



**CITY OF NEWPORT  
REGULAR COUNCIL MEETING  
NEWPORT CITY HALL  
AUGUST 4, 2016 – 5:30 P.M.**

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

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

**AGENDA**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. ADOPT AGENDA
5. ADOPT CONSENT AGENDA – All items listed under this section are considered routine and non-controversial by the Council and will be approved by a single motion. An item may be removed from the consent agenda and discussed if a Council member, staff member, or citizen so requests.
  - A. Minutes of the July 21, 2016 Regular City Council Meeting
  - B. Minutes of the July 21, 2016 City Council Workshop Meeting
  - C. List of Bills in the Amount of \$540,427.55
  - D. Deer Hunt Agreement
  - E. Gambling Permit for the Newport Firefighters Relief Association
  - F. **Resolution No. 2016-33** - Authorizing the Mayor and City Administrator to Execute and Enter into MNDOT Agreement #1025889
  - G. Internal Controls Procedure Amendment
6. VISITORS PRESENTATIONS/PETITIONS/CORRESPONDENCE
7. MAYOR'S REPORT
8. COUNCIL REPORTS
9. ADMINISTRATOR'S REPORT
  - A. **Public Hearing** - To consider amendments to Chapter 5, Alcoholic Beverages
    1. Ordinance No. 2016-5 - Amending Chapter 5, Alcoholic Beverages
  - B. Discussion Regarding Catherine Drive Potential Development
10. ATTORNEY'S REPORT
11. WASHINGTON COUNTY SHERIFF'S OFFICE REPORT
12. FIRE CHIEF'S REPORT

Agenda for 08-04-16

13. ENGINEER'S REPORT

A. 2017 Street and Utility Improvements

1. **Resolution No. 2016-31** - Ordering Improvement and Preparation of Plans - Project A
2. **Resolution No. 2016-32** - Ordering Improvement and Preparation of Plans - Project B

14. SUPERINTENDENT OF PUBLIC WORKS REPORT

15. NEW / OLD BUSINESS

16. ADJOURNMENT

Upcoming Meetings and Events:

- |                                |                 |                       |
|--------------------------------|-----------------|-----------------------|
| 1. Primary Elections           | August 9, 2016  | 7:00 a.m. - 8:00 p.m. |
| 2. Planning Commission Meeting | August 11, 2016 | 5:30 p.m.             |
| 3. Pioneer Day                 | August 14, 2016 |                       |
| 4. City Council Meeting        | August 18, 2016 | 5:30 p.m.             |



**City of Newport  
City Council Minutes  
July 21, 2016**

**1. CALL TO ORDER**

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

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

**Council Present** – Tim Geraghty; Tom Ingemann; Dan Lund

**Council Absent** – Bill Sumner; Tracy Rahm;

**Staff Present** – Deb Hill, City Administrator; Bruce Hanson, Supt. of Public Works; Steve Wiley, Fire Chief; Renee Eisenbeisz, Assistant to the City Administrator; Fritz Knaak, City Attorney; Larry Osterman, Sergeant; Jon Herdegen, City Engineer; Sherri Buss, City Planner

**4. ADOPT AGENDA**

**Mayor Geraghty** - I'd like to move the Engineer's Report to after the Council Reports.

**Motion by Geraghty, seconded by Ingemann, to adopt the Agenda as amended. With 3 Ayes, 0 Nays, 2 Absent, the motion carried.**

**5. ADOPT CONSENT AGENDA**

**Councilman Ingemann** - I'd like to remove the July 7, 2016 minutes.

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

- B. Minutes of the July 12, 2016 Special City Council Meeting - 5:30 p.m.
- C. Minutes of the July 12, 2016 Special City Council Meeting - 6:30 p.m.
- D. List of Bills in the Amount of \$148,381.93
- E. **Resolution No. 2016-29** – Accepting Donations for the Period of June 1 - July 18, 2016
- F. **Resolution No. 2016-30** - Amending the Planning Commission Meeting Time and Policy Guide
- G. Proposal from Pathfinder CRM for Historic Preservation Consultant Services for 2017-2018
- H. Settlement Agreement and Release of Claims Under MN Statutes Section 299A.465
- I. MNDot Agreement

**With 3 Ayes, 0 Nays, 2 Absent, the motion carried.**

**A. Minutes of the July 7, 2016 Regular City Council Meeting**

**Councilman Ingemann** - On page 12, where it says to approve the per hour rate for Deb and Renee, I did not vote, I made no motion or sound. Same on the second motion.

**Mayor Geraghty** - Do you have to give a verbal motion? You didn't say anything?

**Councilman Ingemann** - I abstained because I felt it should have been taken care of during the budget discussions.

**Mayor Geraghty** - If you abstain, you're supposed to say something.

**Attorney Knaak** - There's nothing wrong with making that call but one of the reasons minutes are reviewed is so someone can make a correction.

**Mayor Geraghty** - I would like someone to say if they are abstaining in the future.

**Motion by Lund, seconded by Ingemann, to approve the July 7, 2016 minutes as amended. With 3 Ayes, 0 Nays, 2 Absent, the motion carried.**

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

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

## **8. COUNCIL REPORTS**

**Councilman Lund** - I talked to a resident who is frustrated that we don't always speak into our microphones, he mentioned me and the attorney. We should realize that there are people watching at home and we need to speak into our microphones. He also asked that when anyone talks, including Sgt. Osterman, we have them come up so they can hear.

**Councilman Ingemann** - I was at the Planning Commission workshop last week. They discussed a lot. There's some interesting stuff coming up. They'll be redoing the comprehensive plan.

## **13. ENGINEER'S REPORT**

### **A. 2017 Street and Utility Improvements**

Engineer Herdegen presented on this item as outlined in the July 21, 2016 City Council packet. Engineer Herdegen stated that the resolutions ordering the improvements needed a 4/5 vote and recommended waiting until the next meeting. Attorney Knaak indicated that we need 3 out of 3 but also recommended waiting. Waiting until the next meeting does not affect the schedule.

**Motion by Lund, seconded by Ingemann, to table Resolutions No. 2016-31 and 2016-32 until August 4, 2016. With 3 Ayes, 0 Nays, 2 Absent, the motion carried.**

## **9. ADMINISTRATOR'S REPORT**

### **A. Public Hearing - To Review Alleged Legal Non-Compliance of an On-Sale and Sunday On-Sale Liquor License Holder**

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

Asst. to the City Administrator Eisenbeisz presented on this item as outlined in the July 21, 2016 City Council packet.

