we should try to get contact information for all businesses in Newport.

Executive Analyst Helm - We could get that.

Engineer Herdegen - One item that you should look at is the penalty section, those are numbers that I came up with.

Councilman Gallagher - Did you look at neighboring cities?

Engineer Herdegen - I did and most of them didn't have an ordinance on this.

Councilman Gallagher - Fritz, have you looked at this?

Attorney Knaak - No, I can before it comes back for approval.

4. DISCUSSION REGARDING MS4 ITEMS

Jon Herdegen, City Engineer, presented on this item as outlined in the March 6, 2014 City Council Workshop packet. The City has 12 months once the permit is approved to come in compliance with these issues. The City needs to do the following to come into compliance.

- Create an illicit discharge ordinance
- Ordinance update regarding stormwater runoff control and site inspections and records of rainfall events
- Ordinance update to include Total Suspended Solids and Total Phosphorous Limits

- Map the storm sewer system map and inventory all pipes 12 inches or larger. The City already has a map that shows all pipes 15 inches or larger. Public Works staff will identify the pipes and the Engineers will digitize a map.

The ordinance amendments will come to the City Council at a future meeting.

5. DISCUSSION REGARDING AMENDMENTS TO CHAPTER 4, LICENSING, AND CHAPTER 7, GENERAL REGULATIONS AND OFFENSES

Executive Analyst Helm presented on this item as outlined in the March 6, 2014 City Council Workshop packet. The following items were discussed:

Sections 410 and 750 - Tobacco

- The City Council agreed that Section 410 shall be repealed and combined with Section 750.
- **Section 750.03, Subd. 1** - The City Council agreed that City staff can continue to issue cigarette licenses instead of having them approve the licenses.
- **Section 750.03, Subd. 3** - The City Council agreed that all cigarette licenses shall expire on December 31 of each year.
- **Section 750.13, Penalties** - The City Council directed staff to combine the penalties from Sections 410 and 750 for licensees and to keep the penalties from Section 750 for employees, other individuals, and minors.

Sections 400.05 and 455.03, Subd.5 - Background Checks for Solicitors, Peddlers, and Transient Merchants

- The City Council agreed that the Police Department should automatically conduct background checks for solicitors, peddlers, and transient merchants.

6. CLOSE THE MEETING TO THE PUBLIC TO DISCUSS DEB HILL'S PERFORMANCE EVALUATION

The City Council closed the meeting to the public to discuss Deb Hill's performance evaluation at 8:05 p.m. The City Council opened the meeting to the public at 8:37 p.m.

7. ADJOURNMENT

Signed: _____
Tim Geraghty, Mayor

Respectfully Submitted,

Renee Helm
Executive Analyst

Non-Recurring Bills

Paid Chk# 016064	AGGREGATE INDUSTRIES MIDWEST	3/20/2014	\$398.45	Safety sand
Paid Chk# 016065	ASTLEFORD INTERNATIONAL TRUCKS	3/20/2014	\$138.71	Calibration reflash
Paid Chk# 016066	AUTO NATION	3/20/2014	\$35.74	PD Repairs
Paid Chk# 016067	BAUER SERVICES	3/20/2014	\$1,300.00	Thawing water lines (1930 Barr
Paid Chk# 016068	Cardmember Services	3/20/2014	\$2,407.99	Visa card
Paid Chk# 016069	CARLSON MCCAIN, INC	3/20/2014	\$494.00	Hydrogeologist professional se
Paid Chk# 016070	CITY OF SAINT PAUL	3/20/2014	\$3,386.31	Repair main break
Paid Chk# 016071	CITY OF SO. SAINT PAUL	3/20/2014	\$1,500.16	Ped Bridge
Paid Chk# 016072	FAIR OFFICE WORLD	3/20/2014	\$477.41	Office supplies
Paid Chk# 016073	FERRELLGAS	3/20/2014	\$903.83	Propane for warming houses
Paid Chk# 016074	FIRE SAFETY USA, INC.	3/20/2014	\$2,570.00	Remainder of original equip. &
Paid Chk# 016075	FIRST IMPRESSION GROUP	3/20/2014	\$815.00	Spring newsletter
Paid Chk# 016076	FLEET ONE LLC	3/20/2014	\$4,339.60	Petrol
Paid Chk# 016077	GA CONSTRUCTION INC.	3/20/2014	\$3,731.00	Library door
Paid Chk# 016078	GOPHER STATE ONE-CALL	3/20/2014	\$45.25	
Paid Chk# 016079	GRAINGER PARTS	3/20/2014	\$310.20	Lov Park W.H.
Paid Chk# 016080	H&L MESABI	3/20/2014	\$553.84	Blade saver
Paid Chk# 016081	HAWKINS	3/20/2014	\$1,395.31	Chlorine & Chlorine Cylinder
Paid Chk# 016082	INSTRUMENTAL RESEARCH, INC.	3/20/2014	\$36.00	Coliform test
Paid Chk# 016083	JOHN BARTL HARDWARE	3/20/2014	\$203.63	Fire and PW supplies
Paid Chk# 016084	KEEPRS, INC.	3/20/2014	\$167.99	Uniforms
Paid Chk# 016085	KLM ENGINEERING	3/20/2014	\$7,986.88	Water tank inspections
Paid Chk# 016086	LIBERTY NAPA OF NEWPORT	3/20/2014	\$505.81	Police and parks parts
Paid Chk# 016087	MENARDS - COTTAGE GROVE	3/20/2014	\$20.74	Lovland heat
Paid Chk# 016088	MINNESOTA BENEFIT ASSOC.	3/20/2014	\$61.43	Neska Life
Paid Chk# 016089	NEOPOST	3/20/2014	\$500.00	Postage
Paid Chk# 016090	NORSAN	3/20/2014	\$207.05	Cleaning supplies
Paid Chk# 016091	NORTH AMERICAN SALT CO.	3/20/2014	\$1,588.15	Road salt
Paid Chk# 016092	OXYGEN SERVICE CO.	3/20/2014	\$64.59	Oxygen supplies
Paid Chk# 016093	RIVERTOWN MULTIMEDIA	3/20/2014	\$970.55	Amendment and CUP posting
Paid Chk# 016094	ROETTGER WELDING INC.	3/20/2014	\$1,900.00	Frozen lines
Paid Chk# 016095	RUMPCA COMPANIES INC.	3/20/2014	\$3,330.00	Rent equipment Glen Road
Paid Chk# 016096	SOUTH SUBURBAN RENTAL, INC.	3/20/2014	\$128.00	LP
Paid Chk# 016097	ST. PAUL PARK REFINING CO. LLC	3/20/2014	\$2,000.80	
Paid Chk# 016098	STAR TRIBUNE	3/20/2014	\$286.00	Newspaper subscription
Paid Chk# 016099	STREICHERS	3/20/2014	\$464.66	Uniforms
Paid Chk# 016100	TKDA	3/20/2014	\$2,392.25	City planning
Paid Chk# 016101	UNIFORMS UNLIMITED, INC.	3/20/2014	\$313.24	Uniforms
Paid Chk# 016102	XCAVATE	3/20/2014	\$3,900.00	Thawing water lines (Royal Tir

Recurring Bills

Paid Chk# 000264E	DELTA DENTAL OF MN	3/5/2014	\$1,111.37	Dental insurance
Paid Chk# 000265E	ING LIFE INSURANCE & ANNUITY	3/5/2014	\$424.42	MSRS
Paid Chk# 000266E	MN REVENUE	3/5/2014	\$2,465.28	State taxes
Paid Chk# 000267E	FEDERAL TAXES	3/5/2014	\$11,941.58	SS, Med., and Federal taxes
Paid Chk# 000268E	PSN	3/6/2014	\$39.86	Electronic payment fee
Paid Chk# 016047	ATOMIC-COLO, LLC	3/6/2014	\$2,406.20	IT support and phones monthly
Paid Chk# 016048	COMCAST	3/6/2014	\$123.06	
Paid Chk# 016049	DEBORA HILL	3/6/2014	\$55.61	Mileage reimbursement
Paid Chk# 016050	ING LIFE INSURANCE & ANNUITY	3/6/2014	\$1,834.60	
Paid Chk# 016051	Holstad & Knaak, PLC	3/6/2014	\$5,200.00	
Paid Chk# 016052	Metropolitan Council	3/6/2014	\$15,754.64	
Paid Chk# 016053	PERA	3/6/2014	\$9,494.87	

Paid Chk# 016054	SELECTACCOUNT	3/6/2014	\$1,135.64	
Paid Chk# 016055	SW/WC SERVICES COOPERATIVES	3/6/2014	\$14,844.00	Health insurance
Paid Chk# 016056	TENNIS SANITATION LLC	3/6/2014	\$21.80	Garbage city hall and pw garag
Paid Chk# 016057	CENTURY LINK	3/13/2014	\$342.67	Phone service
Paid Chk# 016058	COMCAST	3/13/2014	\$302.73	
Paid Chk# 016059	ESTATE OF LOREN JOHNSON	3/13/2014	\$115,000.00	Purchase of Johnson property
Paid Chk# 016060	G & K SERVICES	3/13/2014	\$160.84	PW uniforms
Paid Chk# 016061	ON SITE SANITATION	3/13/2014	\$168.55	Port-o-potty
Paid Chk# 016062	VERIZON	3/13/2014	\$148.08	Air cards
Paid Chk# 016063	XCEL ENERGY	3/13/2014	\$2,471.45	Electricity and natural gas
		Staff	\$37,341.18	
			\$274,619.00	

Cardmember Services

Mar-14

Neska	Fire Equipment Special		\$ 272.14	yes
	Ace Supply Company	3 inch vent unit heater and thermostat	\$ 612.76	yes
Mailand	MN State Fire Chiefs		\$ 241.00	
Montgomery	PayPay for Chalmers33	2 police members training	\$ 198.00	yes
	OfficeMax	Batteries, jewel cases, toner	\$ 305.94	yes
	Minus33	Uniform-Expeition clothing	\$ 270.70	yes
	AED Superstore	Defibrillation electrode pads	\$ 162.00	yes
	Full Source	Crime scene tape	\$ 66.62	yes
Helm	Target	Lunch room supplies	\$ 10.65	yes
	IKEA	Mugs for Library project	\$ 12.74	yes
	Target	Lunch room supplies and library	\$ 23.25	yes
	OfficeMax	Stand up Sign Holder	\$ 23.99	yes
	KOK Funeral Home	Flowers	\$ 82.90	yes
Hill	MGFOA	Renewal membership Hill	\$ 60.00	yes
	MGFOA	Renewal membership McDonald	\$ 60.00	yes



City of Newport, MN

Financial Status Report

Period ended February 28, 2014

(Un-Audited)

Prepared by:
Administration Department



Table of Contents

Section 1 – Cash & Investment Report

Section 2 – Budget Control Summary

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Section 1 – Cash & Investment

Purpose:

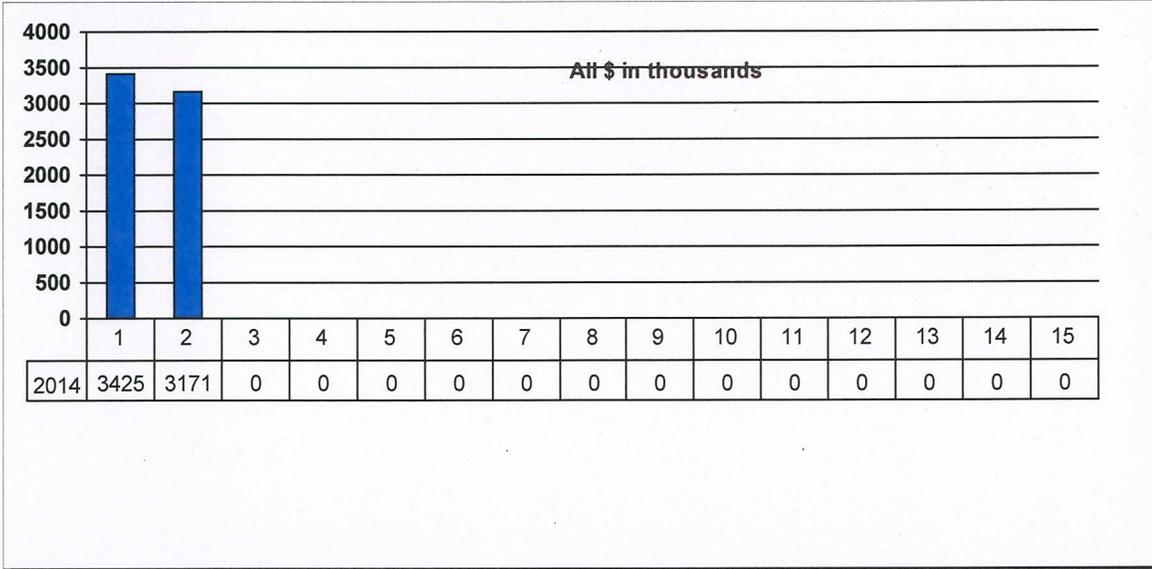
This report provides a detailed view of current cash, investments and rates of return for the specified time period. City funds are maintained in accordance with the City's Investment Policy which defines the manner in which the City accounts for and protects cash and investments.



CITY OF NEWPORT
***Check Reconciliation©**

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 Page 1

Central Bank
10100 CASH
February 2014



Account Summary

Beginning Balance on 2/1/2014	\$3,430,974.39	Cleared	\$3,216,049.61
+ Receipts/Deposits	\$45,116.17	Statement	\$3,216,049.61
- Payments (Checks and Withdrawals)	\$260,040.95	Difference	\$0.00
Ending Balance as of 2/28/2014	\$3,216,049.61		

Check Book Balance

Active	G 101-10100	GENERAL FUND	\$403,378.99
Active	G 201-10100	PARKS SPECIAL FUND	\$43,415.01
Active	G 204-10100	HERITAGE PRESERVATIO	\$6,617.74
Active	G 205-10100	RECYCLING	\$26,293.91
Active	G 206-10100	FIRE ENGINE	\$0.00
Active	G 208-10100	BUY FORFEITURE	\$1,304.36
Active	G 225-10100	PIONEER DAY	\$19,712.65
Active	G 270-10100	EDA	\$715,868.72
Active	G 301-10100	G.O. CAPITAL IMP. PLAN 2	-\$118,822.22
Active	G 305-10100	2013 Street Assessments	\$32,572.24
Active	G 307-10100	GO TIF 1994B	\$0.00
Active	G 308-10100	CERIFICATES OF INDEBT	\$0.00
Active	G 313-10100	GO IMP BOND 2000B	\$0.00
Active	G 315-10100	\$690,000 BOND 2002A	-\$136,118.38
Active	G 316-10100	PFA/TRLF REVENUE NOT	\$337,319.24
Active	G 321-10100	EQUIP CERTIFICATE 2006	\$0.00
Active	G 322-10100	GO BONDS OF 2011A	-\$150,109.34
Active	G 401-10100	EQUIPMENT REVOLVING	\$226,828.44
Active	G 402-10100	TAX INC DIST 1	\$4.77

Active	G 405-10100	T.H. HWY 61	\$233,647.96
Active	G 409-10100	STREET RECONSTRUCTI	\$167,201.20
Active	G 411-10100	BUILDING FUND	\$110,026.41
Active	G 416-10100	4TH AVENUE RAVINE	\$12,759.77
Active	G 417-10100	NORTH RAVINE	\$732.25
Active	G 422-10100	2011A UTILITY CAPITAL	\$0.00
Active	G 423-10100	2011A EQUIPMENT CAPIT	\$0.00
Active	G 601-10100	WATER FUND	\$505,264.50
Active	G 602-10100	SEWER FUND	\$709,713.03
Active	G 603-10100	STREET LIGHT FUND	\$14,849.76
Active	G 604-10100	STORM WATER FUND	\$8,870.69
		Cash Balance	\$3,171,331.70

Beginng Balance	\$3,430,974.39	
+ Total Deposits	\$45,116.17	
- Checks Written	\$304,758.86	
		\$3,171,331.70
Check Book Balance		\$3,171,331.70
Difference		\$0.00

City of Newport
INVESTMENTS
Feb-14

<u>TYPE</u>	<u>BOUGHT DATE</u>	<u>MATURITY DATE</u>	<u># OF DAYS</u>	<u>COST</u>	<u>RATE</u>	<u>GASB #40 Value</u>
SB (Morgan)						
BK China NY CD	10/21/2013	4/30/2014	192	120,000	0.30%	119,972.40
BK China NY CD	10/21/2013	10/30/2014	374	120,000	0.40%	119,912.40
BMW CD	6/28/2013	6/29/2015	728	120,000	0.75%	119,833.20
AMEX Cent.	7/5/2013	7/5/2016	1,092	120,000	1.10%	119,822.40
BMW CD	6/28/2013	6/28/2017	1,456	125,000	1.30%	124,227.50
AMEX Cent.	7/5/2013	7/5/2018	1,820	125,000	1.70%	122,598.75
Accrued Interest	all CDs above					7,184.46
Fed Farm Cr Bk	7/17/2013	7/17/2020	2,548	125,000	2.87%	126,146.07
409-2013 Street Project						
Fifththird Bank CD	10/21/2013	4/30/2014	192	245,000	0.35%	244,963.25
BK of India NY CD	10/21/2013	4/23/2014	185	245,000	0.40%	244,982.85
sub total						1,349,643.28
NORTHLAND						
MNY MKT	Govmt security money market class B					0.00
GO BOND	10/6/2010	3/1/2015	365	240,000.00	1.85%	242,544.00
GO BOND	10/6/2010	3/1/2015	365	100,000.00	1.75%	101,116.00
Accrued Interest						0.00
subtotal						343,660.00
Sub-total Investments GASB 40						1,693,303.28
Central Bank						
305-2013 Street Assessment						
Central Bank	10/17/2013	1/17/2015	547	60,000.00	0.40%	60,000.00
Central Bank	10/17/2013	4/17/2014	183	25,000.00	0.25%	25,000.00
Checking						3,216,049.61
Total Cash, Investments and CD's						4,909,352.89

Section 2 – Budget Control Summary

Purpose:

This section provides a detailed summary on the General Fund and Enterprise Fund accounts as it corresponds to the annual budget. The variance provides a percentage of the amount of the budget that remains in each account.



CITY OF NEWPORT

*Budget Control Summary

Current Period: February 2014

Account Descr	2014 Cumulative Budget	2014 Cumulative Actuals	2014 Cumulative Variance	2014 % Varianc	2014 Adopted Budget	2014 Forecast	Variance at Completion	2014 YTD Perf	2014 Est to Complete
FUND 101 GENERAL FUND									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$84,463.72	-\$84,463.72	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
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)	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$84,463.72	-\$84,463.72	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$358,929.05	-\$358,929.05	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
DEPT 41000 Administration (GENERAL)	\$283,550.75	\$40,449.58	\$243,101.17	85.73%	\$0.00	\$283,550.75	-\$283,550.75	0.10	-0.71
DEPT 41110 Mayor and Council	\$22,714.00	\$3,573.86	\$19,140.14	84.27%	\$0.00	\$22,714.00	-\$22,714.00	0.07	-0.57
DEPT 41410 Elections	\$5,050.00	\$0.00	\$5,050.00	100.00%	\$0.00	\$5,050.00	-\$5,050.00	0.00	-1.00
DEPT 41600 Professional Services	\$294,000.00	\$32,360.81	\$261,639.19	88.99%	\$0.00	\$294,000.00	-\$294,000.00	0.13	-0.67
DEPT 41910 Planning and Zoning	\$34,388.00	\$5,194.47	\$29,193.53	84.89%	\$0.00	\$34,388.00	-\$34,388.00	0.01	-0.32
DEPT 41940 City Hall Bldg	\$18,600.00	\$1,854.13	\$16,745.87	90.03%	\$0.00	\$18,600.00	-\$18,600.00	0.12	-0.88
DEPT 42000 Police Department(GENERAL)	\$839,417.00	\$142,050.08	\$697,366.92	83.08%	\$0.00	\$839,417.00	-\$839,417.00	0.18	-0.64
DEPT 42100 Civil Defense	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
DEPT 42260 Fire Protection	\$185,800.00	\$7,052.31	\$178,747.69	96.20%	\$0.00	\$185,800.00	-\$185,800.00	0.04	-0.77
DEPT 42280 Fire Stations No. 1	\$10,500.00	\$2,962.28	\$7,537.72	71.79%	\$0.00	\$10,500.00	-\$10,500.00	0.14	-0.87
DEPT 42290 Fire Station No. 2	\$2,300.00	\$737.13	\$1,562.87	67.95%	\$0.00	\$2,300.00	-\$2,300.00	0.10	-0.40
DEPT 43000 PW Street (GENERAL)	\$368,823.00	\$59,254.10	\$309,568.90	83.93%	\$0.00	\$368,823.00	-\$368,823.00	0.09	-0.71
DEPT 43100 Public Works Garage	\$17,000.00	\$4,942.37	\$12,057.63	70.93%	\$0.00	\$17,000.00	-\$17,000.00	0.15	-0.85
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	\$5,150.00	\$3,346.12	\$1,803.88	35.03%	\$0.00	\$5,150.00	-\$5,150.00	0.75	0.20
DEPT 45000 Parks (GENERAL)	\$331,065.00	\$49,448.10	\$281,616.90	85.06%	\$0.00	\$331,065.00	-\$331,065.00	0.10	-0.68
DEPT 45100 Recreation (GENERAL)	\$3,200.00	\$0.00	\$3,200.00	100.00%	\$0.00	\$3,200.00	-\$3,200.00	0.00	-0.22
DEPT 45206 Parks Bldgs. & Warming Houses	\$14,075.00	\$10,043.52	\$4,031.48	28.64%	\$0.00	\$14,075.00	-\$14,075.00	0.80	-0.06
DEPT 45501 Library Bldg	\$24,395.00	\$4,053.33	\$20,341.67	83.38%	\$0.00	\$24,395.00	-\$24,395.00	0.18	-0.82
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	\$1,100.00	\$39.54	\$1,060.46	96.41%	\$0.00	\$1,100.00	-\$1,100.00	0.02	-0.73
DEPT 49985 Special Contributions	\$2,000.00	\$0.00	\$2,000.00	100.00%	\$0.00	\$2,000.00	-\$2,000.00	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	\$2,473,127.75	\$726,290.78	\$1,746,836.9	70.63%	\$0.00	\$2,473,127.75	-\$2,473,127.75	0.13	-0.58
Total FUND 101 GENERAL FUND	-\$2,473,127.75	-\$641,827.06	\$1,831,300.6	74.05%	\$0.00	\$2,473,127.75	\$2,473,127.75		



CITY OF NEWPORT

*Budget Control Summary

Current Period: February 2014

Account Descr	2014 Cumulative Budget	2014 Cumulative Actuals	2014 Cumulative Variance	2014 % Variance	2014 Adopted Budget	2014 Forecast	Variance at Completion	2014 YTD Perf	2014 Est to Complete
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$771.54	-\$771.54	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$771.54	\$771.54	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 205 RECYCLING	\$0.00	\$2,188.31	-\$2,188.31	0.00%	\$0.00	\$0.00	\$0.00		
FUND 206 FIRE ENGINE									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 206 FIRE ENGINE	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00		
FUND 208 BUY FORFEITURE									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.20	-\$0.20	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$0.20	-\$0.20	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 208 BUY FORFEITURE	\$0.00	\$0.20	-\$0.20	0.00%	\$0.00	\$0.00	\$0.00		
FUND 225 PIONEER DAY									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$3.02	-\$3.02	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$3.02	-\$3.02	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 225 PIONEER DAY	\$0.00	\$3.02	-\$3.02	0.00%	\$0.00	\$0.00	\$0.00		



CITY OF NEWPORT

*Budget Control Summary

Current Period: February 2014

Account Descr	2014 Cumulative Budget	2014 Cumulative Actuals	2014 Cumulative Variance	2014 % Variance	2014 Adopted Budget	2014 Forecast	Variance at Completion	2014 YTD Perf	2014 Est to Complete
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 307 GO TIF 1994B	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00		
FUND 308 CERIFICATES OF INDEBTEDNESS									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 308 CERIFICATES OF INDEBTEDNES	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00		
FUND 313 GO IMP BOND 2000B									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 313 GO IMP BOND 2000B	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00		
FUND 315 \$690,000 BOND 2002A									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00



CITY OF NEWPORT

*Budget Control Summary

Current Period: February 2014

Account Descr	2014 Cumulative Budget	2014 Cumulative Actuals	2014 Cumulative Variance	2014 % Variance	2014 Adopted Budget	2014 Forecast	Variance at Completion	2014 YTD Perf	2014 Est to Complete
Total Revenue Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$92,092.50	-\$92,092.50	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$92,092.50	\$92,092.50	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 315 \$690,000 BOND 2002A	\$0.00	-\$92,092.50	\$92,092.50	0.00%	\$0.00	\$0.00	\$0.00		
FUND 316 PFA/TRLF REVENUE NOTE									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$4,132.55	-\$4,132.55	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$4,132.55	-\$4,132.55	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$1,695.80	-\$1,695.80	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$1,695.80	\$1,695.80	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 316 PFA/TRLF REVENUE NOTE	\$0.00	\$2,436.75	-\$2,436.75	0.00%	\$0.00	\$0.00	\$0.00		
FUND 321 EQUIP CERTIFICATE 2006A									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 321 EQUIP CERTIFICATE 2006A	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00		
FUND 322 GO BONDS OF 2011A									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00



CITY OF NEWPORT

*Budget Control Summary

Current Period: February 2014

Account Descr	2014 Cumulative Budget	2014 Cumulative Actuals	2014 Cumulative Variance	2014 % Variance	2014 Adopted Budget	2014 Forecast	Variance at Completion	2014 YTD Perf	2014 Est to Complete
Total Revenue Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$108,017.50	-\$108,017.50	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$108,017.50	\$108,017.50	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 322 GO BONDS OF 2011A	\$0.00	-\$108,017.50	\$108,017.50	0.00%	\$0.00	\$0.00	\$0.00		
FUND 401 EQUIPMENT REVOLVING									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$139,034.71	-\$139,034.71	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$139,034.71	-\$139,034.71	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 401 EQUIPMENT REVOLVING	\$0.00	\$139,034.71	-\$139,034.71	0.00%	\$0.00	\$0.00	\$0.00		
FUND 402 TAX INC DIST 1									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
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 49995 Miscellaneous Contingency	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 402 TAX INC DIST 1	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00		
FUND 405 T.H. HWY 61									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$35.79	-\$35.79	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00



CITY OF NEWPORT

*Budget Control Summary

Current Period: February 2014

Account Descr	2014 Cumulative Budget	2014 Cumulative Actuals	2014 Cumulative Variance	2014 % Variance	2014 Adopted Budget	2014 Forecast	Variance at Completion	2014 YTD Perf	2014 Est to Complete
Total Revenue Accounts	\$0.00	\$35.79	-\$35.79	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$384.76	-\$384.76	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$384.76	\$384.76	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 405 T.H. HWY 61	\$0.00	-\$348.97	\$348.97	0.00%	\$0.00	\$0.00	\$0.00		
FUND 409 STREET RECONSTRUCTION 2013-14									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$28.41	-\$28.41	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$28.41	-\$28.41	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$34,581.50	-\$34,581.50	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$34,581.50	\$34,581.50	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 409 STREET RECONSTRUCTION 201	\$0.00	-\$34,553.09	\$34,553.09	0.00%	\$0.00	\$0.00	\$0.00		
FUND 411 BUILDING FUND									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$70,016.84	-\$70,016.84	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$70,016.84	-\$70,016.84	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 411 BUILDING FUND	\$0.00	\$70,016.84	-\$70,016.84	0.00%	\$0.00	\$0.00	\$0.00		
FUND 416 4TH AVENUE RAVINE									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$1.95	-\$1.95	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00



CITY OF NEWPORT

*Budget Control Summary

Current Period: February 2014

Account Descr	2014 Cumulative Budget	2014 Cumulative Actuals	2014 Cumulative Variance	2014 % Variance	2014 Adopted Budget	2014 Forecast	Variance at Completion	2014 YTD Perf	2014 Est to Complete
Total Revenue Accounts	\$0.00	\$1.95	-\$1.95	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 416 4TH AVENUE RAVINE	\$0.00	\$1.95	-\$1.95	0.00%	\$0.00	\$0.00	\$0.00		
FUND 417 NORTH RAVINE									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 417 NORTH RAVINE	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00		
FUND 422 2011A UTILITY CAPITAL									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 422 2011A UTILITY CAPITAL	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00		
FUND 423 2011A EQUIPMENT CAPITAL									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00



CITY OF NEWPORT

*Budget Control Summary

Current Period: February 2014

Account Descr	2014 Cumulative Budget	2014 Cumulative Actuals	2014 Cumulative Variance	2014 % Varianc	2014 Adopted Budget	2014 Forecast	Variance at Completion	2014 YTD Perf	2014 Est to Complete
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$2.59	-\$2.59	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
DEPT 43160 Street Lighting	\$0.00	\$5,870.93	-\$5,870.93	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$5,873.52	-\$5,873.52	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 43160 Street Lighting	\$0.00	\$3,593.48	-\$3,593.48	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
DEPT 49470 Street Lights	\$0.00	\$3,239.83	-\$3,239.83	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$6,833.31	\$6,833.31	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 603 STREET LIGHT FUND	\$0.00	-\$959.79	\$959.79	0.00%	\$0.00	\$0.00	\$0.00		
FUND 604 STORM WATER FUND									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$1.38	-\$1.38	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
DEPT 49460 Storm Water	\$0.00	-\$1,547.57	\$1,547.57	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	-\$1,546.19	\$1,546.19	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$20,000.00	-\$20,000.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
DEPT 49460 Storm Water	\$0.00	\$1,439.10	-\$1,439.10	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$21,439.10	\$21,439.10	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 604 STORM WATER FUND	\$0.00	-\$22,985.29	\$22,985.29	0.00%	\$0.00	\$0.00	\$0.00		
	-\$3,213,944.75	-\$569,687.08	\$2,644,257.6	82.27%	\$0.00	-	\$3,213,944.75		

FILTER: None

Section 3 – Cash Balances

Purpose:

This section provides a summary of the beginning cash balances for the year and ending cash balances at the end of each period, after receipts and disbursements. The funds listed in cash balances lists all City funds.



