



**CITY OF NEWPORT
REGULAR COUNCIL MEETING
NEWPORT CITY HALL
OCTOBER 17, 2013 – 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 October 3, 2013 Regular City Council Meeting
 - B. Minutes of the October 3, 2013 City Council Workshop Meeting
 - C. List of Bills in the Amount of \$384,949.56
6. VISITORS PRESENTATIONS/PETITIONS/CORRESPONDENCE
7. MAYOR'S REPORT
8. COUNCIL REPORTS
9. ADMINISTRATOR'S REPORT
 - A. **Resolution No. 2013-51** – Approving a Conditional Use Permit and Variance Requested by Kim Brown for Property Located at 1675 Kolff Road
 - B. **Ordinance No. 2013-9** – Approving a Zoning Amendment to Section 1330 General District Regulations and Section 1350 Nonresidential Districts
 - C. Amendment to the Volunteer Policy and Application
 - D. Discussion Regarding Hiring a Strategic Plan Consultant
 - E. Discussion Regarding Flooring for City Hall and Fire Hall #1
10. ATTORNEY'S REPORT
11. POLICE CHIEF'S REPORT
12. FIRE CHIEF'S REPORT

Agenda for 10-17-2013

13. ENGINEER'S REPORT

A. 2013 Street Improvement Project

1. **Public Hearing** – To consider, and possibly amend, the interest rate for the 2013 Street Improvement Projects
2. **Public Hearing** – To consider, and possibly postpone certain properties of the 2013 Street Improvement Projects
3. **Resolution No. 2013-52** – Adjusting Interest Rate, Adopting the Final Assessment for the Century Avenue and 8th Avenue Areas, and Postponing Assessment for Certain Properties
4. **Resolution No. 2013-53** – Adopting Sewer Repair Charges

14. SUPERINTENDENT OF PUBLIC WORKS REPORT

15. NEW / OLD BUSINESS

16. ADJOURNMENT

Upcoming Meetings and Events:

- | | | |
|---|---------------------|------------------------|
| 1. Deer Hunt – Loveland Park and Bailey School Forest | October 19-20, 2013 | All Day – Parks Closed |
| 2. Park Board Meeting | October 24, 2013 | 7:00 p.m. |
| 3. Buckthorn Removal Day | October 26, 2013 | 9:00 a.m. – 12:00 p.m. |
| 4. School District Elections | November 5, 2013 | 7:00 a.m. – 8:00 p.m. |



**City of Newport
City Council Minutes
October 3, 2013**

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL -

Council Present – Tim Geraghty; Tom Ingemann; Bill Sumner, Tracy Rahm,

Council Absent – Steven Gallagher

Staff Present – Deb Hill, City Administrator; Bruce Hanson, Supt. of Public Works; Scott Freemyer, Investigator; Mark Mailand, Fire Chief; Renee Helm, Executive Analyst; Fritz Knaak, City Attorney; John Stewart, City Engineer; Jon Herdegen, City Engineer; Sherri Buss, City Planner

Staff Absent – Curt Montgomery, Police Chief;

4. ADOPT AGENDA

Admin. Hill – We'll be pulling item 9.D until the next meeting.

Motion by Rahm, seconded by Ingemann to adopt the Agenda as amended. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

5. ADOPT CONSENT AGENDA

Mayor Geraghty – I would like to pull the third item from the Consent Agenda to discuss.

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

- A. Minutes of the September 19, 2013 Regular City Council Meeting
- B. List of Bills in the Amount of \$84,727.26

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

C. Approval of the Stipulation and Order dated September 27, 2013 in the matter of Greg T. Kryzer, et al. v. Frederic W. Knaak, et al., currently pending before the Ramsey County District Court as Court File No. 62-CV-12-7537; ratification of George C. Hoff's signature on the Stipulation as attorney for the City of Newport; and approval of payment in the amount of \$31,200.00 for legal services provided by Holstad and Knaak, PLC to the City for the period between April 1, 2013 through September 30, 2013, \$21,580.83 of which shall be paid directly to the Ramsey County District Court pursuant to the terms of the Stipulation and the remainder paid to Holstad and Knaak, PLC.

Mayor Geraghty – I know this has been going on for many months and we have not paid the firms for six months. We had to get the advice from outside attorneys on how to handle the procedure. Basically, we're not

paying any more money it's just where the money is going. We've been stipulated to pay a certain amount to Ramsey County District Court and the remainder of the money will be paid to Fritz's firm so the total amount is the same whether it was all paid to his firm or not. We had to seek outside council on this because it involved our attorney.

Attorney Knaak – The issue involves a dispute between myself and my former partner. There are two lawsuits going on. One in Minneapolis involving some allegations regarding his conduct and another litigation piece in Ramsey County involving a dispute regarding his wife who we had hired at the end. It is pretty nasty and some of the nastiness came from his attorney seeking to enforce or garnish some of the orders of the court on the City's contract. It was our view that that was illegal. In any case, my primary objective was to keep the cities out of this. Because they did this and it involved an issue related to me, I assisted in securing Mr. Hoff as the law firm for the City. I would describe his representation as passive, he didn't do a lot. Under my contract, I'm paying his fee as well. The net result is that both judges have ordered an expedited consolidation of the cases and mediation, which pleases me. Because of that and the fact that we have outstanding our motion to dismiss the cities that left the cities in limbo and that's going to be expended in the near future on this mediation process with the City not having any interest in it. We found an agreement to get the cities out. This is a particular agreement; I don't have an issue with it. It's no more or less than what you would be paying otherwise. The City is not a party, this completely and absolutely guarantees that that issue is gone. When this all started, we stopped billing and when a city doesn't receive a bill there's no claim which keeps you out of the line of fire. It pains me to have to address this with you but in any event this will completely assure your non-continuation in the process. This is on for your approval but in effect what you're approving are our outstanding claims.

Councilman Sumner – And those claims will be sent directly to Ramsey County?

Attorney Knaak – Part of it will go directly to the County and part of it will go to us. The part that goes to us, the fees for Mr. Hoff's firm will be deducted.

Mayor Geraghty – So will the County put it in escrow for settlement purposes?

Attorney Knaak – Yes.

Mayor Geraghty – I wanted to have a discussion about it because it's unusual.

Attorney Knaak – I wanted to clarify that the City did nothing wrong here and had no business being in this case. When I saw the way that this was crafted I thought there was some implication that the City was paying off something. You are not. This is on the agenda at the advice of Mr. Hoff. I don't think it should have been on the Consent Agenda and I appreciate you pulling it.

Councilman Rahm – To the best of your knowledge are there any other issues that possibly could have a liability that could happen in this type of manner again?

Attorney Knaak – No and there was no liability in this instance either. If there was, you're covered by an excellent malpractice insurance policy that I have and have never had to make a claim on in my 30 plus years. Your contract insists that I have that coverage. My contract also allows me to go to outside council. This is the first time I've had to deal with it.

Motion by Geraghty, seconded by Ingemann to approve the Stipulation and Order dated September 27, 2013 in the matter of Greg T. Kryzer, et al. v. Frederic W. Knaak, et al., currently pending before the Ramsey County District Court as Court File No. 62-CV-12-7537; ratification of George C. Hoff's signature on the Stipulation as attorney for the City of Newport; and approval of payment in the amount of \$31,200.00 for legal services provided by Holstad and Knaak, PLC to the City for the period between April 1, 2013 through September 30, 2013, \$21,580.83 of which shall be paid directly to the Ramsey County

District Court pursuant to the terms of the Stipulation and the remainder paid to Holstad and Knaak, PLC. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

6. VISITORS PRESENTATIONS/PETITIONS/CORRESPONDENCE

7. MAYOR'S REPORT – I attended the Fire Department's dinner for their service awards. Congratulations to the Department and guys for their 60 years of service. We do appreciate it. I attended the Park Board meeting last week and they are prepping up for buckthorn day, October 26. They did a thorough review of the volunteer policy that we had approved and had a couple questions. Because we get a lot of people outside of the community for a one-day event they were concerned with some of the questions so they may come back with a modified version for the next meeting for us to look at. I did see some of their points.

8. COUNCIL REPORTS –

Councilman Rahm – I also attended the Fire Department's dinner. I also attended the South Washington County Cable Commission meeting. They did discuss that if they have a surplus they'll disperse it among the cities. I don't have the amount yet.

Councilman Ingemann – I also attended the Fire Department's dinner.

Councilman Sumner – I also attended the dinner, sitting far apart from my colleagues. I would like to thank the Fire Department; they're people that are willing to leave a family gathering to make sure we're safe. Some of these families have been providing this service because the whole family is involved when this happens. I happened to talk with one individual whose father and cousin is on it and he doesn't even live in the City. There are ties from people outside of the community who provide this service. It's an example of what is best in this County and certainly Newport is able to take and implement some of the very best things that America offers. The volunteers that support us, make us safe and keep us out of trouble. Thank you Tom. I also wanted to mention that I had seen that there's a blood drive tomorrow at Newport Lutheran Church, please make sure you get up there if you can. It's a wonderful gift to give. Somebody at work told me yesterday that they are going to a dinner to recognize their father who has given 27 gallons of blood so that's amazing. I wanted to state once again some of the points that were brought up when we got the review for the bond rating last meeting. And this is because some of the people out there may not have tuned in last time and during the prior election there were a lot of things said about the way the finances were being dealt with. I think most people understood the truth of those claims. Here are the six points from an outside agency:

- Strong economy, which benefits from access and participation in the broad and diverse Minneapolis-St. Paul metropolitan economy
- Very strong budgetary flexibility with 2012 audited preserves at 67% of general fund expenditures
- Very strong budgetary performance, which has produced consistent general fund results
- Very strong liquidity providing very strong cash levels to cover both debt service and expenditures
- Strong management conditions with good policy and consistent ability to maintain balanced budgets
- Adequate debt and contingent liabilities position, driven mostly by the City's high net direct debt

These are some points that have come from an outside agency. I think this reflects well on the staff that we currently have and the decisions that are made directed by the Mayor and the understanding of the people on the Council. I think the City is in pretty good shape despite what was said in error during the last election cycle.

9. ADMINISTRATOR'S REPORT –

A. Resolution No. 2013-46 – Approving a Conditional Use Permit Requested by J & J Temperature Control, 100 7th Avenue for Property Located at 100 7th Avenue

Sherri Buss, TKDA Planner, presented on this item as outlined in the October 3, 2013 City Council packet.

Mayor Geraghty – Were there any big issues with this one?

Motion by Sumner, seconded by Ingemann to approve Resolution No. 2013-46 as presented. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

B. Resolution No. 2013-47 – Approving a Variance Requested by Brian Domeier, 1040 10th Avenue, for Property Located at 615 8th Street

Sherrri Buss, TKDA Planner, presented on this item as outlined in the October 3, 2013 City Council packet.

Councilman Sumner – The requirement for similar color and material, I understand the material but what if they want to change the color of the house?

Ms. Buss – It's a funny part of our code but that's what it says.

Councilman Sumner – Did the applicant indicate any problem with painting the garage white?

Brian Domeier, 1040 10th Avenue – No.

Mayor Geraghty – Do we know how far it'll be from the front of the garage to the property line?

Ms. Buss – 10 feet.

Mayor Geraghty – So cars in the driveway will be on the right-of-way?

Engineer Stewart – Yes.

Mayor Geraghty – Theoretically the street could be widened so he would only have 10 feet from the street to the garage so a car couldn't fit there. You think there's 30 feet from the pavement?

Ms. Buss – That was part of John's concern because there's no room on the other side of the street to widen it.

Councilman Ingemann – If you look at the picture that's on the smartboard, there is 20 feet between the property line and street.

Mayor Geraghty – I'm just saying that he couldn't park a car in the driveway if we widened the street the entire width.

Mr. Domeier – Even with parking in the driveway, there's about 15 feet to the pavement. I guess one other thing, which I see all over Newport, and I don't think it's going to change and I don't think we want to do that to our residents but if you drive around town people are parking on the streets all over town year round. I think in winter, you're not supposed to be on the tar but no one is getting tickets.

Mayor Geraghty – No but as we do streets and put in curb we're going to be eliminating some of that.

Mr. Domeier – There are a lot of houses then where they'll have to park in the garage. I guess I see it as allowed anyways, variance or no variance.

Mayor Geraghty – We would make the street wide enough so they can park on one side.

Motion by Ingemann, seconded by Sumner to approve Resolution No. 2013-47 as presented. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

C. Resolution No. 2013-48 - Approve a Deferment Request for the 2013 Street Assessment

Admin. Hill – This is from someone who had requested a deferment of the \$2,900 street assessment and they do meet the requirements.

Councilman Sumner – I didn't know we had this option.

Admin. Hill – You've done this in the past.

Councilman Sumner – Is it part of all street projects?

Engineer Stewart – It's part of the State Law.

Admin. Hill – If they sell the house at any time they need to pay the assessment in full.

Councilman Sumner – So this is just a deferment until it's sold?

Admin. Hill – Yes.

Councilman Sumner – Does the deferral expire?

Attorney Knaak – No, it's whenever you sell it.

Motion by Sumner, seconded by Rahm to approve Resolution No. 2013-48 as presented. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

D. Resolution No. 2013-49 – Authorizing the Sale of the 1986 F-1 Rescue

This item was removed and will be on the October 17, 2013 City Council agenda.

E. Restated Bylaws of the Newport Firefighters Relief Association

Councilman Ingemann presented on this item as outlined in the October 3, 2013 City Council packet.

Councilman Sumner – The attorney reviewed and approved it?

Attorney Knaak – Yes I did. This is going on all over. I don't think there are any negative impacts on the City; it's just a matter of updating it.

Motion by Sumner, seconded by Rahm to approve the Restated Bylaws of the Newport Firefighters Relief Association. With 3 Ayes, 0 Nays, 1 Absent, Ingemann Abstaining, the motion carried.

10. ATTORNEY'S REPORT –

Attorney Knaak – You have before you the prosecution report (see attached). We're running over 100 now, which is pretty regular. The bulk of the resolution is at the arraignment and pre-trial state, which is where you want to see it. We did have some resolve at the omnibus hearing and have had some contested at the hearing in regards to the Supreme Court requirement to have a warrant for a blood test. We've had four different disputes and have done briefing on half a dozen more than that.

Councilman Ingemann – That's for DUI's?

Attorney Knaak – Yes. The Supreme Court came down with a ruling that you need a warrant to do a blood test.

How that's going to impact Minnesota is just being discussed at the appellate level so I'm expecting a decision in the next couple months.

Councilman Sumner – Any idea how it's going to turn out?

Attorney Knaak – I would hope that the current level will remain. Blood tests are actually the minority of tests for DUI's.

Councilman Sumner – We've seen this trend of increased cases for a while now.

Attorney Knaak – I wouldn't call it a trend, I would say it's the new normal.

Councilman Sumner – The resolution percentage is 71%.

Attorney Knaak – These are broken down in two ways. When we do the reports, the upper ones are the ones that my office resolves. Half of the cases that come in are now being resolved by the hearing officer, which I would deem successful.

Councilman Sumner – This does lead me to ask a question. If we're going to see an increase in work for the Police Department, should we consider increasing the amount of officers? I would like to present this to the Council for discussion. I understand we have an excellent CSO and if it would make sense for us to bring someone new on I think that should be a discussion we should have.

Mayor Geraghty – Part of the discussion should have been held when we started the budget process.

Councilman Rahm – If I remember it correctly it was. We asked the Police Chief and he said he was ok.

Mayor Geraghty – We can discuss it with the next budget cycle.

11. POLICE CHIEF'S REPORT –

A. August 2013 Activity Report

12. FIRE CHIEF'S REPORT – Chief Mailand reported on the number of calls in the past few weeks, which include: CO alarms, false alarms, accidents, unattended rec fire, mutual aid calls to St. Paul Park. He also thanked Public Works for fixing items. The Fire Department will be conducting a live burn at 1625 Cedar Lane on Saturday, October 5. Also, October 6 – 12 is Fire Prevention Week and the theme is "Prevent Kitchen Fires." The open house will be on Friday, October 11, 2013 at Fire Hall #1 at 6:00 p.m.

Councilman Sumner – Can you talk about the fire at the Refinery?

Chief Mailand – They were doing maintenance stuff and a pump had a leak and started the fire, which shut the whole place down.

13. ENGINEER'S REPORT –

A. Update on 2013 Street Improvement Projects and Partial Payment #1

Jon Herdegen, City Engineer, presented on this item as outlined in the October 3, 2013 City Council packet.

Councilman Ingemann – I see an item regarding traffic control for \$20,000, what traffic control?

Engineer Herdegen – It's a line item in the bid for maintenance of traffic on site to make sure that all of the signage is up to keep residents away from sites, etc.

Councilman Ingemann – That was sent out by the City.

Engineer Stewart – There's a State Manual that says what traffic control he has to provide and the contractor has complied with that. If he excavates, he has to put up a certain amount of signage. That's a line item in the bid and typically we have a deal where we withhold payment if the contractor doesn't do it. There haven't been many instances in this project where he's had to do much of anything so he gets paid for filling that line item in the bid.

Mayor Geraghty – That falls in with what he bid?

Engineer Stewart – Yes. If he bid the whole project as traffic control he would have gotten the whole amount.

Councilman Sumner – This is a payment to the contractor who changed what he was going to do with the City?

Engineer Stewart – The contract is with McNamara who is the general contractor. The individual who we had issues with was the excavator. This job as gone very well, the weather has cooperated, the residents have been great to work with. From the point that the contractor started, things have been hunky dory.

Motion by Sumner, seconded by Ingemann to approve Partial Payment #1 at a cost of \$92,604.19. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

Engineer Stewart – The last issue I would like to discuss is a possible development for the old Public Works site.

Engineer Stewart presented on this item as attached.

Councilman Sumner – How would the outside solicitation be any different than what's been done?

Mayor Geraghty – It would be more of an outreach. Currently, they would need to go to our website to look for this. I met with Deb and John regarding this and believe we should advertise. I was disappointed in the amount that the City was getting. Originally, I thought we were going to subdivide and sell the lots ourselves at \$30,000 a piece. I think the lots could sell for \$25,000 a piece. Because it is public property I thought we should go through the extra step of soliciting proposals.

Councilman Ingemann – Where do we stand from the Attorney's point of view?

Attorney Knaak – The only issue that you would have is whether or not there would be some income down the line.

Councilman Ingemann – It's been out there how many years on the website?

Attorney Knaak – But otherwise this is actually a very legitimate scheme.

Mayor Geraghty – We cannot be harmed by going out and advertising.

Attorney Knaak – No. You're not exactly in the place of a private developer. If you can obtain some kind of good return for what you're doing, you're allowed to do that.

Councilman Sumner – Did we advertise the property where Bancor was going to go?

Mayor Geraghty – No because that was partially private and he paid for the rights to buy that.

Engineer Stewart – I think we can put a very short ad in the paper over the next three weeks and come back at the next Council meeting with whatever proposals we get. I would suggest that we require an earnest deposit so that we don't waste their time and our time in evaluating their response. I recommended \$5,000.

Attorney Knaak – Earnest deposit is right and that makes sure that you have a serious proposal. You have a lot of options. Basically, you can handle this in a way that you would handle a private sale. I think the Engineer's concerns are right.

Executive Analyst Helm – We'll advertise October 16, 23, and 30.

Motion by Geraghty, seconded by Rahm to direct staff to proceed with option #2, which is to advertise in the South Washington County Bulletin and State Register for proposals and requiring an earnest deposit of \$5,000 per submittal. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

Engineer Stewart – You might get some calls regarding the street project. If you recall during the public hearings we had discussed that some lots would get concrete aprons and some would not. It depended on whether or not the driveway drained to the street or the street drained to the garage. Only those who have drainage from the street to their garages will be getting the concrete apron.

14. SUPERINTENDENT OF PUBLIC WORKS REPORT – A. Personnel Items

Superintendent Hanson presented on this item as outlined in the October 3, 2013 City Council packet.

Motion by Sumner, seconded by Geraghty to accept Chuck Johnson's resignation for retirement. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

Motion by Ingemann, seconded by Rahm to approve the hiring of Nate Peterson effective October 21, 2013. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

B. Resolution No. 2013-50 – Authorizing the Mayor and City Administrator to Execute and Enter into an Agreement for Services with the Board of Water Commissioners of the City of Saint Paul for Contract Services

Superintendent Hanson presented on this item as outlined in the October 3, 2013 City Council packet.

Mayor Geraghty – Do they strictly charge on time and material?

Superintendent Hanson – Yes, you only pay for what you get.

Councilman Rahm – There are equipment capabilities that they have that we don't correct?

Superintendent Hanson – They're back hoes are much bigger and it's come to a point where we would need a shoring box and our back hoe is 30 years old and not equipped to handle that.

Councilman Sumner – I see a point on page three that we will have to provide additional trucks as needed. They're providing one truck correct?

Superintendent Hanson – Yes, if they need additional trucks, we'll provide it. We'll generally always have staff on to operate the valves. We could have three trucks potentially.

Councilman Sumner – So we most likely wouldn't need to go outside for more trucks?

Superintendent Hanson – No.

Motion by Ingemann, seconded by Sumner to approve Resolution No. 2013-50 as presented. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

Superintendent Hanson – Finally, hydrant flushing will start next Tuesday.

Admin. Hill – We'll be having a retirement party for Chuck on October 16 at 12:00 p.m.

15. NEW/OLD BUSINESS

16. ADJOURNMENT

Motion by Geraghty, seconded by Ingemann, to adjourn the regular Council Meeting at 6:40 P.M. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

Signed: _____

Tim Geraghty, Mayor

Respectfully Submitted,

Renee Helm
Executive Analyst

HOLSTAD & KNAAK, PLC
Attorneys at Law

Frederic W. Knaak*
Wayne B. Holstad**

*Also Licensed in
Wisconsin & Colorado

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

4501 Allendale Drive
St. Paul, MN 55127
Telephone: (651) 490-9078
Facsimile: (651) 490-1580

Of Counsel
Donald W. Kohler
Thomas M. Dailey, P.A.
Matthew E. Ludt
Joseph B. Marshall

Paralegal
Michelle E. Hagland
mhagland@klaw.us

MEMORANDUM: MONTHLY NEWPORT PROSECUTION REPORT

TO: MAYOR AND MEMBERS OF THE CITY COUNCIL
FROM: FRITZ KNAAK, NEWPORT CITY ATTORNEY
DATE: October 3, 2013

This past month, our office has represented the City in a total of 65 prosecutions that were followed through to conviction or alternative disposition. They break down as follows:

| | |
|--------------------------------------|----|
| Arraignments & Rule 8 Hearings: | 33 |
| Pretrials: | 24 |
| Omnibus Hearings: | 5 |
| Court Trials: | 0 |
| Jury Trials: | 2 |
| Revocation/Plea Hearings/Sentencing: | 1 |

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

Newport

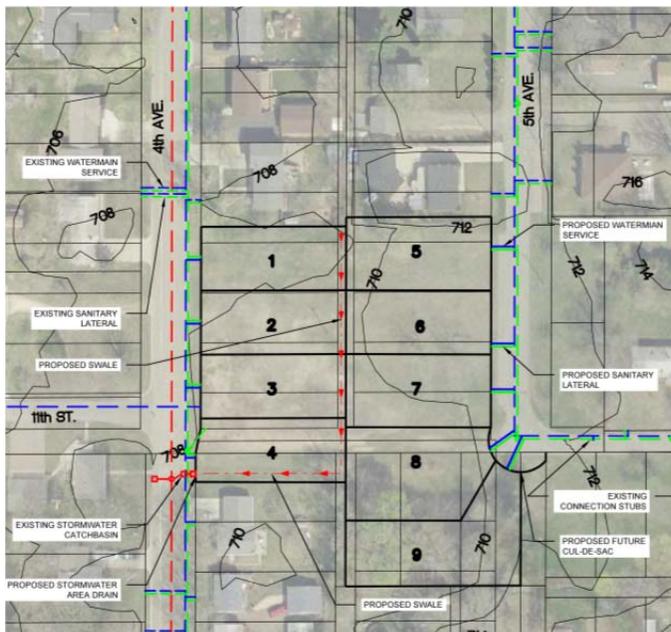
| | | |
|-------------------|----|------------|
| Customers | 32 | |
| Citations | 32 | |
| Charges | 47 | |
| Disposed | 25 | % Resolved |
| CFD/DUP | 5 | 71.43% |
| Contest/NG | 2 | |
| DNQ | 7 | |
| Extension | 5 | |
| No Guidelines | 3 | |
| Parking | 0 | |
| Petty Misdemeanor | 24 | |
| Misdemeanor | 23 | |

To: Ms. Deb Hill, City Administrator, Mayor and, City Council
From: John B Stewart P.E., City Engineer
Subject: Public Works Site Redevelopment
Date: October 3, 2013

Introduction:

The City of Newport has listed the former Public Works site, at 5th Avenue and 11th Street, as a developable property for sale on the City web site for the past 2 years. Earlier this fall the city was approached by a developer interested in purchasing and re-platting the Public Works site.