**Autumn Lehrke, Owner of Opinion Brewing** - I'm here to answer questions you have and get clarity on some of the definitions. We didn't remove all of the lanes, we still have two that are completely intact and are the full length. We removed the pinsetters and machines on six of the lanes. We most certainly do have bowling lanes so we would like to keep our license as is. I did send a menu to you to show what type of food we serve. We believe we meet the definition of a restaurant. If we don't, we'll need more information so we can have our attorney look at it. When we were here in 2013, the Council had a discussion on record saying how the old bar was a restaurant because they served pickled eggs. We have a much more expanded menu and as Renee said, we have a food license through the County. We still believe we're a bowling center.

**Mayor Geraghty** - Does anyone use them?

**Mrs. Lehrke** - They didn't when we bought it but they could.

**Asst. to the City Administrator Eisenbeisz** - When Sgt. Osterman conducted his inspection...

**Mayor Geraghty** - What food do you prepare there?

**Councilman Ingemann** - Onsite. It's prepackaged.

**Mrs. Lehrke** - We prepare everything on site, it comes frozen just like Burger King. We're talking about expanding our menu even more.

**Councilman Ingemann** - I believe the definition given is that the food needs to be prepared onsite, if you're taking prepackaged food and heating them up, that's not preparing it onsite. Make a sandwich, that's prepared onsite.

**Mrs. Lehrke** - We can expand our menu to include sandwiches.

**Councilman Lund** - I don't agree with that, they have chicken wings. They have a fryer.

**Attorney Knaak** - Prepared onsite is taking raw ingredients or ingredients and cooking them onsite. We don't have a lot of clarity. I bet that Tinucci's gets some frozen foods that they don't prepare onsite. Preparation has to do with plating up as much as anything. Nuking a pizza is not a restaurant, the more involved the menu is, the more involved the preparation, the closer you are to a restaurant. That's your call to make.

**Councilman Ingemann** - Isn't there a different license from the County?

**Councilman Lund** - It's not our job to enforce the County license. My preference is to say that they are a restaurant. I don't think the residents care if they have bowling every once and a while or a more useful use for the space.

**Mrs. Lehrke** - We make our sauce from scratch, we have really good wings. We go to Restaurant Depot for food, this is how restaurants work. The goal is to have everything handmade.

**Councilman Ingemann** - So you make your sauce onsite?

**Mrs. Lehrke** - Yes we do.

**Mayor Geraghty** - They are deep-fried, they cook them.

**Councilman Ingemann** - You put them in a deep fryer, that's prepared onsite.

**Mayor Geraghty** - Do you have plans to expand the restaurant?

**Mrs. Lehrke** - Yes. We still do have two lanes so if you want to save some administrative time, you can keep it as is.

**The public hearing closed at 5:49 p.m.**

**Motion by Lund, seconded by Geraghty, to reissue the On-Sale and Sunday On-Sale Liquor Licenses to Opinion Brewing as a restaurant considering the menu submitted and the food prepared onsite. With 3 Ayes, 0 Nays, 2 Absent, the motion carried.**

## **B. Discussion Regarding Catherine Drive Potential Development**

Sherri Buss, City Planner, presented on this item as outlined in the July 21, 2016 City Council packet. The Council discussed rezoning this area so that it can be developed at a higher density and have sewer and water available. Ehler's will be presenting at the August 4, 2016 City Council meeting on financing for bringing water and sewer to this area.

## **C. Amend 2016 Annual Appointments**

**Motion by Geraghty, seconded by Ingemann, to appoint Saengmany Ratsabout to the Planning Commission. With 3 Ayes, 0 Nays, 2 Absent, the motion carried.**

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

**11. WASHINGTON COUNTY SHERIFF'S OFFICE REPORT** – Nothing to report.

**12. FIRE CHIEF'S REPORT** -

**Chief Wiley** - I just wanted to thank everyone that came out for Booya, it was one of the most successful ones. Special thanks to Bruce and his crew for getting the area ready and Sgt. Osterman for lining up the water and trail division and K9 demos.

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

**15. NEW / OLD BUSINESS**

**16. ADJOURNMENT**

**Motion by Geraghty, seconded by Ingemann to adjourn the regular City Council meeting at 6:11 p.m. With 3 Ayes, 0 Nays, 2 Absent, the motion carried.**

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

Respectfully Submitted,

Renee Eisenbeisz  
Assistant to the City Administrator



**City of Newport  
City Council Workshop Meeting Minutes  
July 21, 2016**

**1. ROLL CALL -**

**Council Present** – Tim Geraghty, Tom Ingemann, Dan Lund

**Council Absent** – Bill Sumner, Tracy Rahm

**Staff Present** – Deb Hill, City Administrator; Bruce Hanson, Superintendent of Public Works; Renee Eisenbeisz, Assistant to the City Administrator;

**Staff Absent** - Steve Wiley, Fire Chief;

**2. PLANNING COMMISSION INTERVIEWS**

The City Council interviewed Saengmany Ratsabout and Brandon Leyde for the Planning Commission vacancy. Mr. Saengmany has lived in Newport for two years and works at the University of MN, Immigration History Research Center. Mr. Saengmany became interested in serving on the Planning Commission while researching the history of Newport. Mr. Leyde has lived in Newport for about four years. After moving here, Mr. Leyde became interested in the history and wants to protect Newport for the future.

The City Council will make a decision on the Planning Commission vacancy at their July 21, 2016 regular meeting.

**3. BREAK FOR REGULAR COUNCIL MEETING**

The City Council recessed at 5:18 p.m. for the regular City Council meeting.

The City Council reconvened the workshop at 6:15 p.m.

**4. BUDGET DISCUSSION**

Admin. Hill presented on this item as outlined in the July 21, 2016 City Council workshop packet. The City Council discussed the following:

- Keeping the summer rec program as is and ask Jamie if she would be interested in working.
- Adding an entry level public works position to the budget proposal
- 2015 transfers will be reflected in the 2016 audit
- Closing the rink at Loveland Park
- Adding increased Council salaries to the budget proposal
- Cleanup of the gun range at Public Works - Supt. Hanson is waiting to hear about superfunds to do this.