CITY OF NEWPORT
***Cash Balances**

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Current Period February 2014

Fund	2014 Begin Balance	Receipts	Disbursements	-----Transfers-----		JE Payroll	Balance	
				Rec/Disb	Journal Entry			
10100 Central Bank								
101 GENERAL FUND	\$1,044,838.95	\$90,121.18	\$275,423.11	\$0.00	(\$357,450.00)	(\$98,708.03)	\$403,378.99	In Bal
201 PARKS SPECIAL F	\$11,408.36	\$6.65	\$0.00	\$0.00	\$32,000.00	\$0.00	\$43,415.01	In Bal
204 HERITAGE PRESE	\$8,416.73	\$1.01	\$9,000.00	\$0.00	\$7,200.00	\$0.00	\$6,617.74	In Bal
205 RECYCLING	\$24,105.60	\$2,959.85	\$771.54	\$0.00	\$0.00	\$0.00	\$26,293.91	In Bal
206 FIRE ENGINE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	In Bal
208 BUY FORFEITURE	\$1,304.16	\$0.20	\$0.00	\$0.00	\$0.00	\$0.00	\$1,304.36	In Bal
225 PIONEER DAY	\$19,709.63	\$3.02	\$0.00	\$0.00	\$0.00	\$0.00	\$19,712.65	In Bal
270 EDA	\$593,895.69	\$18,613.99	\$5,890.96	\$0.00	\$109,250.00	\$0.00	\$715,868.72	In Bal
301 G.O. CAPITAL IMP	(\$118,822.22)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	(\$118,822.22)	In Bal
305 2013 Street Assess	\$10,185.25	\$7,454.99	\$0.00	\$0.00	\$14,932.00	\$0.00	\$32,572.24	In Bal
307 GO TIF 1994B	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	In Bal
308 CERIFICATES OF I	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	In Bal
313 GO IMP BOND 200	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	In Bal
315 \$690,000 BOND 20	(\$44,025.88)	\$0.00	\$92,092.50	\$0.00	\$0.00	\$0.00	(\$136,118.38)	In Bal
316 PFA/TRLF REVEN	\$334,882.49	\$4,132.55	\$1,695.80	\$0.00	\$0.00	\$0.00	\$337,319.24	In Bal
321 EQUIP CERTIFICA	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	In Bal
322 GO BONDS OF 20	(\$42,091.84)	\$0.00	\$108,017.50	\$0.00	\$0.00	\$0.00	(\$150,109.34)	In Bal
401 EQUIPMENT REV	\$87,793.73	\$34.71	\$0.00	\$0.00	\$139,000.00	\$0.00	\$226,828.44	In Bal
402 TAX INC DIST 1	\$4.77	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4.77	In Bal
405 T.H. HWY 61	\$233,996.93	\$35.79	\$384.76	\$0.00	\$0.00	\$0.00	\$233,647.96	In Bal
409 STREET RECONS	\$201,754.29	\$28.41	\$34,581.50	\$0.00	\$0.00	\$0.00	\$167,201.20	In Bal
411 BUILDING FUND	\$40,009.57	\$16.84	\$0.00	\$0.00	\$70,000.00	\$0.00	\$110,026.41	In Bal
416 4TH AVENUE RAV	\$12,757.82	\$1.95	\$0.00	\$0.00	\$0.00	\$0.00	\$12,759.77	In Bal
417 NORTH RAVINE	\$732.25	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$732.25	In Bal
422 2011A UTILITY CA	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	In Bal
423 2011A EQUIPMEN	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	In Bal
601 WATER FUND	\$513,474.48	\$27,030.73	\$19,619.21	\$0.00	(\$2,748.00)	(\$12,873.50)	\$505,264.50	In Bal
602 SEWER FUND	\$756,041.99	\$38,600.72	\$62,504.29	\$0.00	(\$9,281.00)	(\$13,144.39)	\$709,713.03	In Bal
603 STREET LIGHT FU	\$15,809.55	\$5,873.52	\$5,725.23	\$0.00	\$0.00	(\$1,108.08)	\$14,849.76	In Bal
604 STORM WATER F	\$31,855.98	\$1,356.81	\$20,330.98	\$0.00	(\$2,903.00)	(\$1,108.12)	\$8,870.69	In Bal
	\$3,738,038.28	\$196,272.92	\$636,037.38	\$0.00	\$0.00	(\$126,942.12)	\$3,171,331.70	

Section 4 – Revenue Summary

Purpose:

This section provides a summary view of revenues for the specified period compared to the current year budget as amended. Revenues are reported on a cash basis. Adjustments are required at the end of the fiscal year for audit purposed and are not reflected in the report.



CITY OF NEWPORT
***Revenue Summary**

FUND	Description	2014 YTD Budget	February 2014 Amt	2014 YTD Amt	YTD Balance	% of YTD Budget
101	GENERAL FUND	\$0.00	\$30,231.98	\$84,463.72	-\$84,463.72	0.00%
201	PARKS SPECIAL FUND	\$0.00	\$3.11	\$32,006.65	-\$32,006.65	0.00%
202	POLICE FORFEITURE FUND	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
204	HERITAGE PRESERVATION C	\$0.00	\$0.47	\$7,201.01	-\$7,201.01	0.00%
205	RECYCLING	\$0.00	\$2,957.88	\$2,959.85	-\$2,959.85	0.00%
206	FIRE ENGINE	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
208	BUY FORFEITURE	\$0.00	\$0.09	\$0.20	-\$0.20	0.00%
225	PIONEER DAY	\$0.00	\$1.41	\$3.02	-\$3.02	0.00%
270	EDA	\$0.00	\$365.61	\$127,863.99	-\$127,863.99	0.00%
301	G.O. CAPITAL IMP. PLAN 2010	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
305	2013 Street Assessments	\$0.00	\$2.33	\$22,386.99	-\$22,386.99	0.00%
307	GO TIF 1994B	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
308	CERIFICATES OF INDEBTEDN	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
313	GO IMP BOND 2000B	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
315	\$690,000 BOND 2002A	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
316	PFA/TRLF REVENUE NOTE	\$0.00	\$24.13	\$4,132.55	-\$4,132.55	0.00%
321	EQUIP CERTIFICATE 2006A	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
322	GO BONDS OF 2011A	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
401	EQUIPMENT REVOLVING	\$0.00	\$16.22	\$139,034.71	-\$139,034.71	0.00%
402	TAX INC DIST 1	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
405	T.H. HWY 61	\$0.00	\$16.71	\$35.79	-\$35.79	0.00%
409	STREET RECONSTRUCTION 2	\$0.00	\$11.96	\$28.41	-\$28.41	0.00%
411	BUILDING FUND	\$0.00	\$7.87	\$70,016.84	-\$70,016.84	0.00%
416	4TH AVENUE RAVINE	\$0.00	\$0.91	\$1.95	-\$1.95	0.00%
417	NORTH RAVINE	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
422	2011A UTILITY CAPITAL	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
423	2011A EQUIPMENT CAPITAL	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
601	WATER FUND	\$0.00	\$2,351.37	\$21,522.82	-\$21,522.82	0.00%
602	SEWER FUND	\$0.00	\$3,680.84	\$29,319.72	-\$29,319.72	0.00%
603	STREET LIGHT FUND	\$0.00	\$652.61	\$5,873.52	-\$5,873.52	0.00%
604	STORM WATER FUND	\$0.00	\$167.28	-\$1,546.19	\$1,546.19	0.00%
		\$0.00	\$40,492.78	\$545,305.55	-\$545,305.55	0.00%

FILTER: None

Section 5 – Expenditure Summary

Purpose:

This section provides a summary and detailed view of expenses for the specified period compared to the current budget as emended. Expenses are reported on a cash basis and do not reflect any outstanding encumbrances. Adjustments are required at the end of the fiscal year for audit purposes and are not reflected in the report.



CITY OF NEWPORT

*Expenditure Summary

FUND	Description	2014 YTD Budget	February 2014 Amt	2014 YTD Amt	Enc Current	YTD Balance	% YTD Budget
101	GENERAL FUND	\$2,473,127.75	\$184,000.21	\$726,290.78	\$0.00	\$1,746,836.97	29.37%
201	PARKS SPECIAL FUND	\$34,500.00	\$0.00	\$0.00	\$0.00	\$34,500.00	0.00%
204	HERITAGE PRESERVATION C	\$9,000.00	\$0.00	\$9,000.00	\$0.00	\$0.00	100.00%
205	RECYCLING	\$0.00	\$771.54	\$771.54	\$0.00	-\$771.54	0.00%
208	BUY FORFEITURE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
225	PIONEER DAY	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
270	EDA	\$0.00	\$5,890.96	\$5,890.96	\$0.00	-\$5,890.96	0.00%
301	G.O. CAPITAL IMP. PLAN 2010	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
305	2013 Street Assessments	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
307	GO TIF 1994B	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
308	CERIFICATES OF INDEBTEDN	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
313	GO IMP BOND 2000B	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
315	\$690,000 BOND 2002A	\$0.00	\$0.00	\$92,092.50	\$0.00	-\$92,092.50	0.00%
316	PFA/TRLF REVENUE NOTE	\$0.00	\$0.00	\$1,695.80	\$0.00	-\$1,695.80	0.00%
321	EQUIP CERTIFICATE 2006A	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
322	GO BONDS OF 2011A	\$0.00	\$0.00	\$108,017.50	\$0.00	-\$108,017.50	0.00%
401	EQUIPMENT REVOLVING	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
402	TAX INC DIST 1	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
405	T.H. HWY 61	\$0.00	\$384.76	\$384.76	\$0.00	-\$384.76	0.00%
409	STREET RECONSTRUCTION 2	\$0.00	\$34,581.50	\$34,581.50	\$0.00	-\$34,581.50	0.00%
411	BUILDING FUND	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
416	4TH AVENUE RAVINE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
417	NORTH RAVINE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
422	2011A UTILITY CAPITAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
423	2011A EQUIPMENT CAPITAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
601	WATER FUND	\$293,452.00	\$16,716.37	\$32,346.20	\$0.00	\$261,105.80	11.02%
602	SEWER FUND	\$403,865.00	\$49,717.08	\$75,648.68	\$0.00	\$328,216.32	18.73%
603	STREET LIGHT FUND	\$0.00	\$4,518.93	\$6,833.31	\$0.00	-\$6,833.31	0.00%
604	STORM WATER FUND	\$0.00	\$621.91	\$21,439.10	\$0.00	-\$21,439.10	0.00%
		\$3,213,944.75	\$297,203.26	\$1,114,992.63	\$0.00	\$2,098,952.12	34.69%

FILTER: None

Section 6 – Balance Sheets

Purpose:

The purpose of the GL Yearly Report is to provide a monthly snapshot of the funds' various assets, liabilities, and equity. Please note that the basic formula is:

$$\text{Assets} = \text{Liabilities} + \text{Equity}$$



CITY OF NEWPORT

GL Yearly

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Current Period: February 2014

FUND 101 GENERAL FUND

February 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 101-10100 Cash	\$1,044,838.95	\$38,332.20	\$190,578.15	\$94,643.34	\$736,103.30	\$403,378.99
G 101-10200 Petty Cash	\$74.73	\$0.00	\$0.00	\$0.00	\$0.00	\$74.73
G 101-10300 Bond Street Account	\$62,239.00	\$0.00	\$0.00	\$0.00	\$0.00	\$62,239.00
G 101-10400 Investments	(\$157,399.48)	\$0.00	\$0.00	\$0.00	\$0.00	(\$157,399.48)
G 101-10401 Northland Securities	\$355,794.26	\$0.00	\$0.00	\$0.00	\$0.00	\$355,794.26
G 101-10402 CDARS/Central Bank	\$312,321.07	\$0.00	\$0.00	\$0.00	\$0.00	\$312,321.07
G 101-10406 Smith Barney	\$101,930.27	\$0.00	\$0.00	\$0.00	\$0.00	\$101,930.27
G 101-10410 Smith Barney MM	\$533,506.17	\$0.00	\$0.00	\$0.00	\$0.00	\$533,506.17
G 101-10450 Interest Receivable	\$4,480.04	\$0.00	\$0.00	\$0.00	\$0.00	\$4,480.04
G 101-10500 Taxes Receivable-Current	\$26,552.41	\$0.00	\$0.00	\$0.00	\$0.00	\$26,552.41
G 101-10700 Taxes Receivable-Delinquent	\$84,605.12	\$0.00	\$0.00	\$0.00	\$0.00	\$84,605.12
G 101-13100 Due From Other Funds	(\$1.25)	\$0.00	\$0.00	\$0.00	\$0.00	(\$1.25)
G 101-13200 Due From Other Government	\$4,565.76	\$0.00	\$0.00	\$0.00	\$0.00	\$4,565.76
G 101-15500 Prepaid Items	\$32,123.42	\$0.00	\$0.00	\$0.00	\$0.00	\$32,123.42
Total Asset	\$2,405,630.47	\$38,332.20	\$190,578.15	\$94,643.34	\$736,103.30	\$1,764,170.51
Liability						
G 101-20200 Accounts Payable	(\$58,188.25)	\$0.00	\$0.00	\$0.00	\$0.00	(\$58,188.25)
G 101-20800 Due to Other Governments	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
G 101-21600 Accrued Wages & Salaries P	(\$15,202.21)	\$0.00	\$0.00	\$0.00	\$0.00	(\$15,202.21)
G 101-21701 Federal W/H Payable	(\$2,420.70)	\$9,673.33	\$9,673.33	\$19,054.98	\$19,054.98	(\$2,420.70)
G 101-21702 State Withholding Payable	\$11,537.44	\$4,067.05	\$4,067.05	\$8,008.71	\$8,008.71	\$11,537.44
G 101-21703 FICA Tax Withholding	(\$1,969.48)	\$7,074.00	\$7,074.00	\$14,086.15	\$14,086.15	(\$1,969.48)
G 101-21704 PERA	(\$4,436.99)	\$17,344.36	\$17,344.32	\$34,240.57	\$34,240.53	(\$4,436.95)
G 101-21705 Medica payable	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
G 101-21706 Garnishment	\$0.40	\$0.00	\$0.00	\$0.00	\$0.00	\$0.40
G 101-21707 Union Dues	(\$497.87)	\$270.00	\$433.70	\$810.00	\$867.40	(\$555.27)
G 101-21708 United Way	(\$0.45)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.45)
G 101-21709 Medicare	(\$764.48)	\$2,814.56	\$2,814.56	\$5,569.00	\$5,569.00	(\$764.48)
G 101-21710 Other Deductions	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
G 101-21711 NPERS - Life	\$172.38	\$125.43	\$48.00	\$218.86	\$112.00	\$279.24
G 101-21712 HSA Employee	(\$5,140.78)	\$1,276.34	\$1,276.34	\$2,552.66	\$2,552.66	(\$5,140.78)
G 101-21713 Dental Family	(\$1,659.57)	\$253.27	\$259.32	\$253.27	\$518.64	(\$1,924.94)
G 101-21714 LTD Employee	\$683.79	\$530.67	\$548.27	\$1,520.51	\$1,039.35	\$1,164.95
G 101-21715 MSRS Employee	(\$2,739.75)	\$838.90	\$838.90	\$1,678.25	\$1,678.25	(\$2,739.75)
G 101-21716 Health Insurance	(\$1,752.89)	\$516.00	\$476.40	\$1,032.00	\$952.80	(\$1,673.69)
G 101-21717 MNBA Life Ins.	(\$325.39)	\$0.00	\$61.44	\$0.00	\$122.88	(\$448.27)
G 101-21719 ING Employee	\$951.42	\$3,669.20	\$3,669.20	\$7,338.40	\$7,338.40	\$951.42
G 101-21721 Child Support	(\$228.57)	\$0.00	\$0.00	\$0.00	\$0.00	(\$228.57)
G 101-21722 Cobra Payment	(\$77.80)	\$2,079.80	\$2,078.06	\$4,086.20	\$4,157.46	(\$149.06)
G 101-21723 Insurance Recovery	(\$2,721.00)	\$0.00	\$0.00	\$0.00	\$0.00	(\$2,721.00)
G 101-22100 Escrow	(\$15,344.36)	\$470.27	\$1,862.57	\$1,345.12	\$1,862.57	(\$15,861.81)
G 101-22101 Library Sales	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
G 101-22200 Deferred Revenues	(\$84,605.13)	\$0.00	\$0.00	\$0.00	\$0.00	(\$84,605.13)
Total Liability	(\$184,730.24)	\$51,003.18	\$52,525.46	\$101,794.68	\$102,161.78	(\$185,097.34)
Equity						
G 101-25300 Unreserved Fund Balance	(\$2,220,900.23)	\$188,159.80	\$34,391.57	\$743,850.37	\$102,023.31	(\$1,579,073.17)
Total Equity	(\$2,220,900.23)	\$188,159.80	\$34,391.57	\$743,850.37	\$102,023.31	(\$1,579,073.17)
Total 101 GENERAL FUND	\$0.00	\$277,495.18	\$277,495.18	\$940,288.39	\$940,288.39	\$0.00



CITY OF NEWPORT
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Current Period: February 2014

FUND 201 PARKS SPECIAL FUND

February 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 201-10100 Cash	\$11,408.36	\$3.11	\$0.00	\$32,006.65	\$0.00	\$43,415.01
Total Asset	\$11,408.36	\$3.11	\$0.00	\$32,006.65	\$0.00	\$43,415.01
Equity						
G 201-25300 Unreserved Fund Balance	(\$11,408.36)	\$0.00	\$3.11	\$0.00	\$32,006.65	(\$43,415.01)
Total Equity	(\$11,408.36)	\$0.00	\$3.11	\$0.00	\$32,006.65	(\$43,415.01)
Total 201 PARKS SPECIAL FUND	\$0.00	\$3.11	\$3.11	\$32,006.65	\$32,006.65	\$0.00



CITY OF NEWPORT
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Current Period: February 2014

FUND 204 HERITAGE PRESERVATION COMM		February 2014					
		Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset							
G 204-10100 Cash		\$8,416.73	\$0.47	\$0.00	\$7,201.01	\$9,000.00	\$6,617.74
	Total Asset	\$8,416.73	\$0.47	\$0.00	\$7,201.01	\$9,000.00	\$6,617.74
Equity							
G 204-25300 Unreserved Fund Balance		(\$8,416.73)	\$0.00	\$0.47	\$9,000.00	\$7,201.01	(\$6,617.74)
	Total Equity	(\$8,416.73)	\$0.00	\$0.47	\$9,000.00	\$7,201.01	(\$6,617.74)
Total 204 HERITAGE PRESERVATION COMM		\$0.00	\$0.47	\$0.47	\$16,201.01	\$16,201.01	\$0.00



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GL Yearly

Current Period: February 2014

FUND 205 RECYCLING

February 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 205-10100 Cash	\$24,105.60	\$2,957.88	\$771.54	\$2,959.85	\$771.54	\$26,293.91
Total Asset	\$24,105.60	\$2,957.88	\$771.54	\$2,959.85	\$771.54	\$26,293.91
Equity						
G 205-25300 Unreserved Fund Balance	(\$24,105.60)	\$771.54	\$2,957.88	\$771.54	\$2,959.85	(\$26,293.91)
Total Equity	(\$24,105.60)	\$771.54	\$2,957.88	\$771.54	\$2,959.85	(\$26,293.91)
Total 205 RECYCLING	\$0.00	\$3,729.42	\$3,729.42	\$3,731.39	\$3,731.39	\$0.00



CITY OF NEWPORT
GL Yearly

Current Period: February 2014

FUND 208 BUY FORFEITURE

February 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 208-10100 Cash	\$1,304.16	\$0.09	\$0.00	\$0.20	\$0.00	\$1,304.36
Total Asset	\$1,304.16	\$0.09	\$0.00	\$0.20	\$0.00	\$1,304.36
Equity						
G 208-25300 Unreserved Fund Balance	(\$1,304.16)	\$0.00	\$0.09	\$0.00	\$0.20	(\$1,304.36)
Total Equity	(\$1,304.16)	\$0.00	\$0.09	\$0.00	\$0.20	(\$1,304.36)
Total 208 BUY FORFEITURE	\$0.00	\$0.09	\$0.09	\$0.20	\$0.20	\$0.00



CITY OF NEWPORT

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Current Period: February 2014

FUND 225 PIONEER DAY

February 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 225-10100 Cash	\$19,709.63	\$1.41	\$0.00	\$3.02	\$0.00	\$19,712.65
Total Asset	\$19,709.63	\$1.41	\$0.00	\$3.02	\$0.00	\$19,712.65
Liability						
G 225-20200 Accounts Payable	\$0.03	\$0.00	\$0.00	\$0.00	\$0.00	\$0.03
Total Liability	\$0.03	\$0.00	\$0.00	\$0.00	\$0.00	\$0.03
Equity						
G 225-25300 Unreserved Fund Balance	(\$19,709.66)	\$0.00	\$1.41	\$0.00	\$3.02	(\$19,712.68)
Total Equity	(\$19,709.66)	\$0.00	\$1.41	\$0.00	\$3.02	(\$19,712.68)
Total 225 PIONEER DAY	\$0.00	\$1.41	\$1.41	\$3.02	\$3.02	\$0.00



CITY OF NEWPORT
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Current Period: February 2014

FUND 270 EDA

February 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 270-10100 Cash	\$593,895.69	\$365.61	\$5,890.96	\$127,863.99	\$5,890.96	\$715,868.72
G 270-10500 Taxes Receivable-Current	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Asset	\$593,895.69	\$365.61	\$5,890.96	\$127,863.99	\$5,890.96	\$715,868.72
Liability						
G 270-20200 Accounts Payable	(\$7,192.93)	\$0.00	\$0.00	\$0.00	\$0.00	(\$7,192.93)
Total Liability	(\$7,192.93)	\$0.00	\$0.00	\$0.00	\$0.00	(\$7,192.93)
Equity						
G 270-25300 Unreserved Fund Balance	(\$586,702.76)	\$5,890.96	\$365.61	\$5,890.96	\$127,863.99	(\$708,675.79)
Total Equity	(\$586,702.76)	\$5,890.96	\$365.61	\$5,890.96	\$127,863.99	(\$708,675.79)
Total 270 EDA	\$0.00	\$6,256.57	\$6,256.57	\$133,754.95	\$133,754.95	\$0.00



CITY OF NEWPORT
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Current Period: February 2014

FUND 301 G.O. CAPITAL IMP. PLAN 2010A

February 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 301-10100 Cash	(\$118,822.22)	\$0.00	\$0.00	\$0.00	\$0.00	(\$118,822.22)
G 301-10500 Taxes Receivable-Current	\$1,589.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,589.00
Total Asset	(\$117,233.22)	\$0.00	\$0.00	\$0.00	\$0.00	(\$117,233.22)
Equity						
G 301-25300 Unreserved Fund Balance	\$117,233.22	\$0.00	\$0.00	\$0.00	\$0.00	\$117,233.22
Total Equity	\$117,233.22	\$0.00	\$0.00	\$0.00	\$0.00	\$117,233.22
Total 301 G.O. CAPITAL IMP. PLAN 2010A	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00



CITY OF NEWPORT
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Current Period: February 2014

FUND 305 2013 Street Assessments

February 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 305-10100 Cash	\$10,185.25	\$2.33	\$0.00	\$52,186.99	\$29,800.00	\$32,572.24
G 305-10400 Investments	\$85,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$85,000.00
Total Asset	\$95,185.25	\$2.33	\$0.00	\$52,186.99	\$29,800.00	\$117,572.24
Liability						
G 305-22200 Deferred Revenues	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Liability	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Equity						
G 305-25300 Unreserved Fund Balance	(\$95,185.25)	\$0.00	\$2.33	\$29,800.00	\$52,186.99	(\$117,572.24)
Total Equity	(\$95,185.25)	\$0.00	\$2.33	\$29,800.00	\$52,186.99	(\$117,572.24)
Total 305 2013 Street Assessments	\$0.00	\$2.33	\$2.33	\$81,986.99	\$81,986.99	\$0.00



CITY OF NEWPORT
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Current Period: February 2014

FUND 315 \$690,000 BOND 2002A

February 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 315-10100 Cash	(\$44,025.88)	\$0.00	\$0.00	\$0.00	\$92,092.50	(\$136,118.38)
Total Asset	(\$44,025.88)	\$0.00	\$0.00	\$0.00	\$92,092.50	(\$136,118.38)
Equity						
G 315-25300 Unreserved Fund Balance	\$44,025.88	\$0.00	\$0.00	\$92,092.50	\$0.00	\$136,118.38
Total Equity	\$44,025.88	\$0.00	\$0.00	\$92,092.50	\$0.00	\$136,118.38
Total 315 \$690,000 BOND 2002A	\$0.00	\$0.00	\$0.00	\$92,092.50	\$92,092.50	\$0.00