At issue is whether listing the property for sale on the City web site provides enough public notice to permit the City to negotiate with a single developer or should the City solicit alternative proposals by advertising for developer proposals in the South Washington Bulletin.



City staff has met with the developer several times to review the site layout and address code and zoning questions. The developer has reviewed a proposal to replat the site as a PUD creating 9 buildable lots. Washington County indicates that the 1.7 acre site contains 2 lots of record, occupying vacated portions of 5th Avenue and 11th Street. We prepared an estimated development cost for the property, which, identified site improvements, City and Met Council fees.

The property has street frontage on 4th (possible 4 lots) and 5th Avenue (possible 5 lots). Municipal sewer and water mains are available on these streets but only 1 set of services are stubbed in. The property has 1

– 2 feet of soil cover over bedrock. 4th Avenue is in excellent shape as it was improved as part of the TH 61 upgrade. 5th Avenue is in poor shape with bituminous failure and drainage problems at the 12th Street intersection. Development of the site will require grading, extension of sewer and water service stubs to 8 lots, and development of a swale to facilitate drainage of 5th Avenue drainage.

Property Value: \$125,000 to \$169,000

The City contracted with Dahlen, Dwyer & Foley, Inc. to provide an appraisal of the property. The Appraiser's report dated September 10th was updated yesterday to show a an appraised value of \$125,000. Washington County reports an estimated market value for the 2 lots as \$169,000, we note that the County's estimated values lag behind actual sales and at this point in time are usually higher than would result from an arm's length sale.

Park Dedication Fee:
 10% OF County EMV \$169,000 \$16,900

Fees and Inspection Charges: \$37,980

Assuming that the property is re-platted into 9 lots as generally shown the fees associated with redevelopment are estimated to be:

A summary water and sewer costs for the nine lots are summarized below.

| Fee | Cost | |
|------------------------------|------------------|--|
| MCES SAC Fees | \$21,915 | |
| City WAC Fees | \$6,750 | |
| City SAC Fees | \$6,750 | |
| City Trunk Water | \$13,500 | |
| City Trunk Sewer | \$13,500 | |
| City Tapping | \$3,200 | |
| Hook up Water | \$900 | |
| Hook up Sewer | \$900 | |
| Refund MCES Fees | \$-2,435 | Credit for previous PW Connection |
| Refund Trunk Fees | <u>\$-27,000</u> | Credit for Developer provided S&W Services |
| Total Connection Fees | \$37,980 | |

Lot Development Costs:

Land Improvements:

We have provided estimates of developer lot improvement costs as follows

Grading, drainage, erosion control and re-vegetation (includes drainage swale): \$69,500

Utility Improvements: \$60,650

When 4th Avenue was reconstructed in 2008 a 6" water service and 8" sanitary sewer stub were installed. At that time it was anticipated that the site would develop into a senior residence.

We recommend these stubs be abandoned in place with the sanitary sewer stub plugged at the manhole.

Assuming 4 residential lots are developed along 4th Avenue each lot would be served by individual water and sewer services. The water main and sanitary sewer are located below the eastern curb line and northbound driving lane, respectively. Installation of the service stubs to the edge of the right-of-way will require removal and replacement of curb and gutter, bituminous pavement, and re-vegetation. Water services are estimated to extend to the building foundations and would be provided with a curb stop and box at the ROW. The sanitary

Memo: Public Works Site Redevelopment

sewer service is estimated to extend to the building foundations would be plugged. Utilities would be installed in a joint trench as per MN Plumbing Code.

The remaining 5 lots are shown along 5th Avenue. Sanitary sewer is located along the centerline of 5th Avenue. Water main parallels the sanitary sewer to the east. Currently there are 3 sanitary sewer wyes. According to Public Works personnel these wyes should be in good condition and can be used. Sanitary sewer services for the 3 most northerly properties would utilize these wyes. The other two wyes would be cut-in near the manhole at 11th Avenue. Similar to 4th Avenue services, the 5th Avenue services would be stubbed to the edge of the right-of-way in a joint trench and terminate with a sanitary sewer plug and water curb stop and box. The street would be patched to repair the disturbed areas.

Street Improvements:

5th Avenue from 11th Street to 12th Street is in poor condition. It is recommended that this street be reconstructed once the sites on 5th & 11th residential are developed. Delaying the improvement of 5th & 11th until after the developers have completed home and utility construction would preserve the integrity of the reconstructed streets. We propose that the street would be constructed in accordance with city standards and financed in part through assessments to the adjacent properties, applying the City's Assessment policy to the street reconstruction would incur assessments against abutting lots on 5th & 11th, City policy requires at least 20% of the street improvement costs to be paid by benefiting properties.

Re-platting the intersection 11th Street / 5th Avenue should include an eye brow type of cul-de-sac to ensure the two south/westerly sites are provided sufficient road frontage. Re-platting the eyebrow configuration requires additional ROW and that the hydrant at 5th & 11th be relocated. (Project costs associated with the improvement of 5th & 11th and hydrant re-location are not included in the estimate shown above. Based upon the Appraisers report submitted for the 2013/2014 street projects; we anticipate that benefit accruing to properties on 5th & 11th will approximate \$3900 - \$5000)

Developer Overhead:

Costs associated with re-platting and rezoning notifications are estimated: \$10,000

Developer Credit:

The cost of grading attributable to drainage for 5th Avenue: -\$ 11,000

Developers Costs/Lot:

| | |
|-------------------|------------------------|
| Purchase Property | \$125,000 to \$169,000 |
| Park Fees | \$16,900 |
| City Fees | \$13,600 |
| MCES Fees | \$19,480 |
| Grading | \$69,500 |
| Utilities | \$60,650 |

Offices in Illinois, Iowa, Minnesota, and Wisconsin

60 Plato Blvd East, Suite 140 Saint Paul, MN 55104

WEB ADDRESS: www.msa-ps.com

| | |
|--|-------------------------------|
| Overhead | \$10,000 |
| Drainage Grading Credit | - \$11,000 |
| Total Developer Cost | \$348,130 to \$304,130 |
| COST /LOT (+/- 10,000 sq.ft.) | \$38,681 to \$33,792 |
| Future Street Assessment 5 Lots | \$ 5,000 to \$3,900 |
| Lot Cost at Closing | \$ 43,681 to \$37,692 |

For Comparison:
 We note that the Lot at 1385 3rd Street which has an area of 15,000 sq. ft. sold for +/- \$30,000. The Developer's costs on this lot are estimated as: \$10,000 for utilities, \$3,500 for grading, \$3,500 in overhead, and \$6,500 in City fees (total of +/- \$ 53,500 development cost. Lot at 1385 3rd Street can sustain more expensive home)

Short Term City Income:

| | |
|-----------------|-------------------------------|
| Property Sale | \$169,000 to \$125,000 |
| Park Dedication | \$16,900 |
| City Fees | \$18,500 |
| Drainage Credit | -\$11,000 |
| TOTAL | \$193,400 to \$149,400 |

Long Term City Income:

| | |
|--|---------------|
| Taxes 9 Properties @ \$250,000 EMV | \$15,000/yr. |
| 80% Future Street Cost for 5 Lots \$87,500 Bonded for 15years @ 4.5% | -\$ 8,032/yr. |

DIRECTION REQUESTED:

1.0 Should Staff consider that the notice of property availability given by the City web site as adequate and initiate negotiations on a purchase agreement with the developer, asking a range of purchase price of: \$125,000 to \$150,000?

Or

2.0 Should Staff advertise during the next 3 weeks in the Local paper for developer proposals, asking a purchase price of \$ _____ to \$ _____, and requiring an earnest deposit of \$5,000?



**City of Newport
City Council Workshop Meeting Minutes
October 3, 2013**

1. ROLL CALL -

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

Council Absent –

Staff Present – Deb Hill, City Administrator; Renee Helm, Executive Analyst; Fritz Knaak, City Attorney;

Staff Absent - Bruce Hanson, Superintendent of Public Works; Curt Montgomery, Police Chief; Mark Mailand, Fire Chief; John Stewart, City Engineer;

2. PRESENTATION FROM DAVID UNMACHT REGARDING THE STRATEGIC PLAN

David Unmacht, Springsted, was present to introduce himself and present on what services he can offer the City of Newport in regards to facilitating a discussion for the strategic plan. Mr. Unmacht has been in local government for 30 years and with Springsted for almost five years. He is part of the organizational development group with Springsted and presented on the attached handouts.

Councilman Rahm – My observations here are that we have things that the Council developed prior to when I got here. I think they’re good for what our City does. We have some strategies and goals. I think where I see some value is having an outside facilitator review what we have and compare them with what else is out there and also facilitating as far as our strategies and goals and actions and making sure they work. I think we have some of these pieces already but a facilitator could help us prioritize them. I believe it’s great to have these things but what are the actions, what do we want to achieve, how do we want to hold ourselves accountable down the road, and having a strategic plan that doesn’t sit on the shelf, it’s a living document that future Councils can build upon. I want to be able to come here as a resident and see what they’ve done with the strategic plan. Have you done anything like that?

Mr. Unmacht – All the time. How can you ensure a strategic plan is successful, you can’t but how can you help it be successful, there are a couple terms I like to use: it has to be genuine, you have to have sincere interest in it, it has to be authentic, it has to be realistic, and finally you have to tie the budget and staff resources and Council priorities to it. Once that happens it’ll become so seamless and natural that you’ll use it and not even know you’re using it and the next thing you know you can stand up in front of the people and say “We have a great strategic plan” because you’ve done something with it but if you go through the process, you have an outcome, and then go back to your regular business and go back to it every six months, it doesn’t work. The accountability is right here.

Mayor Geraghty – Thank you for coming in.

Executive Analyst Helm – I just wanted to remind you of his fees, he’s \$1,500 for a half day and \$2,500 for a full day.

Councilman Rahm – That’s not that much.

Page 2 of 2

City Council Minutes of 10-03-13

Admin. Hill – It'd be a great investment.

Mayor Geraghty – We'll put it on the next agenda for discussion and possibly schedule him.

3. ADJOURNMENT

Signed: _____
Tim Geraghty, Mayor

Respectfully Submitted,

Renee Helm
Executive Analyst

**City of Newport, Minnesota
Work Plan for Facilitation
City Council Interview
October 3, 2013**

Our Background

- Experience in city government
- Excellent knowledge of city issues and challenges
- Extensive experience working with small communities
- References are available to check into our work
- Reliable process model with flexibility to adapt to your needs
- Reputation for being fair, objective and impartial to all participants
- Strong facilitation skills in managing group dynamics

Our Process

- City Council personal contacts
- City staff input and information
- Develop agenda
- Prepare presentation and discussion material
- Facilitate work session
- Encourage open discussion
- Develop summary and work plan
- Present to the City
- Follow-up as needed

Our Qualities

- Effective listening skills
- Positive, responsive and respectful
- Passionate in our role and purpose
- Organized and effective meeting management
- Exceed your expectations
- Effective involvement and participation of city officials
- Prepare professional materials
- Develop a practical, useful and understandable work plan

Thank you for the opportunity to interview and introduce myself. I appreciate your consideration.

David Unmacht
Springsted, Incorporated
October 3, 2013

**City of Hastings, Minnesota
City Council – City Staff Work Session
Preparation**

The City Council is conducting a retreat – work session on Friday, October 4. To plan for the discussion and to obtain valuable input prior to finalizing the agenda, we have identified six questions that will help focus our efforts. Please return this survey to David Unmacht at dunmacht@springsted.com by Monday, September 26. Thank you.

I. Department Priorities

Please identify the three most significant priorities of your Department within the next five years.

- 1.
- 2.
- 3.

II. City Priorities

Please identify the top three issues that the City will be facing within the next five years.

- 1.
- 2.
- 3.

III. City Council – City Staff

Identify up to three qualities that you would like to see in the working relationship between the City Council and the city staff.

- 1.
- 2.
- 3.

IV. City Strengths

Please identify the top three strengths of the City of Hastings.

- 1.
- 2.
- 3.

V. City Challenges

Please identify the three most significant challenges the city is facing.

- 1.
- 2.
- 3.

VI. Outcome

Please identify the number one outcome you would like to accomplish as a result of the work session and any follow-up activities.

- 1.

SAMPLE

City of Waconia, Minnesota
Strategic Planning – Definitions
April 29, 2013

Values

- Outline how an organization operates; these statements help answer the question how do we conduct business and how do we treat our customers and stakeholders?
- What does the City really care about? The list of qualities and characteristics help to define and shape the City's workplace culture.

Vision

- An outcome, a result and an ideal to strive for over a period of time. Is not necessarily measurable, yet should be stimulating and motivating.
- A destination and long-term community value(s) that requires a resolve and commitment to achieve and maintain.

Mission

- Action oriented concise, but meaningful statement that identifies the purpose and reason for existence; provides a framework or context within which the strategies are created to implement the vision.
- Can serve to define how an organization gets from where it is today to where it wants to go in the future.

Strategy

- An essential public policy priority which further defines the mission and serves to coordinate and organizes the goals.
- Typically a long-term timeframe; strategies will not change that often, if at all.

Goal

- A measurable and desired activity, project or purpose that requires resources.
- Time commitment in pursuit of goals will vary – they can be succinct and short – but also longer term (five to ten years).

Actions

- Individual steps and activities necessary to implement a goal, accomplish a strategy, operationalize the mission and fulfill your vision.
- Specific action steps are continuously evolving and changing as they are identified and completed.

Non-Recurring Bills

| | | | | |
|------------------|--------------------------------|-------|-----------|---------------------------------|
| Paid Chk# 015506 | Cardmember Services | 41564 | 1,870.06 | Visa bill |
| Paid Chk# 015507 | CENTURY COLLEGE | 41564 | 2,025.00 | Training 2010&2012 |
| Paid Chk# 015508 | DAKOTA SUPPLY GROUP | 41564 | 571.93 | H2P Meter Repairs |
| Paid Chk# 015509 | DELL Marketing L.P. | 41564 | 4,438.15 | Computers |
| Paid Chk# 015510 | DEPT. OF LABOR & INDUSTRY | 41564 | 392.01 | Building permit surcharge stat |
| Paid Chk# 015511 | EARL F. ANDERSEN | 41564 | 151.11 | Signs |
| Paid Chk# 015512 | EDS TROPHIES INC | 41564 | 48.21 | placards and name plates |
| Paid Chk# 015513 | EHLERS | 41564 | 1,250.00 | Financial planning |
| Paid Chk# 015514 | EXPRESS AUTO PARTS | 41564 | 5.99 | FD Repairs |
| Paid Chk# 015515 | FAIR OFFICE WORLD | 41564 | 318.02 | Office supplies |
| Paid Chk# 015516 | FERGUSON WATERWORKS #2516 | 41564 | 248.45 | Water department |
| Paid Chk# 015517 | FIRE SAFETY USA, INC. | 41564 | 4,800.00 | Additional items for the fire |
| Paid Chk# 015518 | FLEET ONE LLC | 41564 | 2,404.57 | Petrol |
| Paid Chk# 015519 | G & K SERVICES | 41564 | 253.60 | Uniforms |
| Paid Chk# 015520 | GENERATOR SPECIALTY CO. INC | 41564 | 386.43 | PW #11 Repair |
| Paid Chk# 015521 | GERLACH OUTDOOR POWER EQUIP. | 41564 | 53.23 | Mower repair |
| Paid Chk# 015522 | GERTENS | 41564 | 493.17 | Veterans memorial |
| Paid Chk# 015523 | Wade Glasgow | 41564 | 85.00 | 1902 10th Ave. yard maintenanc |
| Paid Chk# 015524 | GOPHER STATE ONE-CALL | 41564 | 269.80 | |
| Paid Chk# 015525 | GRAINGER PARTS | 41564 | 555.06 | Well #2 |
| Paid Chk# 015526 | HAWKINS | 41564 | 10.00 | Chlorine Cylinder |
| Paid Chk# 015527 | HOMELAND HEALTH SPECIALISTS | 41564 | 37.50 | Flu shots |
| Paid Chk# 015528 | KENNEDY TRANSMISSION | 41564 | 2,261.73 | PD Repair |
| Paid Chk# 015529 | LIBERTY NAPA OF NEWPORT | 41564 | 224.16 | |
| Paid Chk# 015530 | LITTLE FALLS MACHINE INC. | 41564 | 849.51 | Plow repairs |
| Paid Chk# 015531 | MASTERTECH AUTO & TIRE INC. | 41564 | 84.77 | PW Vehicle repair |
| Paid Chk# 015532 | M-B TIRE CO. INC. | 41564 | 143.50 | #34 Repairs |
| Paid Chk# 015533 | MCNAMARA CONTRACTOR | 41564 | 92,604.19 | 2013 Streets project |
| Paid Chk# 015534 | MENARDS - COTTAGE GROVE | 41564 | 44.41 | 101-45000-500 |
| Paid Chk# 015535 | Metropolitan Council | 41564 | 14,855.66 | |
| Paid Chk# 015536 | MINNESOTA DEPARTMENT OF HEALTH | 41564 | 250.00 | Knaff properties maintenance p |
| Paid Chk# 015537 | MN BUREAU OF CRIMINAL APP. | 41564 | 25.00 | Predatory offender registration |
| Paid Chk# 015538 | MSA PROFESSIONAL SERVICES, INC | 41564 | 35,842.50 | Engineer consultants |
| Paid Chk# 015539 | NEWPORT FIRE RELIEF ASSOC. | 41564 | 87,060.31 | Fire relief state aid |
| Paid Chk# 015540 | NEWPORT-ST. PAUL COLD STORAGE | 41564 | 1,013.12 | Reimburse of escrow |
| Paid Chk# 015541 | OXYGEN SERVICE CO. | 41564 | 41.09 | Oxygen |
| Paid Chk# 015542 | PITNEY BOWES POSTAGE BY PHONE | 41564 | 220.37 | |
| Paid Chk# 015543 | DAVID QUADE | 41564 | 464.69 | Reimburse of escrow |
| Paid Chk# 015544 | RDO EQUIPMENT | 41564 | 1.62 | Chipper |
| Paid Chk# 015545 | RENEE HELM | 41564 | 38.25 | Petty cash |
| Paid Chk# 015546 | RIVER COUNTRY COOPERATIVE | 41564 | 2,361.85 | oil and lube |
| Paid Chk# 015547 | SOUTH SUBURBAN RENTAL, INC. | 41564 | 98.57 | veterans memorial |
| Paid Chk# 015548 | TKDA | 41564 | 3,118.89 | Library board and loving memor |
| Paid Chk# 015549 | TKDA | 41564 | 4,958.16 | Planning |
| Paid Chk# 015550 | TRI-STATE BOBCAT | 41564 | 280.46 | Toolcat repair |
| Paid Chk# 015551 | VERIZON | 41564 | 148.08 | Air cards |
| Paid Chk# 015552 | VIKING ELECTRIC SUPPLY | 41564 | 125.33 | Building repairs |
| Paid Chk# 015553 | Washington Cty Public Safety | 41564 | 2,700.54 | Radio use |
| Paid Chk# 015554 | WASHINGTON CTY SHERIFF | 41564 | 8,010.76 | Records, Alerts and MDC's |

Recurring Bills

| | | | | |
|-------------------|--------------------------------|-------|------------|--|
| Paid Chk# 000214E | MN REVENUE | 41549 | 860.00 | Water Sales and Use tax |
| Paid Chk# 000215E | FEDERAL TAXES | 41549 | 9,695.26 | SS, Federal, Medicare |
| Paid Chk# 000216E | MN REVENUE | 41549 | 1,985.42 | State income tax |
| Paid Chk# 000217E | ING LIFE INSURANCE & ANNUITY | 41549 | 433.80 | MSRS |
| Paid Chk# 000218E | PSN | 41556 | 117.60 | Monthly electronic payment fee |
| Paid Chk# 015345 | HOFF, BARRY & KOZAR P.A. | 41515 | (799.00) | Legal fees for Knaak-VOIDED and REISSUED 15498 |
| Paid Chk# 015354 | MINNESOTA DEPARTMENT OF HEALTH | 41515 | (1,583.00) | Connection fee-VOIDED and REISSUED 15500 |
| Paid Chk# 015489 | ATOMIC-COLO, LLC | 41550 | 2,532.25 | IT & Phone support |
| Paid Chk# 015490 | COMCAST | 41550 | 123.28 | |

| | | | | |
|------------------|--------------------------------|-------|-------------------|--------------------------------|
| Paid Chk# 015491 | DEBORA HILL | 41550 | 28.31 | Mileage reimbursement |
| Paid Chk# 015492 | ING LIFE INSURANCE & ANNUITY | 41550 | 1,523.00 | |
| Paid Chk# 015493 | PERA | 41550 | 7,999.52 | |
| Paid Chk# 015494 | SELECTACCOUNT | 41550 | 733.67 | |
| Paid Chk# 015495 | SW/WC SERVICES COOPERATIVES | 41550 | 14,579.00 | |
| Paid Chk# 015496 | TENNIS SANITATION LLC | 41550 | 99.05 | Garbage city hall and PW garag |
| Paid Chk# 015498 | HOFF, BARRY & KOZAR P.A. | 41554 | 799.00 | Reissue Knaak legal fees |
| Paid Chk# 015499 | Holstad & Knaak, PLC | 41554 | 8,608.67 | Legal fee payment |
| Paid Chk# 015500 | MINNESOTA DEPARTMENT OF HEALTH | 41554 | 1,583.00 | Water Supply Connection fee |
| Paid Chk# 015501 | RAMSEY COUNTY DISTRICT COURT | 41554 | 21,580.83 | Knaak litigation settlement |
| Paid Chk# 015502 | CENTURY LINK | 41557 | 279.56 | Phone and Internet |
| Paid Chk# 015503 | COMCAST | 41557 | 316.11 | |
| Paid Chk# 015504 | JOHN NESKA | 41557 | 50.00 | Street superintendents fall fe |
| Paid Chk# 015505 | XCEL ENERGY | 41557 | 2,693.25 | Electricity and gas |
| | Staff | | 32,216.17 | |
| | | | 384,949.56 | |

Cardmember Services

October

| | | | | |
|------------|---------------------|------------------------------|------------|-----|
| Hanson | Gander Mountain | Camera for Bailey Park | \$ 203.51 | yes |
| | The Home Depot | Glove, broom and Rigid blade | \$ 55.22 | yes |
| Neska | Best Buy | Memory drives | \$70.68 | yes |
| | Minnesota Brick | Pavers for war memorial | \$1,012.48 | yes |
| Mailand | JoAnn | Reimbursed | \$4.81 | |
| | The Home Depot | Reimbursed | \$23.76 | |
| | Target | Reimbursed | \$29.98 | |
| | Batteris Plus | Batteries | \$106.41 | yes |
| | Walgreens | Reimbursed | \$9.54 | |
| | MN EMS reg board | Education | \$102.00 | yes |
| Montgomery | NRA Law Enforcement | | \$100.00 | |
| | TigerDirect.com | Laptop locks | \$158.16 | yes |
| Helm | JP Cooke Co. | Dog registration tags | \$61.60 | yes |



City of Newport, MN

Financial Status Report

Period ended September 30, 2013

(Un-Audited)