**5. ADJOURNMENT**

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

Respectfully Submitted,

Renee Eisenbeisz  
Assistant to the City Administrator

**Recurring**

Paid Chk# 000662E	FEDERAL TAXES	7/21/2016	\$6,538.68	SS, Federal and Medicare
Paid Chk# 000663E	MN REVENUE	7/21/2016	\$1,049.81	State taxes
Paid Chk# 000664E	MSRS	7/21/2016	\$2,381.31	H CSP & Voluntary retirement
Paid Chk# 000665E	SELECTACCOUNT	7/21/2016	\$692.07	HSPA
Paid Chk# 000666E	SELECTACCOUNT	7/21/2016	\$21.10	Monthly fee
Paid Chk# 000667E	DELTA DENTAL OF MN	8/1/2016	\$739.10	Dental insurance
Paid Chk# 018791	BRUCE HANSON	7/21/2016	\$118.80	Mileage reimbursement
Paid Chk# 018792	DEBORA HILL	7/21/2016	\$58.43	Mileage reimbursement
Paid Chk# 018793	MINNESOTA BENEFIT ASSOC.	7/21/2016	\$148.97	Tokiel car & home insurance
Paid Chk# 018794	ON SITE SANITATION	7/21/2016	\$423.00	Port o Potty
Paid Chk# 018795	PERA	7/21/2016	\$3,762.13	
Paid Chk# 018796	UNUM	7/21/2016	\$269.04	
Paid Chk# 018797	VERIZON	7/21/2016	\$263.69	
Paid Chk# 018798	XCEL ENERGY	7/21/2016	\$4,113.42	
Paid Chk# 018800	COMCAST	7/28/2016	\$810.73	Phone service
Paid Chk# 018801	NCPERS MINNESOTA	7/28/2016	\$48.00	
Paid Chk# 018803	Holstad & Knaak, PLC	8/1/2016	\$5,343.88	
Paid Chk# 018804	TENNIS SANITATION LLC	8/1/2016	\$49.40	City hall & pw garbage service
	STAFF		\$16,619.40	

**Non-Recurring**

Paid Chk# 018802	SAMS CLUB DIRECT	7/28/2016	\$192.72	PW supplies
Paid Chk# 018805	ARAMARK REFRESHMENT SERV.	8/4/2016	\$222.07	
Paid Chk# 018806	DAVID BOROWIAK	8/4/2016	\$275.00	Pioneer Day entertainment
Paid Chk# 018807	CENTURY COLLEGE	8/4/2016	\$1,485.37	Training
Paid Chk# 018808	COMMERCIAL ASPHALT CO.	8/4/2016	\$415.82	Asphalt
Paid Chk# 018809	CITY OF COTTAGE GROVE	8/4/2016	\$3,153.02	2nd quarter building inspectio
Paid Chk# 018810	DELL Marketing L.P.	8/4/2016	\$640.50	Administrator computer
Paid Chk# 018811	CHUCK DEVORE	8/4/2016	\$340.00	Pioneer Day entertainment
Paid Chk# 018812	E.H. RENNER & SONS	8/4/2016	\$200.00	Annual well inspection
Paid Chk# 018813	FAIR OFFICE WORLD	8/4/2016	\$189.50	Envelopes and paper
Paid Chk# 018814	FUNCHARACTERS	8/4/2016	\$150.00	Pioneer Day Entertainment
Paid Chk# 018815	GERLACH OUTDOOR POWER EQUIP.	8/4/2016	\$722.24	Supplies and rental
Paid Chk# 018816	GRAINGER PARTS	8/4/2016	\$138.00	Filters city hall
Paid Chk# 018817	DEBORA HILL	8/4/2016	\$150.00	Petty cash for Pioneer Day
Paid Chk# 018818	HOFFMAN & MACNAMARA	8/4/2016	\$3,680.00	Mulch for indiv. tree location
Paid Chk# 018819	INSTRUMENTAL RESEARCH, INC.	8/4/2016	\$36.00	Coliform bacteria
Paid Chk# 018820	JOHN BARTL HARDWARE	8/4/2016	\$324.85	Supplies
Paid Chk# 018821	KENNEDY & GRAVEN, CHARTERED	8/4/2016	\$477.75	Legal fees-McArdell settlement
Paid Chk# 018822	MENARDS - COTTAGE GROVE	8/4/2016	\$210.18	Compost site
Paid Chk# 018823	MMKR	8/4/2016	\$8,742.00	Auditor services
Paid Chk# 018824	MSA PROFESSIONAL SERVICES, INC	8/4/2016	\$3,657.50	City Engineering
Paid Chk# 018825	OXYGEN SERVICE CO.	8/4/2016	\$44.40	Oxygen supply
Paid Chk# 018826	READY WATT ELECTRIC	8/4/2016	\$900.00	Emergency siren repair
Paid Chk# 018827	SAVE THE STRAYS	8/4/2016	\$629.00	Dog catching and transport
Paid Chk# 018828	SEAN MCADELL & MEUSER LAW OFF	8/4/2016	\$115,000.00	Health insurance payment
Paid Chk# 018829	SOUTH SUBURBAN RENTAL, INC.	8/4/2016	\$57.00	LP gas
Paid Chk# 018830	USA INFLATABLES	8/4/2016	\$130.00	Pioneer Day entertainment
Paid Chk# 018831	WASHINGTON CONSERVATION DIST.	8/4/2016	\$162.50	1/4 billing of educator
Paid Chk# 018832	WASHINGTON CTY SHERIFF	8/4/2016	\$354,486.73	Policing 2016 first half contr
Paid Chk# 018833	ZEP SALES & SERVICE	8/4/2016	\$164.44	Shop supplies

**\$540,427.55**

**CONTRACT FOR GOODS/SERVICES**

City of Newport (City), a political subdivision of the State of Minnesota is in need of services and/or goods (hereinafter "services) and Metro Bowhunters Resource Base, Inc., P.O. Box 161, Circle Pines, MN 55014 (Contractor) desires to provide such services.

NOW, THEREFORE, in consideration of the mutual promises and agreements contained herein the parties enter in to this Contract and agree as follows:

1. TERM. The term of this Contract is from the date of execution by all parties through December 31, 2016, or until all work under this Contract is completed and payments made, which ever occurs first, unless earlier terminated by law or according to the provisions of this Contract.
2. SCOPE OF SERVICES. The City requests and the Contractor agree to provide the services that are attached and incorporated as Exhibit A. If there is a conflict between this Contract and Exhibit A, this Contract shall govern. Services provided under this Agreement will be conducted in a manner consistent with that level of care and skill ordinarily exercised by members of the Contractor's occupation performing services under similar conditions.
3. PAYMENT. The City agrees to pay for the services, including expenses in an amount not to exceed \$0.00 (Contract Maximum), and in accordance with payment rates or schedule set forth in the Exhibit(s). The City will reimburse MBRB for the cost to list the City as an additional insured party on its insurance policy for these services.
4. CUSTOMER LIAISON. Contractor shall work closely with the City's liaison, Deb Hill, 651-459-5677.
5. GENERAL CONDITIONS. The General Conditions of this Contract are attached and incorporated as Exhibit B.
6. INDEMNIFICATION. Contractor agrees to indemnify and save harmless City of Newport from any and all losses, fines, suits, damages, expenses, claims, demands, and actions of any kind resulting from Contractor's negligence or alleged negligence.
7. ENTIRE AGREEMENT. This Contract is the final expression of the agreement of the parties and the complete and exclusive statement of the terms agreed upon.