CITY OF NEWPORT
GL Yearly

Current Period: February 2014

FUND 316 PFA/TRLF REVENUE NOTE

February 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 316-10100 Cash	\$334,882.49	\$24.13	\$0.00	\$4,132.55	\$1,695.80	\$337,319.24
G 316-12100 SA Recievable -Current	\$7,736.28	\$0.00	\$0.00	\$0.00	\$0.00	\$7,736.28
G 316-12200 Special Assess Rec-Delinque	\$10,023.12	\$0.00	\$0.00	\$0.00	\$0.00	\$10,023.12
G 316-12300 Special Assess Rec-Deferred	\$246,037.68	\$0.00	\$0.00	\$0.00	\$0.00	\$246,037.68
Total Asset	\$598,679.57	\$24.13	\$0.00	\$4,132.55	\$1,695.80	\$601,116.32
Liability						
G 316-22200 Deferred Revenues	(\$256,060.80)	\$0.00	\$0.00	\$0.00	\$0.00	(\$256,060.80)
Total Liability	(\$256,060.80)	\$0.00	\$0.00	\$0.00	\$0.00	(\$256,060.80)
Equity						
G 316-25300 Unreserved Fund Balance	(\$342,618.77)	\$0.00	\$24.13	\$1,695.80	\$4,132.55	(\$345,055.52)
Total Equity	(\$342,618.77)	\$0.00	\$24.13	\$1,695.80	\$4,132.55	(\$345,055.52)
Total 316 PFA/TRLF REVENUE NOTE	\$0.00	\$24.13	\$24.13	\$5,828.35	\$5,828.35	\$0.00



CITY OF NEWPORT
GL Yearly

Current Period: February 2014

FUND 321 EQUIP CERTIFICATE 2006A

February 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 321-10100 Cash	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Asset	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total 321 EQUIP CERTIFICATE 2006A	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00



CITY OF NEWPORT

GL Yearly

Current Period: February 2014

FUND 322 GO BONDS OF 2011A

February 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 322-10100 Cash	(\$42,091.84)	\$0.00	\$0.00	\$0.00	\$108,017.50	(\$150,109.34)
G 322-10500 Taxes Receivable-Current	\$1,075.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,075.00
Total Asset	(\$41,016.84)	\$0.00	\$0.00	\$0.00	\$108,017.50	(\$149,034.34)
Equity						
G 322-25300 Unreserved Fund Balance	\$41,016.84	\$0.00	\$0.00	\$108,017.50	\$0.00	\$149,034.34
Total Equity	\$41,016.84	\$0.00	\$0.00	\$108,017.50	\$0.00	\$149,034.34
Total 322 GO BONDS OF 2011A	\$0.00	\$0.00	\$0.00	\$108,017.50	\$108,017.50	\$0.00



CITY OF NEWPORT
GL Yearly

Current Period: February 2014

FUND 401 EQUIPMENT REVOLVING

February 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 401-10100 Cash	\$87,793.73	\$16.22	\$0.00	\$139,034.71	\$0.00	\$226,828.44
Total Asset	\$87,793.73	\$16.22	\$0.00	\$139,034.71	\$0.00	\$226,828.44
Equity						
G 401-25300 Unreserved Fund Balance	(\$87,793.73)	\$0.00	\$16.22	\$0.00	\$139,034.71	(\$226,828.44)
Total Equity	(\$87,793.73)	\$0.00	\$16.22	\$0.00	\$139,034.71	(\$226,828.44)
Total 401 EQUIPMENT REVOLVING	\$0.00	\$16.22	\$16.22	\$139,034.71	\$139,034.71	\$0.00



CITY OF NEWPORT
GL Yearly

Current Period: February 2014

FUND 405 T.H. HWY 61

February 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 405-10100 Cash	\$233,996.93	\$16.71	\$384.76	\$35.79	\$384.76	\$233,647.96
G 405-13200 Due From Other Government	(\$0.18)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.18)
Total Asset	\$233,996.75	\$16.71	\$384.76	\$35.79	\$384.76	\$233,647.78
Equity						
G 405-25300 Unreserved Fund Balance	(\$233,996.75)	\$384.76	\$16.71	\$384.76	\$35.79	(\$233,647.78)
Total Equity	(\$233,996.75)	\$384.76	\$16.71	\$384.76	\$35.79	(\$233,647.78)
Total 405 T.H. HWY 61	\$0.00	\$401.47	\$401.47	\$420.55	\$420.55	\$0.00



CITY OF NEWPORT
GL Yearly

Current Period: February 2014

FUND 409 STREET RECONSTRUCTION 2013-1	February 2014					
	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 409-10100 Cash	\$201,754.29	\$11.96	\$34,581.50	\$28.41	\$34,581.50	\$167,201.20
G 409-10400 Investments	\$490,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$490,000.00
G 409-10406 Smith Barney	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Asset	\$691,754.29	\$11.96	\$34,581.50	\$28.41	\$34,581.50	\$657,201.20
Equity						
G 409-25300 Unreserved Fund Balance	(\$691,754.29)	\$34,581.50	\$11.96	\$34,581.50	\$28.41	(\$657,201.20)
Total Equity	(\$691,754.29)	\$34,581.50	\$11.96	\$34,581.50	\$28.41	(\$657,201.20)
Total 409 STREET RECONSTRUCTION 2013-14	\$0.00	\$34,593.46	\$34,593.46	\$34,609.91	\$34,609.91	\$0.00



CITY OF NEWPORT
GL Yearly

Current Period: February 2014

FUND 411 BUILDING FUND

February 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 411-10100 Cash	\$40,009.57	\$7.87	\$0.00	\$70,016.84	\$0.00	\$110,026.41
Total Asset	\$40,009.57	\$7.87	\$0.00	\$70,016.84	\$0.00	\$110,026.41
Equity						
G 411-25300 Unreserved Fund Balance	(\$40,009.57)	\$0.00	\$7.87	\$0.00	\$70,016.84	(\$110,026.41)
Total Equity	(\$40,009.57)	\$0.00	\$7.87	\$0.00	\$70,016.84	(\$110,026.41)
Total 411 BUILDING FUND	\$0.00	\$7.87	\$7.87	\$70,016.84	\$70,016.84	\$0.00



CITY OF NEWPORT
GL Yearly

Current Period: February 2014

FUND 416 4TH AVENUE RAVINE

February 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 416-10100 Cash	\$12,757.82	\$0.91	\$0.00	\$1.95	\$0.00	\$12,759.77
G 416-13200 Due From Other Government	\$12,776.47	\$0.00	\$0.00	\$0.00	\$0.00	\$12,776.47
Total Asset	\$25,534.29	\$0.91	\$0.00	\$1.95	\$0.00	\$25,536.24
Liability						
G 416-20700 Due to Other Funds	\$0.25	\$0.00	\$0.00	\$0.00	\$0.00	\$0.25
Total Liability	\$0.25	\$0.00	\$0.00	\$0.00	\$0.00	\$0.25
Equity						
G 416-25300 Unreserved Fund Balance	(\$25,534.54)	\$0.00	\$0.91	\$0.00	\$1.95	(\$25,536.49)
Total Equity	(\$25,534.54)	\$0.00	\$0.91	\$0.00	\$1.95	(\$25,536.49)
Total 416 4TH AVENUE RAVINE	\$0.00	\$0.91	\$0.91	\$1.95	\$1.95	\$0.00



CITY OF NEWPORT
GL Yearly

Current Period: February 2014

FUND 423 2011A EQUIPMENT CAPITAL

February 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 423-10100 Cash	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Asset	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Equity						
G 423-25300 Unreserved Fund Balance	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Equity	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total 423 2011A EQUIPMENT CAPITAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00



CITY OF NEWPORT

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Current Period: February 2014

FUND 601 WATER FUND

February 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 601-10100 Cash	\$513,474.48	\$4,090.50	\$17,324.93	\$27,726.16	\$35,936.14	\$505,264.50
G 601-11500 Accounts Receivable	\$37,657.00	\$0.00	\$0.00	\$0.00	\$0.00	\$37,657.00
G 601-12300 Special Assess Rec-Deferred	\$11,871.38	\$0.00	\$0.00	\$0.00	\$0.00	\$11,871.38
G 601-15500 Prepaid Items	\$1,167.13	\$0.00	\$0.00	\$0.00	\$0.00	\$1,167.13
G 601-16100 Land	(\$0.50)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.50)
G 601-16200 Building and Improvements	\$123,291.00	\$0.00	\$0.00	\$0.00	\$0.00	\$123,291.00
G 601-16300 Improvements other building	\$2,962,267.40	\$0.00	\$0.00	\$0.00	\$0.00	\$2,962,267.40
G 601-16400 Equipment	\$294,264.08	\$0.00	\$0.00	\$0.00	\$0.00	\$294,264.08
G 601-16410 Accumulated dep. Equip.	(\$1,723,637.19)	\$0.00	\$0.00	\$0.00	\$0.00	(\$1,723,637.19)
G 601-21720 Online fees payable	(\$52.83)	\$77.74	\$20.93	\$215.28	\$167.44	(\$4.99)
G 601-26100 Contributions From City	(\$0.15)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.15)
Total Asset	\$2,220,301.80	\$4,168.24	\$17,345.86	\$27,941.44	\$36,103.58	\$2,212,139.66
Liability						
G 601-20200 Accounts Payable	(\$7,293.33)	\$0.00	\$0.00	\$0.00	\$0.00	(\$7,293.33)
G 601-21500 Accrued Interest Payable	(\$3,598.00)	\$0.00	\$0.00	\$0.00	\$0.00	(\$3,598.00)
G 601-21600 Accrued Wages & Salaries P	(\$1,174.09)	\$0.00	\$0.00	\$0.00	\$0.00	(\$1,174.09)
G 601-21701 Federal W/H Payable	(\$0.22)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.22)
G 601-21702 State Withholding Payable	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
G 601-21703 FICA Tax Withholding	(\$73.28)	\$0.00	\$0.00	\$0.00	\$0.00	(\$73.28)
G 601-21704 PERA	(\$84.92)	\$0.00	\$0.00	\$0.00	\$0.00	(\$84.92)
G 601-21707 Union Dues	(\$0.17)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.17)
G 601-21708 United Way	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
G 601-21709 Medicare	(\$16.78)	\$0.00	\$0.00	\$0.00	\$0.00	(\$16.78)
G 601-21711 NPERS - Life	(\$0.30)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.30)
G 601-21712 HSA Employee	(\$0.11)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.11)
G 601-21714 LTD Employee	\$0.25	\$0.00	\$0.00	\$0.00	\$0.00	\$0.25
G 601-21715 MSRS Employee	(\$0.08)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.08)
G 601-21718 Water sales tax payable	(\$1,993.12)	\$0.00	\$0.00	\$0.00	\$0.00	(\$1,993.12)
G 601-22510 General Obligation Bonds Pa	(\$236,000.00)	\$0.00	\$0.00	\$0.00	\$0.00	(\$236,000.00)
G 601-99999 Utility Overpayments	\$596.57	\$0.00	\$1,187.38	\$0.30	\$2,661.54	(\$2,064.67)
Total Liability	(\$249,637.58)	\$0.00	\$1,187.38	\$0.30	\$2,661.54	(\$252,298.82)
Equity						
G 601-25300 Unreserved Fund Balance	(\$1,970,664.22)	\$17,247.19	\$2,882.19	\$35,720.56	\$24,897.18	(\$1,959,840.84)
Total Equity	(\$1,970,664.22)	\$17,247.19	\$2,882.19	\$35,720.56	\$24,897.18	(\$1,959,840.84)
Total 601 WATER FUND	\$0.00	\$21,415.43	\$21,415.43	\$63,662.30	\$63,662.30	\$0.00



CITY OF NEWPORT

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Current Period: February 2014

FUND 602 SEWER FUND

February 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 602-10100 Cash	\$756,041.99	\$4,936.00	\$50,972.24	\$69,826.09	\$116,155.05	\$709,713.03
G 602-11500 Accounts Receivable	\$61,353.40	\$0.00	\$0.00	\$0.00	\$0.00	\$61,353.40
G 602-12300 Special Assess Rec-Deferred	\$11,870.30	\$0.00	\$0.00	\$0.00	\$0.00	\$11,870.30
G 602-13100 Due From Other Funds	\$0.29	\$0.00	\$0.00	\$0.00	\$0.00	\$0.29
G 602-15500 Prepaid Items	\$1,367.13	\$0.00	\$0.00	\$0.00	\$0.00	\$1,367.13
G 602-16100 Land	\$0.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.50
G 602-16200 Building and Improvements	\$417,170.00	\$0.00	\$0.00	\$0.00	\$0.00	\$417,170.00
G 602-16300 Improvements other building	\$1,950,830.15	\$0.00	\$0.00	\$0.00	\$0.00	\$1,950,830.15
G 602-16400 Equipment	\$56,342.75	\$0.00	\$0.00	\$0.00	\$0.00	\$56,342.75
G 602-16410 Accumulated dep. Equip.	(\$1,137,899.22)	\$0.00	\$0.00	\$0.00	\$0.00	(\$1,137,899.22)
G 602-16500 Construction in Progress	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
G 602-26100 Contributions From City	(\$0.36)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.36)
Total Asset	\$2,117,076.93	\$4,936.00	\$50,972.24	\$69,826.09	\$116,155.05	\$2,070,747.97
Liability						
G 602-20200 Accounts Payable	(\$5,165.70)	\$0.00	\$0.00	\$0.00	\$0.00	(\$5,165.70)
G 602-21500 Accrued Interest Payable	(\$4,418.00)	\$0.00	\$0.00	\$0.00	\$0.00	(\$4,418.00)
G 602-21600 Accrued Wages & Salaries P	(\$1,196.24)	\$0.00	\$0.00	\$0.00	\$0.00	(\$1,196.24)
G 602-21701 Federal W/H Payable	\$0.08	\$0.00	\$0.00	\$0.00	\$0.00	\$0.08
G 602-21702 State Withholding Payable	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
G 602-21703 FICA Tax Withholding	(\$74.28)	\$0.00	\$0.00	\$0.00	\$0.00	(\$74.28)
G 602-21704 PERA	(\$87.00)	\$0.00	\$0.00	\$0.00	\$0.00	(\$87.00)
G 602-21707 Union Dues	\$0.25	\$0.00	\$0.00	\$0.00	\$0.00	\$0.25
G 602-21709 Medicare	(\$16.75)	\$0.00	\$0.00	\$0.00	\$0.00	(\$16.75)
G 602-21711 NPERS - Life	(\$0.28)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.28)
G 602-21712 HSA Employee	\$0.47	\$0.00	\$0.00	\$0.00	\$0.00	\$0.47
G 602-21714 LTD Employee	(\$0.35)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.35)
G 602-21715 MSRS Employee	(\$0.08)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.08)
G 602-22510 General Obligation Bonds Pa	(\$304,000.00)	\$0.00	\$0.00	\$0.00	\$0.00	(\$304,000.00)
Total Liability	(\$314,957.88)	\$0.00	\$0.00	\$0.00	\$0.00	(\$314,957.88)
Equity						
G 602-25300 Unreserved Fund Balance	(\$1,802,119.05)	\$50,972.24	\$4,936.00	\$116,155.05	\$69,826.09	(\$1,755,790.09)
Total Equity	(\$1,802,119.05)	\$50,972.24	\$4,936.00	\$116,155.05	\$69,826.09	(\$1,755,790.09)
Total 602 SEWER FUND	\$0.00	\$55,908.24	\$55,908.24	\$185,981.14	\$185,981.14	\$0.00



CITY OF NEWPORT
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Current Period: February 2014

FUND 603 STREET LIGHT FUND

February 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 603-10100 Cash	\$15,809.55	\$3,556.39	\$7,422.71	\$8,791.80	\$9,751.59	\$14,849.76
G 603-11500 Accounts Receivable	\$9,741.47	\$0.00	\$0.00	\$0.00	\$0.00	\$9,741.47
G 603-12200 Special Assess Rec-Delinque	(\$0.24)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.24)
Total Asset	\$25,550.78	\$3,556.39	\$7,422.71	\$8,791.80	\$9,751.59	\$24,590.99
Liability						
G 603-20200 Accounts Payable	(\$4,560.24)	\$0.00	\$0.00	\$0.00	\$0.00	(\$4,560.24)
G 603-20700 Due to Other Funds	(\$0.48)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.48)
Total Liability	(\$4,560.72)	\$0.00	\$0.00	\$0.00	\$0.00	(\$4,560.72)
Equity						
G 603-25300 Unreserved Fund Balance	(\$20,990.06)	\$7,422.71	\$3,556.39	\$9,751.59	\$8,791.80	(\$20,030.27)
Total Equity	(\$20,990.06)	\$7,422.71	\$3,556.39	\$9,751.59	\$8,791.80	(\$20,030.27)
Total 603 STREET LIGHT FUND	\$0.00	\$10,979.10	\$10,979.10	\$18,543.39	\$18,543.39	\$0.00



CITY OF NEWPORT

GL Yearly

Current Period: February 2014

FUND 604 STORM WATER FUND

February 2014

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 604-10100 Cash	\$31,855.98	\$172.08	\$626.71	\$1,365.97	\$24,351.26	\$8,870.69
G 604-11500 Accounts Receivable	\$3,392.80	\$0.00	\$0.00	\$0.00	\$0.00	\$3,392.80
G 604-12100 SA Recievable -Current	(\$0.07)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.07)
G 604-12200 Special Assess Rec-Delinque	\$2,730.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,730.00
Total Asset	\$37,978.71	\$172.08	\$626.71	\$1,365.97	\$24,351.26	\$14,993.42
Liability						
G 604-20200 Accounts Payable	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
G 604-20700 Due to Other Funds	\$0.19	\$0.00	\$0.00	\$0.00	\$0.00	\$0.19
Total Liability	\$0.19	\$0.00	\$0.00	\$0.00	\$0.00	\$0.19
Equity						
G 604-25300 Unreserved Fund Balance	(\$37,978.90)	\$626.71	\$172.08	\$24,351.26	\$1,365.97	(\$14,993.61)
Total Equity	(\$37,978.90)	\$626.71	\$172.08	\$24,351.26	\$1,365.97	(\$14,993.61)
Total 604 STORM WATER FUND	\$0.00	\$798.79	\$798.79	\$25,717.23	\$25,717.23	\$0.00
Report Total	\$0.00	\$411,634.20	\$411,634.20	\$1,951,898.97	\$1,951,898.97	\$0.00

RESOLUTION NO. 2014-6

A RESOLUTION IN SUPPORT OF THE AUTHORIZATION OF THE COMMISSIONER OF TRANSPORTATION TO PERFORM AN ENGINEERING AND TRAFFIC INVESTIGATION TO DETERMINE THE REASONABLE AND SAFE SPEED LIMIT ON COUNTY ROAD 74

WHEREAS, per MN Statute 169.14, the authority to determine the safe and reasonable speed on a County Highway resides with the Commissioner of the Minnesota Department of Transportation, and;

WHEREAS, it is in the best interest of all parties to have reasonable and safe speeds posted on County Highways, and;

WHEREAS, the accepted method to determine the reasonable and safe speed is through an engineering and traffic investigation, and;

WHEREAS, the Engineering and Traffic Investigation will be conducted on County Road 74 (65th Street South) between County Road 38 (Hastings Avenue) and the Newport/Cottage Grove City limits at Century Avenue/Geneva Avenue.

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

1. That the City of Newport hereby approves this resolution to Washington County in support of the authorization of the Commissioner of the Minnesota Department of Transportation to perform an engineering and traffic investigation to determine the reasonable and safe speed limit at the above referenced locations.
2. That the City of Newport agrees to support the conclusions of the study, and the implementation of such conclusions.

Adopted this 20th day of March, 2014 by the Newport City Council.

Motion by: _____, Seconded by: _____

VOTE:	Geraghty	_____
	Ingemann	_____
	Sumner	_____
	Gallagher	_____
	Rahm	_____

Signed: _____
Tim Geraghty, Mayor

ATTEST: _____
Deb Hill, City Administrator

Newport Park Board - 2014 Goals

Project	New / Remaining Work	Board or Staff Leads	Involved Volunteers	Accomplished
Program Goals				
Winter Family Fun Night	Saturday, February 08, 2014		NOTM	Yes, 25 participants. Quite cold. Host site for SWCTC River Cities program.
Adopt A Park Volunteer Recruiting		Whole Board		
Adopt A Park Volunteer Thank You notes	Sunday, May 18, 2014	Perkins		
Pioneer Day	Sunday, August 10, 2014	Aguilar-Downing		
Fun Walk to the 4 Pedestrian Parks with a Program at the destination	Sept 2014	White		
Buckthorn Pull Free buckthorn drop off at City Compost site	Saturday, October 25, 2014 - Continued eradication of buckthorn in City parks - Educating and assisting homeowners in controlling noxious/invasive plants	Duffey	Newman	
Creation of Loveland Park Interpretive piece				
Start Development of a Natural Resource Management Plan	Get copies of Plans from other cities	Aguilar-Downing		
Facility Goals				
Natural Plantings at Overlook Park	Redesign the plantings	Neska	DNR, Geraghty	
Signage at Frances & Henry & James pocket park	Ownership (MNDoT / City) Funding for signs	Neska		
Solar Panels at Phillips Pavilion	Place Interpretive signage in pavillion	Neska		
Consider Disc Golf Course at Loveland Park		Neska, Aguilar-Downing	Tom Marcus, Everyday Disc Golf	Discussion started at Feb. Board meeting
Warming Hut renovatons at Loveland	Roof, Siding, Windows	Neska		
Veterans Memorial at Pioneer Park		Neska		
Administrative Goals.				
Continue Meetings of Joint Governance Committee per DNR's School Forest regulations	- Receive the School District's School Forest Annual usage report - Discern most involved teachers	Duffey, Meconis, Neska	Geraghty	



MEMO

TO: Mayor and City Council
Deb Hill, City Administrator

FROM: Renee Helm, Executive Analyst

DATE: March 13, 2014

SUBJECT: Ordinance Amendments

BACKGROUND

Please find attached a memo from Sherri Buss regarding zoning amendments to allow for craft breweries, brew pubs and other related uses and Ordinance No. 2014-1 which shows these changes along with a couple other amendments. The other amendments are related to Section 1310 in regards to public hearing notices and building permits.

DISCUSSION

Upon review, staff found that Sections 1310.02, Subd. 3(G), 1310.06, Subd. 2, and 1310.08 are not up to date in regards to State Regulations.

Per State Statute 394.26, notices of public hearings need to be sent out to all property owners within 500 feet of the affected property for conditional uses, variances, interim uses, zoning regulations, and subdivisions. Currently, Sections 1310.02, Subd. 3(G) and 1310.06, Subd. 2 list 350 feet. As such, these two sections need to be updated to match State Regulations.

Per the MN Building Code (Chapter 1300, Part 1300.0120, Subp. 11), building permits shall expire after 180 days from the date of issuance if the work has not commenced or if the work has been abandoned or suspended. Currently, Section 1310.08, Subd. 1 lists 120 days, as such it needs to be updated. This section of the MN Building Code also states that the building official may extend building permits. As such, staff is recommending that Section 1310.08, Subd. 4 be amended to state that the Building Official may extend building permits rather than the Planning Commission. Staff reviewed Planning Commission agendas from 2003 to 2013 and found no instance where the Planning Commission extended a building permit. This is currently done on a staff level.

RECOMMENDATION

The Planning Commission approved Resolution No. P.C. 2014-3 recommending that the City Council approve the zoning amendments. It is recommended that the City Council approve Ordinance No. 2014-1 as presented.



11 East Superior Street, Suite 340
Duluth, MN 55802
218.724.8578
tkda.com

Memorandum

To:	Newport City Council	Reference:	Draft Ordinance—Craft breweries and related uses
Copies To:	Deb Hill, City Administrator Renee Helm, Executive Analyst	Project No.:	15482.000
From:	Sherri Buss, RLA, AICP, Planner	Routing:	
Date:	March 5, 2014		

Background

Microbreweries, taprooms and craft breweries are growing in popularity, and sprouting up in many communities around the Twin Cities. Five years ago, there were 3 microbreweries and 11 brew pubs in Minnesota; by 2012, there were 29 microbreweries and 19 brew pubs in the state, and more were added in 2013. Many cities have been adopting new zoning standards for smaller brewery and winery uses. In Newport, Autumn and Derrick Lehrke have purchased the Red Rock Saloon on 21st Avenue. Their plans include development of a microbrewery and taproom at that site, which would be the first business of this type in Newport.

Newport does not currently allow any brewery-related uses in its zoning ordinance. These uses could bring new business and interest to the City, and could be compatible with and support the vision for some of the MX Districts in the City.

In response to the Lehrke's interest and local trends, the Planning Commission discussed the potential to allow a variety of brewery-related uses in Newport, and has proposed amendments to the zoning ordinance to include brewpubs (also called Small Brewery as an Accessory Use to a Restaurant or Bar), craft breweries and similar uses as potential new uses in the mixed use, business, and industrial districts in the City. The Planning Commission held a public hearing on the proposed ordinance changes at their meeting on March 12, and recommended that the Council adopt the proposed changes to the Zoning Ordinance to permit these new uses in the City.

The proposed changes include the following:

- Updates to the Definitions section of the ordinance (Section 1300.1) to include the following uses: Brew on Premises Store; Brewery, Craft; Distillery, Craft; Micro- and Regional Brewery; and Small Brewery or Winery as an Accessory Use to a Bar or Restaurant (Brew Pub). The definitions are very similar to the State definitions for these businesses.
- Revised the Mixed Use Districts table (Section 1350) to include the following:

- Add the Brew on Premises Store as a Permitted Use
- Add Small Brewery as an Accessory use to a Restaurant or Bar as an allowed used in the MX Districts with a Conditional Use Permit. This is consistent with the City's requirement that all restaurants that serve alcoholic beverages obtain a CUP.
- Revised the Business and Industrial Uses table in Section 1350 to include the following:
 - Add Craft Brewery, Craft Winery and Craft Distillery, and Micro- and Regional Breweries as Permitted uses in the Business and I-1 Districts
 - Add Micro- and Regional Breweries as Permitted uses in the B-1, I-1 and I-2 Districts.
- Revised the table in Section 1350.13 to add "multifamily" to commercial and industrial uses that require a 20-foot parking setback from residential districts, as a consistency item (not related to the brewery uses).

Responses to Comments at the Public Hearing

The Planning Commission received several written comments from Derrick Lehrke at the Public Hearing. The comments and the Planning Commission responses include the following:

- Mr. Lehrke requested that no CUP be required for Brewpubs, and noted that St. Paul and other cities do not require CUP's for this use in some zoning districts. *The Planning Commission responded that all restaurants that serve alcoholic beverages in Newport require a CUP, and that the new Brewpub use should be consistent with that requirement.*
- Mr. Lehrke suggested that the CUP requirement would have an adverse effect on building code requirements for the new use. *City staff consulted the Building Inspector on this issue, and he stated that the Building Code requirements will be the same whether a CUP is required or not for the changes the Lehrke's are proposing to the use on the site and the existing building.*
- Mr. Lehrke was concerned that there would be a size limitation for their business in the ordinance. *The Planning Commission has not proposed a size limitation for the Small Brewery as an Accessory Use to a Restaurant or Bar use.*

Requested Action: The Planning Commission recommends that the City approve the proposed changes to the Zoning Ordinance



**CITY OF NEWPORT
ORDINANCE 2014-1**

**AN ORDINANCE OF THE CITY OF NEWPORT, MINNESOTA, APPROVING A ZONING AMENDMENT TO
SECTION 1300 GENERAL, SECTION 1310 ADMINISTRATION AND ENFORCEMENT, SECTION 1340
RESIDENTIAL DISTRICTS, AND SECTION 1350 NON-RESIDENTIAL DISTRICTS**

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

Section 1300 – General

1300.01 Definitions

Subd. 1 Abandonment.