Prepared by:
Administration Department



Table of Contents

Section 1 – Cash & Investment Report

Section 2 – Budget Control Summary

Section 3 – Cash Balances

Section 4 – Revenue Summary

Section 5 – Expenditure Summary

Section 6 – Balance Sheets

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

10/08/13 3:10 PM

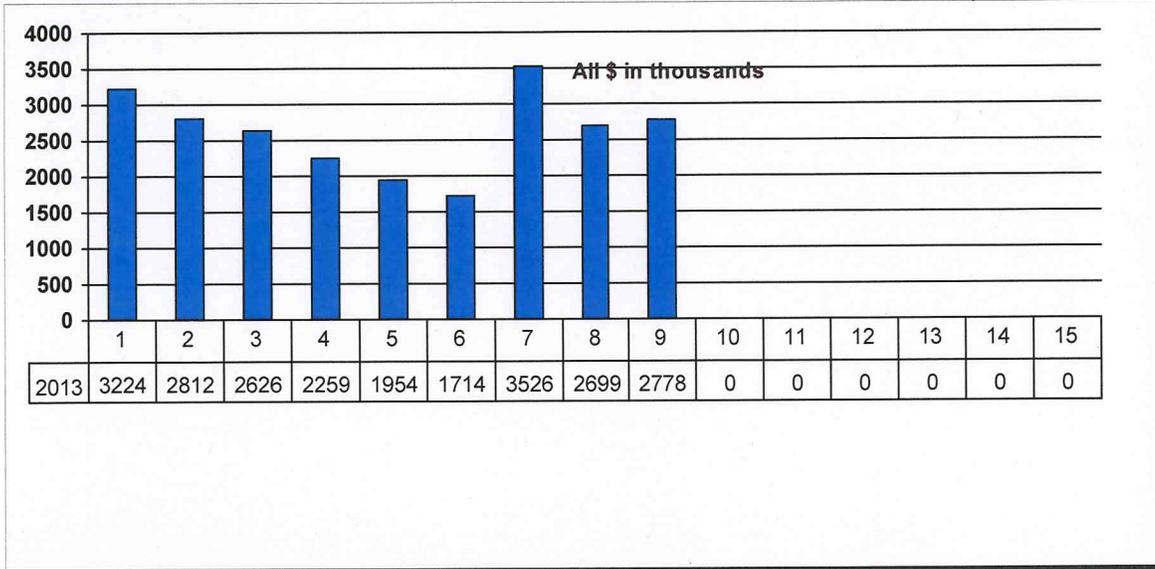
Page 1

***Check Reconciliation©**

Central Bank

10100 CASH

September 2013



Account Summary

| | | | | |
|-------------------------------------|-----------|----------------|------------|----------------|
| Beginning Balance on | 9/1/2013 | \$2,888,620.25 | Cleared | \$2,722,447.21 |
| + Receipts/Deposits | | \$205,229.86 | Statement | \$2,722,447.21 |
| - Payments (Checks and Withdrawals) | | \$371,402.90 | Difference | \$0.00 |
| Ending Balance as of | 9/30/2013 | \$2,722,447.21 | | |

Check Book Balance

| | | | |
|--------|-------------|--------------------------|---------------|
| Active | G 101-10100 | GENERAL FUND | \$410,154.07 |
| Active | G 201-10100 | PARKS SPECIAL FUND | \$13,807.78 |
| Active | G 204-10100 | HERITAGE PRESERVATIO | \$8,415.74 |
| Active | G 205-10100 | RECYCLING | \$24,951.90 |
| Active | G 206-10100 | FIRE ENGINE | \$0.00 |
| Active | G 208-10100 | BUY FORFEITURE | \$1,303.88 |
| Active | G 225-10100 | PIONEER DAY | \$19,890.39 |
| Active | G 270-10100 | EDA | \$628,832.83 |
| Active | G 301-10100 | G.O. CAPITAL IMP. PLAN 2 | -\$118,823.03 |
| Active | G 305-10100 | 2013 Street Assessments | \$86,200.22 |
| 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 | -\$56,022.41 |
| Active | G 316-10100 | PFA/TRLF REVENUE NOT | \$250,951.86 |
| Active | G 321-10100 | EQUIP CERTIFICATE 2006 | \$0.00 |
| Active | G 322-10100 | GO BONDS OF 2011A | -\$42,101.78 |
| Active | G 401-10100 | EQUIPMENT REVOLVING | \$105,719.88 |
| Active | G 402-10100 | TAX INC DIST 1 | \$4.77 |

| | | | |
|--------------|-------------|-----------------------|----------------|
| Active | G 405-10100 | T.H. HWY 61 | \$233,944.46 |
| Active | G 409-10100 | STREET RECONSTRUCTI | -\$82,864.93 |
| Active | G 411-10100 | BUILDING FUND | \$40,006.42 |
| Active | G 416-10100 | 4TH AVENUE RAVINE | \$12,755.02 |
| Active | G 417-10100 | NORTH RAVINE | \$1,519.47 |
| Active | G 422-10100 | 2011A UTILITY CAPITAL | \$0.00 |
| Active | G 423-10100 | 2011A EQUIPMENT CAPIT | \$65.31 |
| Active | G 601-10100 | WATER FUND | \$501,561.29 |
| Active | G 602-10100 | SEWER FUND | \$697,573.20 |
| Active | G 603-10100 | STREET LIGHT FUND | \$13,166.59 |
| Active | G 604-10100 | STORM WATER FUND | \$27,397.26 |
| Cash Balance | | | \$2,778,410.19 |

| | | |
|--------------------|----------------|----------------|
| Beginng Balance | \$2,888,620.25 | |
| + Total Deposits | \$279,027.08 | |
| - Checks Written | \$389,237.14 | |
| Check Book Balance | | \$2,778,410.19 |
| Difference | | \$0.00 |

City of Newport
INVESTMENTS
Sep-13

| <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) | | | | | | |
| BMW CD | 6/28/2013 | 6/29/2015 | 728 | 120,000 | 0.75% | 119,407.20 |
| AMEX Cent. | 7/5/2013 | 7/5/2016 | 1,092 | 120,000 | 1.10% | 119,130.00 |
| BMW CD | 6/28/2013 | 6/28/2017 | 1,456 | 125,000 | 1.30% | 123,165.00 |
| AMEX Cent. | 7/5/2013 | 7/5/2018 | 1,820 | 125,000 | 1.70% | 121,281.25 |
| Accrued Interest | all CDs above | | | | | 1,462.91 |
| Fed Farm Cr Bk Cash, Deposits | 7/17/2013 | 7/17/2020 | 2,548 | 125,000 | 2.87% | 126,109.96 |
| | | | | | | 20,539.30 |
| sub total | | | | | | 631,095.62 |
| NORTHLAND | | | | | | |
| MNY MKT | Govmt security money market class B | | | | | 17,224.17 |
| GO BOND | 10/6/2010 | 3/1/2015 | 365 | 240,000.00 | 1.85% | 243,156.00 |
| GO BOND | 10/6/2010 | 3/1/2015 | 365 | 100,000.00 | 1.75% | 101,469.00 |
| Accrued Interest | | | | | | 936.14 |
| subtotal | | | | | | 362,785.31 |
| | | | | | | Sub-total Investments GASB 40 993,880.93 |
| Central Bank | | | | | | |
| Checking | | | | | | 2,722,447.21 |
| | | | | | | Total Cash, Investments and CD's 3,716,328.14 |

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: September 2013

| Account Descr | 2013 Cumulative Budget | 2013 Cumulative Actuals | 2013 Cumulative Variance | 2013 % Varianc | 2013 Adopted Budget | 2013 Forecast | Variance at Completion | 2013 YTD Perf | 2013 Est to Complete |
|--|------------------------------|-------------------------------|--------------------------------|----------------------|---------------------------|------------------|------------------------------|---------------------|-------------------------------|
| FUND 101 GENERAL FUND | | | | | | | | | |
| Revenue Accounts | | | | | | | | | |
| DEPT 00000 ALL DEPARTMENTS | \$3,051,576.00 | \$1,893,615.67 | \$1,157,960.33 | 37.95% | \$0.00 | \$3,051,576.00 | -\$3,051,576.00 | 0.44 | 0.09 |
| 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 | \$645.64 | -\$645.64 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total Revenue Accounts | \$3,051,576.00 | \$1,894,261.31 | \$1,157,314.69 | 37.93% | \$0.00 | \$3,051,576.00 | -\$3,051,576.00 | 0.42 | 0.09 |
| Expenditure Accounts | | | | | | | | | |
| DEPT 00000 ALL DEPARTMENTS | \$0.00 | \$426,840.23 | -\$426,840.23 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| DEPT 41000 Administration (GENERAL) | \$273,008.00 | \$184,248.66 | \$88,759.34 | 32.51% | \$0.00 | \$273,008.00 | -\$273,008.00 | 0.48 | -0.28 |
| DEPT 41110 Mayor and Council | \$24,090.00 | \$16,132.37 | \$7,957.63 | 33.03% | \$0.00 | \$24,090.00 | -\$24,090.00 | 0.31 | -0.32 |
| DEPT 41410 Elections | \$1,600.00 | \$470.00 | \$1,130.00 | 70.63% | \$0.00 | \$1,600.00 | -\$1,600.00 | 0.19 | -0.41 |
| DEPT 41600 Professional Services | \$291,146.00 | \$224,724.59 | \$66,421.41 | 22.81% | \$0.00 | \$291,146.00 | -\$291,146.00 | 0.72 | -0.08 |
| DEPT 41910 Planning and Zoning | \$48,073.00 | \$46,796.85 | \$1,276.15 | 2.65% | \$0.00 | \$48,073.00 | -\$48,073.00 | 0.57 | 0.02 |
| DEPT 41940 City Hall Bldg | \$18,795.00 | \$8,492.73 | \$10,302.27 | 54.81% | \$0.00 | \$18,795.00 | -\$18,795.00 | 0.39 | -0.62 |
| DEPT 42000 Police Department(GENERAL) | \$807,733.00 | \$583,730.37 | \$224,002.63 | 27.73% | \$0.00 | \$807,733.00 | -\$807,733.00 | 0.50 | -0.28 |
| 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 | \$191,011.00 | \$57,771.61 | \$133,239.39 | 69.75% | \$0.00 | \$191,011.00 | -\$191,011.00 | 0.28 | -0.45 |
| DEPT 42280 Fire Stations No. 1 | \$17,222.00 | \$12,761.57 | \$4,460.43 | 25.90% | \$0.00 | \$17,222.00 | -\$17,222.00 | 0.46 | -0.54 |
| DEPT 42290 Fire Station No. 2 | \$2,772.00 | \$1,919.44 | \$852.56 | 30.76% | \$0.00 | \$2,772.00 | -\$2,772.00 | 0.24 | -0.26 |
| DEPT 43000 PW Street (GENERAL) | \$384,988.00 | \$318,651.41 | \$66,336.59 | 17.23% | \$0.00 | \$384,988.00 | -\$384,988.00 | 0.43 | -0.12 |
| DEPT 43100 Public Works Garage | \$15,750.00 | \$16,951.58 | -\$1,201.58 | -7.63% | \$0.00 | \$15,750.00 | -\$15,750.00 | 1.98 | 0.98 |
| DEPT 43160 Street Lighting | \$0.00 | \$0.00 | \$0.00 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| DEPT 43260 Composting | \$5,000.00 | \$4,076.37 | \$923.63 | 18.47% | \$0.00 | \$5,000.00 | -\$5,000.00 | 0.08 | -0.14 |
| DEPT 45000 Parks (GENERAL) | \$361,308.00 | \$272,462.98 | \$88,845.02 | 24.59% | \$0.00 | \$361,308.00 | -\$361,308.00 | 0.54 | -0.16 |
| DEPT 45100 Recreation (GENERAL) | \$3,000.00 | \$3,074.72 | -\$74.72 | -2.49% | \$0.00 | \$3,000.00 | -\$3,000.00 | 0.19 | -0.03 |
| DEPT 45206 Parks Bldgs. & Warming Houses | \$5,500.00 | \$4,035.68 | \$1,464.32 | 26.62% | \$0.00 | \$5,500.00 | -\$5,500.00 | 0.12 | -0.17 |
| DEPT 45501 Library Bldg | \$23,570.00 | \$16,745.82 | \$6,824.18 | 28.95% | \$0.00 | \$23,570.00 | -\$23,570.00 | 0.50 | -0.05 |
| 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 | \$1,120.00 | \$463.43 | \$656.57 | 58.62% | \$0.00 | \$1,120.00 | -\$1,120.00 | 0.22 | -0.53 |
| DEPT 49985 Special Contributions | \$5,000.00 | \$1,621.00 | \$3,379.00 | 67.58% | \$0.00 | \$5,000.00 | -\$5,000.00 | 0.32 | -0.68 |
| DEPT 49995 Miscellaneous Contingency | \$10,000.00 | \$4,000.00 | \$6,000.00 | 60.00% | \$0.00 | \$10,000.00 | -\$10,000.00 | 0.20 | -0.30 |
| Total Expenditure Accounts | \$2,490,686.00 | \$2,205,971.41 | -\$284,714.59 | 11.43% | \$0.00 | \$2,490,686.00 | -\$2,490,686.00 | 0.42 | -0.20 |
| Total FUND 101 GENERAL FUND | \$560,890.00 | -\$311,710.10 | \$872,600.10 | 155.57% | \$0.00 | \$560,890.00 | -\$560,890.00 | | |

FUND 201 PARKS SPECIAL FUND



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| Account Descr | 2013 Cumulative Budget | 2013 Cumulative Actuals | 2013 Cumulative Variance | 2013 % Varianc | 2013 Adopted Budget | 2013 Forecast | Variance at Completion | 2013 YTD Perf | 2013 Est to Complete |
|--|------------------------------|-------------------------------|--------------------------------|----------------------|---------------------------|------------------|------------------------------|---------------------|-------------------------------|
| Revenue Accounts | | | | | | | | | |
| DEPT 00000 ALL DEPARTMENTS | \$0.00 | \$57,315.30 | -\$57,315.30 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total Revenue Accounts | \$0.00 | \$57,315.30 | -\$57,315.30 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Expenditure Accounts | | | | | | | | | |
| DEPT 00000 ALL DEPARTMENTS | \$0.00 | \$71,842.20 | -\$71,842.20 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total Expenditure Accounts | \$0.00 | \$71,842.20 | \$71,842.20 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total FUND 201 PARKS SPECIAL FUND | \$0.00 | -\$14,526.90 | \$14,526.90 | 0.00% | \$0.00 | \$0.00 | \$0.00 | | |
| FUND 202 POLICE FORFEITURE FUND | | | | | | | | | |
| Revenue Accounts | | | | | | | | | |
| DEPT 42000 Police Department(GENERAL) | \$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 202 POLICE FORFEITURE FUND | \$0.00 | \$0.00 | \$0.00 | 0.00% | \$0.00 | \$0.00 | \$0.00 | | |
| FUND 204 HERITAGE PRESERVATION COMM | | | | | | | | | |
| Revenue Accounts | | | | | | | | | |
| DEPT 00000 ALL DEPARTMENTS | \$0.00 | \$7,202.14 | -\$7,202.14 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total Revenue Accounts | \$0.00 | \$7,202.14 | -\$7,202.14 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Expenditure Accounts | | | | | | | | | |
| DEPT 00000 ALL DEPARTMENTS | \$0.00 | \$1,125.71 | -\$1,125.71 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total Expenditure Accounts | \$0.00 | \$1,125.71 | \$1,125.71 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total FUND 204 HERITAGE PRESERVATION COM | \$0.00 | \$6,076.43 | -\$6,076.43 | 0.00% | \$0.00 | \$0.00 | \$0.00 | | |
| FUND 205 RECYCLING | | | | | | | | | |
| Revenue Accounts | | | | | | | | | |
| DEPT 00000 ALL DEPARTMENTS | \$0.00 | \$4,711.56 | -\$4,711.56 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total Revenue Accounts | \$0.00 | \$4,711.56 | -\$4,711.56 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Expenditure Accounts | | | | | | | | | |
| DEPT 00000 ALL DEPARTMENTS | \$0.00 | \$4,252.05 | -\$4,252.05 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |



CITY OF NEWPORT

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| Account Descr | 2013 Cumulative Budget | 2013 Cumulative Actuals | 2013 Cumulative Variance | 2013 % Variance | 2013 Adopted Budget | 2013 Forecast | Variance at Completion | 2013 YTD Perf | 2013 Est to Complete |
|---|------------------------------|-------------------------------|--------------------------------|-----------------------|---------------------------|------------------|------------------------------|---------------------|-------------------------------|
| DEPT 00000 ALL DEPARTMENTS | \$0.00 | \$366,745.17 | -\$366,745.17 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total Revenue Accounts | \$0.00 | \$366,745.17 | -\$366,745.17 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Expenditure Accounts | | | | | | | | | |
| DEPT 00000 ALL DEPARTMENTS | \$0.00 | \$307,808.46 | -\$307,808.46 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total Expenditure Accounts | \$0.00 | \$307,808.46 | \$307,808.46 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total FUND 270 EDA | \$0.00 | \$58,936.71 | -\$58,936.71 | 0.00% | \$0.00 | \$0.00 | \$0.00 | | |
| FUND 301 G.O. CAPITAL IMP. PLAN 2010A | | | | | | | | | |
| Revenue Accounts | | | | | | | | | |
| DEPT 00000 ALL DEPARTMENTS | \$0.00 | \$0.89 | -\$0.89 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total Revenue Accounts | \$0.00 | \$0.89 | -\$0.89 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Expenditure Accounts | | | | | | | | | |
| DEPT 00000 ALL DEPARTMENTS | \$0.00 | \$124,467.50 | -\$124,467.50 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total Expenditure Accounts | \$0.00 | \$124,467.50 | \$124,467.50 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total FUND 301 G.O. CAPITAL IMP. PLAN 2010A | \$0.00 | -\$124,466.61 | \$124,466.61 | 0.00% | \$0.00 | \$0.00 | \$0.00 | | |
| FUND 305 2013 Street Assessments | | | | | | | | | |
| Revenue Accounts | | | | | | | | | |
| DEPT 00000 ALL DEPARTMENTS | \$0.00 | \$86,199.74 | -\$86,199.74 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total Revenue Accounts | \$0.00 | \$86,199.74 | -\$86,199.74 | 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 305 2013 Street Assessments | \$0.00 | \$86,199.74 | -\$86,199.74 | 0.00% | \$0.00 | \$0.00 | \$0.00 | | |
| FUND 307 GO TIF 1994B | | | | | | | | | |
| Revenue Accounts | | | | | | | | | |
| DEPT 00000 ALL DEPARTMENTS | \$0.00 | \$0.30 | -\$0.30 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |



CITY OF NEWPORT

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| Account Descr | 2013 Cumulative Budget | 2013 Cumulative Actuals | 2013 Cumulative Variance | 2013 % Variance | 2013 Adopted Budget | 2013 Forecast | Variance at Completion | 2013 YTD Perf | 2013 Est to Complete |
|---|------------------------------|-------------------------------|--------------------------------|-----------------------|---------------------------|------------------|------------------------------|---------------------|-------------------------------|
| Total Revenue Accounts | \$0.00 | \$0.30 | -\$0.30 | 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 | \$0.30 | -\$0.30 | 0.00% | \$0.00 | \$0.00 | \$0.00 | | |
| FUND 308 CERIFICATES OF INDEBTEDNESS | | | | | | | | | |
| Revenue Accounts | | | | | | | | | |
| DEPT 00000 ALL DEPARTMENTS | \$0.00 | -\$0.53 | \$0.53 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total Revenue Accounts | \$0.00 | -\$0.53 | \$0.53 | 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 | -\$0.53 | \$0.53 | 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 | \$35,842.28 | -\$35,842.28 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total Revenue Accounts | \$0.00 | \$35,842.28 | -\$35,842.28 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |



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|--|------------------------------|-------------------------------|--------------------------------|-----------------------|---------------------------|------------------|------------------------------|---------------------|-------------------------------|
| Expenditure Accounts | | | | | | | | | |
| DEPT 00000 ALL DEPARTMENTS | \$0.00 | \$91,865.00 | -\$91,865.00 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total Expenditure Accounts | \$0.00 | \$91,865.00 | \$91,865.00 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total FUND 315 \$690,000 BOND 2002A | \$0.00 | -\$56,022.72 | \$56,022.72 | 0.00% | \$0.00 | \$0.00 | \$0.00 | | |
| FUND 316 PFA/TRLF REVENUE NOTE | | | | | | | | | |
| Revenue Accounts | | | | | | | | | |
| DEPT 00000 ALL DEPARTMENTS | \$0.00 | \$75,974.53 | -\$75,974.53 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total Revenue Accounts | \$0.00 | \$75,974.53 | -\$75,974.53 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Expenditure Accounts | | | | | | | | | |
| DEPT 00000 ALL DEPARTMENTS | \$0.00 | \$124,705.70 | -\$124,705.70 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total Expenditure Accounts | \$0.00 | \$124,705.70 | \$124,705.70 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total FUND 316 PFA/TRLF REVENUE NOTE | \$0.00 | -\$48,731.17 | \$48,731.17 | 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 | \$9.03 | -\$9.03 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total Revenue Accounts | \$0.00 | \$9.03 | -\$9.03 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Expenditure Accounts | | | | | | | | | |
| DEPT 00000 ALL DEPARTMENTS | \$0.00 | \$112,655.00 | -\$112,655.00 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |



CITY OF NEWPORT

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|--------------------------------------|------------------------------|-------------------------------|--------------------------------|----------------------|---------------------------|------------------|------------------------------|---------------------|-------------------------------|
| Total Expenditure Accounts | \$0.00 | \$112,655.00 | \$112,655.00 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total FUND 322 GO BONDS OF 2011A | \$0.00 | -\$112,645.97 | \$112,645.97 | 0.00% | \$0.00 | \$0.00 | \$0.00 | | |
| FUND 401 EQUIPMENT REVOLVING | | | | | | | | | |
| Revenue Accounts | | | | | | | | | |
| DEPT 00000 ALL DEPARTMENTS | \$0.00 | \$75,125.87 | -\$75,125.87 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total Revenue Accounts | \$0.00 | \$75,125.87 | -\$75,125.87 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Expenditure Accounts | | | | | | | | | |
| DEPT 00000 ALL DEPARTMENTS | \$0.00 | \$179,063.84 | -\$179,063.84 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total Expenditure Accounts | \$0.00 | \$179,063.84 | \$179,063.84 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total FUND 401 EQUIPMENT REVOLVING | \$0.00 | -\$103,937.97 | \$103,937.97 | 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 | \$153.52 | -\$153.52 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total Revenue Accounts | \$0.00 | \$153.52 | -\$153.52 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Expenditure Accounts | | | | | | | | | |
| DEPT 00000 ALL DEPARTMENTS | \$0.00 | \$8,005.22 | -\$8,005.22 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |



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|--------------------------------------|------------------------------|-------------------------------|--------------------------------|----------------------|---------------------------|------------------|------------------------------|---------------------|-------------------------------|
| Total Expenditure Accounts | \$0.00 | \$8,005.22 | \$8,005.22 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total FUND 405 T.H. HWY 61 | \$0.00 | -\$7,851.70 | \$7,851.70 | 0.00% | \$0.00 | \$0.00 | \$0.00 | | |
| FUND 409 STREET RECONSTRUCTION | | | | | | | | | |
| Revenue Accounts | | | | | | | | | |
| DEPT 00000 ALL DEPARTMENTS | \$0.00 | \$15.75 | -\$15.75 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total Revenue Accounts | \$0.00 | \$15.75 | -\$15.75 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Expenditure Accounts | | | | | | | | | |
| DEPT 00000 ALL DEPARTMENTS | \$0.00 | \$123,818.46 | -\$123,818.46 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total Expenditure Accounts | \$0.00 | \$123,818.46 | \$123,818.46 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total FUND 409 STREET RECONSTRUCTION | \$0.00 | -\$123,802.71 | \$123,802.71 | 0.00% | \$0.00 | \$0.00 | \$0.00 | | |
| FUND 411 BUILDING FUND | | | | | | | | | |
| Revenue Accounts | | | | | | | | | |
| DEPT 00000 ALL DEPARTMENTS | \$0.00 | \$40,006.42 | -\$40,006.42 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total Revenue Accounts | \$0.00 | \$40,006.42 | -\$40,006.42 | 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 | \$40,006.42 | -\$40,006.42 | 0.00% | \$0.00 | \$0.00 | \$0.00 | | |
| FUND 416 4TH AVENUE RAVINE | | | | | | | | | |
| Revenue Accounts | | | | | | | | | |
| DEPT 00000 ALL DEPARTMENTS | \$0.00 | \$8.26 | -\$8.26 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total Revenue Accounts | \$0.00 | \$8.26 | -\$8.26 | 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 |