IN WITNESS WHEREOF, the parties hereto have executed this Contract on the \_\_\_\_ day of \_\_\_\_\_, 2016.

METRO BOWHUNTERS RESOURCE BASE

CITY OF \_\_\_\_\_

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

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

Print Name: \_\_\_\_\_

Deb Hill  
City Administrator

Title: \_\_\_\_\_

Telephone: \_\_\_\_\_

Date: \_\_\_\_\_

## **EXHIBIT A**

Things the City will provide:

- Approval of Hunt Plan
- Contract between City and MBRB
- Maps of hunt areas / parking areas
- Parking areas for hunter vehicles
- Hunt permits issued by the City
- Contact info / liaison with Police Department
- Facilities for hunt orientation with hunters before hunt. A classroom will be fine
- If required, a field dressing area
- Signs to control public access if required

MBRB will provide:

- Qualified archers
- Hunt Coordinator to manage hunt
- Liability insurance option
- Weekly reports to City during hunt
- Final hunt report after completion of hunt

## **EXHIBIT B**

### **Newport Special Archery Hunt Rules:**

- 1) Deer hunt locations are limited to the areas as identified. Hours are limited to 1/2 hour before dawn and 1/2 hour after sunset.
- 2) Hunts are conducted using MBRB archers and are held during Saturday /Sunday on the following dates: October 22-23, November 5-6, November 19-20, and December 3-4, 2016.
- 3) Tree stands can be erected on the preceding Fridays. No Hunting on Fridays.
- 4) All hunters are selected through the Metro Bowhunters Resource Base (MBRB).
- 5) A Hunt Coordinator will be assigned from the MBRB who will provide overall management to insure the hunt is conducted in a safe and effective manner. The City will have one point of contact through the hunt coordinator.
- 6) Hunters must follow all Minnesota DNR laws, all hunt rules, and all MBRB guidelines.
- 7) All hunt periods are for: Either sex.
- 8) Hunters must carry a hunt authorization letter from the City at all times during hunt.
- 9) Hunt areas are not closed to the public during the hunt.
- 10) All incidents of trespass on private property should be reported to the MBRB hunt coordinator who will contact the Newport Police.
- 11) All archers must hunt from elevated stands. Only TMA approved stands/ steps are acceptable. Use of any homemade stands/steps is prohibited for safety reasons.
- 12) Hunters must use a five point fall restraint harness when hunting from a tree stand.
- 13) Ground blinds may be used by disabled hunters. The Hunt coordinator will assure that location and position of ground blind provides a safe backstop for arrows
- 14) Hunters must have a flashlight and a warning whistle within easy reach during entry, egress, and while on stand. A cell phone is also recommended.
- 15) Archers are to obey hunt boundaries shown on the city provided maps.
- 16) Only deer may be taken during special hunts.
- 17) Hunters must log in and out of the hunt areas each time they leave. The MBRB Hunt Coordinator will provide a log in sheet at an appropriate location.
- 18) Archers cannot track deer outside of hunt boundaries. Hunters must contact the MBRB hunt coordinator if deer retrieval is required outside of hunt boundaries. The hunt coordinator will make arrangements for police escort, or obtain landowner permission before tracking deer onto adjacent properties.
- 19) If searching for downed deer after dark, the hunt coordinator will notify police at the contact number provided by city.
- 20) The City will provide a field dressing area that will be used. However if deer are downed in steep ravines where removal would be very difficult, the hunt coordinator will select a site for the entrails to be buried. In this case the deer must be field dressed at least 50 feet away from trails and not visible from trails.
- 21) Additional restrictions may be added at the required orientation meeting.
- 22) Hunters should immediately report any incidents to the MBRB hunt coordinator.

- 23) Hunters are directed not to speak to any protestors or news media. These incidents are to be reported to the MBRB hunt coordinator immediately. The MBRB hunt coordinator will contact the appropriate City staff and/or the Police who will handle any communication needed.
- 24) Newport Police Department should be contacted immediately in the case of accidents.
- 25) Failure to follow rules will lead to removal from hunt.



MINNESOTA LAWFUL GAMBLING  
**LG220 Application for Exempt Permit**

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than \$50,000 in prizes during a calendar year.

If total raffle prize value for the calendar year will be \$1,500 or less, contact the Licensing Specialist assigned to your county by calling 651-539-1900.

**Application Fee (non-refundable)**  
 Applications are processed in the order received. If the application is postmarked or received 30 days or more before the event, the application fee is \$100; otherwise the fee is \$150.  
 Due to the high volume of exempt applications, payment of additional fees prior to 30 days before your event will not expedite service, nor are telephone requests for expedited service accepted.

**ORGANIZATION INFORMATION**

Organization Name: NEWPORT FIREFIGHTERS RELIEF ASSOCIATION Previous Gambling Permit Number: X-82020-16-023

Minnesota Tax ID Number, if any: 3317629 Federal Employer ID Number (FEIN), if any: \_\_\_\_\_

Mailing Address: 596 7TH AVE

City: NEWPORT State: MN Zip: 55055 County: WASHINGTON

Name of Chief Executive Officer (CEO): MATTHEW AUNE

Daytime Phone: 651-332-4820 Email: matt.aune@yahoo.com

**NONPROFIT STATUS**

Type of Nonprofit Organization (check one):

Fraternal  Religious  Veterans  Other Nonprofit Organization

Attach a copy of one of the following showing proof of nonprofit status:

(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit status.)

**A current calendar year Certificate of Good Standing**  
 Don't have a copy? Obtain this certificate from:  
 MN Secretary of State, Business Services Division  
 60 Empire Drive, Suite 100  
 St. Paul, MN 55103  
 Secretary of State website, phone numbers:  
[www.sos.state.mn.us](http://www.sos.state.mn.us)  
 651-296-2803, or toll free 1-877-551-6767

**IRS income tax exemption (501(c)) letter in your organization's name**  
 Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS toll free at 1-877-829-5500.

**IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)**  
 If your organization falls under a parent organization, attach copies of both of the following:  
 1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling, and  
 2. the charter or letter from your parent organization recognizing your organization as a subordinate.