Subd. 2 Abut.

Subd. 3 Accessory Building or Accessory Structure.

Subd. 4 Accessory Use.

Subd. 5 Adult Use.

Subd. 6 Agriculture.

Subd. 7 Alley.

Subd. 8 Apartment.

Subd. 9 Automobile Salvage Yard.

Subd. 10 Basement.

Subd. 11 Berm.

Subd. 12 Billboard.

Subd. 13 Block.

Subd. 14 Brew on Premises Store. "Brew on Premises Store" shall mean a retail business that sells the ingredients and equipment to customers to brew beer, other malt liquor or wine at the store for personal or family consumption.

Subd. 15 Brewery, Craft. "Craft Brewery" shall mean a facility with a capacity to manufacture twenty thousand (20,000) or fewer barrels of alcoholic and nonalcoholic malt liquor a year. This definition excludes small breweries operated in conjunction with a bar or restaurant defined herein as an accessory use.

Subd. 16 Buildable Area.

Subd. 17 Building.

Subd. 18 Building, Accessory.

Subd. 19 Building Height.

Subd. 20 Building, Principal.

Subd. 21 Canopy or Marquee.

Subd. 22 City.

Subd. 23 Cluster Development.

Subd. 24 Comprehensive Plan.

Subd. 25 Conditional Use.

Subd. 26 Condominium.

Subd. 27 Corner Lot.

Subd. 28 Covered Storage Building.

Subd. 29 Density.

Subd. 30 Distillery, Craft. "Craft Distillery" shall mean a distillery producing premium, distilled spirits not exceeding 40,000 proof gallons in a calendar year.

Subd. 31 Driveway.

Subd. 32 Duplex.

Subd. 33 Dwelling.
Subd. 34 Dwelling, Attached (group, row, or townhouse).
Subd. 35 Dwelling, Detached.
Subd. 36 Dwelling, Multiple Family.
Subd. 37 Dwelling, Single Family.
Subd. 38 Dwelling, Two Family.
Subd. 39 Dwelling Unit.
Subd. 40 Excavation.
Subd. 41 Family.
Subd. 42 Fence.
Subd. 43 Fill.
Subd. 44 Filling.
Subd. 45 Floodplain.
Subd. 46 Floor Area.
Subd. 47 Floor Area, Livable.
Subd. 48 Floor Area Ratio (F.A.R.).
Subd. 49 Footcandle.
Subd. 50 Frequency.
Subd. 51 Frontage.
Subd. 52 Garage, Private.
Subd. 53 Garage, Public.
Subd. 54 Garage, Truck.
Subd. 55 Grade
Subd. 56 Grade, Street.
Subd. 57 Group Home.
Subd. 58 Halfway House.
Subd. 59 Handicapped or Infirm Institution.
Subd. 60 Home Occupation.
Subd. 61 Horticulture.
Subd. 62 Impervious Surface.
Subd. 63 Intermediate Care Home.
Subd. 64 Intermediate Care Institution.
Subd. 65 Intermodal Container.
Subd. 66 Junkyard.
Subd. 67 Kennel (commercial or hobby).
Subd. 68 Loading Space or Loading Area.
Subd. 69 Lot.
Subd. 70 Lot Area.
Subd. 71 Lot, Corner.
Subd. 72 Lot Coverage.
Subd. 73 Lot Depth.
Subd. 74 Lot, Double Frontage.
Subd. 75 Lot, Interior.
Subd. 76 Lot Line, Front.
Subd. 77 Lot Line, Rear.
Subd. 78 Lot of Record.
Subd. 79 Lot Width.
Subd. 80 Manufactured Single-family Dwelling.

Subd. 81 Micro- and Regional Brewery. "Micro- and Regional Brewery" shall mean a facility with a capacity to manufacture one million (1,000,000) or fewer barrels of alcoholic and nonalcoholic malt liquor a year. This definition excludes brew on premises stores as defined in this ordinance, and/or small breweries operated in conjunction with a bar or restaurant defined herein as an accessory use.

Subd. 82 Mobile Home.
Subd. 83 Mobile Home Park.
Subd. 84 Modular Manufactured or Prefabricated Home.
Subd. 85 Motel.
Subd. 86 Motor Vehicle.
Subd. 87 Motor Vehicle Body Work.
Subd. 88 Motor Vehicle Repair.
Subd. 89 Motor Vehicle Sales.
Subd. 90 Motor Vehicle, Small.
Subd. 91 Multi-family Conversion.
Subd. 92 Municipal Water and Sewer Systems.
Subd. 93 Municipal/Public Facilities.
Subd. 94 Nameplate.
Subd. 95 Nonconforming Use.
Subd. 96 Nonconforming Lot.
Subd. 97 Nonconforming Sign.
Subd. 98 Nonconforming Structure.
Subd. 99 Nursing Care Home.
Subd. 100 Nursing Care Institution.
Subd. 101 Ordinary High Water Level or Ordinary High Water Mark.
Subd. 102 Outdoor Furnaces.
Subd. 103 Parking Space.
Subd. 104 Person.
Subd. 105 Planned Development District (PDD).
Subd. 106 Plot.
Subd. 107 Protected Waters.
Subd. 108 Public Access.
Subd. 109 Public Open Space.
Subd. 110 Public Utility.
Subd. 111 Public Waters.
Subd. 112 Rest Home, Convalescent Home, or Nursing Home.
Subd. 113 Screen.
Subd. 114 Semi-public Uses.
Subd. 115 Setback or Setback Line.
Subd. 116 Shoreland.
Subd. 117 Shore Impact Zone.
Subd. 118 Sign.
Subd. 119 Slope.

Subd. 120 Small Brewery or Winery as an Accessory Use to a Bar or Restaurant (Brew Pub). “Small Brewery or Winery as an Accessory Use to a Bar or Restaurant,” also known as a Brew Pub, shall mean a craft brewery or winery operated in conjunction with a bar or restaurant, provided the beer or wine is sold for consumption on the premises and not sold to other bars, restaurants or wholesalers; except that an establishment licensed under Minnesota Statutes may sell “growlers” off-sale with an appropriate City license.

Subd. 121 Specified Anatomical Areas.
Subd. 122 Specified Sexual Activities.
Subd. 123 Story.
Subd. 124 Street, Public.
Subd. 125 Structural Alterations.
Subd. 126 Structure.
Subd. 127 Structure, Accessory.
Subd. 128 Structure, Principal.
Subd. 129 Subdivision.

Subd. 130 Tent Garages.
Subd. 131 Townhouse.
Subd. 132 Transit Station.
Subd. 133 Use.
Subd. 134 Use, Accessory.
Subd. 135 Use, Interim.
Subd. 136 Use, Permitted.
Subd. 137 Use, Principal.
Subd. 138 Utility Facility.
Subd. 139 Utility Facility, Community or Regional.
Subd. 140 Utility Facility, Neighborhood.
Subd. 141 Variance.
Subd. 142 Vehicle, Small.
Subd. 143 Wholesale Sales.

Subd. 144 Winery, Craft. “Craft winery” is a facility that manufactures wine, as defined by Minnesota Statutes § 340A.301, with a capacity of six hundred twenty thousand (620,000) or fewer gallons per year.

Subd. 145 Yard.
Subd. 146 Yard, Front.
Subd. 147 Yard, Rear.
Subd. 148 Yard, Side.
Subd. 149 Zoning Administrator.
Subd. 150 Zoning Districts.
Subd. 151 Zoning Map.

Section 1310 - Administration and Enforcement

1310.02 Amendments

Subd. 3 Applications for Rezoning

- G. A map showing the property to be rezoned, and the present zoning of the surrounding area for at least a distance of five hundred (500) feet, including the street pattern of such area, together with the names and addresses of the owners of the lands in each area.

1310.06 Public Hearings

Subd. 2 Notice Requirement. Notice of a public hearing shall be given by publication at least once in the official newspaper of the City, not less than ten (10) days and not more than thirty (30) days prior to the hearing, stating the time, place and purpose of the hearing together with a description of property affected. Not less than ten (10) days nor more than thirty (30) days prior to the hearing a copy of the notice shall be mailed by the City Clerk-Administrator or Zoning Administrator to the owner or owners of the property affected and to the owner or owners of property within five hundred (500) feet of the property affected.

1310.08 Expiration of Permits

Subd. 1 Work not Begun or Abandoned. Every permit issued under this Chapter shall expire by limitation and become null and void if the work authorized thereby is not commenced within one hundred eighty (180) days from the date of issue of such permit, or if the work authorized thereby is suspended or abandoned at any time after work has been commenced for a period of one hundred eighty (180) days.

Subd. 2 New Construction
Subd. 3 Alterations

Requirements	MX-1	MX-2	MX-3	MX-4	B-1	I-1	I-2	I-S
Minimum side yard for multifamily, commercial or industrial uses if adjacent to any R district	20	20	20	30	30	30	30	30
Minimum rear yard	5	5	5	5	5	5	5	5
Minimum rear yard if adjacent to any R district	10	10	10	50	50	50	50	50
Maximum building height in feet*	40 3-sty	28 2-sty	See table B.,below	40	40	40	40	40
Maximum height of storage tank in IS district								55
Public utilities required, including sewer	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

*Maximum height may be increased upon issuance of a Conditional Use Permit. The setback requirements for increases in height adjacent to single-family residential uses included in this chapter apply.

** See section 1300.08 Exceptions to Front Yard Setbacks

***Structure setbacks for the MX-1 and MX-2 are as noted by the dimensional provisions unless otherwise specifically approved in a development plan as outlined in a Planned Unit Development.

1350.14 Uses in the Non-Residential Districts

A. Mixed Use Districts Uses

P=Permitted Use; C=Permitted with a Conditional Use Permit; N=Not Permitted; PUD=Permitted with a Planned Unit Development; sf=square feet

Use	MX-1	MX-2	MX-3	MX-4
Residential Uses				
Single-family detached, one dwelling per lot	P	P	N	P
Single-family detached, more than one dwelling per lot	PUD	PUD	N	PUD
Two-family residences	P	P	N	P
Townhouse, rowhouse	P	P	P	P
Manufactured single-family dwelling	P	P	N	P
Mobile homes	N	N	N	N
Multi-Family, condos, apartments and cooperatives	P	P	P—less than 8 units; C—8 or more units	P
Congregate housing for senior populations	P	P	P	P
Homes for handicapped or infirm including group homes or halfway houses but not containing more than 6 unrelated persons	P	P	P	P
Mixed-Use (dwelling unit above ground floor)	P	P	P	P
Live-work building	C	C	C	C

Use	MX-1	MX-2	MX-3	MX-4
PUD	PUD	PUD	PUD	PUD
Civic and Semi-Public Uses				
Day Care Facilities in Single Family Homes with 14 or fewer children being attended to	P	P	N	P
Day Care Facilities in Single Family Homes with more than 14 children being attended to	C	C	N	C
Day Care Facilities	C	C	C	C
Day Care Facilities in a mixed-use building	P	P	P	P
Essential services/public utilities	P	P	P	P
Funeral Home	C	C	C	C
Hospitals	C	C	C	C
Military reserve, national guard centers	C	N	N	N
Park and public recreation facilities	P	P	P	P
Parking Garage (as a principal use)	C	N	C	N
Parking Lot, Surface (as a principal use)	C	N	N	N
Penal/correctional facilities	N	N	N	N
Place of worship and associated facilities, except schools	C	C	C	C
Public Facilities including government offices, emergency services facilities, public works facilities, schools, libraries, museums, post offices and other municipally owned or operated facilities	C	C	C—50,000 sf maximum	C
Schools – trade, college, vocational, and associated facilities	C	C	C—50,000 sf maximum	C
Schools for business, trade, dancing, music	C	C	C	C
Social and fraternal clubs and lodges, union halls	P	P	C—10,000 sq ft maximum	P
Transit stations and related parking facilities	C	C	C	C
Commercial Uses				
Administrative support services	P	P	P	P
Adult Uses	N	N	N	N
Animal boarding, grooming, veterinary clinics, retail sales	C	C	C—10,000 sf maximum	C
Artist studios	P	P	P	P
Auto body repair and major auto repair, towing services	C	N	N	N
Auto sales, rental	C	N	N	N
Automotive services, car specialty services (not including body repair or major repair)	C	C	C—Maximum 4 repair bays	C
Bakeries, delicatessens, coffee shops	P	P	P	P
Bakeries, wholesale	P	C	C	C
Bed and Breakfast	P	P	N	P
Biotechnology	P	P	P	P
Brew on premises store	P	P	P 10,000 sf maximum	P
Building materials and services	C	N	N	N

Use	MX-1	MX-2	MX-3	MX-4
Catalog and mail order	P	P	P	P
Conference Center, 50,000 square feet or less	C	C	C	C
Convenience stores	P	P	P	P
Data centers	C	C	C	C
Entertainment/amusement halls, bowling alley, indoor skating rink	P	P	C	C
Fabrication of apparel, leather products and other products from prepared products	P	C	P	C
Fabrication of office and computer equipment	P	P	P	P
Financial services	P	P	P	P
Fitness and recreation centers, in a mixed-use building	C	C	C	C
Gas, diesel or other motor fuel retail sales	C	C	N	C
Grocery and produce sales	C	C	C—50,000 sf maximum	C
Internet publishing and broadcasting	P	P	P	P
Medical, dental, or veterinary clinics and laboratories	C	C	C—10,000 sf maximum	C
Medical appliance assembly	P	P	P	P
Motion picture and sound recording industries	C	C	C	C
Offices – general, medical, professional, free-standing, or mixed-use building	P	P	P--to 10,000 sf; C—larger than 10,000 sf	P
Printing, publishing, bookbinding, blueprinting	C	C	C	C
Processing and packaging of drugs, pharmaceuticals, perfumes and cosmetics	C	C	P	C
Retail and service establishments, free-standing, or mixed-use building	P	P	P--to 10,000 sf; C—10,000 to 50,000 sf maximum	P
Rental of vehicles (with limited outside storage)	C	C	C	C
Research, development and testing laboratory	C	C	C	C
Restaurants, including open air or sidewalk cafes, freestanding or in mixed-use buildings—no liquor served	P	P	P	P
Restaurants, including open air or sidewalk cafes, freestanding or in mixed-use buildings—liquor served	C	C	C	C
Restaurants with drive-through service	C	C	C	C
Service businesses, such as beauty shops, barbershops, dry-cleaning, drop-off/pickup (no on-site processing) in mixed-use buildings	P	P	P	P
Small scale manufacturing and artisans	P	P	P—5,000 sf or less; C—5,000 to 10,000 sf	P
Theaters (with structured parking)	P	P	P	P

Use	MX-1	MX-2	MX-3	MX-4
Theaters	C	C	C	C
Towing services (no outside storage of vehicles)	P	C	P	C
Warehousing as a primary use	N	N	N	N
Accessory Uses				
Drive up facilities	C	C	C	C
Gazebo, arbor, play equipment in public or private open space area	P	P	P	P
Outdoor sales, in conjunction with permitted use	C	C	N	C
Renewable energy system	P	P	P	P
Parking lot, as an accessory use	C	C	C	C
Small brewery or winery as an accessory use to a bar or restaurant	C	C	C	C
Swimming Pool	P	P	P	P

B. Business and Industrial District Uses

P=Permitted Use; C=Permitted with a Conditional Use Permit; N=Not Permitted; sf=square feet

Use	B-1	I-1	I-2	I-S
Civic and Public Uses				
Airports	N	C	C	N
Cemetery and/or crematorium	C	N	N	N
Day care centers	C	C	C	C
Day care centers in a mixed-use building	P	C	C	C
Essential services/public utilities	P	P	P	P
Funeral Home	p	N	N	N
Hospitals	C	N	N	N
Medical Clinics	P	N	N	N
Military reserve, national guard centers	C	N	N	N
Park and public recreation facilities	P	P	P	P
Parking Garage (as a principal use)	P	N	N	N
Parking Lot, Surface (as a principal use)	P	P	P	P
Penal/correctional facilities	N	C	C	N
Place of worship and associated facilities, except schools	P	N	N	N
Post Office	P	N	N	N
Public Facilities including government offices, emergency services facilities, public works facilities, schools, libraries, museums, and other municipally owned or operated facilities	C	C	C	C
Sanitary landfill	N	C	C	N
Schools-trade, college, vocational, and associated facilities	p	C	N	N
Schools for business, trade, dancing, music	C	C	N	N
Social, Fraternal clubs and lodges, union halls	P	N	N	N
Transit stations and related parking facilities	C	N	N	N
Commercial Uses				
Adult uses (bookstore, theater, nightclub, nude or partially nude dancing)	N	N	C	C
Auto painting and body work	N	C	N	N

Use	B-1	I-1	I-2	I-S
Auto storage	N	C	P	C
Brewery, craft	P	P	N	N
Commercial greenhouse operations	C	P	N	N
Convenience stores	P	N	N	N
Gas, diesel or other motor fuel retail sales	P	N	N	N
Distillery, craft	P	P	N	N
Hotels, motels	P	N	N	N
Restaurant, traditional or liquor served; bar and grill	P	N	N	N
Salvage yards (auto or scrap iron)	N	N	P	N
Small brewery or winery as an accessory use to a bar or restaurant	P	P	N	N
Storage, mini-storage, cold-storage	N	N	N	P
Veterinary clinic, animal hospital	C	P	N	N
Wholesale sales	P	N	N	N
Winery, craft	P	P	N	N
Warehouse and Industrial Uses				
Manufacturing	C	P	P	N
Micro- and regional brewery	P	P	P	N
Retail sale, installation and remanufacturing of vehicle parts and accessories	N	P	N	N
Storage and distribution of bulk petroleum products, oil and gasoline	N	N	N	C
Storage, mini-storage, cold storage	N	N	N	P
Warehousing	C	P	P	N

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 20th day of March, 2014.

Signed: _____
Tim Geraghty, Mayor

Attest: _____
Deb Hill, City Administrator

CHAPTER 1300 – GENERAL ZONING

Section 1300 – General

1300.01 Definitions.

The following words and terms, wherever they appear in this Chapter, shall be defined as follows:

Subd. 1 Abandonment. "Abandonment" shall mean to cease or discontinue a use or activity of a property for a period of twelve (12) consecutive months or more unless otherwise specified.

Subd. 2 Abut. "Abut" shall mean to border upon a parcel of land so as to share all or part of a common property line with another parcel of land.

Subd. 3 Accessory Building or Accessory Structure. See building, accessory.

Subd. 4 Accessory Use. See use, accessory.

Subd. 5 Adult Use. "Adult Use" shall include adult bookstores, adult motion picture theaters, adult mini-motion picture theaters, adult massage parlors, adult steam room/bath-house/sauna facilities, adult companionship establishments, adult rap/conversation parlors, adult health/sports clubs, adult cabarets, adult novelty businesses, adult motion picture arcades, adult modeling studios, adult hotels/motels, adult body painting studios, and other premises, enterprises, establishments, businesses, or places open to some or all members of the public at or in which there is an emphasis on the presentation, display, depiction, or description of "specified anatomical areas" (as defined in Subd. 116) or "specified sexual activities," (as defined in Subd. 117), which are capable of being seen by members of the public. Activities classified as obscene as defined by Minn. Stats. § 617.241 are not lawful and are not included in the definition of adult uses.

Subd. 6 Agriculture. "Agriculture" shall mean the growing and marketing of fruits, vegetables, grains, trees, shrubs, flowers, or other plants, for commercial or private purposes, but not including the growing or raising of animals except as otherwise provided for by this Code.

Subd. 7 Alley. "Alley" shall mean any dedicated public right-of-way providing a secondary means of access to abutting property.

Subd. 8 Apartment. "Apartment" shall mean a room or group of rooms in a residential structure which includes bath and kitchen facilities and is intended or designed for use as an independent residence for a family or individual.

Subd. 9 Automobile Salvage Yard. "Automobile Salvage Yard" shall mean a commercial use carried on outside of an enclosed building involving the dismantling or storage of vehicles or equipment, and any other lot used for wrecking or storing of inoperable motor vehicles or their parts.

Subd. 10 Basement. "Basement" shall mean, a story of a building having more than half its height below the average level of the adjoining finished grade. A basement shall be counted as a story for the purpose of height regulations, if occupied for business or residential purposes.

Subd. 11 Berm. "Berm" shall mean a landscaped mound of earth.

Subd. 12 Billboard. "Billboard" shall mean any advertising sign where the advertised goods or services are not furnished at the location of the sign.

Subd. 13 Block. "Block" shall mean a tract of land bounded by streets, or a combination of streets and public or private open space, cemeteries, railroad rights-of-way, shorelines, waterways, or City corporate limits.

Subd. 14 Brew on Premises Store. "Brew on Premises Store" shall mean a retail business that sells the ingredients and equipment to customers to brew beer, other malt liquor or wine at the store for personal or family consumption.

Subd. 15 Brewery, Craft. "Craft Brewery" shall mean a facility with a capacity to manufacture twenty thousand (20,000) or fewer barrels of alcoholic and nonalcoholic malt liquor a year. This definition excludes small breweries operated in conjunction with a bar or restaurant defined herein as an accessory use.

Subd. ~~14-16~~ Buildable Area. "Buildable Area" shall mean the space remaining on a lot for building purposes after the setback and open space requirements of this Chapter have been met.

Subd. ~~15-17~~ Building. "Building" shall mean a structure having a roof supported by columns or walls. When separated by dividing walls without openings, each portion of such a structure shall be deemed a separate building.

Subd. ~~16-18~~ Building, Accessory. "Building, Accessory" shall mean a subordinate building or structure on the same lot as a principal building, or part of the principal building, exclusively occupied by or devoted to a use incidental to the main use of the property.

Subd. ~~17-19~~ Building Height. "Building Height", unless otherwise specifically noted in this Chapter, shall mean the vertical distance measured from the average elevation of the finished grade adjacent to a building to 1) the highest point on a building with a flat roof, 2) the deck line of a mansard type roof, or 3) the average height between the eaves and the peak of the highest gable of a pitched, hip, or gambrel roof. For purposes of calculating building height, the finished grade shall be the highest point within five (5) feet of the front of a building or, if the lowest grade within five (5) feet of any side of the building is more than ten (10) feet lower than the front, then the finished grade from which the height is measured shall be considered ten (10) feet above said lowest grade.

Subd. ~~18-20~~ Building, Principal. "Building, Principal" shall mean a building or structure occupied by or devoted to the principal or main use of the property.

Subd. ~~19-21~~ Canopy or Marquee. "Canopy" or "Marquee" shall mean any roof like structure extending out from the side of a building.

Subd. ~~20-22~~ City. "City" shall mean the City of Newport.

Subd. ~~21-23~~ Cluster Development. "Cluster development" shall mean a development planned and constructed so as to group housing units into relatively tight patterns while providing a unified network of open space and wooded areas, and meeting the overall density regulations of this Ordinance, the Zoning Ordinance and the Comprehensive Plan.

Subd. ~~22-24~~ Comprehensive Plan. "Comprehensive Plan" shall mean a compilation of policy statements, goals, standards and maps for guiding the physical, social and economic development,

both private and public, of the City and its environs. A comprehensive plan shall represent the recommendations of the Planning Commission and City Council for the future development of the community.

Subd. ~~23-25~~ Conditional Use. "Conditional Use" shall mean a permitted use which may be appropriate in a given zoning district but which requires special planning considerations in each instance, and which shall only be allowed in a specific location under conditions specified by this Code and by the City Council.

Subd. ~~24-26~~ Condominium. "Condominium" shall mean a multiple dwelling or development containing individually owned dwelling units and jointly owned and shared areas and facilities, which dwelling or development is subject to the provisions of state and local laws.

Subd. ~~25-27~~ Corner Lot. See lot, corner.

Subd. ~~26-28~~ Covered Storage Building. "Covered Storage Building" shall mean a temporary enclosure that is a moveable tent-like shelter that is typically constructed with wooden or metal framework and covered with a tarpaulin of plastic or canvas like material. These structures are most typically used for sheltering vehicles, RVs, or other materials stored outside residential neighborhoods.

Subd. ~~27-29~~ Density. "Density" shall mean a measure of the intensity of residential use on the land, expressed in terms of lot area per dwelling unit or dwelling units per acre. For such calculations, the land area shall be exclusive of water area and floodplain, but may include protected wetlands and hydric soils.

Subd. ~~30~~ Distillery, Craft. "[Craft Distillery](#)" shall mean [a distillery producing premium, distilled spirits not exceeding 40,000 proof gallons in a calendar year.](#)

Subd. ~~28-31~~ Driveway. "Driveway" shall mean a private road or path which is wholly located on the lot which it services and which affords vehicle access to a public road.

Subd. ~~29-32~~ Duplex. See dwelling, two family.

Subd. ~~30-33~~ Dwelling. "Dwelling" shall mean a structure designed and used exclusively for residential purposes for the occupancy of a family or families.

Subd. ~~31-34~~ Dwelling, Attached (group, row, or townhouse). "Dwelling, Attached" (group, row or townhouse) shall mean a dwelling joined to one (1) or more other dwellings by a party wall or walls.

Subd. ~~32-35~~ Dwelling, Detached. "Dwelling, Detached" shall mean a dwelling entirely surrounded by open space, and not attached or connected structurally to any other dwelling.

Subd. ~~33-36~~ Dwelling, Multiple Family. "Dwelling, Multiple Family" shall mean a dwelling containing two (2) or more dwelling units, whether a townhouse, apartment, condominium, or other type of dwelling.

Subd. ~~34-37~~ Dwelling, Single Family. "Dwelling, Single Family" shall mean a detached dwelling designed exclusively for occupancy by one (1) family only.

Subd. ~~35-38~~ Dwelling, Two Family. "Dwelling, Two Family" shall mean a dwelling designed with two dwelling units, exclusively for occupancy by two (2) families living independently of each other.

Subd. ~~36-39~~ Dwelling Unit. "Dwelling Unit" shall mean, one (1) or more rooms in a dwelling designed for occupancy by one (1) family for living purposes and having separate permanently installed cooking and sanitary facilities.

Subd. ~~37-40~~ Excavation. "Excavation" shall mean the removal, relocation, or recovery by any means of soil, rock, minerals, debris, or organic substances other than vegetation from a parcel of land.

Subd. ~~38-41~~ Family. "Family" shall mean any number of individuals related by blood, legal adoption or marriage, or six (6) or less unrelated individuals living together in a single housekeeping unit, as distinguished from a group occupying a boarding house, lodging house, licensed residential care facility, or hotel as herein described.

Subd. ~~39-42~~ Fence. "Fence" shall mean a partition, structure, wall or gate erected as a diving marker, visual or physical barrier, or enclosure.

Subd. ~~40-43~~ Fill. "Fill" shall mean sand, gravel, earth or other materials deposited on, moved onto, or placed on a parcel of land.

Subd. ~~41-44~~ Filling. "Filling" shall mean the placement of fill on a parcel of land.