CITY OF NEWPORT

*Budget Control Summary

Current Period: September 2013

| Account Descr | 2013 Cumulative Budget | 2013 Cumulative Actuals | 2013 Cumulative Variance | 2013 % Varianc | 2013 Adopted Budget | 2013 Forecast | Variance at Completion | 2013 YTD Perf | 2013 Est to Complete |
|--|------------------------------|-------------------------------|--------------------------------|----------------------|---------------------------|------------------|------------------------------|---------------------|-------------------------------|
| Total FUND 416 4TH AVENUE RAVINE | \$0.00 | \$8.26 | -\$8.26 | 0.00% | \$0.00 | \$0.00 | \$0.00 | | |
| FUND 417 NORTH RAVINE | | | | | | | | | |
| Revenue Accounts | | | | | | | | | |
| DEPT 00000 ALL DEPARTMENTS | \$0.00 | \$5,186.34 | -\$5,186.34 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total Revenue Accounts | \$0.00 | \$5,186.34 | -\$5,186.34 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Expenditure Accounts | | | | | | | | | |
| DEPT 00000 ALL DEPARTMENTS | \$0.00 | \$9,174.76 | -\$9,174.76 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total Expenditure Accounts | \$0.00 | \$9,174.76 | \$9,174.76 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total FUND 417 NORTH RAVINE | \$0.00 | -\$3,988.42 | \$3,988.42 | 0.00% | \$0.00 | \$0.00 | \$0.00 | | |
| FUND 422 2011A UTILITY CAPITAL | | | | | | | | | |
| Revenue Accounts | | | | | | | | | |
| DEPT 00000 ALL DEPARTMENTS | \$0.00 | \$0.44 | -\$0.44 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total Revenue Accounts | \$0.00 | \$0.44 | -\$0.44 | 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 | \$0.44 | -\$0.44 | 0.00% | \$0.00 | \$0.00 | \$0.00 | | |
| FUND 423 2011A EQUIPMENT CAPITAL | | | | | | | | | |
| Revenue Accounts | | | | | | | | | |
| DEPT 00000 ALL DEPARTMENTS | \$0.00 | \$214.93 | -\$214.93 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total Revenue Accounts | \$0.00 | \$214.93 | -\$214.93 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Expenditure Accounts | | | | | | | | | |
| DEPT 00000 ALL DEPARTMENTS | \$0.00 | \$494,538.67 | -\$494,538.67 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total Expenditure Accounts | \$0.00 | \$494,538.67 | \$494,538.67 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total FUND 423 2011A EQUIPMENT CAPITAL | \$0.00 | -\$494,323.74 | \$494,323.74 | 0.00% | \$0.00 | \$0.00 | \$0.00 | | |



CITY OF NEWPORT

*Budget Control Summary

Current Period: September 2013

| Account Descr | 2013 Cumulative Budget | 2013 Cumulative Actuals | 2013 Cumulative Variance | 2013 % Varianc | 2013 Adopted Budget | 2013 Forecast | Variance at Completion | 2013 YTD Perf | 2013 Est to Complete |
|--------------------------------------|------------------------------|-------------------------------|--------------------------------|----------------------|---------------------------|------------------|------------------------------|---------------------|-------------------------------|
| FUND 601 WATER FUND | | | | | | | | | |
| Revenue Accounts | | | | | | | | | |
| DEPT 00000 ALL DEPARTMENTS | \$0.00 | \$9,019.53 | -\$9,019.53 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| DEPT 49400 Water Utilities (GENERAL) | \$190,220.00 | \$165,269.78 | \$24,950.22 | 13.12% | \$0.00 | \$190,220.00 | -\$190,220.00 | 0.74 | 0.57 |
| Total Revenue Accounts | \$190,220.00 | \$174,289.31 | \$15,930.69 | 8.37% | \$0.00 | \$190,220.00 | -\$190,220.00 | 0.56 | 0.43 |
| Expenditure Accounts | | | | | | | | | |
| DEPT 49400 Water Utilities (GENERAL) | \$245,129.00 | \$141,586.84 | \$103,542.16 | 42.24% | \$0.00 | \$245,129.00 | -\$245,129.00 | 0.17 | -0.12 |
| Total Expenditure Accounts | \$245,129.00 | \$141,586.84 | -\$103,542.16 | 42.24% | \$0.00 | \$245,129.00 | -\$245,129.00 | 0.17 | -0.12 |
| Total FUND 601 WATER FUND | -\$54,909.00 | \$32,702.47 | -\$87,611.47 | 159.56% | \$0.00 | -\$54,909.00 | \$54,909.00 | | |
| FUND 602 SEWER FUND | | | | | | | | | |
| Revenue Accounts | | | | | | | | | |
| DEPT 00000 ALL DEPARTMENTS | \$0.00 | \$282.40 | -\$282.40 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| DEPT 49450 Sewer (GENERAL) | \$340,162.00 | \$259,809.73 | \$80,352.27 | 23.62% | \$0.00 | \$340,162.00 | -\$340,162.00 | 0.08 | -0.03 |
| Total Revenue Accounts | \$340,162.00 | \$260,092.13 | \$80,069.87 | 23.54% | \$0.00 | \$340,162.00 | -\$340,162.00 | 0.05 | -0.02 |
| 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 49450 Sewer (GENERAL) | \$310,771.00 | \$228,676.81 | \$82,094.19 | 26.42% | \$0.00 | \$310,771.00 | -\$310,771.00 | 0.21 | -0.11 |
| DEPT 49460 Storm Water | \$0.00 | \$149.58 | -\$149.58 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| Total Expenditure Accounts | \$310,771.00 | \$228,826.39 | -\$81,944.61 | 26.37% | \$0.00 | \$310,771.00 | -\$310,771.00 | 0.18 | -0.10 |
| Total FUND 602 SEWER FUND | \$29,391.00 | \$31,265.74 | -\$1,874.74 | -6.38% | \$0.00 | \$29,391.00 | -\$29,391.00 | | |
| FUND 603 STREET LIGHT FUND | | | | | | | | | |
| Revenue Accounts | | | | | | | | | |
| DEPT 00000 ALL DEPARTMENTS | \$0.00 | \$5.20 | -\$5.20 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| DEPT 43160 Street Lighting | \$48,460.00 | \$41,366.17 | \$7,093.83 | 14.64% | \$0.00 | \$48,460.00 | -\$48,460.00 | 0.21 | -0.04 |
| Total Revenue Accounts | \$48,460.00 | \$41,371.37 | \$7,088.63 | 14.63% | \$0.00 | \$48,460.00 | -\$48,460.00 | 0.12 | -0.02 |
| Expenditure Accounts | | | | | | | | | |
| DEPT 43160 Street Lighting | \$0.00 | \$0.00 | \$0.00 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| DEPT 49470 Street Lights | \$44,087.00 | \$39,568.91 | \$4,518.09 | 10.25% | \$0.00 | \$44,087.00 | -\$44,087.00 | 0.42 | -0.09 |



CITY OF NEWPORT

*Budget Control Summary

Current Period: September 2013

| Account Descr | 2013 Cumulative Budget | 2013 Cumulative Actuals | 2013 Cumulative Variance | 2013 % Varianc | 2013 Adopted Budget | 2013 Forecast | Variance at Completion | 2013 YTD Perf | 2013 Est to Complete |
|----------------------------------|------------------------------|-------------------------------|--------------------------------|----------------------|---------------------------|------------------|------------------------------|---------------------|-------------------------------|
| Total Expenditure Accounts | \$44,087.00 | \$39,568.91 | -\$4,518.09 | 10.25% | \$0.00 | \$44,087.00 | -\$44,087.00 | 0.28 | -0.06 |
| Total FUND 603 STREET LIGHT FUND | \$4,373.00 | \$1,802.46 | \$2,570.54 | 58.78% | \$0.00 | \$4,373.00 | -\$4,373.00 | | |
| FUND 604 STORM WATER FUND | | | | | | | | | |
| Revenue Accounts | | | | | | | | | |
| DEPT 00000 ALL DEPARTMENTS | \$0.00 | \$8.36 | -\$8.36 | 0.00% | \$0.00 | \$0.00 | \$0.00 | 0.00 | 0.00 |
| DEPT 49460 Storm Water | \$30,000.00 | \$19,266.38 | \$10,733.62 | 35.78% | \$0.00 | \$30,000.00 | -\$30,000.00 | 0.16 | -0.09 |
| Total Revenue Accounts | \$30,000.00 | \$19,274.74 | \$10,725.26 | 35.75% | \$0.00 | \$30,000.00 | -\$30,000.00 | 0.11 | -0.06 |
| 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 49460 Storm Water | \$301.00 | \$6,929.56 | -\$6,628.56 | 2202.18% | \$0.00 | \$301.00 | -\$301.00 | 7.67 | 7.34 |
| Total Expenditure Accounts | \$301.00 | \$6,929.56 | \$6,628.56 | -2202.18 | \$0.00 | \$301.00 | -\$301.00 | 5.76 | 5.51 |
| Total FUND 604 STORM WATER FUND | \$29,699.00 | \$12,345.18 | \$17,353.82 | 58.43% | \$0.00 | \$29,699.00 | -\$29,699.00 | | |
| | \$569,444.00 | -\$1,130,617.90 | \$1,700,061.90 | 298.55% | \$0.00 | \$569,444.00 | -\$569,444.00 | | |

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 September 2013

| Fund | 2013 Begin Balance | Receipts | Disbursements | -----Transfers----- | | JE Payroll | Balance | | |
|---------------------------|--------------------|----------------|----------------|---------------------|----------------|----------------|----------------|--------|--|
| | | | | Rec/Disb | Journal Entry | | | | |
| 10100 Central Bank | | | | | | | | | |
| 101 GENERAL FUND | \$335,721.29 | \$2,296,999.19 | \$1,304,746.19 | \$0.00 | (\$425,450.07) | (\$492,370.15) | \$410,154.07 | In Bal | |
| 201 PARKS SPECIAL F | \$28,334.68 | \$315.30 | \$71,842.20 | \$0.00 | \$57,000.00 | \$0.00 | \$13,807.78 | In Bal | |
| 204 HERITAGE PRESE | \$2,339.31 | \$2.14 | \$1,125.71 | \$0.00 | \$7,200.00 | \$0.00 | \$8,415.74 | In Bal | |
| 205 RECYCLING | \$24,492.39 | \$4,711.56 | \$4,252.05 | \$0.00 | \$0.00 | \$0.00 | \$24,951.90 | In Bal | |
| 206 FIRE ENGINE | \$0.14 | \$0.00 | \$0.00 | \$0.00 | (\$0.14) | \$0.00 | \$0.00 | In Bal | |
| 208 BUY FORFEITURE | \$1,303.02 | \$0.86 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$1,303.88 | In Bal | |
| 225 PIONEER DAY | \$18,304.13 | \$6,012.20 | \$4,425.94 | \$0.00 | \$0.00 | \$0.00 | \$19,890.39 | In Bal | |
| 270 EDA | \$569,896.12 | \$120,495.10 | \$307,808.46 | \$0.00 | \$246,250.07 | \$0.00 | \$628,832.83 | In Bal | |
| 301 G.O. CAPITAL IMP | \$5,643.58 | \$0.89 | \$124,467.50 | \$0.00 | \$0.00 | \$0.00 | (\$118,823.03) | In Bal | |
| 305 2013 Street Assess | \$0.48 | \$86,200.22 | \$0.00 | \$0.00 | (\$0.48) | \$0.00 | \$86,200.22 | In Bal | |
| 307 GO TIF 1994B | (\$0.30) | \$0.00 | \$0.00 | \$0.00 | \$0.30 | \$0.00 | \$0.00 | In Bal | |
| 308 CERIFICATES OF I | \$0.53 | \$0.00 | \$0.00 | \$0.00 | (\$0.53) | \$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 | \$0.31 | \$35,842.28 | \$91,865.00 | \$0.00 | \$0.00 | \$0.00 | (\$56,022.41) | In Bal | |
| 316 PFA/TRLF REVEN | \$299,683.03 | \$75,974.12 | \$124,705.70 | \$0.00 | \$0.41 | \$0.00 | \$250,951.86 | 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 | \$70,544.19 | \$9.03 | \$112,655.00 | \$0.00 | \$0.00 | \$0.00 | (\$42,101.78) | In Bal | |
| 401 EQUIPMENT REV | \$209,657.85 | \$125.87 | \$179,063.84 | \$0.00 | \$75,000.00 | \$0.00 | \$105,719.88 | 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 | \$241,796.16 | \$153.52 | \$8,005.22 | \$0.00 | \$0.00 | \$0.00 | \$233,944.46 | In Bal | |
| 409 STREET RECONS | \$40,937.78 | \$15.75 | \$123,818.46 | \$0.00 | \$0.00 | \$0.00 | (\$82,864.93) | In Bal | |
| 411 BUILDING FUND | \$0.00 | \$6.42 | \$0.00 | \$0.00 | \$40,000.00 | \$0.00 | \$40,006.42 | In Bal | |
| 416 4TH AVENUE RAV | \$12,746.76 | \$8.26 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$12,755.02 | In Bal | |
| 417 NORTH RAVINE | \$5,507.89 | \$5,186.34 | \$9,174.76 | \$0.00 | \$0.00 | \$0.00 | \$1,519.47 | In Bal | |
| 422 2011A UTILITY CA | (\$0.44) | \$0.00 | \$0.00 | \$0.00 | \$0.44 | \$0.00 | \$0.00 | In Bal | |
| 423 2011A EQUIPMEN | \$494,389.05 | \$214.93 | \$494,538.67 | \$0.00 | \$0.00 | \$0.00 | \$65.31 | In Bal | |
| 601 WATER FUND | \$469,661.17 | \$173,971.34 | \$85,946.47 | \$0.00 | \$0.00 | (\$56,124.75) | \$501,561.29 | In Bal | |
| 602 SEWER FUND | \$666,307.46 | \$260,092.13 | \$171,778.41 | \$0.00 | \$0.00 | (\$57,047.98) | \$697,573.20 | In Bal | |
| 603 STREET LIGHT FU | \$11,364.13 | \$41,371.37 | \$39,568.91 | \$0.00 | \$0.00 | \$0.00 | \$13,166.59 | In Bal | |
| 604 STORM WATER F | \$15,052.08 | \$19,274.74 | \$6,929.56 | \$0.00 | \$0.00 | \$0.00 | \$27,397.26 | In Bal | |
| | \$3,523,687.56 | \$3,126,983.56 | \$3,266,718.05 | \$0.00 | \$0.00 | (\$605,542.88) | \$2,778,410.19 | | |

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 | 2013 YTD Budget | September 2013 Amt | 2013 YTD Amt | YTD Balance | % of Budget |
|------|-----------------------------|-----------------|--------------------|----------------|----------------|-------------|
| 101 | GENERAL FUND | \$3,051,576.00 | \$78,973.95 | \$1,894,261.31 | \$1,157,314.69 | 62.07% |
| 201 | PARKS SPECIAL FUND | \$0.00 | \$226.07 | \$57,315.30 | -\$57,315.30 | 0.00% |
| 202 | POLICE FORFEITURE FUND | \$0.00 | \$0.00 | \$0.00 | \$0.00 | 0.00% |
| 204 | HERITAGE PRESERVATION C | \$0.00 | \$0.65 | \$7,202.14 | -\$7,202.14 | 0.00% |
| 205 | RECYCLING | \$0.00 | \$1.93 | \$4,711.56 | -\$4,711.56 | 0.00% |
| 206 | FIRE ENGINE | \$0.00 | \$0.00 | -\$0.14 | \$0.14 | 0.00% |
| 208 | BUY FORFEITURE | \$0.00 | \$0.10 | \$0.86 | -\$0.86 | 0.00% |
| 225 | PIONEER DAY | \$0.00 | \$419.71 | \$6,012.20 | -\$6,012.20 | 0.00% |
| 270 | EDA | \$0.00 | \$1,350.00 | \$366,745.17 | -\$366,745.17 | 0.00% |
| 301 | G.O. CAPITAL IMP. PLAN 2010 | \$0.00 | \$0.00 | \$0.89 | -\$0.89 | 0.00% |
| 305 | 2013 Street Assessments | \$0.00 | \$80,330.72 | \$86,199.74 | -\$86,199.74 | 0.00% |
| 307 | GO TIF 1994B | \$0.00 | \$0.00 | \$0.30 | -\$0.30 | 0.00% |
| 308 | CERIFICATES OF INDEBTEDN | \$0.00 | \$0.00 | -\$0.53 | \$0.53 | 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 | \$35,842.28 | -\$35,842.28 | 0.00% |
| 316 | PFA/TRLF REVENUE NOTE | \$0.00 | \$19.39 | \$75,974.53 | -\$75,974.53 | 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 | \$9.03 | -\$9.03 | 0.00% |
| 401 | EQUIPMENT REVOLVING | \$0.00 | \$8.17 | \$75,125.87 | -\$75,125.87 | 0.00% |
| 402 | TAX INC DIST 1 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | 0.00% |
| 405 | T.H. HWY 61 | \$0.00 | \$18.07 | \$153.52 | -\$153.52 | 0.00% |
| 409 | STREET RECONSTRUCTION | \$0.00 | \$0.00 | \$15.75 | -\$15.75 | 0.00% |
| 411 | BUILDING FUND | \$0.00 | \$3.09 | \$40,006.42 | -\$40,006.42 | 0.00% |
| 416 | 4TH AVENUE RAVINE | \$0.00 | \$0.99 | \$8.26 | -\$8.26 | 0.00% |
| 417 | NORTH RAVINE | \$0.00 | \$0.12 | \$5,186.34 | -\$5,186.34 | 0.00% |
| 422 | 2011A UTILITY CAPITAL | \$0.00 | \$0.00 | \$0.44 | -\$0.44 | 0.00% |
| 423 | 2011A EQUIPMENT CAPITAL | \$0.00 | \$0.01 | \$214.93 | -\$214.93 | 0.00% |
| 601 | WATER FUND | \$190,220.00 | \$41,547.12 | \$174,289.31 | \$15,930.69 | 91.63% |
| 602 | SEWER FUND | \$340,162.00 | \$63,075.89 | \$260,092.13 | \$80,069.87 | 76.46% |
| 603 | STREET LIGHT FUND | \$48,460.00 | \$9,453.49 | \$41,371.37 | \$7,088.63 | 85.37% |
| 604 | STORM WATER FUND | \$30,000.00 | \$3,768.52 | \$19,274.74 | \$10,725.26 | 64.25% |
| | | \$3,660,418.00 | \$279,197.99 | \$3,150,013.72 | \$510,404.28 | 86.06% |

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 amended. 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 | 2013 YTD Budget | September 2013 Amt | 2013 YTD Amt | Enc Current | YTD Balance | % YTD Budget |
|------|-----------------------------|-----------------|--------------------|----------------|-------------|-----------------|--------------|
| 101 | GENERAL FUND | \$2,490,686.00 | \$150,984.60 | \$2,205,971.41 | \$0.00 | \$284,714.59 | 88.57% |
| 201 | PARKS SPECIAL FUND | \$0.00 | \$161.38 | \$71,842.20 | \$0.00 | -\$71,842.20 | 0.00% |
| 204 | HERITAGE PRESERVATION C | \$0.00 | \$0.00 | \$1,125.71 | \$0.00 | -\$1,125.71 | 0.00% |
| 205 | RECYCLING | \$0.00 | \$0.00 | \$4,252.05 | \$0.00 | -\$4,252.05 | 0.00% |
| 208 | BUY FORFEITURE | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | 0.00% |
| 225 | PIONEER DAY | \$0.00 | \$43.48 | \$4,425.94 | \$0.00 | -\$4,425.94 | 0.00% |
| 270 | EDA | \$0.00 | \$10,685.21 | \$307,808.46 | \$0.00 | -\$307,808.46 | 0.00% |
| 301 | G.O. CAPITAL IMP. PLAN 2010 | \$0.00 | \$0.00 | \$124,467.50 | \$0.00 | -\$124,467.50 | 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 | \$91,865.00 | \$0.00 | -\$91,865.00 | 0.00% |
| 316 | PFA/TRLF REVENUE NOTE | \$0.00 | \$0.00 | \$124,705.70 | \$0.00 | -\$124,705.70 | 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 | \$112,655.00 | \$0.00 | -\$112,655.00 | 0.00% |
| 401 | EQUIPMENT REVOLVING | \$0.00 | \$0.00 | \$179,063.84 | \$0.00 | -\$179,063.84 | 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 | \$0.00 | \$8,005.22 | \$0.00 | -\$8,005.22 | 0.00% |
| 409 | STREET RECONSTRUCTION | \$0.00 | \$0.00 | \$123,818.46 | \$0.00 | -\$123,818.46 | 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 | \$300.22 | \$9,174.76 | \$0.00 | -\$9,174.76 | 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 | \$494,538.67 | \$0.00 | -\$494,538.67 | 0.00% |
| 601 | WATER FUND | \$245,129.00 | \$10,263.19 | \$141,586.84 | \$0.00 | \$103,542.16 | 57.76% |
| 602 | SEWER FUND | \$310,771.00 | \$22,411.99 | \$228,826.39 | \$0.00 | \$81,944.61 | 73.63% |
| 603 | STREET LIGHT FUND | \$44,087.00 | \$4,229.85 | \$39,568.91 | \$0.00 | \$4,518.09 | 89.75% |
| 604 | STORM WATER FUND | \$301.00 | \$428.42 | \$6,929.56 | \$0.00 | -\$6,628.56 | 2302.18% |
| | | \$3,090,974.00 | \$199,508.34 | \$4,280,631.62 | \$0.00 | -\$1,189,657.62 | 138.49% |

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: September 2013

FUND 101 GENERAL FUND

September 2013

| | Begin Yr | MTD Debits | MTD Credits | YTD Debits | YTD Credits | Balance |
|---|------------------|--------------|--------------|----------------|----------------|------------------|
| Asset | | | | | | |
| G 101-10100 Cash | \$335,721.29 | \$93,030.44 | \$166,274.10 | \$2,392,321.57 | \$2,317,888.79 | \$410,154.07 |
| 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 | (\$0.44) | \$0.00 | \$0.00 | \$0.00 | \$377,399.04 | (\$377,399.48) |
| 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 | \$1,853,911.85 | \$93,030.44 | \$166,274.10 | \$2,392,321.57 | \$2,695,287.83 | \$1,550,945.59 |
| 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) | \$9,424.21 | \$9,424.21 | \$91,491.70 | \$91,491.70 | (\$2,420.70) |
| G 101-21702 State Withholding Payable | \$11,537.44 | \$4,051.59 | \$4,051.59 | \$37,994.87 | \$37,994.87 | \$11,537.44 |
| G 101-21703 FICA Tax Withholding | (\$1,969.48) | \$7,273.63 | \$7,273.63 | \$68,601.01 | \$68,601.01 | (\$1,969.48) |
| G 101-21704 PERA | (\$4,436.99) | \$16,209.62 | \$16,209.62 | \$148,196.43 | \$148,196.43 | (\$4,436.99) |
| 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 | \$616.29 | \$616.29 | \$0.40 |
| G 101-21707 Union Dues | \$1,486.18 | \$270.00 | \$466.44 | \$2,755.00 | \$3,961.58 | \$279.60 |
| G 101-21708 United Way | (\$0.45) | \$0.00 | \$0.00 | \$0.00 | \$0.00 | (\$0.45) |
| G 101-21709 Medicare | (\$764.48) | \$2,800.90 | \$2,800.90 | \$26,307.08 | \$26,307.08 | (\$764.48) |
| G 101-21710 Other Deductions | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| G 101-21711 NPERs - Life | (\$43.91) | \$80.00 | \$80.00 | \$720.00 | \$720.00 | (\$43.91) |
| G 101-21712 HSA Employee | (\$323.78) | \$1,467.34 | \$1,467.34 | \$10,706.01 | \$11,273.01 | (\$890.78) |
| G 101-21713 Dental Family | (\$1,657.97) | \$290.24 | \$294.16 | \$2,710.05 | \$2,419.50 | (\$1,367.42) |
| G 101-21714 LTD Employee | \$1,215.19 | \$476.07 | \$499.60 | \$4,281.62 | \$4,265.88 | \$1,230.93 |
| G 101-21715 MSRS Employee | (\$2,739.75) | \$867.60 | \$867.60 | \$7,808.02 | \$7,808.02 | (\$2,739.75) |
| G 101-21716 Health Insurance | (\$2,085.06) | \$774.00 | \$555.80 | \$4,988.90 | \$4,770.70 | (\$1,866.86) |
| G 101-21717 MNBA Life Ins. | (\$140.98) | \$61.43 | \$61.44 | \$552.87 | \$552.96 | (\$141.07) |
| G 101-21719 ING Employee | \$951.42 | \$3,046.00 | \$3,046.00 | \$27,745.80 | \$27,745.80 | \$951.42 |
| G 101-21721 Child Support | (\$228.57) | \$0.00 | \$0.00 | \$5,680.00 | \$5,680.00 | (\$228.57) |
| G 101-21722 Cobra Payment | (\$16.50) | \$996.00 | \$498.00 | \$8,964.00 | \$8,516.00 | \$431.50 |
| G 101-21723 Insurance Recovery | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$2,721.00 | (\$2,721.00) |
| G 101-22100 Escrow | (\$5,500.00) | \$740.71 | \$0.00 | \$2,778.34 | \$8,000.00 | (\$10,721.66) |
| G 101-22200 Deferred Revenues | (\$84,605.13) | \$0.00 | \$0.00 | \$0.00 | \$0.00 | (\$84,605.13) |
| Total Liability | (\$165,133.58) | \$48,829.34 | \$47,596.33 | \$452,897.99 | \$461,641.83 | (\$173,877.42) |
| Equity | | | | | | |
| G 101-25300 Unreserved Fund Balance | (\$1,688,778.27) | \$164,543.09 | \$92,532.44 | \$2,359,046.32 | \$2,047,336.22 | (\$1,377,068.17) |
| Total Equity | (\$1,688,778.27) | \$164,543.09 | \$92,532.44 | \$2,359,046.32 | \$2,047,336.22 | (\$1,377,068.17) |
| Total 101 GENERAL FUND | \$0.00 | \$306,402.87 | \$306,402.87 | \$5,204,265.88 | \$5,204,265.88 | \$0.00 |