**GAMBLING PREMISES INFORMATION**

Name of premises where the gambling event will be conducted (for raffles, list the site where the drawing will take place): CLOVERLEAF BAR & GRILL

Address (do not use P.O. box): 2146 HASTINGS AVE

City or Township: NEWPORT Zip: 55055 County: WASHINGTON

Date(s) of activity (for raffles, indicate the date of the drawing): SEPTEMBER 16, 2016

Check each type of gambling activity that your organization will conduct:

Bingo\*  Paddlewheels\*  Pull-Tabs\*  Tipboards\*

Raffle (total value of raffle prizes awarded for the calendar year: \$ \_\_\_\_\_)

\* Gambling equipment for bingo paper, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo number selection devices may be borrowed from another organization authorized to conduct bingo. To find a licensed distributor, go to [www.mn.gov/gcb](http://www.mn.gov/gcb) and click on *Distributors* under *List of Licenses*, or call 651-539-1900.



**RESOLUTION NO. 2016-33**

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE AND ENTER INTO MNDOT AGREEMENT NO. 1025889 WITH THE STATE OF MINNESOTA, DEPARTMENT OF TRANSPORTATION TO VACATE A PORTION OF 1ST STREET IN COORDINATION WITH RAILROAD GRADE CROSSING CLOSURE**

**WHEREAS**, the City Council approved Resolution No. 2015-47 on December 3, 2016 vacating 1st Street.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF NEWPORT MINNESOTA** that the City of Newport enter into an agreement with the Commissioner of Transportation for the permanent vacation of the north half of 1st Street as now established, between the BNSF tracks and 7th Avenue, the City of Newport, Washington County, Minnesota.

**BE IT FURTHER RESOLVED**, that the Mayor and City Administrator be and they are hereby authorized to execute said agreement and any amendments thereto for and on behalf of the City of Newport.

Adopted this 4th day of August, 2016 by the Newport City Council.

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

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

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

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



# MEMO

TO: Mayor and City Council  
Deb Hill, City Administrator

FROM: Renee Eisenbeisz, Assistant to the City Administrator

DATE: August 1, 2016

SUBJECT: Internal Controls Procedure – Payment of Recurring Bills

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## BACKGROUND

In 2013, the City Council recently amended the Internal Controls Procedure Policy to allow City staff to issue payments immediately for recurring invoices and reimbursements to staff. Staff would like to add two new invoices to the list, Fleet One LLC and Sam's Club. Please note that the City Council approved adding Fleet One LLC on June 2, 2016.

## DISCUSSION

Attached is an updated Policy with the two new invoices. With the addition, the list is as follows:

1. Human Resource Payments
  - i. Delta Dental
  - ii. PERA
  - iii. Standard Insurance
  - iv. SW/WC Services
  - v. Select Account Monthly Fee
2. IT Payments
  - i. Atomic, excluding overages
  - ii. Century Link
  - iii. Comcast
  - iv. Leaf
  - v. Verizon
3. Utilities Payments
  - i. On-Site Sanitation
  - ii. Tennis Sanitation
  - iii. Xcel Energy
  - iv. Metropolitan Council Monthly Fee
4. Public Works, Police and Fire Payments
  - i. G&K Services
  - ii. St. Paul Park Refining
  - iii. **Fleet One LLC**
5. Miscellaneous
  - i. Petty Cash Replenishment
  - ii. Holstad and Knaak Monthly Fee
  - iii. **Sam's Club**

The City Council will need to discuss whether or not the additional invoices should be paid immediately.

## RECOMMENDATION

It is recommended that the City Council approve the updated Internal Controls Procedure Policy.

## CITY OF NEPWORT INTERNAL CONTROLS PROCEDURE

### I. PURPOSE

The City of Newport seeks to balance its internal accounting control in such a way as to ensure public confidence and maintain the integrity of its financial systems and assets, without unduly inhibiting the ability to efficiently carry out its mission.

### II. CASH DISBURSEMENTS

#### A. Goal

The goal in establishing an internal control system for cash disbursements is to safeguard the assets of the city and ensure an appropriate level of fiduciary responsibility.

#### B. Objective

The objective in meeting this goal is to ensure that cash is disbursed only upon proper authorization of management for valid governmental purposes, and that all disbursements are properly recorded.

#### C. Procedures

1. **Segregation of Duties.** No financial transaction shall be handled by only one person from beginning to end.
  - a. Payment of all claims shall be authorized by the appropriate department supervisor, the City Administrator, and the City Council. ACH and wire transfers shall be processed by the Accountant/Bookkeeper with authorization from the City Administrator.
  - b. Payments shall be coded by the appropriate department supervisor or the Accountant/Bookkeeper.
  - c. Payments shall be recorded by the Accountant/Bookkeeper and presented to the City Administrator for accuracy and completeness.
  - d. All checks shall be stamped with the signatures of the Mayor and City Administrator by the City Administrator. In the absence of the City Administrator, the Accountant/Bookkeeper can authorize the signatures of the Mayor and City Administrator to be stamped on the checks. All checks shall require two signatures.
  - e. Financial reports and bank reconciliations shall be prepared by the Accountant/Bookkeeper and presented to the City Administrator for review on a monthly basis.
  - f. Properly signed and approved checks shall be mailed by the Accountant/Bookkeeper or the Executive Analyst.

**2. Accounting Controls.** The following common internal controls relate to paying bills:

- a. All disbursements, except those from petty cash, will be made by pre-numbered check or by authorized ACH withdrawals from designated accounts.
- b. It is not permissible to draw checks payable to Cash.
- c. Under no circumstances will blank checks be signed in advance. A disbursement voucher shall be prepared for each invoice or request for reimbursement that details the date, the payee, the amount, description of expense account to be charged, authorization signature or initials, and be accompanied with related source documents.
- d. Expenditures must be approved in advance by authorized persons.
- e. Reimbursements to City staff and the recurring expenditures listed below shall be paid immediately. The checks will be listed on next available list of bills for the City Council's approval.

1. Human Resource Payments
    - i. Delta Dental
    - ii. PERA
    - iii. Standard Insurance
    - iv. SW/WC Services
    - v. Select Account Monthly Fee
  2. IT Payments
    - i. Atomic, excluding overages
    - ii. Century Link
    - iii. Comcast
    - iv. Leaf
    - v. Verizon
  3. Utilities Payments
    - i. On-Site Sanitation
    - ii. Tennis Sanitation
    - iii. Xcel Energy
    - iv. Metropolitan Council Monthly Fee
  4. Public Works, Police and Fire Payments
    - i. G&K Services
    - ii. St. Paul Park Refining
    - iii. Fleet One LLC
  5. Miscellaneous
    - i. Petty Cash Replenishment
    - ii. Holstad and Knaak Monthly Fee
    - iii. Sam's Club
- f. All signed checks shall be mailed promptly by the Accountant/Bookkeeper or Executive Analyst.