Subd. ~~42-45~~ Floodplain. "Floodplain" shall mean the area subject to inundation by a one hundred (100)-year flood as designated and mapped by the Federal Emergency Management Agency.

Subd. ~~43-46~~ Floor Area. "Floor Area" shall mean the sum of the gross horizontal areas of the several floors of a building, measured from the exterior faces of the exterior walls, or for a structure without walls (e.g., a carport), the total ground area covered by roof, not including area under a typical overhang dimension.

Subd. ~~44-47~~ Floor Area, Livable. "Floor Area, Livable" shall mean the floor area of a dwelling excluding all areas occupied by basements, garages, porches, attics, stairways, storage, utility and heating rooms.

Subd. ~~45-48~~ Floor Area Ratio (F.A.R.). "Floor area ratio (F.A.R.)" shall mean the floor area of the building or buildings on a zoning lot divided by the area of such zoning lot, or, in the case of planned unit developments, by the net size area. The floor area ratio requirements shall determine the maximum floor area allowable for the building or buildings, including both principal and accessory buildings, in direct ratio to the gross area of the zoning lot.

Subd. ~~46-49~~ Footcandle. "Footcandle" shall mean a standard unit of illumination intensity.

Subd. ~~47-50~~ Frequency. "Frequency" shall mean the oscillations per second in a sound wave.

Subd. ~~48-51~~ Frontage. "Frontage" shall mean that part of a lot fronting on one side of a street between the side lot lines or between a street right-of-way and a side lot line.

Subd. 49-52 Garage, Private. "Garage, Private" shall mean an accessory building designed or used for the storage of motor-driven vehicles owned and used by the occupants of the dwelling unit to which it is accessory.

Subd. 50-53 Garage, Public. "Garage, Public" shall mean any building, except a private garage, used for the storage or care of motor-driven vehicles, or a building where any such vehicles are equipped for operation, are repaired, or are kept for remuneration, hire, or sale.

Subd. 51-54 Garage, Truck. "Garage, Truck" shall mean a building used or intended to be used for the storage of motor trucks, truck trailers, tractors, and commercial vehicles exceeding one and one-half (1-1/2) tons capacity.

Subd. 52-55 Grade "Grade" shall mean the lowest point of elevation of the finished surface of the ground, paving, or sidewalk within the area between the building and the property line or, when the property line is more than five (5) feet from the building, between the building and a line five (5) feet from the building.

Subd. 53-56 Grade, Street. "Grade, Street" shall mean the established elevation of the street in front of the building measured at the center of such front. Where no street grade has been established, the City engineer shall establish such street grade or its equivalent for the purpose of this Chapter.

Subd. 54-57 Group Home. "Group Home" shall mean a home that is licensed by the commissioner of health as a rooming and/or boardinghouse and receives 50% (percent) or more of its residents under a contract or other arrangement with the state or local government human services agency. Provides lodging for people who are mentally ill, physically disadvantaged or chemically dependant.

Subd. 55-58 Halfway House. "Halfway House" shall mean a home, operated and supervised by a governmental or non-profit agency, for not more than nine persons who have demonstrated a tendency toward chemical abuse, mental illness, or antisocial or criminal conduct, together with not more than two persons providing supervision and other services to such persons, eleven of whom live together as a single housekeeping unit. The term shall not include licensed facilities as defined by Minn. Stat. §245A.11

Subd. 56-59 Handicapped or Infirm Institution. "Handicapped or Infirm Institution" shall mean an institutional facility housing more than six persons who are physically or mentally handicapped or infirm, and providing primarily residential care rather than medical treatment.

Subd. 57-60 Home Occupation. "Home Occupation" shall mean any gainful occupation or profession clearly secondary to the main use of the dwelling as a residence, which is conducted entirely within the dwelling, and which meets the requirements of this Code.

Subd. 58-61 Horticulture. "Horticulture" shall mean the use of land for the growing or production for income, of fruits, vegetables, flowers, nursery stock, and trees, including forestry, ornamental plants and trees, and cultured sod.

Subd. 59-62 Impervious Surface. "Impervious Surface" shall mean a material providing a hard surface which substantially prevents the absorption of water into the ground.

Subd. 60-63 Intermediate Care Home. "Intermediate Care Home" shall mean a facility providing accommodations for not more than seven occupants needing medical care and supervision at a lower

level than that provided in a nursing care institution but at a higher level than that provided in institutions for the handicapped or infirm.

Subd. ~~61-64~~ Intermediate Care Institution. "Intermediate Care Institution" shall mean an institutional facility providing accommodation for more than seven persons needing medical care and supervision at a lower level than that provided in a nursing care institution but at a higher level than that provided in institutions for the handicapped or infirm.

Subd. ~~62-65~~ Intermodal Container. "Intermodal container", "freight container" or "shipping container" shall mean a reusable transport and storage unit for moving products and raw materials between locations or countries. A typical container has doors fitted at one end, and is constructed of corrugated weathering steel.

Subd. ~~63-66~~ Junkyard. "Junkyard" shall mean land or buildings where waste, discarded or salvaged materials are bought, sold, stored, exchanged, cleaned, packed, disassembled or handled on a commercial basis including but not limited to, scrap metal, rags, paper, hides, rubber products, glass products, lumber products and products resulting from the wrecking of automobiles or other vehicles.

Subd. ~~64-67~~ Kennel (commercial or hobby). "Kennel (commercial or hobby)" shall mean any structure or premises on which four (4) or more domestic animals over six (6) months of age are kept.

Subd. ~~65-68~~ Loading Space or Loading Area. "Loading Space," or "Loading Area" shall mean that portion of a lot or plot designed to serve the purpose of loading or unloading all types of vehicles.

Subd. ~~66-69~~ Lot. "Lot" shall mean a parcel of land, separated from other parcels by description, intended for building development or for transfer of ownership.

Subd. ~~67-70~~ Lot Area. "Lot Area" shall mean the total surface area of a lot within the lot lines, excluding public right-of-way or street easements.

Subd. ~~68-71~~ Lot, Corner. "Lot, Corner" shall mean a lot bordered by a public right-of-way containing a public street or planned for a public street on at least two (2) adjacent sides.

Subd. ~~69-72~~ Lot Coverage. "Lot Coverage" shall mean the area of a lot occupied by impervious material, including but not limited to buildings, paved surfaces, and driveways.

Subd. ~~730~~ Lot Depth. "Lot Depth" shall mean the mean horizontal distance between the center points of the front and rear lot lines for standard lots. For lots of non-standard shape, the Zoning Administrator shall determine the lot depth.

Subd. ~~71-74~~ Lot, Double Frontage. "Lot, Double Frontage" shall mean a lot having frontage on two (2) streets which do not intersect at a corner of the lot.

Subd. ~~72-75~~ Lot, Interior. "Lot, Interior" shall mean a lot other than a corner lot.

Subd. ~~73-76~~ Lot Line, Front. "Lot Line, Front" shall mean the boundary of a lot abutting a street easement or right-of-way. On a corner lot, the shortest street lot line shall be considered the front lot line.

Subd. ~~74-77~~ Lot Line, Rear. "Lot Line, Rear" shall mean the lot line or lot lines most nearly parallel to and furthest from the front lot line.

Subd. ~~75-78~~ Lot of Record. "Lot of Record" shall mean any lot for which a deed, registered land survey, or other legal record was recorded in the office of the register of deeds or the register of titles for Washington County, Minnesota, prior to August 7, 1964, and which contains identical lot dimensions as were present on that date.

Subd. ~~76-79~~ Lot Width. "Lot Width" shall mean the horizontal distance between the side lot lines measured at right angles to the lot depth at the established front building setback line.

Subd. ~~77-80~~ Manufactured Single-family Dwelling. "Manufactured Single-family Dwelling" shall mean a structure, not affixed to or part of real estate, transportable in one or more sections, which in a traveling mode is eight (8) body feet or more in width, or forty (40) body feet, or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a single-family dwelling with or without a permanent foundation when connected to required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained in it, except for accessory manufactured single-family dwellings and temporary manufactured single-family dwellings, as defined in this Chapter. . A manufactured single-family dwelling shall be construed to remain a manufactured single-family dwelling, subject to all regulations applying thereto, whether or not wheels, axles, hitch, or other appurtenances of mobility are removed and regardless of the nature of the foundation provided. A manufactured single-family dwelling shall not be construed to be a travel trailer or other form of recreational vehicle.

Subd. 81 Micro- and Regional Brewery. "Micro- and Regional Brewery" shall mean a facility with a capacity to manufacture one million (1,000,000) or fewer barrels of alcoholic and nonalcoholic malt liquor a year. This definition excludes brew on premises stores as defined in this ordinance, and/or small breweries operated in conjunction with a bar or restaurant defined herein as an accessory use.

Subd. ~~78-82~~ Mobile Home. "Mobile Home" shall have the same meaning as manufactured single-family dwelling.

Subd. ~~79-83~~ Mobile Home Park. "Mobile Home Park", a parcel of land under single ownership which has been planned and improved for the placement of mobile homes for nontransient use.

Subd. ~~80-84~~ Modular Manufactured or Prefabricated Home. "Modular Manufactured or Pre-fabricated Home" shall mean a nonmobile housing unit that is entirely or mostly fabricated off site and transported to a building site where final installations are made, permanently affixing the module to the site. A modular manufactured home shall be considered the same as a single-family dwelling under the standards in this Code, provided it meets the standards for floor area and other minimum standards.

Subd. ~~81-85~~ Motel. "Motel" shall mean a combination or group of two (2) or more detached, semi-detached or connected permanent dwellings occupying a building site integrally owned and used as a unit to furnish overnight transient living accommodations of a fee.

Subd. ~~82-86~~ Motor Vehicle. "Motor Vehicle" shall mean any self-propelled vehicle not operated exclusively on railroad tracks, and any vehicle propelled or drawn by a self-propelled vehicle, including but not limited to cars, trucks, buses, motorcycles, campers, recreational vehicles, and trailers.

Subd. ~~83-87~~ Motor Vehicle Body Work. "Motor Vehicle Body Work" shall mean repair or straightening or automobile body, frame, or fender, including painting.

Subd. ~~84-88~~ Motor Vehicle Repair. "Motor Vehicle Repair" shall mean repairs, replacement of parts, and motor service to automobiles, not including body work or painting.

Subd. ~~85-89~~ Motor Vehicle Sales. "Motor Vehicle Sales" shall mean the sale or trade of new or used motor vehicles, whether cars, trucks, buses, campers, motorcycles, or other motorized vehicles, including the display of new or used vehicles, or the possession of new or used vehicles for sale or trade.

Subd. ~~86-90~~ Motor Vehicle, Small. "Motor Vehicle, Small" shall mean any motor vehicle less than twenty (20) feet in length and less than seven (7) feet in height, and commonly used or intended as a passenger car.

Subd. ~~87-91~~ Multi-family Conversion. "Multi-family Conversion" shall mean the alteration of an existing building for use as a multiple family dwelling, meeting all applicable building codes and standards in this Chapter.

Subd. ~~88-92~~ Municipal Water and Sewer Systems. "Municipal Water and Sewer Systems" shall mean utility systems serving a group of buildings, lots, or an area of the City, with the design and construction of such utility systems as approved by the City engineer.

Subd. ~~89-93~~ Municipal/Public Facilities. "Municipal/Public Facilities" shall mean any buildings and property owned or operated by municipal, school district, county, state or other governmental unit.

Subd. ~~90-94~~ Nameplate. "Nameplate" shall mean a sign indicating the name and/or the address of a building, or the name of an occupant thereof and/or the practice of a permitted occupation therein.

Subd. ~~91-95~~ Nonconforming Use. "Nonconforming Use" shall mean any legal use existing upon the effective date of the adoption of this Chapter and which does not conform to the provisions of this Chapter.

Subd. ~~92-96~~ Nonconforming Lot. "Nonconforming Lot" shall mean any lot lawfully existing prior to the date that new zoning provisions were adopted making said lot inconsistent with the provisions of the newly adopted zoning chapter.

Subd. ~~93-97~~ Nonconforming Sign. "Nonconforming Sign" shall mean any legal sign existing prior to the date that new zoning provisions were adopted making said sign inconsistent with the provisions of the newly adopted zoning chapter. .

Subd. ~~94-98~~ Nonconforming Structure. "Nonconforming Structure" shall mean any legal structure or building existing prior to the date that new zoning provisions were adopted making said structure inconsistent with the provisions of the newly adopted zoning chapter.

Subd. ~~95-99~~ Nursing Care Home. "Nursing Care Home" shall mean a facility providing skilled nursing care and medical supervision at a lower level than that available in a hospital to no more than nine persons.

Subd. 96-100 Nursing Care Institution. "Nursing Care Institution" shall mean an institutional facility providing skilled nursing care and medical supervision at a lower level than that available in a hospital to more than nine persons.

Subd. 97-101 Ordinary High Water Level or Ordinary High Water Mark. "Ordinary High Water Level", or "Ordinary High Water Mark" shall mean the boundary of "public waters" and "wetlands", as defined by Minnesota Statutes, Chapter 103G, an elevation delineating the highest water level which has been maintained for a sufficient period of time to leave evidence upon the landscape, commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. For watercourses, the ordinary high water level is the elevation of the top of the bank of the channel.

Subd. 98-102 Outdoor Furnaces. "Outdoor Furnaces" shall mean Any equipment, device or apparatus, or any part thereof, which is installed, affixed or situated outdoors for the primary purpose of combustion of fuel to produce heat or energy used as a component of a heating system providing heat for any interior space ordinarily occupied by humans."

Subd. 99-103 Parking Space. "Parking Space" shall mean an area of land exclusive of driveways and aisles, usable for the parking of a motor vehicle, and of a size, shape and location meeting the standards in this Code.

Subd. 100-104 Person. "Person" shall include an individual, a firm, a partnership, a corporation, a company, an unincorporated association of persons such as a club, and an owner.

Subd. 101-105 Planned Development District (PDD). "Planned Development District (PDD)" shall mean a zoning district intended to allow a flexible, creative and efficient approach to the use of the land, providing a mutual benefit to the developer and to the City. In a PDD a tract of land can be developed as a unit rather than as individual lots, wherein two or more buildings may be located in relationship to each other rather than to lot lines with regard to use, location and in accordance with the requirements of this Code, as well as provisions agreed to between the City and developers.

Subd 102-106 Plot. "Plot" shall mean a tract of land, other than one unit of a recorded plat or subdivision occupied and used or intended to be occupied and used as a building site and improved or intended to be improved by the erection thereon of a building and accessory building and having a frontage upon a public street or highway and including such open spaces as required under this Chapter.

Subd. 103-107 Protected Waters. "Protected Waters" shall mean any waters of the state designated or otherwise defined as protected by the State or as the result of regulations adopted by the State. However, no lake, pond or flowage of less than ten (10) acres in size and no river or stream having a total drainage area less than two (2) square miles shall be regulated for the purposes of these regulations.

Subd. 104-108 Public Access. "Public Access" shall mean an area owned and/or operated by a governmental entity for the launching and retrieval of water craft from the public waters, or other recreational activities adjacent to public waters.

Subd. 105-109 Public Open Space. "Public Open Space" shall mean any publicly owned open area, including but not limited to the following: parks, playgrounds, school sites, and parkways.

Subd. ~~106-110~~ Public Utility. "Public Utility" shall mean any person, firm, corporation, municipal department, or board fully authorized by the City to furnish and furnishing to the public, electricity, gas, steam, communication services, telegraph services, transportation, water, or other essential public service.

Subd. ~~107-111~~ Public Waters. "Public Waters" shall mean any waters as defined in Minnesota Statutes, Chapter 103G

Subd. ~~108-112~~ Rest Home, Convalescent Home, or Nursing Home. "Rest Home", "Convalescent Home" or "Nursing Home" shall mean a private home for the care of children or the aged or infirm, or a place of rest for those suffering bodily disorders, but not containing equipment for surgical care or for treatment of disease or injury.

Subd. ~~109-113~~ Screen. "Screen" shall mean a barrier accomplished by a variety of means, intended to prevent visibility through the barrier. If accomplished by landscape materials, the screen shall be at least eighty (80) percent opaque.

Subd. ~~110-114~~ Semi-public Uses. "Semi-public Uses" shall mean uses owned by private or private nonprofit organizations which are open to some but not all of the public such as: denominational cemeteries, private schools, clubs, lodges, recreation facilities and churches.

Subd. ~~111-115~~ Setback or Setback Line. "Setback" or "Setback Line" shall mean the mean horizontal distance between the property line or street right-of-way, or street easement and the line of the structure or the allowable building line as defined by the yard regulations of this Code.

Subd. ~~112-116~~ Shoreland. "Shoreland" shall mean any land adjacent to public waters as defined by the Shoreland Management section of this Chapter.

Subd. ~~113-117~~ Shore Impact Zone. "Shore Impact Zone" shall mean land located between the ordinary high water level of a public water and a line parallel to it at a setback of fifty (50) percent of the required structure setback.

Subd. ~~114-118~~ Sign. "Sign" shall mean any structure, device or representation, with or without lettering, designed or intended to bring attention to the location, products or services or an individual, residence, business or institution.

Subd. ~~115-119~~ Slope. "Slope" shall mean the amount a land surface rises or falls from a horizontal plane. Slope can be expressed as a fraction or percentage, arrived at by dividing the distance of the vertical rise or fall from the horizontal plane by the horizontal distance.

Subd. ~~120~~ Small Brewery or Winery as an Accessory Use to a Bar or Restaurant (Brew Pub). "Small Brewery or Winery as an Accessory Use to a Bar or Restaurant," also known as a Brew Pub, shall mean a craft brewery or winery operated in conjunction with a bar or restaurant, provided the beer or wine is sold for consumption on the premises and not sold to other bars, restaurants or wholesalers; except that an establishment licensed under Minnesota Statutes may sell "growlers" off-sale with an appropriate City license.

Subd. ~~116-121~~ Specified Anatomical Areas. "Specified Anatomical Areas" shall consist of the following:

- A. Less than completely and opaquely covered human genitals, pubic region, buttock, anus, or female breast(s) below a point immediately above the top of the areola; and
- B. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Subd. ~~117-122~~ Specified Sexual Activities. "Specified Sexual Activities" shall consist of the following:

- A. Actual or simulated sexual intercourse, oral copulation, anal intercourse, oral-anal copulation, bestiality, direct physical stimulation of unclothed genitals, flagellation or torture in the context of a sexual relationship, or the use of excretory functions in the context of a sexual relationship, and any of the following sexually oriented acts or conduct: anilingus, buggery, coprophagy, coprophilia, cunnilingus, fellatio, necrophilia, pederasty, pedophilia, piquierism, sapphism, zoerasty; or
- B. Clearly depicted human genitals in the state of sexual stimulation, arousal or tumescence; or
- C. Use of human or animal ejaculation, sodomy, oral copulation, coitus, or masturbation; or
- D. Fondling or touching of nude human genitals, pubic region, buttocks, or female breast; or
- E. Situations involving a person or persons, any of whom are nude, clad in undergarments or in sexually revealing costumes, and who are engaged in activities involving the flagellation, torture, fettering, binding or other physical restraint or any such persons; or
- F. Erotic or lewd touching, fondling or other sexually oriented contact with an animal by a human being; or
- G. Human excretion, urination, menstruation, vaginal or anal irrigation

Subd. ~~118-123~~ Story. "Story" shall mean that portion of a building included between the surface of any floor and the surface of the floor next above it, or, if there is no such floor above, the space between such floor and the ceiling next above it. A level containing independent apartment or living quarters shall be counted as a full story, whether or not that level is completely usable or finished.

Subd. ~~119-124~~ Street, Public. "Street, Public" shall mean a thoroughfare which affords a principal means of access to abutting property and which has been accepted by the City as a public street.

Subd. ~~120-125~~ Structural Alterations. "Structural Alterations" shall mean any change in the supporting members of a building such as bearing walls, columns, beams, or girders, or any substantial changes in the roof and exterior walls.

Subd. ~~121-126~~ Structure. "Structure" shall mean anything constructed or erected, the use of which requires permanent location on the ground or attachment to something having a permanent location on the ground. When a structure is divided into separate parts by a wall without openings, each part shall be deemed a separate structure.

Subd. ~~122-127~~ Structure, Accessory. See building, accessory.

Subd. ~~123-128~~ Structure, Principal. See building, principal.

Subd. ~~124-129~~ Subdivision. "Subdivision" shall mean the division of a parcel of land into two (2) or more lots or parcels, for the purpose of transfer of ownership or building development.

Subd. ~~125-130~~ Tent Garages. See **Subd. 26 Covered Storage Building.**

Subd. ~~126-131~~ Townhouse. "Townhouse" shall mean a single structure consisting of three (3) or more dwelling units each having a private entrance on the first story at or near the ground level with no other dwelling unit connected to the other dwelling unit except by a party wall with no openings.

Subd. ~~127-132~~ Transit Station. "Transit Station" shall mean a parcel or portion thereof that is used for loading and unloading of public transit riders including the platform, station facilities, public open space and park-and-ride lots. Transit Station is inclusive of all public transit modes.

Subd. ~~128-133~~ Use. "Use" shall mean the purpose for which land or premises or a building thereon is designated, arranged or intended, or for which it is or may be occupied or maintained.

Subd. ~~129-134~~ Use, Accessory. "Use, Accessory" shall mean a use subordinate to the principal use on a lot and exclusively used for purposes incidental to those of the principal use.

Subd. ~~130-135~~ Use, Interim. "Use, Interim" shall mean a temporary use of a property until a particular date, or until the occurrence of a particular event, as determined by the City Council.

Subd. ~~131-136~~ Use, Permitted. "Use, Permitted" shall mean a use which may be lawfully established in a particular district, provided it conforms with all requirements, regulations, and performance standards of such district.

Subd. ~~132-137~~ Use, Principal. "Use, Principal" shall mean the main use of land for an activity which is an allowable use of the zoning district in which the land is located.

Subd. ~~133-138~~ Utility Facility. "Utility Facility" shall mean any above-ground structure or facility, other than a principal building, owned by a governmental entity, a non-profit organization, a corporation, or any other entity defined as a public utility for any purpose by State statute and used in connection with the production, generation, transmission, delivery, collection, or storage of water, sewage, electricity, gas, oil, or electronic signals. Streets are exempt from this definition, as are wires or pipes and supporting poles or structures within a public right-of-way for electric power, telephone, telegraph, cable television, gas, water, and sewer service.

Subd. ~~134-139~~ Utility Facility, Community or Regional. "Utility Facility, Community or Regional" shall mean any utility facility other than a neighborhood facility as defined in Subd. 124 below.

Subd. ~~135-140~~ Utility Facility, Neighborhood. "Utility Facility, Neighborhood" shall mean a utility facility designed to serve the immediate neighborhood and that must, for reasons related to the purpose of the utility, be located in or near the neighborhood where the facilities are proposed to be located.

Subd. ~~136-141~~ Variance. "Variance" shall mean a modification or variation of the provisions of this Chapter, as applied to a specific piece of property. A variance may be granted to the numerical standards of the Code, but not for the permissible use of a property.

Subd. 137-142 Vehicle, Small. "Vehicle, Small" shall mean any motor vehicle up to twenty (20) feet in length and up to seven (7) feet in height, commonly used as a passenger vehicle, not including trucks of any kind. See Subd. 86.

Subd. 138-143 Wholesale Sales. "Wholesale Sales" shall mean on-premise sale of goods primarily to customers engaged in the business of reselling the goods.

Subd. 144 Winery, Craft. "Craft winery" is a facility that manufactures wine, as defined by Minnesota Statutes § 340A.301, with a capacity of six hundred twenty thousand (620,000) or fewer gallons per year.

Subd. 139-145 Yard. "Yard" shall mean an open space on the same lot with a building or structure, which is unoccupied and unobstructed from its lowest level to the sky, except as otherwise permitted in this Chapter.

Subd. 140-146 Yard, Front. "Yard, Front" shall mean a yard extending across the front of a lot between the side yard lines and lying between the front street line of the lot or right-of-way and the required front yard setback line, which front yard shall be provided on both street frontages of corner lots and double frontage lots.

Subd. 141-147 Yard, Rear. "Yard, Rear" shall mean a yard lying between the required rear yard setback line and rear line of the lot, for the full width of the lot.

Subd. 142-148 Yard, Side. "Yard, Side" shall mean a yard on the same lot with a building between the side yard setback line and the side line of the lot and extending from the front lot line to the rear yard.

Subd. 143-149 Zoning Administrator. "Zoning Administrator" shall mean the person authorized to administer and enforce this Chapter.

Subd. 144-150 Zoning Districts. "Zoning Districts" shall mean the areas of the City designated for specific uses with specific requirements for use or development.

Subd. 145-151 Zoning Map. "Zoning Map" shall mean the map or maps incorporated into this Chapter as a part thereof designating the zoning districts.

Section 1310 - Administration and Enforcement**1310.02 Amendments**

Subd. 3 Applications for Rezoning. Proceedings for amendment, which are initiated by the petition of the owner or owners of the property, shall be filed with the Zoning Administrator. All applications shall be accompanied by an administrative fee as prescribed in Subsection 1310.01 and shall include the following information:

- A. The name and address of the applicant or applicants;
- B. A description of the area proposed to be rezoned; the names and addresses of all owners of property lying within such area and a description of the property owned by each;
- C. The present zone classification of the area and the proposed zone classification;
- D. A description of the present use of each separately owned tract within the area, and the intended use of any tract of land therein;
- E. A site plan showing the location and extent of the proposed building, parking, loading, access drives, landscaping and any other improvements;
- F. A statement of how the rezoning would fit in with the general zoning pattern of the neighborhood, and the zoning plan of the entire City;
- G. A map showing the property to be rezoned, and the present zoning of the surrounding area for at least a distance of ~~three hundred fifty~~ five hundred (350500) feet, including the street pattern of such area, together with the names and addresses of the owners of the lands in each area.

1310.06 Public Hearings

Subd. 2 Notice Requirement. Notice of a public hearing shall be given by publication at least once in the official newspaper of the City, not less than ten (10) days and not more than thirty (30) days prior to the hearing, stating the time, place and purpose of the hearing together with a description of property affected. Not less than ten (10) days nor more than thirty (30) days prior to the hearing a copy of the notice shall be mailed by the City Clerk-Administrator or Zoning Administrator to the owner or owners of the property affected and to the owner or owners of property within ~~three hundred fifty~~ five hundred (350500) feet of the property affected.

1310.08 Expiration of Permits

Subd. 1 Work not Begun or Abandoned. Every permit issued under this Chapter shall expire by limitation and become null and void if the work authorized thereby is not commenced within one hundred ~~twenty-eight~~ y (120180) days from the date of issue of such permit, or if the work authorized thereby is suspended or abandoned at any time after work has been commenced for a period of one hundred ~~twenty-eight~~ y (120180) days.

Subd. 2 New Construction. In the case of a permit issued under this Chapter for new construction of a one- or two-family dwelling, such permit shall expire and become null and void if the dwelling is not completed by the end of two (2) years from the date of issuance of the permit.

Subd. 3 Alterations. In the case of a permit issued under this Chapter for the construction of additions, alterations or improvements to an existing one- or two-family dwelling, or accessory structures thereto, such permit shall expire and become null and void if the dwelling is not completed by the end of one (1) year from the date of issuance of the permit.