CITY OF NEWPORT

GL Yearly

Current Period: September 2013

FUND 201 PARKS SPECIAL FUND

September 2013

| | Begin Yr | MTD Debits | MTD Credits | YTD Debits | YTD Credits | Balance |
|-------------------------------------|---------------|------------|-------------|--------------|--------------|---------------|
| Asset | | | | | | |
| G 201-10100 Cash | \$28,334.68 | \$226.07 | \$161.38 | \$57,315.30 | \$71,842.20 | \$13,807.78 |
| Total Asset | \$28,334.68 | \$226.07 | \$161.38 | \$57,315.30 | \$71,842.20 | \$13,807.78 |
| Equity | | | | | | |
| G 201-25300 Unreserved Fund Balance | (\$28,334.68) | \$161.38 | \$226.07 | \$71,842.20 | \$57,315.30 | (\$13,807.78) |
| Total Equity | (\$28,334.68) | \$161.38 | \$226.07 | \$71,842.20 | \$57,315.30 | (\$13,807.78) |
| Total 201 PARKS SPECIAL FUND | \$0.00 | \$387.45 | \$387.45 | \$129,157.50 | \$129,157.50 | \$0.00 |



CITY OF NEWPORT
GL Yearly

Current Period: September 2013

| FUND 204 | HERITAGE PRESERVATION COMM | September 2013 | | | | | |
|---|-------------------------------------|----------------|------------|-------------|------------|-------------|--------------|
| | | Begin Yr | MTD Debits | MTD Credits | YTD Debits | YTD Credits | Balance |
| Asset | | | | | | | |
| | G 204-10100 Cash | \$2,339.31 | \$0.65 | \$0.00 | \$7,272.14 | \$1,195.71 | \$8,415.74 |
| | Total Asset | \$2,339.31 | \$0.65 | \$0.00 | \$7,272.14 | \$1,195.71 | \$8,415.74 |
| Equity | | | | | | | |
| | G 204-25300 Unreserved Fund Balance | (\$2,339.31) | \$0.00 | \$0.65 | \$1,195.71 | \$7,272.14 | (\$8,415.74) |
| | Total Equity | (\$2,339.31) | \$0.00 | \$0.65 | \$1,195.71 | \$7,272.14 | (\$8,415.74) |
| Total 204 HERITAGE PRESERVATION COMM | | \$0.00 | \$0.65 | \$0.65 | \$8,467.85 | \$8,467.85 | \$0.00 |



CITY OF NEWPORT

GL Yearly

Current Period: September 2013

FUND 205 RECYCLING

September 2013

| | Begin Yr | MTD Debits | MTD Credits | YTD Debits | YTD Credits | Balance |
|-------------------------------------|---------------|------------|-------------|------------|-------------|---------------|
| Asset | | | | | | |
| G 205-10100 Cash | \$24,492.39 | \$1.93 | \$0.00 | \$4,711.56 | \$4,252.05 | \$24,951.90 |
| Total Asset | \$24,492.39 | \$1.93 | \$0.00 | \$4,711.56 | \$4,252.05 | \$24,951.90 |
| Equity | | | | | | |
| G 205-25300 Unreserved Fund Balance | (\$24,492.39) | \$0.00 | \$1.93 | \$4,252.05 | \$4,711.56 | (\$24,951.90) |
| Total Equity | (\$24,492.39) | \$0.00 | \$1.93 | \$4,252.05 | \$4,711.56 | (\$24,951.90) |
| Total 205 RECYCLING | \$0.00 | \$1.93 | \$1.93 | \$8,963.61 | \$8,963.61 | \$0.00 |



CITY OF NEWPORT

GL Yearly

Current Period: September 2013

FUND 206 FIRE ENGINE

September 2013

| | Begin Yr | MTD Debits | MTD Credits | YTD Debits | YTD Credits | Balance |
|-------------------------------------|----------|------------|-------------|------------|-------------|---------|
| Asset | | | | | | |
| G 206-10100 Cash | \$0.14 | \$0.00 | \$0.00 | \$0.14 | \$0.28 | \$0.00 |
| Total Asset | \$0.14 | \$0.00 | \$0.00 | \$0.14 | \$0.28 | \$0.00 |
| Equity | | | | | | |
| G 206-25300 Unreserved Fund Balance | (\$0.14) | \$0.00 | \$0.00 | \$0.28 | \$0.14 | \$0.00 |
| Total Equity | (\$0.14) | \$0.00 | \$0.00 | \$0.28 | \$0.14 | \$0.00 |
| Total 206 FIRE ENGINE | \$0.00 | \$0.00 | \$0.00 | \$0.42 | \$0.42 | \$0.00 |



CITY OF NEWPORT
GL Yearly

Current Period: September 2013

FUND 208 BUY FORFEITURE

September 2013

| | Begin Yr | MTD Debits | MTD Credits | YTD Debits | YTD Credits | Balance |
|-------------------------------------|--------------|------------|-------------|------------|-------------|--------------|
| Asset | | | | | | |
| G 208-10100 Cash | \$1,303.02 | \$0.10 | \$0.00 | \$0.86 | \$0.00 | \$1,303.88 |
| Total Asset | \$1,303.02 | \$0.10 | \$0.00 | \$0.86 | \$0.00 | \$1,303.88 |
| Equity | | | | | | |
| G 208-25300 Unreserved Fund Balance | (\$1,303.02) | \$0.00 | \$0.10 | \$0.00 | \$0.86 | (\$1,303.88) |
| Total Equity | (\$1,303.02) | \$0.00 | \$0.10 | \$0.00 | \$0.86 | (\$1,303.88) |
| Total 208 BUY FORFEITURE | \$0.00 | \$0.10 | \$0.10 | \$0.86 | \$0.86 | \$0.00 |



CITY OF NEWPORT

GL Yearly

Current Period: September 2013

FUND 225 PIONEER DAY

September 2013

| | Begin Yr | MTD Debits | MTD Credits | YTD Debits | YTD Credits | Balance |
|-------------------------------------|---------------|------------|-------------|-------------|-------------|---------------|
| Asset | | | | | | |
| G 225-10100 Cash | \$18,304.13 | \$604.60 | \$228.37 | \$6,206.09 | \$4,619.83 | \$19,890.39 |
| Total Asset | \$18,304.13 | \$604.60 | \$228.37 | \$6,206.09 | \$4,619.83 | \$19,890.39 |
| 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 | (\$18,304.16) | \$228.37 | \$604.60 | \$4,619.83 | \$6,206.09 | (\$19,890.42) |
| Total Equity | (\$18,304.16) | \$228.37 | \$604.60 | \$4,619.83 | \$6,206.09 | (\$19,890.42) |
| Total 225 PIONEER DAY | \$0.00 | \$832.97 | \$832.97 | \$10,825.92 | \$10,825.92 | \$0.00 |



CITY OF NEWPORT
GL Yearly

Current Period: September 2013

FUND 270 EDA

September 2013

| | Begin Yr | MTD Debits | MTD Credits | YTD Debits | YTD Credits | Balance |
|--------------------------------------|----------------|-------------|-------------|--------------|--------------|----------------|
| Asset | | | | | | |
| G 270-10100 Cash | \$569,896.12 | \$1,350.00 | \$10,685.21 | \$372,764.21 | \$313,827.50 | \$628,832.83 |
| G 270-10500 Taxes Receivable-Current | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Total Asset | \$569,896.12 | \$1,350.00 | \$10,685.21 | \$372,764.21 | \$313,827.50 | \$628,832.83 |
| 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 | (\$562,703.19) | \$10,685.21 | \$1,350.00 | \$313,827.50 | \$372,764.21 | (\$621,639.90) |
| Total Equity | (\$562,703.19) | \$10,685.21 | \$1,350.00 | \$313,827.50 | \$372,764.21 | (\$621,639.90) |
| Total 270 EDA | \$0.00 | \$12,035.21 | \$12,035.21 | \$686,591.71 | \$686,591.71 | \$0.00 |



CITY OF NEWPORT
GL Yearly

Current Period: September 2013

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

September 2013

| | Begin Yr | MTD Debits | MTD Credits | YTD Debits | YTD Credits | Balance |
|---|--------------|------------|-------------|--------------|--------------|----------------|
| Asset | | | | | | |
| G 301-10100 Cash | \$5,643.58 | \$0.00 | \$0.00 | \$0.89 | \$124,467.50 | (\$118,823.03) |
| G 301-10500 Taxes Receivable-Current | \$1,589.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$1,589.00 |
| Total Asset | \$7,232.58 | \$0.00 | \$0.00 | \$0.89 | \$124,467.50 | (\$117,234.03) |
| Equity | | | | | | |
| G 301-25300 Unreserved Fund Balance | (\$7,232.58) | \$0.00 | \$0.00 | \$124,467.50 | \$0.89 | \$117,234.03 |
| Total Equity | (\$7,232.58) | \$0.00 | \$0.00 | \$124,467.50 | \$0.89 | \$117,234.03 |
| Total 301 G.O. CAPITAL IMP. PLAN 2010A | \$0.00 | \$0.00 | \$0.00 | \$124,468.39 | \$124,468.39 | \$0.00 |



CITY OF NEWPORT
GL Yearly

Current Period: September 2013

FUND 305 2013 Street Assessments

September 2013

| | Begin Yr | MTD Debits | MTD Credits | YTD Debits | YTD Credits | Balance |
|--|----------|-------------|-------------|-------------|-------------|---------------|
| Asset | | | | | | |
| G 305-10100 Cash | \$0.48 | \$80,400.22 | \$69.50 | \$86,271.06 | \$71.32 | \$86,200.22 |
| Total Asset | \$0.48 | \$80,400.22 | \$69.50 | \$86,271.06 | \$71.32 | \$86,200.22 |
| Liability | | | | | | |
| G 305-22200 Deferred Revenues | \$0.00 | \$0.00 | \$0.00 | \$0.30 | \$0.30 | \$0.00 |
| Total Liability | \$0.00 | \$0.00 | \$0.00 | \$0.30 | \$0.30 | \$0.00 |
| Equity | | | | | | |
| G 305-25300 Unreserved Fund Balance | (\$0.48) | \$69.50 | \$80,400.22 | \$71.02 | \$86,270.76 | (\$86,200.22) |
| Total Equity | (\$0.48) | \$69.50 | \$80,400.22 | \$71.02 | \$86,270.76 | (\$86,200.22) |
| Total 305 2013 Street Assessments | \$0.00 | \$80,469.72 | \$80,469.72 | \$86,342.38 | \$86,342.38 | \$0.00 |



CITY OF NEWPORT

GL Yearly

Current Period: September 2013

FUND 307 GO TIF 1994B

September 2013

| | Begin Yr | MTD Debits | MTD Credits | YTD Debits | YTD Credits | Balance |
|-------------------------------------|----------|------------|-------------|------------|-------------|---------|
| Asset | | | | | | |
| G 307-10100 Cash | (\$0.30) | \$0.00 | \$0.00 | \$0.60 | \$0.30 | \$0.00 |
| Total Asset | (\$0.30) | \$0.00 | \$0.00 | \$0.60 | \$0.30 | \$0.00 |
| Equity | | | | | | |
| G 307-25300 Unreserved Fund Balance | \$0.30 | \$0.00 | \$0.00 | \$0.30 | \$0.60 | \$0.00 |
| Total Equity | \$0.30 | \$0.00 | \$0.00 | \$0.30 | \$0.60 | \$0.00 |
| Total 307 GO TIF 1994B | \$0.00 | \$0.00 | \$0.00 | \$0.90 | \$0.90 | \$0.00 |



CITY OF NEWPORT
GL Yearly

Current Period: September 2013

| FUND 308 CERIFICATES OF INDEBTEDNESS | | September 2013 | | | | | |
|--|----------|----------------|-------------|------------|-------------|----------|--|
| | Begin Yr | MTD Debits | MTD Credits | YTD Debits | YTD Credits | Balance | |
| Asset | | | | | | | |
| G 308-10100 Cash | \$0.53 | \$0.00 | \$0.00 | \$1.39 | \$1.92 | \$0.00 | |
| G 308-10500 Taxes Receivable-Current | \$0.03 | \$0.00 | \$0.00 | \$0.03 | \$0.03 | \$0.03 | |
| G 308-10700 Taxes Receivable-Delinquent | \$0.30 | \$0.00 | \$0.00 | \$0.30 | \$0.30 | \$0.30 | |
| Total Asset | \$0.86 | \$0.00 | \$0.00 | \$1.72 | \$2.25 | \$0.33 | |
| Liability | | | | | | | |
| G 308-22200 Deferred Revenues | (\$0.30) | \$0.00 | \$0.00 | \$0.00 | \$0.00 | (\$0.30) | |
| Total Liability | (\$0.30) | \$0.00 | \$0.00 | \$0.00 | \$0.00 | (\$0.30) | |
| Equity | | | | | | | |
| G 308-25300 Unreserved Fund Balance | (\$0.56) | \$0.00 | \$0.00 | \$0.53 | \$0.00 | (\$0.03) | |
| Total Equity | (\$0.56) | \$0.00 | \$0.00 | \$0.53 | \$0.00 | (\$0.03) | |
| Total 308 CERIFICATES OF INDEBTEDNESS | \$0.00 | \$0.00 | \$0.00 | \$2.25 | \$2.25 | \$0.00 | |



CITY OF NEWPORT
GL Yearly

Current Period: September 2013

FUND 313 GO IMP BOND 2000B

September 2013

| | Begin Yr | MTD Debits | MTD Credits | YTD Debits | YTD Credits | Balance |
|---|----------|------------|-------------|------------|-------------|----------|
| Asset | | | | | | |
| G 313-10100 Cash | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| G 313-12200 Special Assess Rec-Delinque | (\$0.07) | \$0.00 | \$0.00 | \$0.07 | \$0.07 | (\$0.07) |
| Total Asset | (\$0.07) | \$0.00 | \$0.00 | \$0.07 | \$0.07 | (\$0.07) |
| Liability | | | | | | |
| G 313-22200 Deferred Revenues | \$0.07 | \$0.00 | \$0.00 | \$0.07 | \$0.07 | \$0.07 |
| Total Liability | \$0.07 | \$0.00 | \$0.00 | \$0.07 | \$0.07 | \$0.07 |
| Equity | | | | | | |
| G 313-25300 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 313 GO IMP BOND 2000B | \$0.00 | \$0.00 | \$0.00 | \$0.14 | \$0.14 | \$0.00 |



CITY OF NEWPORT
GL Yearly

Current Period: September 2013

FUND 315 \$690,000 BOND 2002A

September 2013

| | Begin Yr | MTD Debits | MTD Credits | YTD Debits | YTD Credits | Balance |
|---------------------------------------|----------|------------|-------------|--------------|--------------|---------------|
| Asset | | | | | | |
| G 315-10100 Cash | \$0.31 | \$0.00 | \$0.00 | \$35,842.59 | \$91,865.31 | (\$56,022.41) |
| Total Asset | \$0.31 | \$0.00 | \$0.00 | \$35,842.59 | \$91,865.31 | (\$56,022.41) |
| Equity | | | | | | |
| G 315-25300 Unreserved Fund Balance | (\$0.31) | \$0.00 | \$0.00 | \$91,865.31 | \$35,842.59 | \$56,022.41 |
| Total Equity | (\$0.31) | \$0.00 | \$0.00 | \$91,865.31 | \$35,842.59 | \$56,022.41 |
| Total 315 \$690,000 BOND 2002A | \$0.00 | \$0.00 | \$0.00 | \$127,707.90 | \$127,707.90 | \$0.00 |



CITY OF NEWPORT
GL Yearly

Current Period: September 2013

FUND 316 PFA/TRLF REVENUE NOTE

September 2013

| | Begin Yr | MTD Debits | MTD Credits | YTD Debits | YTD Credits | Balance |
|---|----------------|------------|-------------|--------------|--------------|----------------|
| Asset | | | | | | |
| G 316-10100 Cash | \$299,683.03 | \$19.39 | \$0.00 | \$75,974.53 | \$124,705.70 | \$250,951.86 |
| 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 | \$563,480.11 | \$19.39 | \$0.00 | \$75,974.53 | \$124,705.70 | \$514,748.94 |
| 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 | (\$307,419.31) | \$0.00 | \$19.39 | \$124,705.70 | \$75,974.53 | (\$258,688.14) |
| Total Equity | (\$307,419.31) | \$0.00 | \$19.39 | \$124,705.70 | \$75,974.53 | (\$258,688.14) |
| Total 316 PFA/TRLF REVENUE NOTE | \$0.00 | \$19.39 | \$19.39 | \$200,680.23 | \$200,680.23 | \$0.00 |



CITY OF NEWPORT
GL Yearly

Current Period: September 2013

FUND 321 EQUIP CERTIFICATE 2006A

September 2013

| | 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: September 2013

FUND 322 GO BONDS OF 2011A

September 2013

| | Begin Yr | MTD Debits | MTD Credits | YTD Debits | YTD Credits | Balance |
|--------------------------------------|---------------|------------|-------------|--------------|--------------|---------------|
| Asset | | | | | | |
| G 322-10100 Cash | \$70,544.19 | \$0.00 | \$0.00 | \$9.03 | \$112,655.00 | (\$42,101.78) |
| G 322-10500 Taxes Receivable-Current | \$1,075.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$1,075.00 |
| Total Asset | \$71,619.19 | \$0.00 | \$0.00 | \$9.03 | \$112,655.00 | (\$41,026.78) |
| Equity | | | | | | |
| G 322-25300 Unreserved Fund Balance | (\$71,619.19) | \$0.00 | \$0.00 | \$112,655.00 | \$9.03 | \$41,026.78 |
| Total Equity | (\$71,619.19) | \$0.00 | \$0.00 | \$112,655.00 | \$9.03 | \$41,026.78 |
| Total 322 GO BONDS OF 2011A | \$0.00 | \$0.00 | \$0.00 | \$112,664.03 | \$112,664.03 | \$0.00 |



CITY OF NEWPORT

GL Yearly

Current Period: September 2013

FUND 401 EQUIPMENT REVOLVING

September 2013

| | Begin Yr | MTD Debits | MTD Credits | YTD Debits | YTD Credits | Balance |
|--------------------------------------|----------------|------------|-------------|--------------|--------------|----------------|
| Asset | | | | | | |
| G 401-10100 Cash | \$209,657.85 | \$8.17 | \$0.00 | \$75,125.87 | \$179,063.84 | \$105,719.88 |
| Total Asset | \$209,657.85 | \$8.17 | \$0.00 | \$75,125.87 | \$179,063.84 | \$105,719.88 |
| Equity | | | | | | |
| G 401-25300 Unreserved Fund Balance | (\$209,657.85) | \$0.00 | \$8.17 | \$179,063.84 | \$75,125.87 | (\$105,719.88) |
| Total Equity | (\$209,657.85) | \$0.00 | \$8.17 | \$179,063.84 | \$75,125.87 | (\$105,719.88) |
| Total 401 EQUIPMENT REVOLVING | \$0.00 | \$8.17 | \$8.17 | \$254,189.71 | \$254,189.71 | \$0.00 |



CITY OF NEWPORT
GL Yearly

Current Period: September 2013

FUND 405 T.H. HWY 61

September 2013

| | Begin Yr | MTD Debits | MTD Credits | YTD Debits | YTD Credits | Balance |
|---------------------------------------|----------------|------------|-------------|------------|-------------|----------------|
| Asset | | | | | | |
| G 405-10100 Cash | \$241,796.16 | \$18.07 | \$0.00 | \$153.52 | \$8,005.22 | \$233,944.46 |
| G 405-13200 Due From Other Government | (\$0.18) | \$0.00 | \$0.00 | \$0.00 | \$0.00 | (\$0.18) |
| Total Asset | \$241,795.98 | \$18.07 | \$0.00 | \$153.52 | \$8,005.22 | \$233,944.28 |
| Equity | | | | | | |
| G 405-25300 Unreserved Fund Balance | (\$241,795.98) | \$0.00 | \$18.07 | \$8,005.22 | \$153.52 | (\$233,944.28) |
| Total Equity | (\$241,795.98) | \$0.00 | \$18.07 | \$8,005.22 | \$153.52 | (\$233,944.28) |
| Total 405 T.H. HWY 61 | \$0.00 | \$18.07 | \$18.07 | \$8,158.74 | \$8,158.74 | \$0.00 |



CITY OF NEWPORT
GL Yearly

Current Period: September 2013

FUND 409 STREET RECONSTRUCTION

September 2013

| | Begin Yr | MTD Debits | MTD Credits | YTD Debits | YTD Credits | Balance |
|--|---------------|------------|-------------|--------------|--------------|---------------|
| Asset | | | | | | |
| G 409-10100 Cash | \$40,937.78 | \$0.00 | \$0.00 | \$14,508.14 | \$138,310.85 | (\$82,864.93) |
| Total Asset | \$40,937.78 | \$0.00 | \$0.00 | \$14,508.14 | \$138,310.85 | (\$82,864.93) |
| Equity | | | | | | |
| G 409-25300 Unreserved Fund Balance | (\$40,937.78) | \$0.00 | \$0.00 | \$138,310.85 | \$14,508.14 | \$82,864.93 |
| Total Equity | (\$40,937.78) | \$0.00 | \$0.00 | \$138,310.85 | \$14,508.14 | \$82,864.93 |
| Total 409 STREET RECONSTRUCTION | \$0.00 | \$0.00 | \$0.00 | \$152,818.99 | \$152,818.99 | \$0.00 |



CITY OF NEWPORT

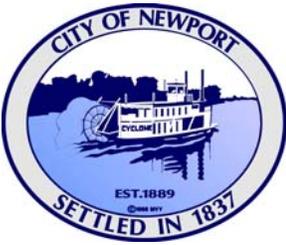
GL Yearly

Current Period: September 2013

FUND 411 BUILDING FUND

September 2013

| | Begin Yr | MTD Debits | MTD Credits | YTD Debits | YTD Credits | Balance |
|-------------------------------------|----------|------------|-------------|-------------|-------------|---------------|
| Asset | | | | | | |
| G 411-10100 Cash | \$0.00 | \$3.09 | \$0.00 | \$40,006.42 | \$0.00 | \$40,006.42 |
| Total Asset | \$0.00 | \$3.09 | \$0.00 | \$40,006.42 | \$0.00 | \$40,006.42 |
| Equity | | | | | | |
| G 411-25300 Unreserved Fund Balance | \$0.00 | \$0.00 | \$3.09 | \$0.00 | \$40,006.42 | (\$40,006.42) |
| Total Equity | \$0.00 | \$0.00 | \$3.09 | \$0.00 | \$40,006.42 | (\$40,006.42) |
| Total 411 BUILDING FUND | \$0.00 | \$3.09 | \$3.09 | \$40,006.42 | \$40,006.42 | \$0.00 |