- g. The individuals authorized to sign the checks shall review each cash disbursement voucher for the proper approved authorization and supporting documentation of the expense.
- h. Paid invoices will have the check stub attached.
- i. Invoices and requests for reimbursement will be checked for accuracy and reasonableness before approval.
- j. A cash disbursement journal will be prepared that details the date of the check, check number, amount of check, and description of expense account to be charged.
- k. Unpaid invoices shall be maintained in an unpaid invoice file by the Accountant/Bookkeeper.
- l. Advance payments to employees or vendors shall be recorded as receivables in the general ledger.
- m. Expense reports for travel related expenses shall be submitted on a timely basis.
- n. Checks by which claims are paid shall have printed on the reverse side, above the space for endorsement: "The undersigned payee, in endorsing this check order, declares that the same is received in payment of a just and correct claim against the City of Newport, and that no part of such CLAIM has heretofore been paid."
- o. In accordance with M.S. 471.425, subd. 2, claims of the city shall be paid within 35 days from the date of receipt, or as otherwise stipulated by the terms of a contract. Claims not paid with this time frame will be subject to penalty and interest charges assessed by the vendor, as provided for in M.S. 471.425, subd. 4.
- p. Disallowed claims shall be so marked and kept in a file for an appropriate time period.
- q. Credit card purchases shall not be allowed except as legally provided under M.S. 471.382 and by authorization of the City Council.

### **III. PETTY CASH FUND**

#### **A. Goal**

The goal in establishing an internal control system for Petty Cash Fund is to safeguard the assets of the city and ensure an appropriate level of fiduciary responsibility.

#### **B. Objective**

The objective in meeting this goal is to provide guidelines for use, safekeeping and reporting standards of the Petty Cash Fund, while allowing for small purchases or reimbursements to be made from the Petty Cash Fund.

### C. Procedures

1. **Segregation of Duties.** The Petty Cash Fund is available to staff to make small purchases or reimbursements, in cash, for items such as stamps, office supplies, parking, etc. The following guidelines shall apply:
  - a. The Executive Analyst shall be the custodian of the Petty Cash Fund and is the person to make disbursements from the fund. In the absence of the Executive Analyst, the Accountant/Bookkeeper will have limited authority to disburse petty cash funds.
  - b. The custodian of the Petty Cash Fund shall be responsible for reconciling the fund on a quarterly basis at a minimum.
  - c. The Accountant/Bookkeeper shall make the appropriate entries to record the expenses and arrange for replenishment of the Petty Cash Fund.
  - d. The Executive Analyst must approve all withdrawals from the Petty Cash Fund.
2. **Accounting Controls.** The following guidelines will govern the use and keeping of the Petty Cash Fund:
  - a. The Petty Cash Fund will not exceed the amount of \$75.
  - b. The Petty Cash Fund will be kept by the Executive Analyst in a locked box. The locked box shall be kept in a secure place.
  - c. Withdrawals from the Petty Cash Fund will be made only by completing a Petty Cash Voucher. The voucher must state the date and amount of the withdrawal, the reason the cash was withdrawn, the expenditure account to which the expense should be charged, and the name and signature of the person receiving the cash. The voucher shall also contain the signature of the Executive Analyst approving the withdrawal.
  - d. Supporting documentation (receipts, invoices) must be attached to each Petty Cash Voucher.
  - e. Unannounced counts of petty cash and change will be made on occasion by the Finance Officer.
  - f. No staff member shall be allowed to cash personal checks, including paychecks, in the petty cash or change funds of the city.
  - g. Under no circumstances shall staff members be permitted to borrow from petty cash or change funds for personal use.

### IV. CASH RECEIPTS

## **A. Goal**

The goal in establishing an internal control system for cash receipts is to safeguard the assets of the city and ensure an appropriate level of fiduciary responsibility.

## **B. Objective**

The objective in meeting this goal is to ensure that all cash intended for the city is received, promptly deposited, properly recorded, reconciled, and kept under adequate security.

## **C. Procedures**

1. **Segregation of Duties.** No financial transaction shall be handled by only one person from beginning to end.
  - a. The Executive Analyst will be responsible for receiving cash payments to the city, whether by mail or in person. In the absence of the Executive Analyst, the Accountant/Bookkeeper or City Administrator may receive cash payments.
  - b. The Executive Analyst will be responsible for reconciling the receipts for deposit on a daily basis.
  - c. The Executive Analyst will prepare the bank deposit.
  - d. A Newport Police officer will deposit the funds at the bank.
  - e. The Accountant/Bookkeeper or the Executive Analyst will record Utility Billing receipts and post the revenue to the general ledger. The Accountant/Bookkeeper will record all other cash receipts in the general ledger.
  - f. Financial reports and bank reconciliations shall be prepared by the Accountant/Bookkeeper and presented to the City Administrator for review on a monthly basis.
  - g. Invoices for city services shall be prepared by the Executive Analyst. An accounts receivable register for utility billing will be maintained by the Accountant/Bookkeeper.
2. **Accounting Controls.** The following internal controls relate to cash receipts:
  - a. All payments to the City shall be accompanied by numbered cash receipt, stating the date of the receipt, the amount of the receipt, a description of the item or service being paid for, and a description of the revenue account the revenue should be allocated to. The receipt shall indicate whether the payment is cash or check. For payments made by check, the check number will be included on the receipt. Cash shall be deposited in the City's bank account.
  - b. Cash Receipts shall be kept in a in a secure place until deposit.

- c. Cash receipts shall be reconciled on a daily basis by the designated staff person. Any discrepancies shall be reported immediately to the City Administrator.
- d. ACH deposits into the City's account will be recorded by the Accountant/Bookkeeper.

## **V. CREDIT CARDS**

### **A. Authorized Users and Procedures**

1. The City Administrator is responsible for assignment and designation of credit cards or purchasing cards to certain departments to allow for more efficient purchasing and to make purchases at businesses that do not offer open accounts.
2. The City Administrator, Department Heads and Lead Staff are issued and authorized to use a corporate credit card and/or purchasing card to procure goods and services on behalf of the City of Newport as authorized by the City Council. The City Administrator may authorize employees to use a credit card on the City's behalf.
3. The cards may only be used for city-related purchases pursuant to the adopted budget. The corporate credit card or purchasing card is not intended to replace or circumvent the City's Purchasing Policy.
4. Each card holder will be responsible for maintaining accurate and complete records. Use of city credit cards for personal purchases is strictly prohibited. A receipt, or other documentation, of each purchase must be retained and given to the Accountant.
5. The City Administrator or a designee will be responsible for development and administration of credit card and purchasing card procedures.