Subd. 4 Extensions. The time limits set forth in Subdivisions 1 through 3 may be extended with the approval of the ~~Planning Commission~~Building Official provided that a written application for such extension, with stated reasons for the extension, is submitted to the ~~Zoning Administrator~~Building Official ~~at least two (2) weeks prior to the regularly scheduled Planning Commission meeting~~ prior to the date the permit would otherwise expire.

Section 1340 - Residential Districts

1340.04 Single Family Residential Garage, Accessory Structure and Driveway Standards.

Subd. 3 Height. No garage, whether attached or detached, nor any accessory structure shall be taller than the principal structure on the lot as measured by the building height definition from Section 1300.01 Subd. [17](#) [19](#) Building Height.

Section 1350 - Non-residential Districts

1350.01 Scope.

Except as otherwise provided, this division applies to all non-residential and mixed-use districts in the City.

1350.02 Purpose of Business Districts.

Business districts shall be established to accomplish the general purpose of this Chapter and the Comprehensive Plan and for the following specific purposes:

- A. To group compatible business uses which will tend to draw trade that is naturally interchangeable and so promotes the business prosperity and public convenience;
- B. To provide an adequate supply of suitable land for businesses and professional services to meet the needs of the community and provide employment opportunities and significant tax base;
- C. To promote a high quality of business and commercial development and design that produces a positive visual image and minimizes the effects of traffic congestion noise, odor, glare, and similar problems.

1350.03 Specific intent of the Business Park/Office/Warehouse District.

The Business Park/Office/Warehouse District is intended to provide locations for office, warehouse, and related uses in a business park setting. Some accessory commercial services may also be a part of this land use type to serve the large employment base.

1350.04 Purpose of the Industrial Districts.

The industrial districts shall be established to accomplish the general purpose of this Chapter and the Comprehensive Plan and the following specific purposes:

- A. To provide employment opportunities;
- B. To group industrial uses in locations accessible to rail and highways, so that the movement of raw materials, finished products, and employees can be carried on efficiently;
- C. To separate traffic, noise, and other obtrusive characteristics of intense industrial activity from the more sensitive commercial, residential, and open space areas of the City.

1350.05 Specific intent of the I-1 Light Industrial District.

The specific intent of the I-1 Light Industrial District shall be to provide areas for the development of research laboratories, small-scale processing, fabricating, storage, manufacturing, and assembly of products. Such uses are non-polluting, not excessively noisy or dirty, limited traffic producers, and do not produce hazardous waste as by-products.

1350.06 Specific intent of the I-2 General Industrial District.

The specific intent of the I-2 General Industrial District shall be to provide areas adjacent to major thoroughfares and in areas where public utilities are available for the express use of industrial developments. Designation of industrial districts will help attract industry, thereby stabilizing the tax base and increasing employment in the City.

1350.07 Specific intent of the I-S Industrial Storage District.

The specific intent of the I-S Industrial Storage District shall be to provide areas bordering City limits and areas adequately buffered with open land to permit storage of petroleum products and other similar storage uses.

1350.08 Purpose of the Mixed-Use Districts.

The mixed-use districts shall be established to accomplish the general purposes outlined in the Comprehensive Plan and to foster a development pattern that encourages a mix of supportive residential and commercial uses, and supports a multi-modal transportation system that services all users. These districts will integrate places to live, shop, work and play. The mixed-use districts are intended to help shape Newport's downtown and small town identity.

1350.09 Specific intent of the MX-1 Downtown District.

The specific intent of the MX-1 Downtown Mixed Use District shall be to provide sites for small scale retail, commercial, office and service uses, and to support a mix of residential uses. District requirements and standards will create neighborhoods that are aesthetically pleasing, dense, safe, and walkable. This district is primarily intended to integrate residential uses with pedestrian-oriented commercial uses such as specialty retail stores, professional and financial services, offices, sit down restaurants, coffee shops, floral shops, etc. This district shall serve as the center for financial, commercial, professional, and entertainment activities. Inclusion of high density housing above commercial uses in this district will support commercial and entertainment uses and public transit services.

1350.10 Specific intent of the MX-2 Commercial District.

The specific intent of the MX-2 Commercial Mixed Use District shall be to provide areas that integrate diverse commercial and residential uses. Minimum lot sizes are larger than those in the Downtown District. Development is intended to be compatible with the scale of surrounding areas. Parking areas are restricted in this zone in order to limit the impact on the neighborhood and on areas that are visual gateways to the City.

1350.11 Specific intent of the MX-3 Transit-Oriented Mixed Use District

The specific intent of the MX-3 Transit-Oriented Mixed Use District is to encourage a mixture of residential, commercial, office, and civic uses in proximity to the commuter rail station at densities and intensities that support and increase transit use. The district is also intended to:

- A. Encourage a safe and pleasant pedestrian environment near the rail station, and limit conflicts between pedestrians and vehicles.
- B. Maximize access to transit.
- C. Encourage use of transit infrastructure.
- D. Provide parking in an efficient and unobtrusive manner
- E. Reduce parking requirements by encouraging shared parking and alternative modes of transportation.
- F. Encourage a sense of activity and liveliness along the street level of building facades.

1350.12 Specific intent of the MX-4 General Mixed Use District

The specific intent of the MX-General Mixed Use District is to provide for a mix of residential and commercial uses that provide for a long-term transition from the auto-oriented uses that exist in the district based on past frontage on Highway 61, to uses that are compatible with adjacent Mixed-Use Districts and development of the Downtown character of Hastings Avenue. The City anticipates that commercial uses will cluster on and near Hastings Avenue and the Glen Road interchange, and that over the long-term, residential uses may become more dense in this zone.

1350.13 Dimensional Requirements for lots and structures in non-residential districts

- A. Non-residential district requirements

City of Newport

Section 1350 Non-Residential Districts

Requirements	MX-1	MX-2	MX-3	MX-4	B-1	I-1	I-2	I-S
Minimum lot area in square feet	2,400	4,000	None	2,400	15,000	30,000	30,000	30,000
Minimum lot depth in feet	80	100	None	80	150	200	200	200
Minimum lot width in feet	30	40	30	30	100	100	100	100
Maximum lot coverage by all buildings (%)	80%	50%	None	80%	30%	40%	50%	50%
<i>Structure setback standards***</i>								
Minimum front yard setback	0	10**	0	0	20	20	20	50
Minimum front yard if across collector or minor street from any residential district	10	10**	10	10	50	50	50	100
Minimum side yard	0	5	5	5	10	20	20	50
Minimum side yard if adjacent to any residential district	10	10	10	10	50	50	50	100
Minimum rear yard	20	20	20	20	20	20	20	50
Minimum rear yard if adjacent to any residential district	20	20	20	20	50	50	50	100
<i>Parking and driving aisle setback in feet</i>								
Minimum front yard	20	Not allowed	Not allowed	20	20	20	20	20
Minimum front yard if across collector or minor street from any R district	50	Not allowed	Not allowed	50	50	50	50	50
Minimum side yard	5	5	5	5	5	5	5	5
Minimum side yard for multifamily, commercial or industrial uses if adjacent to any R district	§20	§20	§20	30	30	30	30	30
Minimum rear yard	5	5	5	5	5	5	5	5
Minimum rear yard if adjacent to any R district	10	10	10	50	50	50	50	50
Maximum building height in feet*	40 3-sty	28 2-sty	See table B.,below	40	40	40	40	40
Maximum height of storage tank in IS district								55

Requirements	MX-1	MX-2	MX-3	MX-4	B-1	I-1	I-2	I-S
Public utilities required, including sewer	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

*Maximum height may be increased upon issuance of a Conditional Use Permit. The setback requirements for increases in height adjacent to single-family residential uses included in this chapter apply.

** See section 1300.08 Exceptions to Front Yard Setbacks

***Structure setbacks for the MX-1 and MX-2 are as noted by the dimensional provisions unless otherwise specifically approved in a development plan as outlined in a Planned Unit Development.

B. Additional MX-3 District standards. The following requirements apply to all buildings or uses in an MX-3 District, unless otherwise specified:

Height and Setbacks	Residential Townhouse	Residential Apt., Condo, Cooperative	Mixed-Use Building	Commercial, Civic, not in mixed-use building
Height	3 stories or 35 feet, whichever is less	2 stories minimum, 4 stories maximum*	2 stories minimum, 4 stories maximum*	No minimum, 4 stories or 40 feet maximum
Setbacks	Front: Maximum of 15 feet Side: 10 feet Rear: 15 feet	Front: Maximum of 15 feet Side: 10 feet Rear: 15 feet	Front: Maximum of 15 feet Side: 10 feet Rear: none required	Front: Maximum of 8 feet Side: 10 feet Rear: None required

*Maximum height may be increased upon issuance of a Conditional Use Permit. Single-story buildings shall have a foot print of no more than 15,000 square feet.

C. Densities in the MX-3 District

- 1) The maximum residential density in the MX-3 District shall be 50 units per acre.
- 2) The minimum residential density in the MX-3 District shall be 30 units per acre.
- 3) The minimum net FAR (Floor Area Ratio) for residential and non-residential uses shall be .5 FAR.

1350.14 Uses in the Non-Residential Districts

A. Mixed Use Districts Uses

P=Permitted Use; C=Permitted with a Conditional Use Permit; N=Not Permitted; PUD=Permitted with a Planned Unit Development; [sf=square feet](#)

Use	MX-1	MX-2	MX-3	MX-4
Residential Uses				
Single-family detached, one dwelling per lot	P	P	N	P
Single-family detached, more than one dwelling per lot	PUD	PUD	N	PUD
Two-family residences	P	P	N	P
Townhouse, rowhouse	P	P	P	P

City of Newport

Section 1350 Non-Residential Districts

Use	MX-1	MX-2	MX-3	MX-4
Manufactured single-family dwelling	P	P	N	P
Mobile homes	N	N	N	N
Multi-Family, condos, apartments and cooperatives	P	P	P—less than 8 units; C—8 or more units	P
Congregate housing for senior populations	P	P	P	P
Homes for handicapped or infirm including group homes or halfway houses but not containing more than 6 unrelated persons	P	P	P	P
Mixed-Use (dwelling unit above ground floor)	P	P	P	P
Live-work building	C	C	C	C
PUD	PUD	PUD	PUD	PUD
Civic and Semi-Public Uses				
Day Care Facilities in Single Family Homes with 14 or fewer children being attended to	P	P	N	P
Day Care Facilities in Single Family Homes with more than 14 children being attended to	C	C	N	C
Day Care Facilities	C	C	C	C
Day Care Facilities in a mixed-use building	P	P	P	P
Essential services/public utilities	P	P	P	P
Funeral Home	C	C	C	C
Hospitals	C	C	C	C
Military reserve, national guard centers	C	N	N	N
Park and public recreation facilities	P	P	P	P
Parking Garage (as a principal use)	C	N	C	N
Parking Lot, Surface (as a principal use)	C	N	N	N
Penal/correctional facilities	N	N	N	N
Place of worship and associated facilities, except schools	C	C	C	C
Public Facilities including government offices, emergency services facilities, public works facilities, schools, libraries, museums, post offices and other municipally owned or operated facilities	C	C	C—50,000 sf maximum	C
Schools – trade, college, vocational, and associated facilities	C	C	C—50,000 sf maximum	C
Schools for business, trade, dancing, music	C	C	C	C
Social and fraternal clubs and lodges, union halls	P	P	C—10,000 sq ft maximum	P
Transit stations and related parking facilities	C	C	C	C
Commercial Uses				
Administrative support services	P	P	P	P
Adult Uses	N	N	N	N
Animal boarding, grooming, veterinary clinics, retail sales	C	C	C—10,000 sf maximum	C
Artist studios	P	P	P	P
Auto body repair and major auto repair,	C	N	N	N

City of Newport

Section 1350 Non-Residential Districts

Use	MX-1	MX-2	MX-3	MX-4
towing services				
Auto sales, rental	C	N	N	N
Automotive services, car specialty services (not including body repair or major repair)	C	C	C—Maximum 4 repair bays	C
Bakeries, delicatessens, coffee shops	P	P	P	P
Bakeries, wholesale	P	C	C	C
Bed and Breakfast	P	P	N	P
Biotechnology	P	P	P	P
Brew on premises store	P	P	P 10,000 sf maximum	P
Building materials and services	C	N	N	N
Catalog and mail order	P	P	P	P
Conference Center, 50,000 square feet or less	C	C	C	C
Convenience stores	P	P	P	P
Data centers	C	C	C	C
Entertainment/amusement halls, bowling alley, indoor skating rink	P	P	C	C
Fabrication of apparel, leather products and other products from prepared products	P	C	P	C
Fabrication of office and computer equipment	P	P	P	P
Financial services	P	P	P	P
Fitness and recreation centers, in a mixed-use building	C	C	C	C
Gas, diesel or other motor fuel retail sales	C	C	N	C
Grocery and produce sales	C	C	C—50,000 sf maximum	C
Internet publishing and broadcasting	P	P	P	P
Medical, dental, or veterinary clinics and laboratories	C	C	C—10,000 sf maximum	C
Medical appliance assembly	P	P	P	P
Motion picture and sound recording industries	C	C	C	C
Offices – general, medical, professional, free-standing, or mixed-use building	P	P	P--to 10,000 sf; C—larger than 10,000 sf	P
Printing, publishing, bookbinding, blueprinting	C	C	C	C
Processing and packaging of drugs, pharmaceuticals, perfumes and cosmetics	C	C	P	C
Retail and service establishments, free-standing, or mixed-use building	P	P	P--to 10,000 sf; C—10,000 to 50,000 sf maximum	P
Rental of vehicles (with limited outside storage)	C	C	C	C
Research, development and testing laboratory	C	C	C	C

Use	MX-1	MX-2	MX-3	MX-4
Restaurants, including open air or sidewalk cafes, freestanding or in mixed-use buildings—no liquor served	P	P	P	P
Restaurants, including open air or sidewalk cafes, freestanding or in mixed-use buildings—liquor served	C	C	C	C
Restaurants with drive-through service	C	C	C	C
Service businesses, such as beauty shops, barbershops, dry-cleaning, drop-off/pickup (no on-site processing) in mixed-use buildings	P	P	P	P
Small scale manufacturing and artisans	P	P	P—5,000 sf or less; C—5,000 to 10,000 sf	P
Theaters (with structured parking)	P	P	P	P
Theaters	C	C	C	C
Towing services (no outside storage of vehicles)	P	C	P	C
Warehousing as a primary use	N	N	N	N
Accessory Uses				
Drive up facilities	C	C	C	C
Gazebo, arbor, play equipment in public or private open space area	P	P	P	P
Outdoor sales, in conjunction with permitted use	C	C	N	C
Renewable energy system	P	P	P	P
Parking lot, as an accessory use	C	C	C	C
Small brewery or winery as an accessory use to a bar or restaurant	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
Swimming Pool	P	P	P	P

B. Business and Industrial District Uses

P=Permitted Use; C=Permitted with a Conditional Use Permit; N=Not Permitted; [sf=square feet](#)

Use	B-1	I-1	I-2	I-S
Civic and Public Uses				
Airports	N	C	C	N
Cemetery and/or crematorium	C	N	N	N
Day care centers	C	C	C	C
Day care centers in a mixed-use building	P	C	C	C
Essential services/public utilities	P	P	P	P
Funeral Home	p	N	N	N
Hospitals	C	N	N	N
Medical Clinics	P	N	N	N
Military reserve, national guard centers	C	N	N	N
Park and public recreation facilities	P	P	P	P
Parking Garage (as a principal use)	P	N	N	N
Parking Lot, Surface (as a principal use)	P	P	P	P

City of Newport

Section 1350 Non-Residential Districts

Use	B-1	I-1	I-2	I-S
Penal/correctional facilities	N	C	C	N
Place of worship and associated facilities, except schools	P	N	N	N
Post Office	P	N	N	N
Public Facilities including government offices, emergency services facilities, public works facilities, schools, libraries, museums, and other municipally owned or operated facilities	C	C	C	C
Sanitary landfill	N	C	C	N
Schools-trade, college, vocational, and associated facilities	p	C	N	N
Schools for business, trade, dancing, music	C	C	N	N
Social, Fraternal clubs and lodges, union halls	P	N	N	N
Transit stations and related parking facilities	C	N	N	N
Commercial Uses				
Adult uses (bookstore, theater, nightclub, nude or partially nude dancing)	N	N	C	C
Auto painting and body work	N	C	N	N
Auto storage	N	C	P	C
<u>Brewery, craft</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>
Commercial greenhouse operations	C	P	N	N
Convenience stores	P	N	N	N
Gas, diesel or other motor fuel retail sales	P	N	N	N
<u>Distillery, craft</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>
Hotels, motels	P	N	N	N
Restaurant, traditional or liquor served; bar and grill	P	N	N	N
Salvage yards (auto or scrap iron)	N	N	P	N
<u>Small brewery or winery as an accessory use to a bar or restaurant</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>
Storage, mini-storage, cold-storage	N	N	N	P
Veterinary clinic, animal hospital	C	P	N	N
Wholesale sales	P	N	N	N
<u>Winery, craft</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>
Warehouse and Industrial Uses				
Manufacturing	C	P	P	N
<u>Micro- and regional brewery</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>
Retail sale, installation and remanufacturing of vehicle parts and accessories	N	P	N	N
Storage and distribution of bulk petroleum products, oil and gasoline	N	N	N	C
Storage, mini-storage, cold storage	N	N	N	P
Warehousing	C	P	P	N

1350.15 Administrative Procedure for Re-Zoning in the Non-residential Districts

- A. All petitions for rezoning to establish or expand a nonresidential district shall also concurrently follow subdivision platting procedures and a complete preliminary plat with all supporting data required which shall be filed with the Zoning Administrator.

**CITY OF NEWPORT
ORDINANCE 2014-2**

**AN ORDINANCE AMENDING THE LANGUAGE OF THE CITY CODE OF NEWPORT, MINNESOTA TO
PROVIDE FOR ADDITIONAL PENALTIES FOR CHRONIC OR REPEATED PROPERTY NUISANCE
OFFENDERS WITHIN THE CITY.**

WHEREAS, the City of Newport, Minnesota, by and acting through its City Council, finds that it is in the interest of the City of Newport to provide more effective enforcement of its City Code related to nuisances on properties within the City by expressly providing for increases in criminal penalties where properties are repeatedly found to be in violation of the City's City Code related to nuisances.

IT IS, THEREFORE, HEREBY ORDAINED:

That the Newport City Code is amended by adding a new Section 800.04 to read as follows:

800.04 Chronic, Aggregated or Repeated Nuisance Offense.

- A. Whenever any property owner commits more than two violations in one year, or three violations in two years, or four violations in three years, of either Section 800.02 or Section 800.03, herein, it shall be deemed a chronic, aggregated or repeated nuisance violation and a violation of this Section.
- B. Any person convicted of violating this section by committing a third nuisance in violation of Newport Code Section 800.02 or 800.03, within one year of a prior conviction, shall be subject to a penalty of up to 90 days in jail and no less than a \$500 fine.
- C. Any person convicted of violating this section by committing a fourth nuisance in violation of Newport Code Section 800.02 or 800.03 within two years of three prior convictions shall be subject to a penalty of up to 90 days in jail and no less than an \$750 fine.”
- D. Any person convicted of violating this section by committing a fifth nuisance in violation of Newport Code Section 800.02 or 800.03 within three years of four prior convictions shall be subject to a penalty of up to 90 days in jail and no less than a \$900 fine.

The current City Code Sections “800.04 **Duties of City Officers**” and “800.05 **Abatement**” shall be renumbered Section 800.05 and Section 800.06 respectively.

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 20th day of March, 2014.

Signed: _____
Tim Geraghty, Mayor

Attest: _____
Deb Hill, City Administrator



MEMO

TO: Mayor and City Council
Deb Hill, City Administrator

FROM: Renee Helm, Executive Analyst

DATE: March 11, 2014

SUBJECT: Amendments to Chapter 4, Licensing, and Chapter 7, General Regulations and Offenses

BACKGROUND

Recently, staff reviewed Chapter 4, Licensing, of the City Code and found that a couple sections need to be cleaned up. The first is Section 410, Tobacco Sales. This Section of the City Code regulates licensing for businesses that sell tobacco products. Section 750, Tobacco, also regulates licensing for such businesses. Staff is recommending that Section 410 be repealed and combined with Section 750.

The second is Section 455, Peddlers, Solicitors, and Transient Merchants. This Section regulates licenses for peddlers, solicitors, and transient merchants and there is a discrepancy regarding background checks between this Section and Section 400.05, License Background Checks that needs to be reviewed.

The City Council discussed the below items at the March 6, 2014 Workshop meeting:

Sections 410 and 750 - Tobacco

- The City Council agreed that Section 410 shall be repealed and combined with Section 750.
- **Section 750.03, Subd. 1** - The City Council agreed that City staff can continue to issue cigarette licenses instead of the City Council approving the licenses.
- **Section 750.03, Subd. 3** - The City Council agreed that all cigarette licenses shall expire on December 31 of each year.
- **Section 750.13, Penalties** - The City Council directed staff to combine the penalties from Sections 410 and 750 for licensees and to keep the penalties from Section 750 for employees, other individuals, and minors.

Sections 400.05 and 455.03, Subd.5 - Background Checks for Solicitors, Peddlers, and Transient Merchants

- The City Council agreed that the Police Department should automatically conduct background checks for solicitors, peddlers, and transient merchants.

DISCUSSION

Please find attached Ordinance No. 2014-3 repealing Section 410, Tobacco Sales, and amending Chapter 4, Licensing, and Section 750, Tobacco. I've also attached red-lined versions of Chapters 4 and 7. Below is a summary of the changes:

Chapter 4

- **Section 400.05, Subd. 2, Background Investigation Required**- Since the City Council agreed that the Police Department should automatically conduct background checks transient merchants needed to be added to the list in this Subdivision.
- **Section 410, Tobacco Sales** - This entire section is being repealed and combined with Section 750, Tobacco
- **Section 455.03, Subd. 5, Procedure** - Language is being removed from this Subdivision that would require the City Council to order an investigation on solicitors, peddlers, and transient merchants.

Section 750

- **Section 750.03, Subd. 1, Application** - Language is being removed from this Subdivision that would require the license to be approved by the City Council.
- **Section 750.03, Subd. 2, Action** - This language is being removed since the City Council agreed that City staff can issue licenses.
- **Section 750.03, Subd. 2, Term** - Language is being amended to have licenses expire on December 31 of each year.
- **Section 750.03, Subd. 6, Multiple Locations** - This language is being added from Section 410.
- **Section 750.03, Subd. 9, Issuance as Privilege and Not a Right** - This language is already in Section 750.03, Subd. 8, Renewals, so staff is recommending that it be removed.
- **Section 750.13, Penalties** - Language is being amended to combine the penalties from Section 410 with the penalties in Subd. 1 of this Section. The penalties from Section 410, which are the same as the penalties for liquor violations, have 48 months as the time frame for violations. In order to be consistent with time frames, staff is recommending that the time frame for Subd. 2 and Subd. 3 be amended from 24 months to 48 months.

RECOMMENDATION

It is recommended that the City Council approve Ordinance No. 2014-3 as presented.

**CITY OF NEWPORT
ORDINANCE 2014-3**

AN ORDINANCE OF THE CITY OF NEWPORT, MINNESOTA, REPEALING CHAPTER 4, SECTION 410, ENTITLED "TOBACCO SALES," AND APPROVING AMENDMENTS TO CHAPTER 4, LICENSING, AND SECTION 750, TOBACCO

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

SECTION 1.

That Section 410 of the Newport City Code entitled "Tobacco Sales" shall hereby be repealed in its entirety and combined with the language in Section 3 of this Ordinance.

SECTION 2.

That Chapter 4 of the Newport City Code entitled "Licensing" shall hereby be amended as follows:

Chapter 4 - Licensing

Section 400 - General

400.05 License Background Checks

Subd. 2 Background Investigation Required. The City's Police Department is hereby required, as the exclusive entity within the City, to conduct a criminal history background investigation on the applicants for the following licenses or permits within the City:

- A. Alcoholic Beverages
- B. Massage Therapy – Individual License
- C. Massage Therapy – Business License
- D. Pawnshops/Precious Metal Dealers
- E. Peddlers
- F. Solicitors
- G. Transient Merchants

Section 455 - Peddlers, Solicitors, & Transient Merchants

455.03 Licensing

Subd. 5 Procedure. Upon receipt of the completed application and payment of the license fee, the City Clerk-Administrator shall forward the application to the Council within two (2) regular business days of receipt. An application shall be determined to be complete only if all required information is provided. The City Clerk-Administrator, within two (2) regular business days of receipt, shall determine if the application is complete. If the Clerk-Administrator determines that the application is incomplete, the Clerk-Administrator shall inform the applicant of the required necessary information which is missing. Within ten (10) regular business days of receiving the application from the City Clerk-Administrator, the Council shall vote whether or not to issue the license. If the Council approves the application, the Clerk-Administrator shall be instructed to issue a license to the applicant. If the Council rejects the application, the applicant shall be notified in writing of the Council's decision, the reason for the denial, and of his or her right to appeal the denial by requesting, within twenty (20) days of receiving the Council's notice of rejection, a public hearing to be heard by the City Council within twenty (20) days of the date of the request. The final decision of the Council

following the public hearing shall be appealable by petitioning the Minnesota Court of Appeals for a Writ of Certiorari.

SECTION 3.

That Section 750 of the Newport City Code entitled "Tobacco" shall hereby be amended as follows:

Section 750 - Tobacco

750.03 License. No person shall sell or offer any tobacco, tobacco products, tobacco related devices or nicotine or lobelia delivery device without first having obtained a license to do so from the City.

Subd. 1 Application. An application for a license to sell tobacco, tobacco products, tobacco related devices or nicotine or lobelia delivery devices shall be made on a form provided by the City. The application shall contain the full name of the applicant, the applicant's residential and business addresses and telephone numbers, the name of the business for which the license is sought, and any additional information the City deems necessary. If the administration shall determine that an application is incomplete, he or she shall return the application to the applicant with notice of the information necessary to make the application complete.

Subd. 2 Term. All licenses shall be issued annually and expire on December 31.

Subd. 3 Revocation or Suspension.

Subd. 4 Transfers.

Subd. 5 Moveable Place of Business.

Subd. 6 Multiple Locations. No license shall be issued for tobacco sales at more than one place of business. Each individual business shall be licensed.

Subd. 7 Display.

Subd. 8 Renewals.

Subd. 9 Smoking.

750.06 Prohibited Sales. It shall be a violation of this ordinance for any person to sell or offer to sell any tobacco, tobacco product, tobacco related device or nicotine or lobelia delivery device:

D. By means of loosies as defined in Section 750.02, Subd. 4 of this ordinance.

750.13 Penalties.

Subd. 1 Licensees. Any licensee found to have violated this ordinance shall be charged an administrative penalty and fine. Penalties occurring within a forty-eight (48) month period shall be as follows:

A. **First Violation.** At least one (1) day suspension and \$75 administrative fine or, at the City Council's discretion, participation of all employees in an educational program approved by the Public Safety Director, in addition to any criminal or civil penalties which may be imposed.

B. **Second Violation.** At least three (3) consecutive days suspension and a \$200 administrative fine in addition to any criminal or civil penalties which may be imposed.

C. **Third Violation.** At least seven (7) consecutive days suspension and a \$250 administrative fine in addition to any criminal or civil penalties which may be imposed.