CITY OF NEWPORT

GL Yearly

Current Period: September 2013

FUND 416 4TH AVENUE RAVINE

September 2013

| | Begin Yr | MTD Debits | MTD Credits | YTD Debits | YTD Credits | Balance |
|---------------------------------------|---------------|------------|-------------|------------|-------------|---------------|
| Asset | | | | | | |
| G 416-10100 Cash | \$12,746.76 | \$0.99 | \$0.00 | \$8.26 | \$0.00 | \$12,755.02 |
| G 416-13200 Due From Other Government | \$12,776.47 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$12,776.47 |
| Total Asset | \$25,523.23 | \$0.99 | \$0.00 | \$8.26 | \$0.00 | \$25,531.49 |
| 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 | (\$25,523.48) | \$0.00 | \$0.99 | \$0.00 | \$8.26 | (\$25,531.74) |
| Total Equity | (\$25,523.48) | \$0.00 | \$0.99 | \$0.00 | \$8.26 | (\$25,531.74) |
| Total 416 4TH AVENUE RAVINE | \$0.00 | \$0.99 | \$0.99 | \$8.26 | \$8.26 | \$0.00 |



CITY OF NEWPORT
GL Yearly

Current Period: September 2013

FUND 417 NORTH RAVINE

September 2013

| | Begin Yr | MTD Debits | MTD Credits | YTD Debits | YTD Credits | Balance |
|---------------------------------------|---------------|------------|-------------|-------------|-------------|---------------|
| Asset | | | | | | |
| G 417-10100 Cash | \$5,507.89 | \$0.12 | \$300.22 | \$5,369.81 | \$9,358.23 | \$1,519.47 |
| G 417-13200 Due From Other Government | \$41,563.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$41,563.00 |
| Total Asset | \$47,070.89 | \$0.12 | \$300.22 | \$5,369.81 | \$9,358.23 | \$43,082.47 |
| Liability | | | | | | |
| G 417-20200 Accounts Payable | (\$1,846.82) | \$0.00 | \$0.00 | \$0.00 | \$0.00 | (\$1,846.82) |
| G 417-20700 Due to Other Funds | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Total Liability | (\$1,846.82) | \$0.00 | \$0.00 | \$0.00 | \$0.00 | (\$1,846.82) |
| Equity | | | | | | |
| G 417-24400 Fund Balance For Encumbra | \$0.25 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.25 |
| G 417-25300 Unreserved Fund Balance | (\$45,224.32) | \$300.22 | \$0.12 | \$9,358.23 | \$5,369.81 | (\$41,235.90) |
| Total Equity | (\$45,224.07) | \$300.22 | \$0.12 | \$9,358.23 | \$5,369.81 | (\$41,235.65) |
| Total 417 NORTH RAVINE | \$0.00 | \$300.34 | \$300.34 | \$14,728.04 | \$14,728.04 | \$0.00 |



CITY OF NEWPORT
GL Yearly

Current Period: September 2013

FUND 422 2011A UTILITY CAPITAL

September 2013

| | Begin Yr | MTD Debits | MTD Credits | YTD Debits | YTD Credits | Balance |
|--|----------|------------|-------------|------------|-------------|---------|
| Asset | | | | | | |
| G 422-10100 Cash | (\$0.44) | \$0.00 | \$0.00 | \$0.88 | \$0.44 | \$0.00 |
| Total Asset | (\$0.44) | \$0.00 | \$0.00 | \$0.88 | \$0.44 | \$0.00 |
| Equity | | | | | | |
| G 422-25300 Unreserved Fund Balance | \$0.44 | \$0.00 | \$0.00 | \$0.44 | \$0.88 | \$0.00 |
| Total Equity | \$0.44 | \$0.00 | \$0.00 | \$0.44 | \$0.88 | \$0.00 |
| Total 422 2011A UTILITY CAPITAL | \$0.00 | \$0.00 | \$0.00 | \$1.32 | \$1.32 | \$0.00 |



CITY OF NEWPORT

GL Yearly

Current Period: September 2013

FUND 423 2011A EQUIPMENT CAPITAL

September 2013

| | Begin Yr | MTD Debits | MTD Credits | YTD Debits | YTD Credits | Balance |
|--|----------------|------------|-------------|--------------|--------------|-----------|
| Asset | | | | | | |
| G 423-10100 Cash | \$494,389.05 | \$0.01 | \$0.00 | \$57,985.61 | \$552,309.35 | \$65.31 |
| Total Asset | \$494,389.05 | \$0.01 | \$0.00 | \$57,985.61 | \$552,309.35 | \$65.31 |
| Equity | | | | | | |
| G 423-25300 Unreserved Fund Balance | (\$494,389.05) | \$0.00 | \$0.01 | \$552,309.35 | \$57,985.61 | (\$65.31) |
| Total Equity | (\$494,389.05) | \$0.00 | \$0.01 | \$552,309.35 | \$57,985.61 | (\$65.31) |
| Total 423 2011A EQUIPMENT CAPITAL | \$0.00 | \$0.01 | \$0.01 | \$610,294.96 | \$610,294.96 | \$0.00 |



CITY OF NEWPORT

GL Yearly

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Current Period: September 2013

FUND 601 WATER FUND

September 2013

| | Begin Yr | MTD Debits | MTD Credits | YTD Debits | YTD Credits | Balance |
|---|------------------|-------------|-------------|--------------|--------------|------------------|
| Asset | | | | | | |
| G 601-10100 Cash | \$469,661.17 | \$42,672.73 | \$10,840.53 | \$180,200.93 | \$148,300.81 | \$501,561.29 |
| 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 | (\$31.90) | \$32.89 | \$110.63 | \$696.67 | \$750.49 | (\$85.72) |
| G 601-26100 Contributions From City | (\$0.15) | \$0.00 | \$0.00 | \$0.00 | \$0.00 | (\$0.15) |
| Total Asset | \$2,176,509.42 | \$42,705.62 | \$10,951.16 | \$180,897.60 | \$149,051.30 | \$2,208,355.72 |
| 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 | \$522.00 | \$522.00 | (\$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 | (\$0.46) | \$0.00 | \$470.53 | \$3,712.26 | \$2,856.09 | \$855.71 |
| Total Liability | (\$250,234.61) | \$0.00 | \$470.53 | \$4,234.26 | \$3,378.09 | (\$249,378.44) |
| Equity | | | | | | |
| G 601-25300 Unreserved Fund Balance | (\$1,926,274.81) | \$10,807.64 | \$42,091.57 | \$143,735.68 | \$176,438.15 | (\$1,958,977.28) |
| Total Equity | (\$1,926,274.81) | \$10,807.64 | \$42,091.57 | \$143,735.68 | \$176,438.15 | (\$1,958,977.28) |
| Total 601 WATER FUND | \$0.00 | \$53,513.26 | \$53,513.26 | \$328,867.54 | \$328,867.54 | \$0.00 |



CITY OF NEWPORT

GL Yearly

Current Period: September 2013

FUND 602 SEWER FUND

September 2013

| | Begin Yr | MTD Debits | MTD Credits | YTD Debits | YTD Credits | Balance |
|---|------------------|-------------|-------------|--------------|--------------|------------------|
| Asset | | | | | | |
| G 602-10100 Cash | \$666,307.46 | \$63,361.89 | \$22,697.99 | \$260,855.05 | \$229,589.31 | \$697,573.20 |
| 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 | \$2,027,342.40 | \$63,361.89 | \$22,697.99 | \$260,855.05 | \$229,589.31 | \$2,058,608.14 |
| 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 | (\$1,712,384.52) | \$22,697.99 | \$63,361.89 | \$230,243.91 | \$261,509.65 | (\$1,743,650.26) |
| Total Equity | (\$1,712,384.52) | \$22,697.99 | \$63,361.89 | \$230,243.91 | \$261,509.65 | (\$1,743,650.26) |
| Total 602 SEWER FUND | \$0.00 | \$86,059.88 | \$86,059.88 | \$491,098.96 | \$491,098.96 | \$0.00 |



CITY OF NEWPORT
GL Yearly

Current Period: September 2013

FUND 603 STREET LIGHT FUND

September 2013

| | Begin Yr | MTD Debits | MTD Credits | YTD Debits | YTD Credits | Balance |
|---|-----------------|-------------------|--------------------|-------------------|--------------------|----------------|
| Asset | | | | | | |
| G 603-10100 Cash | \$11,364.13 | \$9,453.49 | \$4,229.85 | \$54,066.15 | \$52,263.69 | \$13,166.59 |
| 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 | \$21,105.36 | \$9,453.49 | \$4,229.85 | \$54,066.15 | \$52,263.69 | \$22,907.82 |
| 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 | (\$16,544.64) | \$4,229.85 | \$9,453.49 | \$52,263.69 | \$54,066.15 | (\$18,347.10) |
| Total Equity | (\$16,544.64) | \$4,229.85 | \$9,453.49 | \$52,263.69 | \$54,066.15 | (\$18,347.10) |
| Total 603 STREET LIGHT FUND | \$0.00 | \$13,683.34 | \$13,683.34 | \$106,329.84 | \$106,329.84 | \$0.00 |



CITY OF NEWPORT

GL Yearly

Current Period: September 2013

FUND 604 STORM WATER FUND

September 2013

| | Begin Yr | MTD Debits | MTD Credits | YTD Debits | YTD Credits | Balance |
|---|---------------|--------------|--------------|----------------|----------------|---------------|
| Asset | | | | | | |
| G 604-10100 Cash | \$15,052.08 | \$3,768.52 | \$428.42 | \$19,348.36 | \$7,003.18 | \$27,397.26 |
| 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 | \$21,174.81 | \$3,768.52 | \$428.42 | \$19,348.36 | \$7,003.18 | \$33,519.99 |
| 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 | (\$21,175.00) | \$428.42 | \$3,768.52 | \$7,003.18 | \$19,348.36 | (\$33,520.18) |
| Total Equity | (\$21,175.00) | \$428.42 | \$3,768.52 | \$7,003.18 | \$19,348.36 | (\$33,520.18) |
| Total 604 STORM WATER FUND | \$0.00 | \$4,196.94 | \$4,196.94 | \$26,351.54 | \$26,351.54 | \$0.00 |
| Report Total | \$0.00 | \$557,934.38 | \$557,934.38 | \$8,732,994.29 | \$8,732,994.29 | \$0.00 |



444 Cedar Street, Suite 1500
Saint Paul, MN 55101
651.292.4400
tkda.com

Memorandum

| | | | |
|-------------------|---|---------------------|--|
| To: | Newport City Council | Reference: | Kim L. Brown Conditional Use Permit and Variance Request |
| Copies To: | <u>Deb Hill, City Administrator</u> <u>Renee Helm, Executive Analyst</u> <u>Kim L. Brown, Applicant</u> | Project No.: | <u>15258.007</u> |
| From: | <u>Sherri Buss, RLA AICP, Planner</u> | Routing: | _____ |
| Date: | <u>October 11, 2013</u> | | _____ |

SUBJECT: Kim L. Brown Conditional Use Permit (CUP) and Variance Request for an Accessory Structure

MEETING DATE: October 17, 2013

LOCATION: 1675 Kolff Street

APPLICANT: Kim L. Brown
P.O. Box 25407
Woodbury, MN 55125

ZONING: Residential Estate (RE) and Bluffland Overlay District

120-DAY PERIOD: December 16, 2013

ITEMS REVIEWED: Application, sketch plan, building plan, aerial photo, revised plan submitted on September 18 and survey submitted on October 11, 2013.

BRIEF DESCRIPTION OF THE REQUEST

The applicant is requesting a Conditional Use Permit (CUP) and a Variance to add a 60'x156' pole building to the property at 1675 Kolff Street. The parcel is 8.76 acres in size. The building will include space for a barn, hay storage, and office. The size of the structure requires a CUP in the Residential Estates (RE) District. The applicant originally proposed a 50-foot setback from the side lot line rather than the required 100-foot setback.

Based on the Planning Commission discussion on September 12 and a site visit with City staff, the applicant submitted a revised plan that proposed a larger setback from the side lot line. A

property survey completed before the October Planning Commission meeting determined that the proposed location is 73' from the northern property boundary, and therefore requires a variance.

This staff report analyzes the Conditional Use Permit request and the Variance request based on the revised plan.

EVALUATION OF THE CONDITIONAL USE PERMIT (CUP) REQUEST

The property at 1675 Kolff Street is located in the Residential Estate (RE) District. The City's Zoning Ordinance indicates that the intent and primary uses of the RE District include "residential areas without public utilities; preserving lands in their natural state for agricultural uses pending provision of public utilities, and preserving and extending areas for single-family dwellings at very low densities."

Section 1310.10 of the code indicates that the city may grant a CUP when the use is consistent with the Zoning Ordinance and Comprehensive Plan, and the City may impose conditions and safeguards to protect the health, safety, and welfare of the community. Criteria for evaluating the proposed uses and conditions for a CUP include the following:

- The proposed use is designated as a conditional use in the appropriate zoning district.
- The proposed use is consistent with the Newport Comprehensive Plan.
- The proposed use will not be detrimental to or endanger the public health, safety or general welfare of the City, including the factors of noise, glare, odor, electrical interference, vibration, dust, and other nuisances; fire and safety hazards; existing and anticipated traffic conditions and parking facilities on adjacent streets and land.
- The potential effects of the proposed use on surrounding properties, including valuation, aesthetics and scenic views, land uses, and character and integrity of the neighborhood.
- The potential impacts of the proposed use on governmental facilities and services, including roads, sanitary sewer, water and police and fire.
- The potential impacts on sensitive environmental features, including lakes, surface and underground water supply and quality, wetlands, slopes, floodplains and soils.
- The City may also consider whether the proposed use complies or is likely to comply in the future with all standards and requirements set out in other regulations or ordinances of the City and other governmental bodies having jurisdiction in the city.
- In permitting a new conditional use, the City may impose additional conditions which it considers necessary to protect the best interest of the surrounding area or community as a whole.

The Zoning Ordinance identifies additional conditions for a CUP for a large accessory structure in the RE Zoning District. Section 1340.04 of the zoning ordinance requires approval of a Conditional Use Permit for accessory structures that have a larger footprint than 2,000 square feet in the RE District. The following additional conditions must be satisfied to obtain the CUP for the accessory structure:

- The parcel shall not be re-platted, split or subdivided so that it results in a lot size of less than 3 acres without first removing or altering the structure so that it conforms to the standards in the zoning ordinance.
- The site must demonstrate that the accessory structure(s) does not encroach upon existing septic systems, and that an alternative septic system area is protected.



- Plantings consisting of a combination of trees and shrubs shall be installed within the setback area providing a buffer between the accessory structure and future development on adjacent properties.
- The accessory structure shall not be placed closer to the public right-of-way that constitutes the front yard of the parcel than the primary structure unless the structure is completely screened from public view by natural vegetation including trees and shrubbery.
- The structure must meet the other requirements of Section 1340.04 apply, including:
 - Compatibility of the structure with the primary structure.
 - Additional setback requirement of 1 foot of setback beyond the standard front and side yard setbacks, up to a total maximum setback of 100 feet, for every 40 square feet of area over 2,000 square feet of area in garages or accessory structures on the lot. The rear yard setback shall have a maximum of 50 feet.
 - Additional setback for structure height of 2 feet of setback beyond the minimum required for front, side or rear yard setbacks for every 1 foot of height of the eave line over 8 feet.
 - All door openings must be 8 feet in height or less, except one door opening on one accessory structure per lot may be a maximum height of 12 feet. Door openings over 8 feet shall be turned perpendicular to the front lot line, or must be set back an additional 10 feet for every 1 foot of door opening over 8 feet.

The staff analysis of the CUP request is as follows:

Proposed Uses—Zoning Ordinance

The applicant is proposing to add a pole building on the property that will be 60'x156' in size (9360 square feet). The building will be an accessory building to the existing primary structure (house) on the parcel. Single-family residential units and accessory structures are permitted uses in the RE Zoning District.

Comprehensive Plan

The Comprehensive Plan supports continuation of the low-density single-family residential uses in the RE District, with a minimum lot size of 2 acres. The plan places a priority on natural resource protection in this area, including bluffs and existing woodlands.

The applicant is proposing a location that will utilize an existing flat area to avoid the bluffs and steep slopes on the property. The proposed location will also preserve the existing woodlands that provide screening for the proposed building. The applicant is requesting a variance to permit a side setback of 73 feet rather than 100 feet in order to avoid disturbing the slopes, bluffs, and existing structures on the property. The location of steep slopes and bluffs is identified with arrows on the site plan, and the bluff line on the property is identified on the City's zoning map. The proposed use is consistent with the goals for uses in the RE District proposed in the Comprehensive Plan. The proposed location is consistent with Comprehensive Plan goals to protect bluffs, slopes and existing woodlands.



Dimensional Standards, Setbacks and Requirements

The minimum lot size in the RE District is 2 acres. The 8.76 parcel meets the ordinance requirement.

The RE District general setback requirements for accessory buildings include: Front yard: 40 feet, side yard: 40 feet, and rear yard: 10 feet. Section 1340.04 includes additional setback requirements for accessory structures that have a footprint larger than 2000 square feet, as noted above. The proposed building is 9,360 square feet in size, and therefore requires a front setback of 100 feet, a side setback of 100 feet, and a rear yard setback of 50 feet. (This maximum setback includes the additional setback for building size and structure height identified in the criteria in Section 1340.04)

The applicant's original site plan included the following setbacks: Front: approximately 735'; Rear: approximately 150'; and Side: 10'. The Planner contacted the applicant to request that the plan be revised to meet the 100-foot side setback requirement for large structures in the RE District. The applicant attempted to revise the proposed building location to include the required 100' setback from the side lot line. However, if the building were setback 100' from the northern parcel boundary (side setback) it would impact the existing buildings, retaining walls and slopes near the house. The applicant then proposed a 50' side setback, which was reviewed by the Planning Commission on September 12. Neighbors' comments at the public hearing indicated concerns that the pole building would be visible from their properties, and should avoid impacting slopes and vegetation that provides screening.

Based on Planning Commission comments and a discussion in the field with City staff and the Planning Commission, the applicant has revised the proposed site plan and is requesting a variance to allow the accessory structure to be located approximately 73 feet from the northern parcel boundary (side setback) on an existing flat location. The location would avoid impacts to the existing buildings, retaining walls, woodlands and steep slopes on the property.

The proposed setbacks for the revised building location include the following: Front: approximately 640'; Rear: approximately 200'; side: 73'. The proposed side setback requires a variance. The analysis of the variance request follows the CUP findings.

The RE District has no lot coverage standard.

Proposed Building—Criteria for Accessory Structures in the RE District

Residential lots may have two accessory structures. Accessory structures may not be taller than the primary structure, and must be compatible with the primary structure. In the RE District, the footprint of accessory structures may be greater than the footprint of the primary structure if the accessory structures meet the requirements identified in 1340.04. The analysis of the proposed structure in relation to the code requirements for accessory buildings is as follows:

- The applicant's parcel has an existing accessory structure as indicated on the revised plan. (There is also a portable shed on the property, but this does not meet the definition of a structure.) The proposed pole barn will be the second accessory structure on the property, and is consistent with the ordinance requirement.



- The proposed building will be approximately 19' in height based on the definition of building height in the City's ordinance. The applicant indicated that the height of the primary structure (house) is approximately 25' (two stories). The proposed conditions require that the accessory structure may not be taller than the primary structure (home). The height of the house and relationship to the accessory structure must be verified before a building permit may be issued.
- The zoning ordinance requires that "all accessory structures of any size shall be constructed of durable, finished materials and shall be compatible in color to the principal structure. All accessory structure over one hundred fifty (150) square feet in area shall be compatible with the principal structure in terms of design, roof style, roof pitch, color and exterior finish materials."

The applicant is proposing a pole building that will be the same color as the existing home. Both the home and structure have gable roofs. The exterior material of the pole building will be steel. The RE District supports agricultural use of the large lots in the District, and pole buildings are typical building types for agricultural uses. The Planning Commission determined that the proposed building color that will match the home and design are sufficient to meet the ordinance requirement for compatibility with the primary structure.

- The plan indicates that the footprint of the proposed accessory structure will be larger than the footprint of the existing house. Therefore, the structure must meet the requirements of Section 1340.04, as follows (Requirements in standard type; Planner's evaluation in *italics*):
 - The parcel shall not be re-platted, split or subdivided so that it results in a lot size of less than 3 acres without first removing or altering the structure so that it conforms to the standards in the zoning ordinance. The Planner included a condition for approval of the CUP that prohibits subdivision resulting in a lot size of less than 3 acres in the proposed conditions.
 - The site must demonstrate that the accessory structure(s) do not encroach upon existing septic systems and that an alternative septic system area is protected. The revised plan indicates the locations of the existing septic system and alternate drain field. The proposed structure does not encroach on those structures..
 - Plantings consisting of a combination of trees and shrubs shall be installed within the setback area providing a buffer between the accessory structure and future development on adjacent properties. The property is heavily wooded. If an 80' setback and existing vegetation are maintained on the north side of the property, the building will be buffered from existing and future development on adjacent properties. The adjacent property to the north is a City-owned property and is unlikely to be developed. The City-owned parcel is 70 feet wide, and provides additional separation from properties to the north. The Planning Commission determined that no additional screening is needed. The site visit indicated that



the existing and proposed buildings on the Brown property are well-screened from neighboring buildings by the existing vegetation and topography.

- The accessory structure shall not be placed closer to the public right-of-way that constitutes the front yard of the parcel than the primary structure unless the structure is completely screened from public view by natural vegetation including trees and shrubbery. The proposed location places the structure closer to the roadway than the existing home, but the structure will be completely screened from view from the roadway by existing slopes and natural vegetation between the pole building and Kolff Street.
- Compatibility of the structure with the primary structure. The applicant indicated that she will paint the pole barn the same color as the house. Both structures will have gable-style roofs.
- Additional setback requirement of 1 foot of setback beyond the standard front and side yard setbacks, up to a total maximum setback of 100 feet, for every 40 square feet of area over 2,000 square feet of area in garages or accessory structures on the lot. The rear yard setback shall have a maximum of 50 feet. The applicant is requesting a variance to allow a side setback of 73 feet. The proposed front and rear setbacks meet the ordinance requirement.
- Additional setback for structure height of 2 feet of setback beyond the minimum required for front, side or rear yard setbacks for every 1 foot of height of the eave line over 8 feet. This is included in the requested 80-foot setback. The other setbacks meet the requirement.
- All door opening must be 8 feet in height or less, except one door opening on one accessory structure per lot may be a maximum height of 12 feet. Door openings over 8 feet shall be turned perpendicular to the front lot line, or must be set back an additional 10 feet for every 1 foot of door opening over 8 feet. The applicant is proposing 2 doors, each approximately 10 feet in height, on the narrow ends of the building. The proposed front and rear setbacks meet the requirement for an additional setback to accommodate the taller doors.

Evaluation of the General Criteria for CUP's

The Planner's evaluation of the request based on the general zoning ordinance criteria for CUP's (Section 1310.10) is as follows:

- *The proposed use is designated in the development code as a conditional use in the appropriate zoning district.*

Section 1340.04 of the Zoning Ordinance requires that accessory structures larger than 2,000 square feet in size on lots of 3 acres or larger in the RE District obtain a Conditional Use Permit.

- *The proposed use is consistent with the Newport Comprehensive Plan.*



The Comprehensive Plan supports the continuation of large lot single-family residences in the RE District, and supports the protection of bluffs and woodlands in the area. The proposed building location will avoid impacts to the existing bluff, slopes and significant woodland areas.

- *The proposed use will not be detrimental to or endanger the public health, safety or general welfare of the City, including the factors of noise, glare, odor, electrical interference, vibration, dust, and other nuisances; fire and safety hazards; existing and anticipated traffic conditions and parking facilities on adjacent streets and land.*

The proposed use will not create noise, glare, odor, dust or other nuisances that could affect public health or welfare. It will not increase the danger of fire or other safety hazards, increase traffic, or increase parking on adjacent streets.