## **VI. CHARGE ACCOUNTS**

### **A. Authorized Users and Procedures**

1. In certain situations, it may be advantageous to use charge accounts with local businesses and vendors which allow authorized employees to purchase goods and services with periodic (usually monthly) billing to the City. Employees must sign sales slips or other vendor documentation at the time of the sale and submit documentation to their supervisor.

## **VII. DISCIPLINARY ACTION**

Any employee violating this policy may be subject to disciplinary action.



# MEMO

TO: Mayor and City Council  
Deb Hill, City Administrator

FROM: Renee Eisenbeisz, Assistant to the City Administrator

DATE: July 28, 2016

SUBJECT: Proposed Amendments to Chapter 5, Alcoholic Beverages - On-Sale Brew Pub

---

## **BACKGROUND**

In 2014, the City Council approved amendments to Chapter 5, Alcoholic Beverages, to allow for various licenses having to do with breweries and brew pubs. Since those amendments, State Statutes have changed and on-sale brew pub licenses can only be issued to restaurants. As such, the City Council needs to amend the City Code to reflect this.

## **DISCUSSION**

Please find attached a red-lined version of Chapter 5, Alcoholic Beverages, addressing the change. The City Council will need to hold a public hearing and discuss the amendment at its August 4, 2016 meeting.

## **RECOMMENDATION**

It's recommended that the City Council approve Ordinance No. 2016-5.

**CHAPTER 5. ALCOHOLIC BEVERAGES****Section 500 - General Provisions**

**500.01 Provisions of State Law Adopted.** Except to the extent the provisions of this Chapter are more restrictive, the provisions of Minnesota Statutes, Chapter 340A, now in effect and as it may be amended from time to time, relating to the definition of terms, licensing, consumption, sales, conditions of bonds of licensees, hours of sales, and all other matters pertaining to the retail sale, distribution, and consumption of intoxicating liquor, 3.2% malt liquor and wine, shall be adopted and made a part of this Chapter as if fully set out herein.

**500.02 City may be More Restrictive than State Law.** The City Council is authorized by the provisions of Minnesota Statute 340A.509 as it may be amended from time to time, to impose, and has imposed in this Chapter, additional restrictions on the sale and possession of alcoholic beverages within its limits beyond those contained in Minnesota Statutes, Chapter 340A as it may be amended from time to time.

**500.03 Definitions.** The terms in this chapter shall have the same definitions given in Minnesota Statutes, Chapter 340A, now in effect, as it may be amended from time to time.

**500.04 Licenses.**

**Subd. 1 License Required.** No person, except a wholesaler or manufacturer to the extent authorized under State license, shall directly or indirectly deal in, sell, or keep for sale in the City any intoxicating liquor without a license to do so.

**Subd. 2 On-Sale Licenses.** On-sale licenses shall be issued only to hotels, clubs, restaurants, bowling centers, or exclusive liquor stores, and shall permit the sale of liquor only for consumption on the licensed premises. No more than five on-sale licenses shall be issued.

**Subd. 3 Sunday On-Sale Licenses.** A Sunday on-sale license authorizes the licensee to sell or serve liquor between the hours of 8:00 a.m. on Sundays and 2:00 a.m. on Mondays to persons who are seated at tables. Sunday on-sale licenses shall be issued only to a hotel, restaurant, or bowling center having facilities for serving at least thirty guests at a time, and which has an on-sale license. No Sunday on-sale license shall be valid unless a valid on-sale license is also in effect for the same premises.

**Subd. 4 On-Sale Wine Licenses.** On-sale wine licenses shall be issued only to restaurants meeting the qualifications of Minnesota Statute 340A.404, Subd. 5, and shall permit only the sale of wine not exceeding 14 percent alcohol by volume, for consumption on the licensed premises only in conjunction with the sale of food.

**Subd. 5 On-Sale 3.2% Malt Liquor License.** On-sale 3.2% malt liquor licenses shall be issued only to drugstores, restaurants, hotels, clubs, bowling centers, golf courses, and establishments used exclusively for the sale of 3.2% malt liquor with the incidental sale of tobacco and soft drinks and shall permit the sale of 3.2% malt liquor only for consumption on the licensed premises.

**Subd. 6 Brewer Taproom License.** A Brewer licensed under Minn. Stat. §340A.301 may be issued a Brewer Taproom License for the “on-sale” of malt liquor produced on the licensed premises, subject to the following conditions:

- A. The on-sale of malt liquor may only be made during the days and hours that “on-sale” of liquor may be made, as prescribed by State Law or within this Chapter.

- B. A Brewer may only hold one (1) Brewer Taproom License within the City.
- C. The only alcoholic beverage that may be sold or consumed on the premises of a licensed Brewer Taproom will be the malt liquor produced by the Brewer upon the Brewer Taproom premises.
- D. Nothing in this subdivision precludes the holder of a Brewer Taproom License from also holding a license to operate a restaurant on the premises of the brewery.
- E. A Brewery Taproom License may not be issued to a Brewer if the Brewer seeking the license, or any person having an economic interest in the Brewer seeking the license or exercising control over the Brewer seeking the license, is a Brewer that brews or produces more than 250,000 barrels of malt liquor annually or a winery that produces more than 250,000 gallons of wine annually, as defined and prescribed by Minn. Stat. §340.301.

**Subd. 7 On-Sale Brew Pub License.** On-sale Brew Pub Licenses shall be issued only to ~~hotels, clubs, restaurants, bowling centers, or exclusive liquor stores~~ and shall permit the sale of malt liquor produced on the licensed premises. A licensee cannot sell more than 3,500 barrels of the malt liquor produced on the licensed premises per year. A licensee may hold both an On-Sale License and an On-Sale Brew Pub License.

**Subd. 8 Temporary On-Sale License.** Temporary on-sale licenses shall only be issued to a club, charitable, religious, or nonprofit organization duly incorporated as a religious or nonprofit corporation under the laws of Minnesota, in connection with a social event within the City. The City may authorize the temporary on-sale license for no more than four (4) days and cannot issue more than 12 days worth of temporary licenses to any one organization in a calendar year. The applicant for a temporary on-sale license shall comply with all other State laws and rules and City ordinances governing the sale of liquor.

**Subd. 9 Temporary On-Sale 3.2% Malt Liquor License.** Temporary on-sale 3.2% malt liquor licenses shall only be issued to a club, charitable, religious, or nonprofit organization, duly incorporated as a religious or nonprofit corporation under the laws of Minnesota. The applicant for a temporary on-sale 3.2% malt liquor license shall comply with all other State laws and rules and City ordinances governing the sale of 3.2% malt liquor.