D. **Fourth Violation.** The license shall be revoked.

Subd. 2 Employees of Licensees and Other Individuals. Employees of Licensees and other individuals, other than minors regulated by subdivision 3 of the Subsection, found to be in violation of this ordinance shall be charged an administrative fine of \$75 for a first violation of this ordinance; \$200 for a second offense within a forty-eight (48) month period; and \$250 for a third or subsequent offense within a forty-eight (48) month period.

Subd. 3 Minors. Minors found in unlawful possession of, or who unlawfully purchase or attempt to purchase, tobacco, tobacco products, or tobacco related devices, shall be charged an administrative fine of \$75 for a first violation of this ordinance; \$200 for a second offense within a forty-eight (48) month period; and \$250 for a third or subsequent offense within a forty-eight (48) month period.

Subd. 4 Community Service and Other Conditions.

Subd. 5 Misdemeanor.

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 20th day of March, 2014.

Signed: _____
Tim Geraghty, Mayor

Attest: _____
Deb Hill, City Administrator

CHAPTER 4. LICENSING

Section 400 - General

400.01 Business Licenses.

Subd. 1 License or permit required. No person, partnership, corporation, or association shall engage in or operate any of the following businesses without having obtained a license or permit therefore:

- A. Kennel
- B. Tobacco Sales
- C. Games of Skill
- D. House Sewer Contractors
- E. Gas Installation
- F. Christmas Tree Sales
- G. Pawn Shops
- H. Rubbish Hauling
- I. Bingo
- J. Gambling
- K. Peddler, Solicitors, and Transient Merchant
- L. Seasonal Fireworks Sales
- M. Incidental Fireworks Sales

Subd. 1a. For purposes of this subdivision, “seasonal fireworks sales” shall mean sales of lawful fireworks within the City limits by a business operating primarily for that purpose for a period less than 12 months in any given year. “Primarily for that purpose” shall mean that at least 50% of the volume of sales of that business are lawful fireworks sales. For purposes of this subdivision, “incidental fireworks sales” shall mean sales of lawful fireworks with the City limits by a business operating for more than 12 continuous months within the City limits and for which said sales consist of less than 50% of the sales volume in that year.

Subd. 2 Scope. The provisions of this Section shall apply to all license or permits issued under this Chapter.

400.02 Applications. Every application for a license or permit to engage in any of the business listed in this Section shall be made to the Clerk-Administrator on forms supplied by the City, and shall state the applicant's name and address, the name of the business, the address of the premises on or from which the business is to be operated, the name of any other business operated from or on the same premises, date of birth when license is restricted to persons of at least a certain age, social security number, and such other information as may be required by this Code or by the Council. All applications shall be accompanied by payment in full of the license or permit fee. The license or permit fee shall be refunded if the license or permit is denied, unless otherwise specifically provided in this Chapter. All license or permits may be issued by the Clerk-Administrator. A license or permit shall only be suspended or revoked by the Council.

400.03 Terms and Fees. The fee, term, and expiration date for license or permits issued under this Chapter shall be as follows:

<u>Type of License or permit</u>	<u>Term</u>	<u>Expiration Date</u>
Kennel	One year	December 31
Tobacco Sales	One year	December 31
Games of Skill	One year	December 31

<u>Type of License or permit</u>	<u>Term</u>	<u>Expiration Date</u>
Rubbish Hauler	One year	December 31
Christmas Tree Sales	One year	December 31
House Sewer Contractors	One year	December 31
Gas Installation	One year	December 31
Peddlers and Solicitors	One Year Unless otherwise indicated on license	December 31
Transient Merchants	One Year Unless otherwise indicated on license	December 31
Seasonal Lawful Fireworks Sales	Indicated on license	
Incidental Lawful Fireworks Sales	One Year	December 31

400.04 Payment. All fees shall be annual fees and shall not be pro-rated.

400.05 License Background Checks

Subd. 1 Purpose. The purpose and intent of this section is to establish regulations that will allow law enforcement to access Minnesota's Computerized Criminal History information for the specific noncriminal purpose of licensing background investigations for the licenses described in subsection B of this section.

Subd. 2 Background Investigation Required. The City's Police Department is hereby required, as the exclusive entity within the City, to conduct a criminal history background investigation on the applicants for the following licenses or permits within the City:

- A. Alcoholic Beverages
- B. Massage Therapy – Individual License
- C. Massage Therapy – Business License
- D. Pawnshops/Precious Metal Dealers
- E. Peddlers
- F. Solicitors
- ~~F.G.~~ **Transient Merchants**

Subd. 3 BCA Data. In conducting the criminal history background investigation in order to screen license applicants, the Police Department is authorized to access data maintained in the Minnesota Bureau of Criminal Apprehension Computerized Criminal History information system (BCA Data) in accordance with BCA policy. Any BCA Data that is accessed and acquired shall be maintained by the Police Department under the care and custody of the Chief of Police or his/her designee. A summary of the results of the BCA Data may be released by the Police Department to the hiring authority, including the City Council, the City Administrator, the City Attorney or other City staff involved in the licensing process.

Subd. 4 Written Authorization. Before the investigation is undertaken, the applicant must authorize the Police Department by written consent to undertake the investigation. The written consent must fully comply with the provisions of Minnesota Statutes Chapter 13 regarding the collection, maintenance and use of the information. Except for the positions set forth in Minnesota Statutes Section 364.09, the City will not reject an applicant for a license on the basis of the applicant's prior conviction unless the crime is directly related to the license sought and the conviction is for a felony, gross misdemeanor, or

misdemeanor punishable by jail. If the City rejects the applicant's request on this basis, the City shall notify the applicant in writing of the following:

- A. The grounds and reasons for the denial.
- B. The complaint and grievance procedure set forth in Minnesota Statutes Section 364.06.
- C. The earliest date the applicant may reapply for the license.
- D. That all competent evidence of rehabilitation will be considered upon reapplication.

400.06 Prior Convictions. No person shall be denied a license or permit because of a prior conviction unless that conviction has been determined by the Council to be related to the business for which a license or permit is sought, as provided by Minn. Stat., Chapter 364. No person shall be denied a license or permit because of an arrest or arrests not followed by conviction or admission of guilt.

400.07 Suspension and Revocation. The Council may suspend for a period not to exceed 60 days or revoke any license or permit for violation of any provision of this Chapter or any applicable State or Federal law, or other regulation. Except as otherwise provided, no license or permit shall be suspended or revoked unless the license or permit has been given written notice and a public hearing. The notice shall give at least ten days notice of the time and place of the hearing, and shall state the nature of the charges against the licensee or permit holder.

400.08 Where Allowed. No license or permit shall be issued for any premises unless located in an area where the business for which the license or permit is sought shall be permitted by the Zoning Ordinance.

400.09 Display. Except as otherwise specifically provided by the Code, every license or permit shall be kept conspicuously posted on the premises, on or from which the business is operated, and shall be exhibited to any person on request.

400.10 Transfer. No license or permit shall be transferrable, unless specifically provided by this Code.

400.11 Renewals. Except as otherwise provided, the renewal of a license or permit shall be treated in the same manner as the initial application, except that unless otherwise required by law, no new hearing or investigation shall be held or conducted.

Section 405 - Kennels

405.01 Definition. "Kennel" shall mean any premises used for housing four or more dogs or cats.

405.02 Conditions of License or permit.

Subd. 1 Floors. All areas actually used for kennel purposes shall have a floor of cement or other hard impervious surface, which may be readily cleaned, and so designed that no manure, droppings, or other waste shall touch the surface of the ground.

Subd. 2 Waste Disposal. All pens or cages used for kennel purposes shall be flushed daily into a tight receptacle, so designed that none of the manure, droppings, waste, or flushing shall escape into or contaminate the ground. The receptacle shall be covered at all times. The receptacle shall be emptied regularly, and the contents removed from the premises. The contents of the receptacle shall not be disposed of on the surface of the premises or public dumping grounds. Pens or cages shall not be flushed in to the City sanitary sewer system,

Subd. 3 Sanitation. The premises shall be kept neat and clean at all times and free of rodents, flies or

other pests or insects.

Subd. 4 Food Storage. All food for kennel use shall be kept in a permanent storage container or building. All fresh meat shall be kept under refrigeration.

405.03 Nonrefundable Fees. The fee for a kennel license shall not be refunded, regardless of whether the license is issued.

Section 410—Tobacco Sales

~~**410.01 Definition.** “Tobacco” or “Tobacco Products” shall mean any substance or item containing tobacco leaf, including, but not limited to, cigarettes; cigars; pipe tobacco; snuff fine cut or other chewing tobacco; cheroot; stogies; perique; granulated plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff flowers; cavendish; shorts; plug and twist tobaccos; dipping tobaccos; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco leaf prepared in such manner as to be suitable for chewing, sniffing or smoking.~~

~~**410.02 Persons Ineligible.** No license shall be issued except to a person of good moral character.~~

~~**410.03 Places Ineligible.**~~

~~**Subd. 1 Business.** No license shall be issued to an applicant for tobacco sales at any place other than by place of business.~~

~~**Subd. 2 Movable Businesses.** No license shall be issued for a moveable place of business.~~

~~**Subd. 3 Multiple Location.** No license shall be issued for tobacco sales at more than one place of business. Each individual cigarette machine shall be licensed.~~

~~**410.04 Prohibitions.**~~

~~**Subd. 1 Age.** No person shall sell, allow to be sold, or give away any tobacco products to any person under the age of 18.~~

~~**Subd. 2 Drugs.** No person shall sell, keep for sale, or otherwise dispose of any cigarette containing opium, morphine, jimson weed, belladonna, strychnia, cocaine, marijuana, or any other poisonous or deleterious substance except nicotine.~~

~~**410.05 Administrative Penalties.** Any licensee found to have violated this chapter or whose employee shall have violated this chapter shall be charged an administrative penalty. Penalties occurring within a forty eight (48) month period shall be as follows:~~

~~**Subd. 1 First Violation.** At least one day suspension or, at the city council's discretion, participation of all employees in an educational program approved by the public safety director, in addition to any criminal or civil penalties which may be imposed.~~

~~**Subd. 2 Second Violation.** At least three (3) consecutive days' suspension in addition to any criminal or civil penalties which may be imposed.~~

~~**Subd. 3 Third Violation.** At least seven (7) consecutive days' suspension in addition to any criminal or civil penalties which may be imposed.~~

~~Subd. 4 Fourth Violation. The license shall be revoked.~~

Section 415 - Games of Skill

415.01 Definition. "Game of Skill" includes any device played by manipulating special equipment by hand or mechanically to propel balls, figures or numbers across a board, screen or other field, into respective positions, the object of which is to secure a special number or numbers or high total score, or to place the figures or numbers in a special position, which game may be played by the public generally at a price paid either directly or indirectly for such privilege, whether a prize is offered for the game or not, and whether known as a pinball game or by any other name.

415.02 Transfers. A game of skill license may not be transferred from one location to another.

415.03 Eligibility. No license for any game of skill shall be issued within 1,000 feet of any church or school.

415.04 Restrictions.

- A. Gambling. No person shall use any game of skill as a gambling device. No agency shall permit any game of skill to be used as a gambling device.
- B. Age. No person under the age of 19 shall be permitted to play any game of skill.
- C. Quantity. No more than ten (10) games of skill shall be allowed at any location.

415.05 Mandating Revocation. Upon conviction for any violation of any State law relating to gambling involving any game of skill, the license shall be revoked.

Section 420 - House Sewer Contractors

420.01 Definitions.

Subd. 1 House Sewer Contractor. "House Sewer Contractor" shall mean any person engaged in the business of building and repairing that portion of a house or building sewer extended from the property line to the main sewer or other outlet. A licensed house sewer contractor under the supervision of a licensed master plumber may also build and repair that portion of the house or building upon the property.

Subd. 2 Board. "Board" means the Board of Examiners, appointed pursuant to this Section.

420.02 Board of Examiners.

Subd. 1 Composition. There shall be a Board of Examiners consisting of the Clerk-Administrator, the City Engineer, and the Public Works Superintendent.

Subd. 2 Chairperson. The Clerk-Administrator shall serve as Chairperson and shall call a meeting of the Board whenever in his or her opinion there is a sufficient number candidates for examination.

Subd. 3 Eligibility. A house sewer contractor's license may be issued to any person who meets the following qualifications:

- A. Has at least three years experience in responsible charge of minor sewer work involving a

450.03 Licensing.

Subd. 1 Licensing Required. No gambling shall be conducted except by an organization, which has been issued a gambling license by the State.

450.04 Eligibility. Gambling licenses may shall be issued only to a non-profit organization, which has been in existence for at least three years and has at least 30 members.

450.05 Requirements.

Subd. 1 Conduct. All gambling shall be conducted in accordance with Minn. Stat. Chapter.

Subd. 2 Records and Reports. All organizations conducting gambling shall keep such records and submit such reports as shall be required by Minn. Stat..

Subd. 3 Bond. The gambling manager shall give a fidelity bond of \$10,000 in favor of the organization conditioned on faithful performance of his or her duties, provided the Council may by unanimous vote waive the bond requirement.

Section 455 - Peddlers, Solicitors, & Transient Merchants

455.01 Definitions and Interpretation. Except as may otherwise be provided or clearly implied by context, all terms shall be given their commonly accepted definitions. The singular shall include the plural and the plural shall include the singular. The masculine shall include the feminine and the neuter, and vice-versa the term "shall" means mandatory and the term "may" is permissive. The following terms shall have the definitions given to them:

Subd. 1 Person. "Person" shall mean any natural individual, group, organization, corporation, partnership, or association. As applied to groups, organizations, corporations, partnerships, and associations, the term shall include each member, officer, partner, associate, agent, or employee.

Subd. 2 Peddler. "Peddler" shall mean a person who goes from house-to-house, door-to-door, business-to-business, street-to-street, or any other type of place-to-place, for the purpose of offering for sale, displaying or exposing for sale, selling or attempting to sell, and delivering immediately upon sale, the goods, wares, products, merchandise, or other personnel property, that the person is carrying or otherwise transporting. The term peddler shall mean the same as the term hawker.

Subd. 3 Solicitor. "Solicitor" shall mean a person who goes from house-to-house, door-to-door, business-to-business, street-to-street, or any other type of place-to-place, for the purpose of obtaining or attempting to obtain orders for goods, wares, products, merchandise, other personal property, or services, of which he or she may be carrying or transporting samples, or that may be described in a catalog or by other means, and for which delivery or performance shall occur at a later time. The absence of samples or catalogs shall not remove a person from the scope of this provision if the actual purpose of the person's activity is to obtain or attempt to obtain orders as discussed above. The term solicitor shall mean the same as the term canvasser.

Subd. 4 Transient Merchant. "Transient Merchant" shall mean a person who temporarily sets up business out of a vehicle, trailer, boxcar, tent, other portable shelter, or empty store front for the purpose of exposing or displaying for sale, selling or attempting to sell, and delivering, goods, wares, products, merchandise, or other personal property, and who does not remain or intend to remain in any one location for more than 14 consecutive days.

Subd. 5 Regular Business Day. "Regular Business Day" shall mean any day during which the City Hall is normally open for the purpose of conducting public business. Holidays defined by State law shall not be counted as regular business days.

455.02 Exceptions to Definitions. For the purpose of the requirements of this Section, the terms "peddler," "solicitor," and "transient merchant" shall not apply to any person selling or attempting to sell at wholesale any goods, wares, products, merchandise, or other personal property, to a retailer of the item(s) being sold by the wholesaler. The terms also shall not apply to any person who makes initial contacts with other people for the purpose of establishing or trying to establish a regular customer delivery route for the delivery of perishable food and dairy products such as baked goods and milk, nor shall they apply to any person making deliveries of perishable food and dairy products to the customers on his or her established regular delivery route. In addition, persons conducting the type of sales commonly known as garage sales, rummage sales, or estate sales, as well as those persons participating in an organized multi-person bazaar or flea market, shall be exempt from the definitions of peddlers, solicitors, and transient merchants, as shall be anyone conducting an auction as a properly licensed auctioneer, or any officer of the court conducting a court ordered sale. Furthermore, charitable organizations such as schools, scouts, organized youth athletic leagues, and government agencies and their representatives shall be exempt from the definitions of peddlers, solicitors, and transient merchants. Exemption from the definitions for the scope of this Section shall not excuse any person from complying with any other applicable statutory provision or local ordinance.

455.03 Licensing.

Subd. 1 County License Required. No person shall conduct business as a peddler, solicitor, or transient merchant within the City limits without first having obtained the appropriate license from the County as required by Minn. Stat. Chapter 329 as amended.

Subd. 2 City License Required. Except as otherwise provided for by this Section, no person shall conduct business as a peddler, solicitor or a transient merchant without first having obtained a license from the City.

Subd. 3 Application. Application for a City license to conduct business as a peddler, solicitor or transient merchant shall be made at least fourteen (14) regular business days before the applicant desires to begin conducting business. Application for a license shall be made on a form approved by the City Council and available from the office of the City Clerk-Administrator. All applications shall be signed by the applicant. All applications shall include the following information:

- A. Applicant's full legal name.
- B. All other names under which the applicant conducts business or to which applicant officially answers.
- C. A physical description of the applicant (hair color, eye color, height, weight, distinguishing marks and features, etc.) Supported by a recent photograph, at least two inches by two inches, of the applicant, showing at least the applicant's head and face from the shoulders up.
- D. Full address of applicant's permanent residence.
- E. Telephone number of applicant's permanent residence.
- F. Full legal name of any and all business operation(s) owned, managed, or operated by applicant, or

- for which the applicant is an employee or agent.
- G. Full address of applicant's regular place of business (if any).
 - H. Any and all business related telephone number(s) of the applicant.
 - I. The type of business for which the applicant is applying for a license.
 - J. Whether the applicant is applying for an annual or daily license.
 - K. The dates during which the applicant intends to conduct business, and if the applicant is applying for a daily license, the number of days he or she will be conducting business in the City. (Maximum 30 consecutive days)
 - L. Any and all address(es) and telephone number(s) where the applicant can be reached while conducting business within the City, including the location where a transient merchant intends to set up business.
 - M. A statement as to whether or not the applicant has been convicted within the last five years of any felony, gross misdemeanor, or misdemeanor for violation of any state or federal statute or any local ordinance, other than traffic offenses.
 - N. A list of the most recent locations where the applicant has conducted business as a peddler, solicitor or transient merchant.
 - O. Proof of any required county license.
 - P. Written permission of the property owner or the property owner's agent for any property to be used by a transient merchant.
 - Q. A general description of the items to be sold or services to be provided, and the source of the items.
 - R. If a vehicle is to be used, a general description of the vehicle including year, model, make, color, and license number.
 - S. All additional information deemed necessary by the City Council.

Subd. 4 Fee. All applications for a license under this Section shall be accompanied by the fee established in the City's fee schedule as adopted from time to time by an ordinance passed by the Council.

Subd. 5 Procedure. Upon receipt of the completed application and payment of the license fee, the City Clerk-Administrator shall forward the application to the Council within two (2) regular business days of receipt. An application shall be determined to be complete only if all required information is provided. The City Clerk-Administrator, within two (2) regular business days of receipt, shall determine if the application is complete. If the Clerk-Administrator determines that the application is incomplete, the Clerk-Administrator shall inform the applicant of the required necessary information which is missing. ~~The Council shall review the application and order any investigation, including background checks, necessary to verify the information provided with the application.~~ Within ten (10) regular business days of receiving the application from the City Clerk-Administrator, the Council shall vote whether or not to issue the license. If the Council approves the application, the Clerk-Administrator shall be instructed to issue a

license to the applicant. If the Council rejects the application, the applicant shall be notified in writing of the Council's decision, the reason for the denial, and of his or her right to appeal the denial by requesting, within twenty (20) days of receiving the Council's notice of rejection, a public hearing to be heard by the City Council within twenty (20) days of the date of the request. The final decision of the Council following the public hearing shall be appealable by petitioning the Minnesota Court of Appeals for a Writ of Certiorari.

Subd. 6 Duration. An annual license granted under this Section shall be valid for the calendar year of the year of issue. All other licenses granted under this Section shall be valid only during the time period indicated on the license.

455.04 License Exemptions. No license shall be required for any person to sell or attempt to sell, or to take or attempt to take orders for, any product grown, produced, cultivated, or raised on any farm. No license shall be required of any person going from house-to-house, door-to-door, business-to-business, street-to-street, or other type of place-to-place when such activity is for the purpose of exercising that person's State or Federal Constitutional rights (i.e., freedom of speech, press, religion etc.) except that this exemption may be lost if the person's exercise of Constitutional rights is merely incidental to a commercial activity. Professional fund raisers working on behalf of an otherwise exempt person or group shall not be exempt from the licensing requirements of this Section.

455.05 Ineligibility for License. The following shall be grounds for denying a license under this Section:

- A. The failure of the applicant to obtain and show proof of having obtained any required County license.
- B. The failure of the applicant to truthfully provide any of the information requested by the City as a part of the application, or the failure to sign the application, or the failure to pay the required fee at the time of application.
- C. The conviction of the applicant within the past five years from the date of application, for any violation of any Federal or State statute or regulation, or of any local ordinance, which adversely reflects on the person's ability to conduct the business for which the license is being sought in an honest and legal manner or that will not adversely affect the health, safety, and welfare of the residents of the City. Such violations shall include but not be limited to: burglary, theft, larceny, swindling, fraud, unlawful business practices, and any form of actual or threatened physical harm against another person.
- D. The revocation within the past five years of any license issued to the applicant for the purpose of conducting business as a peddler, solicitor, or transient merchant.
- E. The applicant is determined to have a bad business reputation. Evidence of a bad business reputation shall include, but not be limited to, the existence of more than 3 complaint(s) against the applicant with the Better Business Bureau, the Attorney General's Office, or other similar business or consumer rights office or agency, within the preceding twelve (12) months, or 5 such complaints filed against the applicant within the preceding five (5) years.

455.06 Suspension and Revocation. Any license issued under this Section may be suspended or revoked at the discretion of the City Council for violation of any of the following:

- A. Fraud, misrepresentation, or incorrect statements on the application form.
- B. Fraud, misrepresentation, or false statements made during the course of the licensed activity.

CHAPTER 7. GENERAL REGULATIONS AND OFFENSES

Section 750 - Tobacco

750.01 Purpose. Because the City recognizes that many person under the age of 18 years purchase or otherwise obtain, possess, and use tobacco, tobacco products, tobacco related devices and nicotine or lobelia delivery devices, and such sales, possession, and use are violations of both State and Federal laws; and because studies, which the City hereby accepts and adopts, have shown that most smokers begin smoking before they have reached the age of 18 years and that those persons who reach the age of 18 years without having started smoking are significantly less likely to begin smoking; and because smoking has been shown to be the cause of several serious health problems which subsequently place a financial burden on all levels of government; this ordinance shall be intended to regulate the sale, possession, and use of tobacco, tobacco products, tobacco related devices and nicotine or lobelia delivery devices, and to further the purposes of enforcing and furthering existing laws, to protect minors against the serious effects associated with the illegal use of tobacco, tobacco products, tobacco related devices and nicotine or lobelia delivery devices, and to further the official public policy of the State of Minnesota in regard to preventing young people from starting to smoke as stated in Minn.Stat. 144.391 as it may be amended from time to time

750.02 Definitions and Interpretations. Except as may otherwise be provided or clearly implied by context, all terms shall be given their commonly accepted definitions, the singular shall include the plural and the plural shall include the singular. the masculine shall include the feminine and neuter, and vice-versa. The term "shall" means mandatory and the term "may" means permissive. The following terms shall have the definitions given to them:

Subd. 1 Compliance Checks. "Compliance Checks" shall mean the system the City uses to investigate and ensure that those authorized to sell tobacco, tobacco products, tobacco related devices and nicotine or lobelia delivery devices are following and complying with the requirements of this ordinance. Compliance Checks shall involve the use of minors as authorized by this ordinance. Compliance Checks shall also mean the use of minors who attempt to purchase tobacco, tobacco products, tobacco related devices or nicotine or lobelia delivery devices for educational, research and training purposes as authorized by State and Federal laws. Compliance Checks may also be conducted by other units of government for the purpose of enforcing appropriate Federal, State, or Local laws and regulations relating to tobacco, tobacco products, tobacco related devices and nicotine or lobelia delivery devices.

Subd. 2 Individually Packaged. "Individually packaged" shall mean the practice of selling any tobacco or tobacco product wrapped individually for sale. Individually wrapped tobacco and tobacco products shall include, but not be limited to, single cigarette packs, single bags or cans of loose tobacco in any form, and single cans or other packaging of snuff or chewing tobacco. Cartons or other packaging containing more than a single pack or other container as described in this subdivision shall not be considered individually packaged.

Subd. 3 Indoor Area. "Indoor area" shall mean all space between a floor and a ceiling that is bounded by walls, doorways, or windows, whether open or closed, covering more than 50 percent of the combined surface area of the vertical planes constituting the perimeter of the area. A wall includes any retractable divider, garage door, or other physical barrier, whether temporary or permanent.

Subd. 4 Loosies. "Loosies" shall mean the common term used to refer to a single or individually packaged cigarette or any other tobacco product that has been removed from its packaging and sold individually. The term "loosies" does not include individual cigars with a retail price, before any sales taxes, of more than \$2.00 per cigar.

Subd. 5 Minor. "Minor" shall mean any natural person who has not yet reached the age of eighteen (18) years.

Subd. 6 Moveable Place of Business. "Moveable Place of Business: shall refer to any form of business operated

out of a truck, van, automobile, or other type of vehicle or transportable shelter and not a fixed address store front or other permanent type of structure authorized for sales transactions.

Subd. 7 Nicotine or Lobelia Delivery Devices. “Nicotine or Lobelia Delivery Devices” shall mean any product containing or delivering nicotine or lobelia intended for human consumption, or any part of such a product, that is not tobacco as defined in this section, not including any product that has been approved or otherwise certified for legal sale by the United States Food and Drug Administration for tobacco use cessation, harm reduction, or for other medical purposes, and is being marketed and sold solely for that approved purpose.

Subd. 8 Retail Establishment. “Retail Establishment” shall mean any place of business where tobacco, tobacco products, tobacco related devices or nicotine or lobelia delivery devices. are available for sale to the general public. Retail establishments shall include, but not be limited to, grocery stores, convenience stores, restaurants and drug stores.

Subd. 9 Sale. A “sale” shall mean any transfer of goods for money, trade, barter, or other consideration.

Subd. 10 Self-Service Merchandising. “Self-Service Merchandising” shall mean open displays of tobacco, tobacco products, tobacco related devices or nicotine or lobelia delivery devices in any manner where any person shall have access to the tobacco, tobacco products, tobacco related devices or nicotine or lobelia delivery devices, without the assistance or intervention of the licensee or the licensee’s employee. The assistance or intervention shall entail the actual physical exchange of the tobacco, tobacco product, tobacco related device or nicotine or lobelia delivery device between the customer and the licensee or employee. Self-service merchandising shall not include vending machines.

Subd. 11 Smoking. “Smoking” shall mean inhaling or exhaling smoke from any lighted or heated cigar, cigarette, pipe, or any other lighted or heated tobacco or plant product. Smoking also includes carrying a lighted or heated cigar, cigarette, pipe, or any other lighted or heated tobacco or plant product intended for inhalation.

Subd. 12 Tobacco or Tobacco Products. “Tobacco” or “Tobacco products” shall include cigarettes and any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product; cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco excludes any tobacco product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

Subd. 13 Tobacco Related Devices. “Tobacco related devices” shall mean any tobacco product as well as a pipe, rolling papers, or other device intentionally designed or intended to be used in a manner which enables the chewing, sniffing, or smoking of tobacco or tobacco products.