- *The potential effects of the proposed use on surrounding properties, including valuation, aesthetics and scenic views, land uses, and character and integrity of the neighborhood.*

The Planning Commission heard comments regarding potential impacts to adjacent properties at the public hearing on September 12. The Commission recommended that the building be set back more than the proposed 50 feet from the side (northern) property boundary in order to preserve the vegetation and minimize views from neighboring properties. A field review by City staff and the Planning Commission concluded that if the 73-foot setback from the side property line is implemented and woodland areas are preserved, the new building should not be visible from or have impacts on neighboring properties.

- *The potential impacts of the proposed use on governmental facilities and services, including roads, sanitary sewer, water and police and fire.*

Existing infrastructure and City services are adequate to serve the site.

- *The potential impacts on sensitive environmental features, including lakes, surface and underground water supply and quality, wetlands, slopes, floodplains and soils.*

The proposed building is setback from the bluffs to the west and is not located in a floodplain. The new building will not impact surface or ground waters.

- *The City may also consider whether the proposed use complies or is likely to comply in the future with all standards and requirements set out in other regulations or ordinances of the City and other governmental bodies having jurisdiction in the city.*

The City has not proposed future changes in zoning or requirements for this area.

- *In permitting a new conditional use, the City may impose additional conditions which it considers necessary to protect the best interest of the surrounding area or community as a whole.*



Proposed conditions are identified in the recommendations that follow the Variance evaluation.

ORDINANCE REQUIREMENTS FOR EVALUATING A VARIANCE REQUEST

The applicant is requesting a variance from the required 100' side yard setback for a large accessory structure in the RE District to allow a 73' side yard setback. The applicant is requesting a variance because a location that would satisfy the ordinance requirement would impact existing buildings, retaining walls and slopes. The proposed location is an existing flat area. This location would avoid impacts to slopes, woodlands, existing buildings and retaining walls. The existing vegetation will effectively screen the building from the neighboring properties. The adjacent property along the northern boundary is a city-owned parcel that is unlikely to be developed, and provides 70 feet of additional separation and screening from properties to the north.

Section 1310.11 of the Zoning Ordinance states that the City may approve variances if they meet the following criteria:

- Granting the variance is consistent with the Comprehensive Plan, and in harmony with the general purposes and intent of the zoning ordinance.
- Strict enforcement of the zoning ordinance would result in “practical difficulties, “ which are defined as follows:
 - The property owner is proposing to use the property in a reasonable manner that is not permitted by the Zoning Ordinance.
 - The plight of the landowner is due to circumstances unique to the property and not created by the landowner.
 - Granting the variance will not alter the essential character of the locality.
 - Economic conditions alone shall not constitute the practical difficulties.
 - Granting the variance will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of public streets, or increase the danger of fire, or endanger public safety, or substantially diminish or impair property values within the neighborhood.
 - The requested variance is the minimum action required to eliminate the practical difficulty.
 - Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.

Evaluation of the Variance Request

The following are the Planner's findings based on the request and the conditions for approving a variance

- *Variances shall only be permitted when they are consistent with the Comprehensive Plan and in harmony with the general purposes and intent of the official control.*

The purpose of the RE District is to preserve and create areas for large-lot single-family residential development, while protecting natural resources such as bluffs, steep slopes and woodlands. The variance from the required side yard setback is



requested to avoid building on steep slopes on the west side of the property. The proposed 73' setback will preserve existing slopes and vegetation along the side boundary to provide a visual screen. The property to the north is owned by the City, and is unlikely to be developed, so the "effective" setback from properties to the north will be approximately 143 feet. The requested variance is consistent with the Comprehensive Plan and in harmony with the general purposes of the development code.

- *The proposed use is reasonable.*

Single family homes and accessory structures are permitted in the R-1 Zoning District. Agricultural uses are support in the RE District. Therefore, the proposed use is a reasonable use.

- *The request is due to circumstances that are unique to the property, and were not created by the landowner.*

The practical difficulties relate to the location of existing steep slopes and bluffs, and the existing home and structures on the property. The owner did not create the practical difficulties.

- *The variance, if granted, will not alter the essential character of the area.*

The home will remain a single-family residence. Adjacent properties also have large accessory structures. The structure will be screened from view from neighboring properties and the roadway by existing woodlands and slopes. Granting the variance would not alter the essential character of the area.

- *Economic considerations alone do not constitute practical difficulties.*

The variance request is based on the location of steep slopes and existing structures, not on economic considerations.

- *The proposed variance will not impair an adequate supply of light and air to adjacent properties, substantially increase the congestion of public streets, increase the danger of fire or endanger public safety, or substantially diminish or impair property values within the neighborhood.*

The addition of a accessory structure in the proposed location will not impair the supply of light or air to adjacent properties, increase street congestion, increase the danger of fire or endanger public safety, or impair property values within the neighborhood.

- *The requested variance should be the minimum action required to eliminate the practical difficulty.*

The 73-foot setback will maintain a significant separation from the property to the north and preserve existing vegetative screening, prevent impacts to steep slopes, and provide for a reasonable separation between the existing house, retaining



walls and pole barn. The proposed variance is the minimum action needed to eliminate the practical difficulty.

- *Practical difficulties include, but are not limited to inadequate access to direct sunlight for solar energy systems.*

Granting the variance request will not affect access to direct sunlight for solar energy systems.

The findings support granting the Variance and the Conditional Use Permit.

FINDINGS

CUP

The Planner finds the following related to the Zoning Code criteria for granting a CUP:

1. The proposed use requires a Conditional Use Permit in the RE District based on the size of the structure.
2. The proposed single-family use is consistent with the Comprehensive Plan. The proposed building location will avoid steep slopes and existing woodlands on the parcel, and is consistent with Comprehensive Plan goals to protect natural resources in the RE District
3. The proposed structure will not create noise, glare, odor, dust or nuisances that could affect public health or welfare. It will not increase create safety hazards, traffic congestion or parking on adjacent streets.
4. The proposed setbacks and existing vegetation will mitigate potential impacts to neighboring properties and maintain the character of the neighborhood.
5. Existing infrastructure and City services are adequate to serve the proposed use of the property.
6. The proposed building setback and location will protect sensitive environmental features including the bluffs and existing woodlands.
7. The City has not proposed future changes in zoning or requirements for the area that would impact this use.
8. With the proposed conditions and if the requested side setback variance is granted, the structure will comply with the requirements of Section 1340.04 of the zoning ordinance for large accessory structures in the RE District.

Variance

1. The requested variance will protect steep slopes and existing vegetative screening, and is consistent with the goals of the Comprehensive Plan and in harmony with the general purposes of the Zoning Ordinance
2. The proposed use is permitted in the RE District and is a reasonable use.
3. The practical difficulties are related to the location of steep slopes on the property and the location of existing structures and retaining walls. The owner did not create the practical difficulties.
4. Granting the variance will not alter the essential large-lot single-family residential character of the area.



5. The variance request is based on the location of steep slopes and existing structures, and not solely on economic considerations.
6. The structure will not impair the supply of light or air to adjacent properties, increase street congestion, increase the danger of fire or endanger public safety, or impair property values within the neighborhood.
7. The 73-foot setback will maintain a significant separation from adjacent parcels while avoiding steep slopes and existing structures. The proposed variance is the minimum action needed to eliminate the practical difficulty.
8. Granting the variance request will not affect access to direct sunlight for solar energy systems.

PLANNING COMMISSION PUBLIC HEARINGS AND DISCUSSION

The Planning Commission held a public hearing for this application on September 12. Some neighbors provided comments that they were concerned about the size and visibility of the structure, and opposed granting the variance request. Based on the comment, the Commission tabled the request. They asked that the applicant provide a survey that accurately showed the proposed location of the new building, existing buildings and retaining walls, and proposed setbacks. The Commission indicated that the building should be set back so that the existing vegetation is preserved to screen the building as much as possible from adjacent properties.

The applicant submitted a survey and staked the location of the proposed pole building on the property. The Planning Commission and staff visited the site to view the proposed building location and screening. Based on the survey and site visit, the Commission recommended that the 73' setback is sufficient to preserve the screening on the property and meet the intent of the ordinance. A larger setback would have impacts on more slopes and on the existing buildings and retaining walls on the property, and would not provide greater screening of the building.

The Planning Commission added a condition that any slopes that are impacted by the construction of the building must be restored with maximum 4:1 slopes or retaining walls to control erosion. The Commission also noted that the proposed building is only 27' from the "jog" in the northern property boundary that is adjacent to the City Pump House. However, the pole building cannot be placed further from this "jog" without significant impacts to slopes to the west of the proposed location. The Commission concluded that it could accept the location due to the irregular boundary and City ownership of the property for the long term. The proposed building exceeds the setback required from the actual front property boundary.

ACTION REQUESTED FOR THE CUP AND VARIANCE REQUEST

The City Council can recommend any of the following for this application:

1. Approval
2. Approval with conditions
3. Denial with findings
4. Table the request



PLANNING COMMISSION RECOMMENDATIONS

The Planning Commission recommends that the City Council approve the request for a Conditional Use Permit (CUP) for a 60'x156' pole building on the property at 1675 Kolff Street. The Commission also recommends that the Council grant a variance to the required 100-foot side yard setback to allow a side setback of 73' from the northern property boundary and a minimum 27' setback from the west boundary of the City Pump House parcel for the pole building.

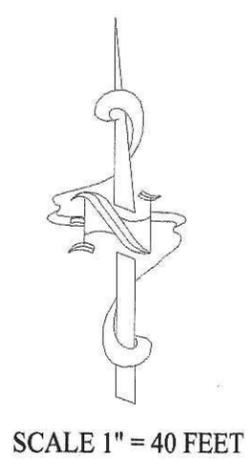
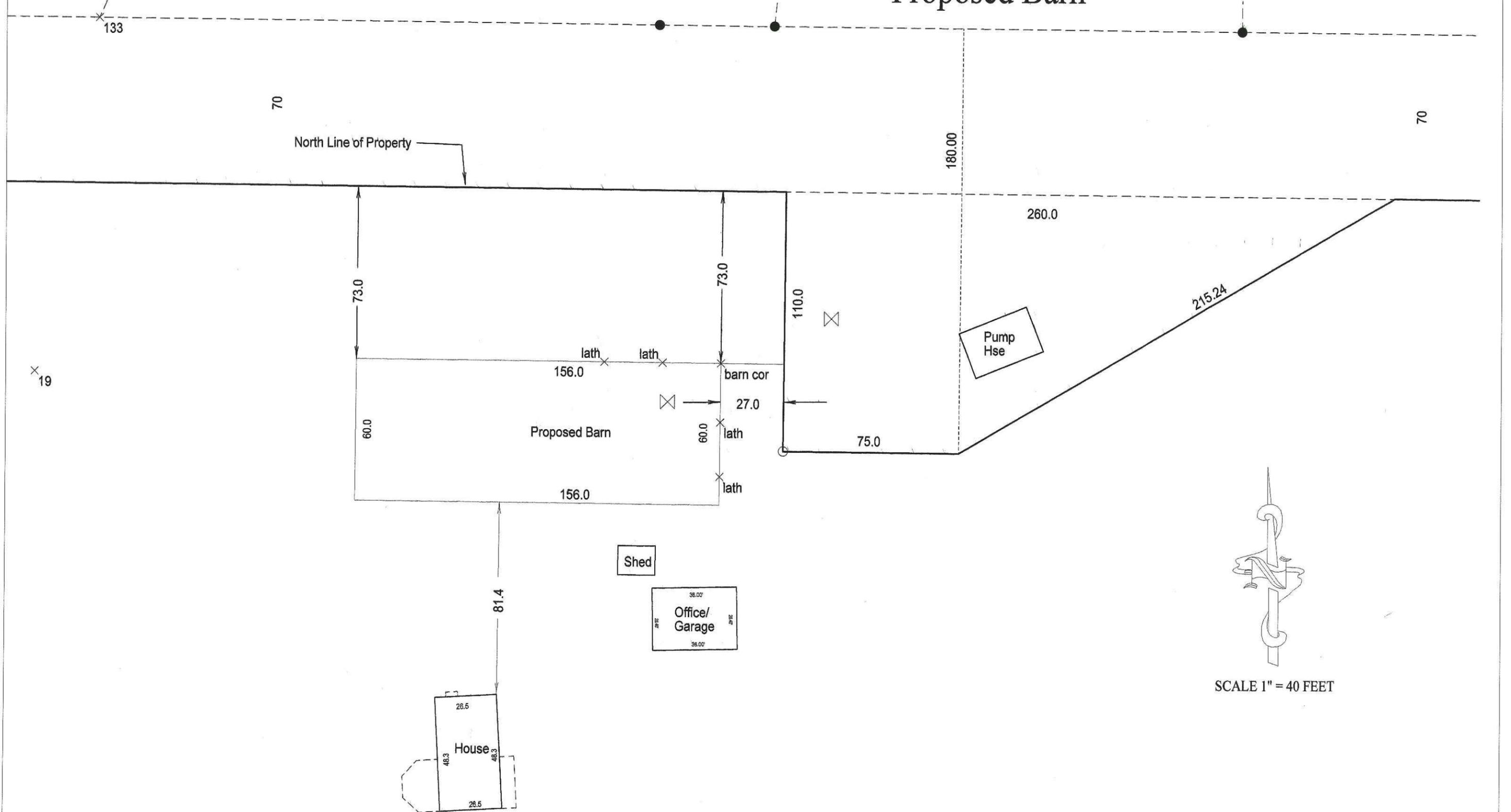
1. The use at the site shall be consistent with the survey submitted to the City on October 10, 2013. The CUP permits the construction of a 60'x 156' pole building to be used for storage, agricultural use, and an office space.
2. The applicant shall obtain a building permit from the City for the proposed accessory structure. The building permit application shall include a grading plan for review by the Building Inspector or City Engineer, if needed.
3. The accessory structure shall not be used for commercial use or include a dwelling unit.
4. The parcel shall not be re-platted, split or divided so that it results in a lot size of less than 3 acres without first removing or altering the accessory structure so that it conforms to the standards in the zoning ordinance.
5. Existing slopes, trees and shrubs shall be maintained to the degree possible, particularly to the north and east of the pole structure within the 73-foot setback area and the setback from Kolff Street.
6. Slopes disturbed for construction of the pole building shall be graded to a maximum 4:1 slope or retaining walls added to prevent erosion of steep slopes.
7. The accessory structure shall not be taller than the primary structure.
8. The pole barn shall be painted the same color as the house.
9. The applicant shall pay all fees and escrows for this application.

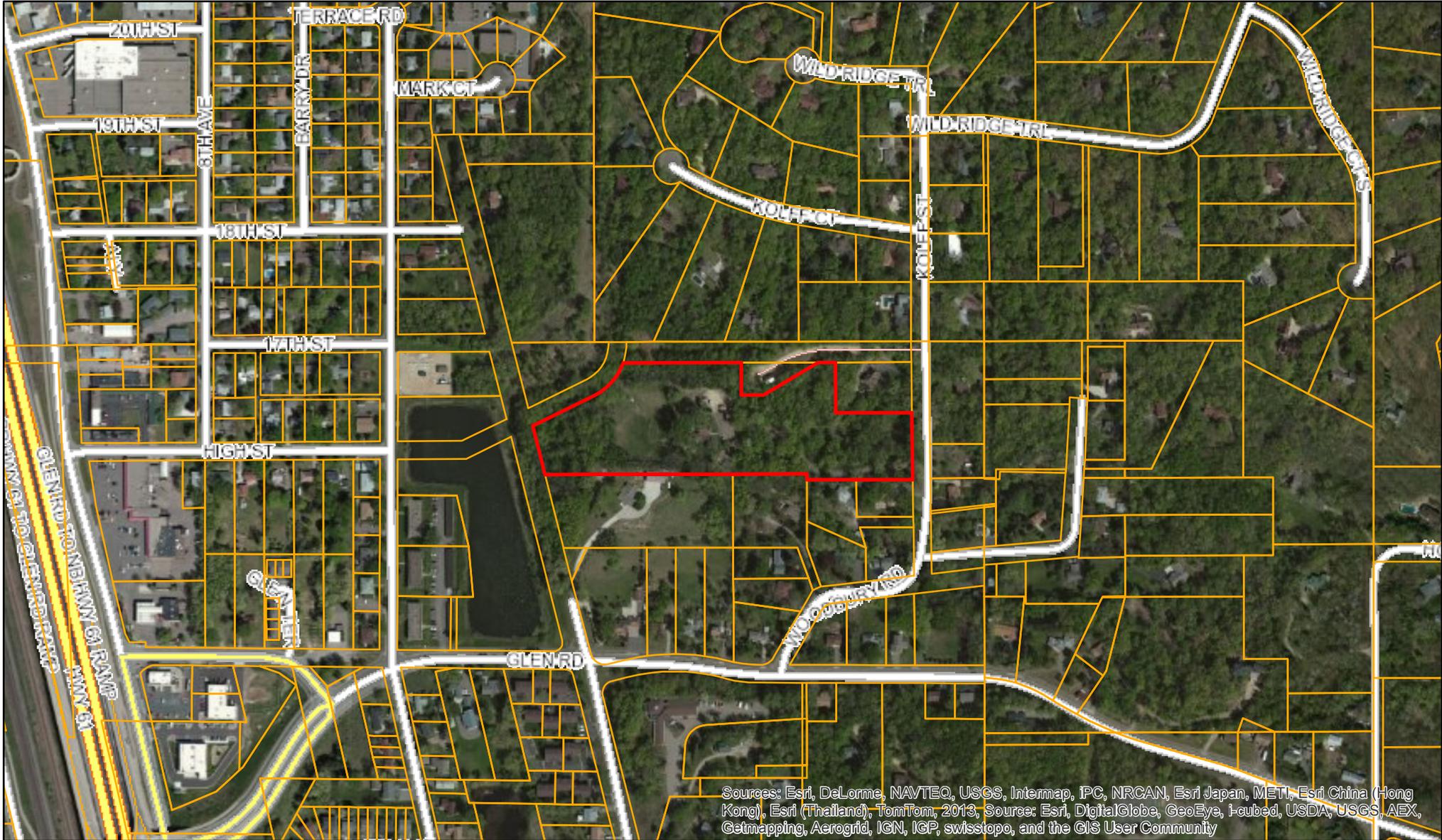


McGibbon Land Surveying

2214 Tower Ct.
Woodbury, MN 55125
(651) 442-9823

Concept Sketch for Proposed Barn





Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013, Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

Parcel ID: 3602822120002

Parcel Address:
1675 KOLFF RD, CITY OF NEWPORT

Created on 8/16/2013

**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

This drawing is the result of the compilation and reproduction of land records as they appear in various Washington County offices. The drawing should be used for reference purposes only. Washington County is not responsible for any inaccuracies.

City of NEWPORT Planning Request Application

Newport City Hall ♦ 596 7th Avenue ♦ Newport ♦ Minnesota ♦ 55055 ♦ Telephone 651-459-5677 ♦ Fax 651-459-9883

Application Date: 8-14-13

Public Hearing Date 09/12/13

Applicant Information

Name: Kim L Brown

Telephone: 651-238-0866

Mailing Address: P.O. Box 25407

Telephone: 651-730-9803

City/State/Zip: Woodbury MN 55125

Property Owner Information

Name: same as above

Telephone: _____

Mailing Address: _____

Telephone: _____

City/State/Zip: _____

Project Information

Location of Property: 1675 Kolff Street Newport MN 55055

Legal Description of Property and P.I.D. #: _____

Zoning District: _____ Flood Plain: **AE 0.2% Annual Chance Flood Hazard**

- | | |
|--|---|
| <input type="checkbox"/> Comprehensive Plan Amendment | \$500 or Actual Cost plus \$50 for Additional Staff Hours (10 Hr Min) |
| <input type="checkbox"/> Rezoning | \$500 plus Escrow |
| <input type="checkbox"/> Zoning Amendment | \$500 |
| <input type="checkbox"/> Variance | \$300 plus Escrow |
| <input checked="" type="checkbox"/> Conditional Use Permit | |
| <input checked="" type="checkbox"/> Residential | \$300 plus Escrow |
| <input type="checkbox"/> Commercial | \$450 plus Escrow |
| <input type="checkbox"/> Subdivision Approval | |
| <input type="checkbox"/> Minor Subdivision | \$300 plus Escrow and Parkland Dedication Fee |
| <input type="checkbox"/> Major Subdivision | \$500 plus Escrow, \$50 per Lot, \$200 for Final Plat, and 10% of land value or fee for Parkland Dedication Fee |
| <input type="checkbox"/> Other: _____ | |
| <input type="checkbox"/> Applicable Zoning Code Chapter: _____ | |
| <input type="checkbox"/> Review by Engineer Cost: _____ | |
| <input type="checkbox"/> Total Cost: _____ | |

Escrow Fees

The City of Newport requires that any developer or every person, company, or corporation that is seeking to commence construction or major alterations of a structure, and land subdivisions or lot combinations must first submit detailed site plans to the City. The person submitting site plans must also submit prepayment to the City to cover any expenses that the City incurs by investing extensive amounts of time reviewing these plans. Any funds in excess of those actually reimbursing the City for its expenses will be returned to the applicant upon completion of the project. The fees are as follows:

Site Plan Review - Residential

- 8 Units or Less \$2,000
- 9 to 40 Units \$3,200
- 41 Units or More \$4,500

Site Plan Review - Commercial

- 0 to 5,000 sq ft bldg \$2,000
- 5,001 to 10,000 sq ft bldg \$3,000
- 10,001 to 50,000 sq ft bldg \$3,750
- 50,001 sq ft plus bldg \$4,500

Preliminary Plat

- Under 10 Acres \$3,500
- Over 10 Acres \$6,500

Present Use of Property: _____
 parking area

State Reason for Planning Request: _____
 Adding a 60 X 156 pole building for barn and hay storage and office area

ALL MATERIALS/DOCUMENTATION, INCLUDING A SITE-PLAN, MUST BE SUBMITTED WITH APPLICATION THAT IS APPLICABLE TO PLANNING REQUEST.