**Subd. 10 Optional 2:00 a.m. License.** The City of Newport allows for the sale of alcohol until 2:00 a.m. by licensed establishments. Licensees desiring to apply for a liquor license to be allowed to sell alcoholic beverages until 2:00 a.m. on all days of the week must apply for an Optional 2:00 a.m. License from the Minnesota Alcohol and Gambling Enforcement Division and pay a fee as established to the Division. The Optional 2:00 a.m. License will run 12 months from the date of approval by the Alcohol and Gambling Enforcement Division. Licensees must notify the City of Newport that they applied to the State of Minnesota for an Optional 2:00 a.m. License.

**Subd. 11 Off-Sale Licenses.** Off-sale licenses shall be issued only to restaurants or exclusive liquor stores, and shall permit the sale of liquor only in its original container or packaging and for consumption off of the licenses premises. Off-sale licenses may not be located within 1,000 feet of an existing off-sale license.

**Subd. 12 Off-Sale Brew Pub License.** A licensee that holds a Brewer Taproom License or On-Sale Brew

**CITY OF NEWPORT  
ORDINANCE 2016-5**

**AN ORDINANCE OF THE CITY OF NEWPORT, MINNESOTA, AMENDING CHAPTER 5, ALCOHOLIC  
BEVERAGES**

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

**CHAPTER 5. ALCOHOLIC BEVERAGES**

**Section 500 - General Provisions**

**500.04 Licenses.**

**Subd. 7 On-Sale Brew Pub License.** On-sale Brew Pub Licenses shall be issued only to restaurants and shall permit the sale of malt liquor produced on the licensed premises. A licensee cannot sell more than 3,500 barrels of the malt liquor produced on the licensed premises per year. A licensee may hold both an On-Sale License and an On-Sale Brew Pub License.

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 4th day of August, 2016.

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

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



PROFESSIONAL SERVICES

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# Memo

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**To:** Honorable Mayor and City Council Members

Ms. Deb Hill, City Administrator

**From:** Jon Herdegen, P.E. – City Engineer

**Subject:** Engineer's Report

**Date:** July 14, 2016 – For the July 21<sup>st</sup> City Council Meeting

---

## 2017 Street and Utility Improvements

The City held two separate Improvement Hearings for the Sanitary Sewer Lateral Lining (Project A) and Street and Utility Improvement (Project B) projects on July 12<sup>th</sup> at 5:30 pm and 6:30 pm respectively. The minutes for these hearings are included in the Council Packets for your reference and review. The next step in the MS 429 process will be for the Council to Order the Improvement. Enclosed in your packets are two separate draft resolutions specific to each project so the Council may consider the project separately.

**Request Action:** Consider draft resolutions Ordering the Improvement for Project A and Project B.

We have arranged for Mark Norgaard with LMK Technologies, manufacturer of the later service liner, to attend the Council workshop on August 4<sup>th</sup> following the Council Meeting. Mark will conduct a short presentation and be available to answer any questions regarding the materials and installation process.

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# RESOLUTION NO. 2016-31

## A RESOLUTION ORDERING IMPROVEMENT AND PREPARATION OF PLANS – PROJECT A

**WHEREAS**, a resolution of the City Council adopted the 16<sup>th</sup> day of June, 2016, fixed a date for a council hearing on Improvement No. 2017-01, the improvement of the streets included with the City's Capital Improvement Plan for the year 2017 as shown in "Exhibit 1" by regrading and improving the road surfaces, watermain, sanitary sewer, and stormwater conveyance system, as described in the Engineer's original feasibility report entitled "Feasibility Study for 2017 Street and Utility Improvement Project" dated June 13, 2016 and

**WHEREAS**, the proposed improvement has been divided into two separate projects as follows based on similar scopes of work:

Project A: Sanitary Sewer Lateral Lining  
Project B: Street and Utility Improvements

And,

**WHEREAS**, ten days' mailed notice and two weeks' published notice of the hearing was given, and the hearing for Project A was held thereon the 12<sup>th</sup> day of July 2016 at 5:30 pm, at which all persons desiring to be heard were given an opportunity to be heard thereon, and

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

1. Such an improvement is necessary, cost-effective, and feasible as detailed in the feasibility report.
2. Such an improvement, Project A, is hereby ordered.
3. MSA Professional Services, Inc. is hereby designated as the engineer for this improvement. The engineer shall prepare plans and specifications for making of such improvements to be constructed in 2017 as described in the project feasibility study.
4. The City Council declares its official intent to reimburse itself for the costs of the improvement from the proceeds of tax exempt bonds.

Adopted this 21st day of July, 2016 by the Newport City Council.

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

VOTE: Geraghty \_\_\_\_\_  
Ingemann \_\_\_\_\_  
Sumner \_\_\_\_\_  
Rahm \_\_\_\_\_  
Lund \_\_\_\_\_

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

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

# RESOLUTION NO. 2016-32

## A RESOLUTION ORDERING IMPROVEMENT AND PREPARATION OF PLANS – PROJECT B

**WHEREAS**, a resolution of the City Council adopted the 16<sup>th</sup> day of June, 2016, fixed a date for a council hearing on Improvement No. 2017-01, the improvement of the streets included with the City's Capital Improvement Plan for the year 2017 as shown in "Exhibit 1" by regrading and improving the road surfaces, watermain, sanitary sewer, and stormwater conveyance system, as described in the Engineer's original feasibility report entitled "Feasibility Study for 2017 Street and Utility Improvement Project" dated June 13, 2016 and

**WHEREAS**, the proposed improvement has been divided into two separate projects as follows based on similar scopes of work:

Project A: Sanitary Sewer Lateral Lining  
Project B: Street and Utility Improvements

**WHEREAS**, ten days' mailed notice and two weeks' published notice of the hearing was given, and the hearing for Project b was held thereon the 12<sup>th</sup> day of July 2016 at 6:30 pm, at which all persons desiring to be heard were given an opportunity to be heard thereon, and

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

1. Such an improvement is necessary, cost-effective, and feasible as detailed in the feasibility report.
2. Such an improvement, Project B, is hereby ordered.
3. MSA Professional Services, Inc. is hereby designated as the engineer for this improvement. The engineer shall prepare plans and specifications for making of such improvements to be constructed in 2017 as described in the project feasibility study.
4. The City Council declares its official intent to reimburse itself for the costs of the improvement from the proceeds of tax exempt bonds.

Adopted this 21st day of July, 2016 by the Newport City Council.

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

VOTE: Geraghty \_\_\_\_\_  
Ingemann \_\_\_\_\_  
Sumner \_\_\_\_\_  
Rahm \_\_\_\_\_  
Lund \_\_\_\_\_

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

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