Subd. 14 Vending Machine. “Vending Machine” shall mean any mechanical, electrical or electronic, or other type of device which dispenses tobacco, tobacco products, or tobacco related devices upon the insertion of money, tokens, or other form of payment directly into the machine by the person seeking to purchase the tobacco, tobacco products, or tobacco device.

750.03 License. No person shall sell or offer any tobacco, tobacco products, tobacco related devices or nicotine or lobelia delivery device without first having obtained a license to do so from the City.

Subd. 1 Application. An application for a license to sell tobacco, tobacco products, tobacco related devices or nicotine or lobelia delivery devices shall be made on a form provided by the City. The application shall contain the full name of the applicant, the applicant's residential and business addresses and telephone numbers, the name of the business for which the license is sought, and any additional information the City deems necessary. ~~Upon receipt of a completed application, the City Administration shall forward the application to the Council for action at its next regularly scheduled council meeting.~~ If the administration shall determine that an application is incomplete, he or she shall return the application to the applicant with notice of the information necessary to make the application complete.

~~**Subd. 2 Action.** The Council may either approve or deny the license, or it may delay action for such reasonable period of time as necessary to complete any investigation of the application or the applicant it deems necessary.~~

~~**Subd. 3-2 Term.** All licenses shall be issued annually and expire on December 31. Except as herein otherwise provided, licenses issued under this ordinance shall be valid for one calendar year from the date of issue. The City, by ordinance, may from time to time establish one uniform period for all such licenses.~~

Subd. 4.3 Revocation or Suspension. Any license issued under this ordinance may be revoked or suspended as provided in the Violations and Penalties section of this ordinance.

Subd. 5.4 Transfers. Licenses issued under this ordinance shall be valid only on the premises for which the license was issued and only for the person to whom the license was issued. No transfer of any license to another location or person shall be valid without the prior approval of the Council.

Subd. 6.5 Moveable Place of Business. No license shall be issued to a moveable place of business. Only fixed location businesses shall be eligible to be licensed under this ordinance.

~~**Subd. 6 Multiple Locations.** No license shall be issued for tobacco sales at more than one place of business. Each individual business shall be licensed.~~

Subd. 7 Display. All licenses shall be posted and displayed in plain view of the general public on the licensed premise.

Subd. 8 Renewals. The renewal of a license issued under this section shall be handled in the same manner as the original application. The request for a renewal shall be made at least thirty (30) days but no more than sixty (60) days before the expiration of the current license. The issuance of a license issued under this ordinance shall be considered a privilege and not an absolute right of the applicant and shall not entitle the holder to an automatic renewal of the license.

~~**Subd. 9 Issuance as privilege and not a right.** The issuance of a license issued under this section shall be considered a privilege and not an absolute right of the applicant and shall not entitle the holder to an automatic renewal of the license.~~

Subd. 10.9 Smoking. Smoking shall not be permitted and no person shall smoke within the indoor area of any establishment with a retail tobacco license. Smoking for the purposes of sampling tobacco and tobacco related products is prohibited.

750.04 Fees. No license shall be issued under this ordinance until the appropriate license fee shall be paid in full. The fee for a license under this ordinance shall be set annually by the City.

750.05 Basis for Denial of License. The following shall be grounds for denying the issuance or renewal of a license

under this ordinance; however, except as may otherwise be provided by law, the existence of any particular ground for denial does not mean that the City must deny the license. If a license is mistakenly issued or renewed to a person, it shall be revoked upon the discovery that the person was ineligible for the license under this Section.

- A. The applicant is under the age of 18 years.
- B. The applicant has been convicted within the past five years of any violation of a Federal, State, or Local law, ordinance provision, or other regulation relating to tobacco or tobacco products, tobacco related devices or nicotine or lobelia delivery devices.
- C. The applicant has had a license to sell tobacco, tobacco products, tobacco related devices or nicotine or lobelia delivery devices revoked within the preceding twelve months of the date of application.
- D. The applicant fails to provide any information required on the application, or provides false or misleading information.
- E. The applicant is prohibited by Federal, State, or other Local law, ordinance, or other regulation, from holding such a license.

750.06 Prohibited Sales. It shall be a violation of this ordinance for any person to sell or offer to sell any tobacco, tobacco product, tobacco related device or nicotine or lobelia delivery device:

- A. To any person under the age of eighteen (18) years.
- B. By means of any type of vending machine, except as may otherwise be provided in this ordinance.
- C. By means of self-service methods whereby the customer does not need to make a verbal or written request to an employee of the licensed premise in order to receive the tobacco, tobacco product, tobacco related device or nicotine or lobelia delivery device and whereby there is not a physical exchange of the tobacco, tobacco product, tobacco related device or nicotine or lobelia delivery device between the licensee or the licensee's employee, and the customer.
- D. By means of loosies as defined in Section ~~200-750.02~~, Subd. 4 of this ordinance.
- E. Containing opium, morphine, jimson weed, bella donna, strychnos, cocaine, marijuana, or other deleterious, hallucinogenic, toxic, or controlled substances except nicotine and other substances found naturally in tobacco or added as part of an otherwise lawful manufacturing process.
- F. By any other means, to any other person, or in any other manner or form prohibited by Federal, State or other Local law, ordinance provision or other regulation.

750.07 Vending Machines. It shall be unlawful for any person licensed under this ordinance to allow the sale of tobacco, tobacco products, or tobacco related devices by the means of a vending machine unless minors are at all times prohibited from entering the licensed establishment.

750.08 Self-Service Sales. It shall be unlawful for a licensee under this ordinance to allow the sale of tobacco, tobacco products, tobacco related devices or nicotine or lobelia delivery devices by any means whereby the customer may have access to such items without having to request the item from the licensee or the licensee's employee and whereby there is not a physical exchange of the tobacco, tobacco product, tobacco related device or the nicotine or lobelia delivery device between the licensee or his or her clerk and the customer. All tobacco, tobacco products, tobacco related devices and nicotine or lobelia delivery devices shall either be stored behind a counter or other area not

freely accessible to customers, or in a case or other storage unit not left open and accessible to the general public. Any retailer selling tobacco, tobacco products, tobacco related devices or nicotine or lobelia delivery devices at the time this ordinance is adopted shall comply with this Section within 60 days following the effective date of this ordinance except where 90% of the sales of the particular establishment are tobacco related products and minors are at all times prohibited from entering the licensed establishment.

750.09 Responsibility. All licensees under this ordinance shall be responsible for the actions of their employees in regard to the sale of tobacco, tobacco products, tobacco related devices or nicotine or lobelia delivery devices on the licensed premises, and the sale of such an item by an employee shall be considered a sale by the license holder. Nothing in this section shall be construed as prohibiting the City from also subjecting the clerk to whatever penalties are appropriate under this ordinance, State or Federal law, or other applicable law or regulation.

750.10 Compliance Checks and Inspections. All licensed premises shall be open to inspection by the City police or other authorized City official during regular business hours. From time to time, but at least once per year, the City shall conduct compliance checks by engaging, with the written consent of their parents or guardians, minors over the age of fifteen (15) years but less than eighteen (18) years, to enter the licensed premise to attempt to purchase tobacco, tobacco products, tobacco related devices or nicotine or lobelia delivery devices. Minors used for the purpose of compliance checks shall be supervised by City designated law enforcement officers or other designated City personnel.

Minors used for compliance checks shall not be guilty of unlawful possession of tobacco, tobacco products, tobacco related devices or nicotine or lobelia delivery devices when such items are obtained as a part of the compliance check. No minor used in compliance checks shall attempt to use a false identification misrepresenting the minor's age, and all minors lawfully engaged in a compliance check shall answer all questions about the minor's age asked by the licensee or his or her employee and shall produce any identification, if any exists, for which he or she is asked. Nothing in this Section shall prohibit compliance checks authorized by State or Federal laws for educational, research, or training purposes, or required for the enforcement of a particular State or Federal law.

750.11 Other Illegal Acts. Unless otherwise provided, the following acts shall be a violation of this ordinance.

Subd. 1 Illegal Sales. It shall be a violation of this ordinance for any person to sell or otherwise provide any tobacco, tobacco product, tobacco related device or nicotine or lobelia delivery device to any minor.

Subd. 2 Illegal Possession. It shall be a violation of this ordinance for any minor to have in his or her possession any tobacco, tobacco product, tobacco related device or nicotine or lobelia delivery device. This subdivision shall not apply to minors lawfully involved in a compliance check.

Subd. 3 Illegal Use. It shall be a violation of this ordinance for any minor to smoke, chew, sniff, or otherwise use any tobacco, tobacco product, tobacco related device or nicotine or lobelia delivery device.

Subd. 4 Illegal Procurement. It shall be a violation of this ordinance for any minor to purchase or attempt to purchase or otherwise obtain any tobacco, tobacco product, tobacco related device or nicotine or lobelia delivery device, and it shall be a violation of this ordinance for any person to purchase or otherwise obtain such items on behalf of a minor. It shall further be a violation for any person to coerce or attempt to coerce a minor to illegally purchase or otherwise obtain or use any tobacco, tobacco product, or tobacco related device. This subdivision shall not apply to minors lawfully involved in a compliance check.

Subd. 5 Use of False Identification. It shall be a violation of this ordinance for any minor to attempt to disguise his or her true age by the use of a false form of identification, whether the identification is that of another person or one on which the age of the person has been modified or tampered with to represent an age older than the actual age of the person.

750.12 Violations.

Subd. 1 Notice. Upon discovery of a suspected violation, the alleged violator shall be issued, either personally or by mail, a citation that sets forth the alleged violation and which shall inform the alleged violator of his or her right to be heard on the accusation.

Subd. 2 Hearings. If a person accused of violating this ordinance so requests, a hearing shall be scheduled, the time and place of which shall be published and provided to the accused violator.

Subd. 3 Hearing Officer. The City Council shall serve as the hearing officer.

Subd. 4 Decision. If the hearing officer determines that a violation of this ordinance did occur, that decision, along with the hearing officers' reasons for finding a violation and the penalty to be imposed under Section 1300 of this ordinance, shall be recorded in writing, a copy of which shall be provided to the accused violator. Likewise, if the hearing officer finds that no violation occurred or finds grounds for not imposing any penalty, such findings shall be recorded and a copy provided to the acquitted accused violator.

Subd. 5 Appeals. Appeals of any decision made by the hearing officer shall be filed in the district court for the City in which the alleged violation occurred.

Subd. 6 Misdemeanor Prosecution. Nothing in this Section shall prohibit the City from seeking prosecution as a misdemeanor for any alleged violation of this ordinance. If the City elects to seek misdemeanor prosecution, no administrative penalty shall be imposed.

Subd. 7 Continued Violation. Each violation, and every day in which a violation occurs or continues, shall constitute a separate offense.

750.13 Penalties.

Subd. 1 Licensees. ~~Any licensee found to have violated this ordinance shall be charged an administrative fine of \$75 for a first violation of this ordinance, \$200 for a second offense at the same licensed premises within a twenty-four month period; and \$250 for a third or subsequent offense at the same location within a twenty-four month period. In addition, after the third offense, the license shall be suspended for not less than seven days. Any licensee found to have violated this ordinance shall be charged an administrative penalty and fine. Penalties occurring within a forty-eight (48) month period shall be as follows:~~

A. **First Violation.** At least one (1) day suspension and \$75 administrative fine or, at the City Council's discretion, participation of all employees in an educational program approved by the Public Safety Director, in addition to any criminal or civil penalties which may be imposed.

B. **Second Violation.** At least three (3) consecutive days suspension and a \$200 administrative fine in addition to any criminal or civil penalties which may be imposed.

C. **Third Violation.** At least seven (7) consecutive days suspension and a \$250 administrative fine in addition to any criminal or civil penalties which may be imposed.

D. **Fourth Violation.** The license shall be revoked.

Subd. 2 Employees of Licensees and Other Individuals. Employees of Licensees and other individuals, other than minors regulated by subdivision 3 of the Subsection, found to be in violation of this ordinance shall be charged an administrative fine of \$75 for a first violation of this ordinance; \$200 for a second offense within a ~~twenty-four~~forty-eight (48) month period; and \$250 for a third or subsequent offense within a ~~twenty-four~~forty-eight (48) month period.

Subd. 3 Minors. Minors found in unlawful possession of, or who unlawfully purchase or attempt to purchase, tobacco, tobacco products, or tobacco related devices, shall be charged an administrative fine of \$75 for a first violation of this ordinance; \$200 for a second offense within a ~~twenty-four~~forty-eight (48) month period; and \$250 for a third or subsequent offense within a ~~twenty-four~~forty-eight (48) month period.

Subd. 4 Community Service and Other Conditions. The hearing officer may, in its sole discretion, allow community service to be substituted for some or all of the fine. Such substitution shall be a rate established by the hearing officer. The hearing officer may also stay the imposition of some or all of the fine on such other conditions that it, in its sole discretion, deems appropriate.

Subd. 5 Misdemeanor. Nothing in this Section shall prohibit the City from seeking prosecution as a misdemeanor for any violation of this ordinance.

750.14 Exceptions and Defenses. Nothing in this ordinance shall prevent the providing of tobacco, tobacco products, or tobacco related devices to a minor as part of a lawfully recognized religious, spiritual, or cultural ceremony. It shall be an affirmative defense to the violation of this ordinance for a person to have reasonably relied on proof of age as described by State law.

750.15 Severability and Savings Clause. If any section or portion of this ordinance shall be found unconstitutional or otherwise invalid or unenforceable by a court of competent jurisdiction, that finding shall not serve as an invalidation or effect the validity and enforceability of any other section or provision of this ordinance.

750.16 Effective Date. This ordinance shall take effect the day following publication in the City's official newspaper.

RESOLUTION NO. 2014-7

A RESOLUTION AMENDING RESOLUTION NO. 2014-5 ESTABLISHING A CREDIT FOR WATER USAGE FOR PROPERTIES THAT ARE RUNNING WATER 24-7 TO PREVENT FROZEN WATER LINES

WHEREAS, Due to the extreme cold weather during the winter of 2014, the frost table in the City of Newport is lower than previous years; and

WHEREAS, the lower frost table is resulting in frozen water lines; and

WHEREAS, the City is asking residents to run a pencil width stream of water 24-7 until further notice to prevent frozen water lines; and

WHEREAS, the City has asked several property owners who have already had frozen water lines in 2014 to run a larger stream of water 24-7 to prevent the water lines from freezing again; and

WHEREAS, the City Council approved Resolution No. 2014-5 to establish a credit for water usage for properties that are running water 24-7 to prevent frozen water lines; and

WHEREAS, City staff have determined that a pencil width stream of water produces 0.25 gallons per minute or 360 gallons per day which equates to \$0.60 extra per day; and

NOW, THEREFORE, BE IT RESOLVED, that the Newport City Council hereby amends Resolution No. 2014-5 and establishes the following credits for the water portion of the utility bill:

1. If a property owner notifies the City that it is running a pencil width stream of water 24-7 to prevent their water lines from freezing, they will receive a credit of \$0.60 per day for the period that they ran water 24-7 on the water portion of the June 2014 utility bill.
2. The following properties will receive a full credit of water usage for the period that the City asked them to run a large stream of water 24-7. These credits will be applied to the March and June 2014 utility bills:
 - a. 350 9th Street
 - b. 1930 Barry Drive
 - c. 1175 Glen Road
 - d. 1660 Woodbury Road
 - e. 1665 Woodbury Road
 - f. 1670 Woodbury Road

Adopted this 20th day of March, 2014 by the Newport City Council.

Motion by: _____, Seconded by: _____

VOTE:	Geraghty	_____
	Ingemann	_____
	Sumner	_____
	Gallagher	_____
	Rahm	_____

Signed: _____
Tim Geraghty, Mayor

ATTEST: _____
Deb Hill, City Administrator

RESOLUTION NO. 2014-5

A RESOLUTION ESTABLISHING A CREDIT FOR WATER USAGE FOR PROPERTIES THAT ARE RUNNING WATER 24-7 TO PREVENT FROZEN WATER LINES

WHEREAS, Due to the extreme cold weather during the winter of 2014, the frost table in the City of Newport is lower than previous years; and

WHEREAS, the lower frost table is resulting in frozen water lines; and

WHEREAS, the City is asking residents to run a pencil width stream of water 24-7 until further notice to prevent frozen water lines; and

WHEREAS, the City has asked several property owners who have already had frozen water lines in 2014 to run a larger stream of water 24-7 to prevent the water lines from freezing again; and

WHEREAS, the City Council finds that it is appropriate to provide a credit to those that are running water 24-7 at a pencil width stream and have contacted the City to notify them of this and to those properties that are running a larger stream due to previous frozen water lines.

NOW, THEREFORE, BE IT RESOLVED, that the Newport City Council hereby establishes the following credits for the water portion of the utility bill:

1. If a property owner notifies the City that it is running a pencil width stream of water 24-7 to prevent their water lines from freezing, they will receive a credit of the overage from their average water usage on the water portion of the June 2014 utility bill.
2. The following properties will receive a full credit of water usage for the period that the City asked them to run a large stream of water 24-7. These credits will be applied to the March and June 2014 utility bills:
 - a. 350 9th Street
 - b. 1930 Barry Drive
 - c. 1175 Glen Road
 - d. 1660 Woodbury Road
 - e. 1665 Woodbury Road
 - f. 1670 Woodbury Road

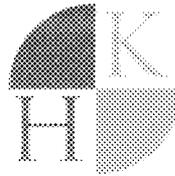
Adopted this 6th day of March, 2014 by the Newport City Council.

Motion by: _____, Seconded by: _____

VOTE:	Geraghty	_____
	Ingemann	_____
	Sumner	_____
	Gallagher	_____
	Rahm	_____

Signed: _____
Tim Geraghty, Mayor

ATTEST: _____
Deb Hill, City Administrator



Frederic W. Knaak*
Wayne B. Holstad**

*Also Licensed in
Wisconsin & Colorado

**Also Licensed in
Massachusetts, Iowa,
Federal Court of Claims

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MEMORANDUM: MONTHLY NEWPORT PROSECUTION REPORT

TO: MAYOR AND MEMBERS OF THE CITY COUNCIL
FROM: FRITZ KNAAK, NEWPORT CITY ATTORNEY
DATE: March 6, 2014

This past month, our office has represented the City in a total of 53 prosecutions that were followed through to conviction or alternative disposition. They break down as follows:

Arraignments & Rule 8 Hearings: 33
Pretrials: 14
Omnibus Hearings: 2
Court Trials: 0
Jury Trials: 3
Revocation/Plea Hearings/Sentencing: 1

The report from the court Hearing Officer regarding Newport tickets for the month of February is summarized as follows:

Customers	38	
Citations	38	
Charges	54	
Disposed	12	% Resolved
CFD/DUP	8	50.0%
Contest/NG	4	
DNQ	16	
Extension	14	
No Guidelines	0	
Parking	2	
Petty Misdemeanor	21	
Misdemeanor	31	

February 2014

Newport Police Department
Activity Report

		Monthly Total	Yearly Total
ACCIDENTS		16	29
ADMINISTRATIVE		109	205
ALARMS		7	16
ANIMAL CALLS		8	21
ARRESTS	Felony	1	3
	Misdemeanor	5	15
	Gross Misd.	2	5
ASSAULTS	Aggravated	1	1
	Simple		2
ASSIST OTHER DEPT/OFFICER		84	146
ASSIST PUBLIC		175	350
AUTO THEFT			1
	Attempted		
BURGLARY			
	Attempted		
CHILD ABUSE/NEGLECT			1
CIVIL DISPUTES		3	10
CRIMINAL SEXUAL CONDUCT		2	4
CURFEW			
DAMAGE TO PROPERTY		2	3
DEATH INV.			1
DISORDER CONDUCT			2
DOMESTICS		10	25
DRIVING COMPLAINT		11	16
DRUGS/PARAPHERNALIA			1
DRUNKS/DETOX		2	9
D.W.I.		5	10
FIRECALLS		6	11
FORGERY			
FOUND PROPERTY			1
HAR/COMM		3	5
HANG UPS (911)		4	6
HOMICIDE		1	1
JUVENILE PETTY CITATIONS			1
JUVENILE PROBLEMS		1	4
LOCK-OUTS		11	17
MEDICAL CALLS		24	44
MISSING PERSONS		1	4
ORDINANCE VIOLATIONS		32	114
ORDINANCE WINTER PARK			2
PROWLERS			
ROBBERY			
	Attempted		
RUN-AWAY			1
STOLEN AUTOS RECOVERED			2
SUSPICIOUS ACTIVITY		17	27
THEFT		7	12
	Attempted		
CITATIONS		51	129
TRAFFIC WARNINGS		33	91
		Monthly Total	Yearly Total
Overall Grand Total All Events		634	1348



PROFESSIONAL SERVICES

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MEMO

To: Honorable Mayor and City Council Members
 Ms. Deb Hill, City Administrator

From: Jon Herdegen, Project Engineer

Subject: Engineer's Report

Date: March 20, 2014

2014 Street Improvements

We have prepared the plans and specification for the 2014 Street Improvements project for Council review and consideration. Due to the size of the documents, the plans will not be included in the regular Council Meeting packet but rather a digital copy will be available at City Hall for review.

Here is a tentative schedule for the project over the next few months:

Council Considers Bid Advertisement..... March 20th
 Advertisement Published Advertisement in Local Paper April 2nd
 Conduct Improvement Hearing for 3rd Avenue April 15th or 16th
 (This Hearing Could Be Done At April 17th Regular Council Meeting As Well)
 Council Considers Calling for Assessment Hearing..... April 17th
 Bids Are Opened April 24th
 Council Considers Project Award May 1st
 Assessment Hearings May 13th & 14th
 Construction Begins Late May/Early June

Regarding schedule item No. 3 above, a Public Improvement Hearing for the residents along 3rd Avenue must take place prior to the award of the project in pursuit of MN Statute 429. As you recall, Improvement Hearings the City's Capital Improvement plan for the years 2013, 2014 and 2015 were all conducted back in April of 2013. Since 3rd Avenue was added to the project after that date, the City must notice and conduct a separate hearing for those residents. This public hearing can take place at a regular-scheduled Council Meeting or can be conducted at a separate meeting.

Action Requested: Consider the enclosed resolutions (1) Approving the Plans and Specification & Ordering the Advertisement for Bid and (2) Calling Hearing on Improvement for the residents along 3rd Avenue. (The Hearing date and time should be discussed and added to the resolution where indicated.)

Offices in Illinois, Iowa, Minnesota, and Wisconsin

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 (612) 548-3132 (866) 452-9454

FAX: (763) 786-4574 WEB ADDRESS: www.msa-ps.com

RESOLUTION NO. 2014-8

**A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND ORDERING
ADVERTISEMENT FOR BIDS**

WHEREAS, pursuant to a resolution passed by the City Council April 18, 2013, the City Engineer has prepared plans and specifications for Improvement No. 2013-01, the improvement of the streets included with the City’s Capital Improvement Plan for the years 2013, 2014 and 2015as shown in the amended “Exhibit 1” dated April 29, 2013 by regrading and improving the road surfaces, watermain, sanitary sewer, and stormwater conveyance system, as described in the Engineer’s amended feasibility report entitled “Feasibility Study for 2013-15 Street Improvement Project“ dated February 28, 2013 and received by the council March 5, 2013; and

WHEREAS, the feasibility report has been amended by the Council Memorandum entitled the “2013-15 Street Improvement Project – Scope Updates & Ordering the Project” and “Exhibit 1 – Revised 1/2014” dated April 15, 2013, and

WHEREAS, the feasibility report has been further amended by the Council Memorandum entitled the “2013-15 Street Improvement Project – Scope Updates & Ordering the Project” and “Exhibit 1 – Revised 1/2014” dated February 3, 2014; and

WHEREAS, the City Engineer has presented such plans and specifications for the 2014 Street Improvement Project to the Council for approval, and

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

1. Such plans and specifications, a copy of which is attached hereto and made a part thereof, are hereby approved.
2. The City Administrator shall prepare and cause to be inserted in the official paper and in Finance and Commerce an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published for 21 days, shall specify the work to be done, shall state that bids will be received by the Administrator until a date specified by the City Administrator, at which time they will be publicly opened in the council chambers of the City Hall by the City Administrator and Engineer, will then be tabulated, and will be considered by the council at a date specified by the City Administrator, in the council chambers of the City Hall. Any bidder whose responsibility is questioned during the consideration of the bid will be given an opportunity to address the council on the issue of responsibility. No bids will be considered unless sealed and filed with the City Administrator and accompanied by a cash deposit, cashier's check, bid bond or certified check payable the City Administrator for 5% of the amount of such bid.

Adopted this 20th day of March, 2014 by the Newport City Council.

Motion by: _____, Seconded by: _____

VOTE:	Geraghty	_____
	Ingemann	_____
	Sumner	_____
	Gallagher	_____
	Rahm	_____

Signed: _____
Tim Geraghty, Mayor

ATTEST: _____
Deb Hill, City Administrator

RESOLUTION NO. 2014-9

A RESOLUTION CALLING HEARING ON IMPROVEMENT

WHEREAS, pursuant to resolution of the council adopted January 17, 2013 a report has been prepared by John B Stewart P.E., Newport City Engineer, with reference to proposed Improvement No. 2013-01, the improvement of the streets included with the City’s Capital Improvement Plan for the years 2013, 2014, and 2015 as shown in “Exhibit 1” of the feasibility report by regrading and improving the road surfaces, watermain, sanitary sewer, and stormwater conveyance system, and this report was received by the council on March 5, 2013, and

WHEREAS, the feasibility report has been amended by the Council Memorandum entitled the “2013-15 Street Improvement Project – Scope Updates & Ordering the Project” and “Exhibit 1 – Revised 1/2014” dated April 15, 2013, and

WHEREAS, the feasibility report has been further amended by the Council Memorandum entitled the “2013-15 Street Improvement Project – Scope Updates & Ordering the Project” and “Exhibit 1 – Revised 1/2014” dated February 3, 2014; and

WHEREAS, the latest amendment to the report included the addition of 3rd Avenue between 14th Street and 15th Street affecting the following parcels not included in the original project scope:

- 1. 1453 3RD AVE (35.028.22.14.0026)
- 2. 1433 3RD AVE (35.028.22.14.0023)
- 3. 1409 3RD AVE (35.028.22.14.0021)
- 4. 1385 3RD AVE (35.028.22.41.0049)
- 5. 1434 3RD AVE (35.028.22.14.0016)
- 6. 1462 3RD AVE (35.028.22.14.0015)
- 7. 1462 3RD AVE (35.028.22.14.0014)

WHEREAS, the City conducted a series of Improvements Hearing for the remainder of the affected parcels on April 16, 2013

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

- 1. A public hearing shall be held on such proposed improvements separately for each project grouping, in the Council Chambers of City Hall as follows:

3rd Avenue Project Area: On the _____ of April, 2014 at _____ PM

and the City Administrator shall give mailed and published notice of such hearing and improvement as required by law.

Adopted by this council this 20th day of March, 2013.

Motion by: _____, Seconded by: _____

VOTE:	Geraghty	_____
	Ingemann	_____
	Sumner	_____
	Gallagher	_____
	Rahm	_____

Signed: _____
Tim Geraghty, Mayor

ATTEST: _____
Deb Hill, City Administrator