I HEREBY APPLY FOR CONSIDERATION OF THE ABOVE DESCRIBED REQUEST AND DECLARE THAT THE INFORMATION AND MATERIALS SUBMITTED WITH THE APPLICATION ARE COMPLETE AND ACCURATE. I UNDERSTAND THAT APPLICANTS ARE REQUIRED TO REIMBURSE THE CITY FOR ALL OUT-OF-POCKET COSTS INCURRED FOR PROCESSING, REVIEWING, AND HEARING THE APPLICATION. THESE COSTS SHALL INCLUDE, BUT ARE NOT LIMITED TO: PUBLICATION AND MAILING OF NOTICES, REVIEW BY THE CITY'S ENGINEERING, PLANNING AND OTHER CONSULTANTS; LEGALS COSTS, AND RECORDING FEES. AN ESCROW DEPOSIT TO COVER THESE COSTS WILL BE COLLECTED BY THE CITY AT THE TIME OF APPLICATION. ANY BALANCE REMAINING AFTER REVIEW IS COMPLETE WILL BE REFUNDED TO THE APPLICANT. NO INTEREST IS PAID ON ESCROW DEPOSITS

SIGNATURE OF APPLICANT: Kim Brown

SIGNATURE OF OWNER (IF APPLICABLE): Kim Brown

For Office Use

Fee: \$300 + \$1,000 escrow Date Paid: 08/14/13 Receipt #: 1501, 1503

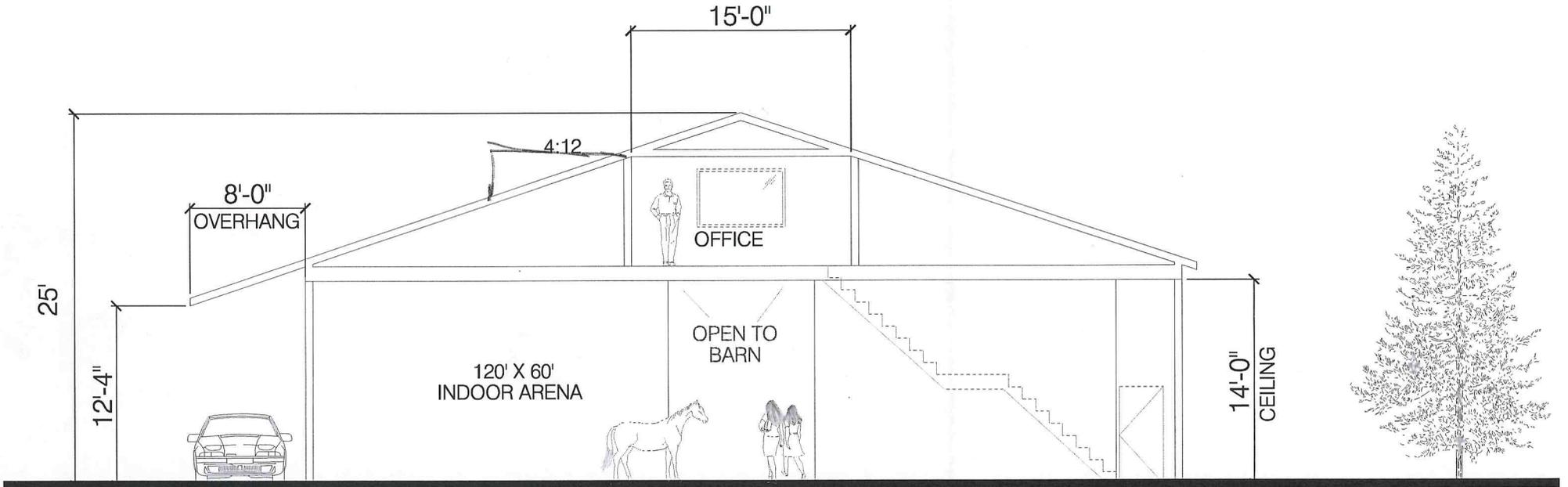
Publication of Notice Date: 08/28/13

Public Hearing Date: September 12, 2013

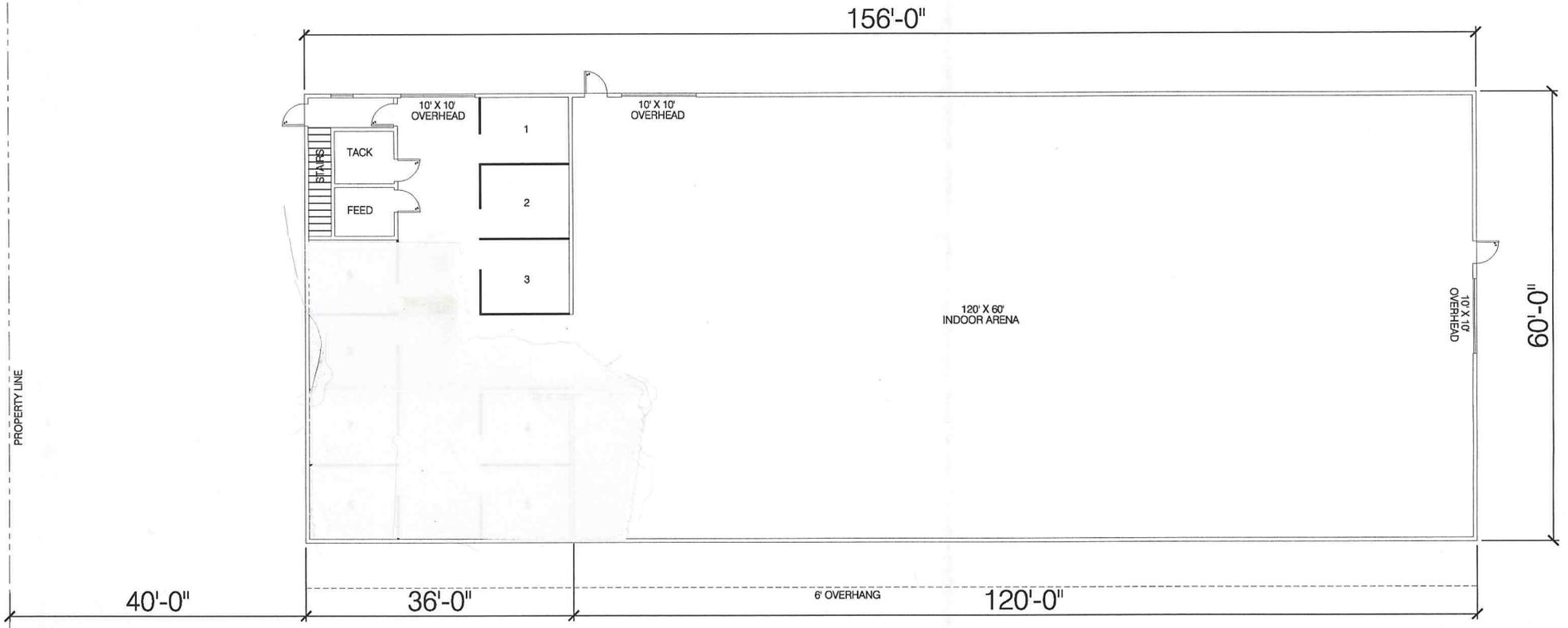
P.C. Resolution #: _____

Council Action Date: _____

Council Resolution #: _____



KIMS BARN 8/8/13
BUILDING SECTION



KIMS BARN 8/8/13
 FLOOR PLAN PRELIMINARY

RESOLUTION NO. 2013-51

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT AND VARIANCE REQUESTED BY KIM BROWN, PO BOX 25407, WOODBURY, MN 55125, FOR PROPERTY LOCATED AT 1675 KOLFF ROAD, NEWPORT, MN

WHEREAS, Kim Brown, PO Box 25407, Woodbury, MN 55125, has submitted a request for a Conditional Use Permit and Variance to allow for construction of a pole barn accessory structure that is 9,360 square feet and has a 80 foot side yard setback; and

WHEREAS, the property is located at 1675 Kolff Road, Newport, MN 55055 and is more fully legally described as follows:

PID #36.028.22.12.0002 - BLOCK D BEING THAT PART OF BLOCK D-NEWPORT VILLAS EXCEPT THE NORTH 170 FEET OF THE EAST 256.24 FEET AND EXCEPT: THAT PART OF BLOCK D OF NEWPORT VILLAS COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 36 TOWNSHIP 28 RANGE 22 THENCE EASTERLY ALONG THE NORTH LINE OF SAID SECTION A DISTANCE OF 570 FEET THENCE SOUTHERLY PERPENDICULAR TO THE NORTH LINE OF SAID SECTION A DISTANCE OF 180 FEET TO THE POINT OF BEGINNING THENCE WESTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION A DISTANCE OF 75 FEET THENCE NORTHERLY PERPENDICULAR TO THE NORTH LINE OF SAID SECTION A DISTANCE OF 110 FEET THENCE EASTERLY ALONG THE NORTH LINE OF SAID SECTION A DISTANCE OF 260 FEET THENCE SOUTHWESTERLY TO THE POINT OF BEGINNING AND THERE TERMINATING CONTAINING APPROXIMATELY .42 ACRES MORE OR LESS NEWPORT CITY Block D SubdivisionCd 55045 SubdivisionName NEWPORT VILLAS

WHEREAS, The described property is zoned Residential Estate (RE); and

WHEREAS, **Section 1310.10 Subd. 2 Criteria** states the criteria for acting upon a Conditional Use Permit (C.U.P.) application as follows: *“In acting upon an application for a conditional use permit, the City shall consider the effect of the proposed use upon the health, safety, and general welfare of the City including but not limited to the factors of noise, glare, odor, electrical interference, vibration, dust, and other nuisances; fire and safety hazards; existing and anticipated traffic conditions; parking facilities on adjacent streets and land; the effect on surrounding properties, including valuation, aesthetics and scenic views, land uses, character and integrity of the neighborhood; consistency with the Newport comprehensive plan; impact on governmental facilities and services, including roads, sanitary sewer, water and police and fire; effect on sensitive environmental features including lakes, surface and underground water supply and quality, wetlands, slopes flood plains and soils; and other factors as found relevant by the City. The City may also consider whether the proposed use complies or is likely to comply in the future with all standards and requirements set out in other regulations or ordinances of the City or other governmental bodies having jurisdiction over the City. In permitting a new conditional use or the alteration of an existing conditional use, the City may impose, in addition to the standards and requirements expressly specified by this chapter, additional conditions which it considers necessary to protect the best interest of the surrounding area or the community as a whole.”*; and

WHEREAS, **Minnesota Statutes 394.27** states that the criteria for granting a variance include that variances are permitted when they are in harmony with the general purpose and intent of the official control and are consistent with the comprehensive plan; that the request shall be reasonable under the development code; the need for the variance is due to circumstances that are unique to the property and were not created by the landowner; the variance, if granted, will not alter the essential character of the area; economic considerations alone do not constitute practical difficulties; the proposed variance will not impair an adequate supply of light and air to adjacent properties, substantially increase the congestion of public streets, increase the danger of fire or endanger public safety, or substantially diminish or impair property values within the neighborhood; the requested variance should be the minimum action required to eliminate the practical difficulties; and practical difficulties include, but are not limited to inadequate access to direct sunlight for solar energy systems; and

WHEREAS, Following publication, posted, and mailed notice thereof, the Newport Planning Commission held a Public Hearing on September 12, 2013; and

WHEREAS, the Planning Commission's findings related to the request for approval of a Conditional Use Permit and Variance include the following:

CUP

1. The proposed use requires a Conditional Use Permit in the RE District based on the size of the structure.
2. The proposed single-family use is consistent with the Comprehensive Plan. The proposed building location will avoid steep slopes and existing woodlands on the parcel, and is consistent with Comprehensive Plan goals to protect natural resources in the RE District
3. The proposed structure will not create noise, glare, odor, dust or nuisances that could affect public health or welfare. It will not increase create safety hazards, traffic congestion or parking on adjacent streets.
4. The proposed setbacks and existing vegetation will mitigate potential impacts to neighboring properties and maintain the character of the neighborhood.
5. Existing infrastructure and City services are adequate to serve the proposed use of the property.
6. The proposed building setback and location will protect sensitive environmental features including the bluffs and existing woodlands.
7. The City has not proposed future changes in zoning or requirements for the area that would impact this use.
8. With the proposed conditions and if the requested side setback variance is granted, the structure will comply with the requirements of Section 1340.04 of the zoning ordinance for large accessory structures in the RE District.

Variance

1. The requested variance will protect steep slopes and existing vegetative screening, and is consistent with the goals of the Comprehensive Plan and in harmony with the general purposes of the Zoning Ordinance
2. The proposed use is permitted in the RE District and is a reasonable use.
3. The practical difficulties are related to the location of steep slopes on the property and the location of existing structures and retaining walls. The owner did not create the practical difficulties.
4. Granting the variance will not alter the essential large-lot single-family residential character of the area.
5. The variance request is based on the location of steep slopes and existing structures, and not solely on economic considerations.
6. The structure will not impair the supply of light or air to adjacent properties, increase street congestion, increase the danger of fire or endanger public safety, or impair property values within the neighborhood.
7. The 73-foot setback will maintain a significant separation from adjacent parcels while avoiding steep slopes and existing structures. The proposed variance is the minimum action needed to eliminate the practical difficulty.
8. Granting the variance request will not affect access to direct sunlight for solar energy systems.

WHEREAS, The Planning Commission recommended Council approval of the proposed rezoning, Resolution No. P.C. 2013-10.

NOW, THEREFORE, BE IT FURTHER RESOLVED That the Newport Planning Commission **Hereby Recommends Newport City Council Approval** for a Conditional Use Permit for a 60' x 156' Pole Building and Variance to Allow a Side Setback of 73' from the northern property boundary and a minimum 27' setback from the west boundary of the City Pump House parcel for the Pole Building with the following conditions:

1. The use at the site shall be consistent with the survey submitted to the City on October 10, 2013. The CUP permits the construction of a 60' x 156' pole building to be used for storage, agricultural use, and an office space.
2. The applicant shall obtain a building permit from the City for the proposed accessory structure. The building permit application shall include a grading plan for review by the Building Inspector or City Engineer, if needed.
3. The accessory structure shall not be used for commercial use or include a dwelling unit.
4. The parcel shall not be re-platted, split or divided so that it results in a lot size of less than 3 acres without first removing or altering the accessory structure so that it conforms to the standards in the zoning ordinance.
5. Existing slopes, trees and shrubs shall be maintained to the degree possible, particularly to the north and east of the pole structure within the 73-foot setback area and the setback from Kolff Street.
6. Slopes disturbed for construction of the pole building shall be graded to a maximum 4:1 slope or retaining walls added to prevent erosion of steep slopes.
7. The accessory structure shall not be taller than the primary structure.
8. The pole barn shall be painted the same color as the house.
9. The applicant shall pay all fees and escrows for this application.

Adopted this 17th day of October, 2013 by the Newport City Council.

Motion by: _____, Seconded by: _____

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

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: October 14, 2013

SUBJECT: Ordinance Amendments

BACKGROUND

Please find attached Ordinance No. 2013-9, which amends Sections 1330 and 1350 of the Zoning Code. The amendments are before you for two reasons. The first is that a resident requested that the City amend Section 1330.05, Subdivisions 15 and 21 to allow for vinyl fences. The second reason is from a recent review of the allowed uses in regards to day care facilities. The Planning Commission held a public hearing regarding these amendments at its September 12, 2013 meeting and tabled the Resolution until October 10, 2013 because it needed more information. Below is information on the amendments.

Fence Amendment – Section 1330.05, Subdivisions 15 and 21 outline the regulations for fences in all of the zoning districts. At the September 12, 2013 meeting, the Planning Commission discussed adding language to Subdivisions 15(D) and 21(I) allowing for other materials to be used for fencing as long as they are approved by the Zoning Administrator. The Planning Commission recommends that the following language be added to those two Subdivisions regarding other materials for fences: “Other materials or fence types as approved by the Zoning Administrator.” The Planning Commission also discussed where barbed wire fences should be allowed. The Planning Commission recommends that language be added to Section 1330.05, Subdivision 15 allowing barbed wire fences and requiring the barbed wire to start at least six (6) feet from the ground. Furthermore, they recommend that Section 1330.05, Subdivision 21(F) be amended to replace barbed wire fences with electric fences.

Day Cares - There was a recent application for a certificate of occupancy for a daycare center on 2nd Avenue and a question came up as to where day care centers are allowed without a Conditional Use Permit. Per State Statute 462.357, Subdivision 7, day care facilities in single-family homes with 14 or fewer children are permitted in any district that allows single-family homes. Currently, Section 1330.04 requires individuals to obtain a Conditional Use Permit for nursery school/day care services in the RE, R-1A, and R-1 Districts and Section 1350.14 requires individuals to obtain a Conditional Use Permit for day care centers in the MX-1, MX-2, MX-3, MX-4, B-1, I-1, I-2, and I-S Districts. The Planning Commission discussed amending the uses tables in Sections 1330 and 1350 to reflect the State Statute and is recommending that the below sections be added in each uses table to reflect the State Statute:

Section 1330.04 –

- Day Care Facilities in Single Family Homes with 14 or fewer children being attended to – Permitted in RE, R-1A, R-1, R-2, and R-3 Districts
- Nursery School/Day Care Facilities in Single Family Homes with more than 14 children being attended to – CUP required for RE, R-1A, and R-1 Districts, permitted in R-2 and R-3 Districts
- Nursery School/Day Care Facilities in Multi-Family Homes – CUP required for R-2 and R-3 Districts, not permitted in RE, R-1A, and R-1 Districts

Section 1350.14 –

- Day Care Facilities in Single Family Homes with 14 or fewer children being attended to – Permitted in MX-1, MX-2 and MX-3 Districts, not permitted in MX-3 Districts
- Day Care Facilities in Single Family Homes with more than 14 children being attended to – CUP required in MX-1, MX-2 and MX-3 Districts, not permitted in MX-3 Districts

DISCUSSION

The Planning Commission approved Resolution No. P.C. 2013-11 recommending that the City Council approve the attached ordinance at its October 10, 2013 meeting. The City Council will need to discuss whether or not it would like to approve the Ordinance as presented.

RECOMMENDATION

It is recommended that the City Council approve Ordinance No. 2013-9 as presented.

**CITY OF NEWPORT
ORDINANCE 2013-9**

**AN ORDINANCE OF THE CITY OF NEWPORT, MINNESOTA, APPROVING A ZONING AMENDMENT TO
SECTION 1330 GENERAL DISTRICT REGULATIONS, AND SECTION 1350 NONRESIDENTIAL DISTRICTS**

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

Section 1330 – General District Regulations

1330.04 Uses

| Land Use Classification | | | | | | | | | | | | | | NP | Not Permitted |
|--|-----------------|------------------------|-------------------------------|--------------------------------|------------------------------|---|----------------------|------------------------|------------------------|---|---------------------------|-----------------------------------|--------------------------|---|---------------------------------------|
| | | | | | | | | | | | | | | P | Permitted |
| | | | | | | | | | | | | | | PUD | Planned Unit Developments |
| | | | | | | | | | | | | | | C | Conditional Use Permit (CUP) required |
| | | | | | | | | | | | | | | A | Permitted Accessory Use |
| | | | | | | | | | | | | | | CC | Certificate of Compliance |
| Land Use | Zoning District | | | | | | | | | | | | | Additional Use Regulations (See footnotes) | |
| | RE—Rural Estate | R-1A—River Residential | R-1—Low Density Single Family | R-2—Medium Density Residential | R-3—High Density Residential | B-1—Business Park /Office/ Warehouse | I-1—Light Industrial | I-2—General Industrial | I-S—Industrial Storage | MX-1—Downtown Mixed Use | MX-2—Commercial Mixed Use | MX-3 – Transit-Oriented Mixed Use | MX-4 – General Mixed Use | | |
| Residential | | | | | | | | | | | | | | | |
| Single Family Detached, one dwelling per lot | P | P | P | P | P | Please see Section 1350.14 (B) for allowed uses in the Business and Industrial Districts. | | | | Please see Section 1350.14 (A) for allowed uses in the Mixed Use Districts. | | | | | |
| Single Family Detached, more than one dwelling unit per lot | PUD | PUD | PUD | PUD | PUD | | | | | | | | | | |
| Two Family residences | | | | P | P | | | | | | | | | Includes townhomes | |
| Multi-family (eight units or fewer per building) | | | | C | P | | | | | | | | | Includes townhomes | |
| Multi-family (eight or more units per building) | | | | C | P | | | | | | | | | Includes townhomes | |
| Homes for handicapped or infirm including group homes or halfway houses but not containing more than 6 unrelated persons | P | P | P | P | P | Please see Section 1350.14 (B) for allowed uses in the Business and Industrial Districts. | | | | Please see Section 1350.14 (A) for allowed uses in the Mixed Use Districts. | | | | | |
| Planned residential developments | PUD | PUD | PUD | PUD | PUD | | | | | | | | | | |
| Manufactured Single-Family Dwelling | P | P | P | P | P | | | | | | | | | | |

| Land Use Classification | | | | | | | | | | | NP | Not Permitted | | | | | | | | | | |
|--|-----------------|------------------------|-------------------------------|--------------------------------|------------------------------|---|----------------------|------------------------|------------------------|-------------------------|---------------------------|---------------------------------------|---|--|--|--|--|--|--|--|--|----------------------|
| | | | | | | | | | | | P | Permitted | | | | | | | | | | |
| | | | | | | | | | | | PUD | Planned Unit Developments | | | | | | | | | | |
| | | | | | | | | | | | C | Conditional Use Permit (CUP) required | | | | | | | | | | |
| | | | | | | | | | | | A | Permitted Accessory Use | | | | | | | | | | |
| | | | | | | | | | | | CC | Certificate of Compliance | | | | | | | | | | |
| Land Use | Zoning District | | | | | | | | | | | | Additional Use Regulations (See footnotes) | | | | | | | | | |
| | RE—Rural Estate | R-1A—River Residential | R-1—Low Density Single Family | R-2—Medium Density Residential | R-3—High Density Residential | B-1—Business Park /Office/ Warehouse | I-1—Light Industrial | I-2—General Industrial | I-S—Industrial Storage | MX-1—Downtown Mixed Use | MX-2—Commercial Mixed Use | MX-3—Transit-Oriented Mixed Use | | MX-4—General Mixed Use | | | | | | | | |
| Gas, diesel or other motor fuel retail sales | | | | | | Please see Section 1350.14 (B) for allowed uses in the Business and Industrial Districts. | | | | | | | Please see Section 1350.14 (A) for allowed uses in the Mixed Use Districts. | | | | | | | | | |
| Storage Mini-storage/cold storage | | | | | | | | | | | | | | | | | | | | | | |
| Salvage yard (auto or scrap iron) | | | | | | | | | | | | | | | | | | | | | | |
| Animal Kennel for more than 6 animals | C | | | | | | | | | | | | | | | | | | | | | |
| Agricultural operations, row cropping, tree farming (excluding livestock) | P | | | | | | | | | | | | | | | | | | | | | No on-premises sales |
| Commercial Greenhouse operations | C | | | | | Please see Section 1350.14 (B) for allowed uses in the Business and Industrial Districts. | | | | | | | Please see Section 1350.14 (A) for allowed uses in the Mixed Use Districts. | Outside storage or sales requires a CUP. No on-premise sales permitted in RE district. | | | | | | | | |
| Veterinarian Clinic, animal hospital | | | | | | | | | | | | | | | | | | | | | | |
| Industrial | | | | | | | | | | | | | | | | | | | | | | |
| Manufacturing | | | | | | Please see Section 1350.14 (B) for allowed uses in the Business and Industrial Districts. | | | | | | | Please see Section 1350.14 (A) for allowed uses in the Mixed Use Districts. | | | | | | | | | |
| Warehousing | | | | | | | | | | | | | | | | | | | | | | |
| Storage and Distribution of Bulk Petroleum Products, Oil and Gasoline | | | | | | | | | | | | | | | | | | | | | | |
| Storage and distribution of bulk liquid fertilizer, chemicals or similar materials | | | | | | Please see Section 1350.14 (B) for allowed uses in the Business and Industrial Districts. | | | | | | | Please see Section 1350.14 (A) for allowed uses in the Mixed Use Districts. | | | | | | | | | |
| Retail Sale, Installation and remanufacturing of vehicle parts and accessories. | | | | | | | | | | | | | | | | | | | | | | |

1330.05 Performance Standards

Subd. 15 Fences. Except in the RE, R-1, R-1A, MX-1, MX-2, MX-3, and MX-4 districts, fences shall comply with the following standards:

- A. A fence may be placed along a property line provided no physical damage of any kind results to the abutting property.
- B. That side of the fence considered the face (the finished side as opposed to the structural supports) shall face the abutting property.
- C. Except in the I-S, I-1, and I-2 districts, barbed wire may not be used for fences.
- D. Barbed wire for fences in the I-S, I-1, and I-2 districts shall start at least six (6) feet off the ground.
- E. A fence shall be of one color or pattern, may not contain or support pictures, signage or lettering, and must be maintained in good condition and appearance.
- F. A fence shall only be constructed of the following materials:
 - 1) Treated wood, cedar, or redwood
 - 2) Simulated wood
 - 3) Decorative brick or stone
 - 4) Wrought iron or aluminum designed to simulate wrought iron
 - 5) Coated or non-coated chain link
 - 6) Split rail
 - 7) Other materials or fence types as approved by the Zoning Administrator
- G. A fence may be no more than twelve (12) feet in height.
- H. A fence shall not visually screen or interfere with streets, sidewalks, or vehicular traffic.
- I. In the I-S district, a fence at least six (6) feet in height shall be required around all storage tanks.
- J. No fence shall be constructed on public rights-of-way.

Subd. 21 Fences in the RE, R-1, R-1A, MX-1, MX-2, MX-3, and MX-4 districts.

- A. A fence may be placed along a property line provided no physical damage of any kind results to the abutting property.
- B. That side of the fence considered being the face (the finished side as opposed to the structural supports) shall face the abutting property.
- C. A fence in the front yard shall be of one color or pattern, and may not contain or support pictures, signage or lettering visible to a public street or to adjacent properties.
- D. A fence may be no more than four (4) feet in height in the front yard.
- E. A fence may be no more than six (6) feet in height in a side or rear yard, unless the side or rear lot line is common with the front yard of an abutting lot, in which case the portion of the side or rear lot line equal to the required front yard of the abutting lot may have a fence no more than four (4) feet in height.
- F. Except in the RE district, electric fences may not be used.
- G. A fence shall not visually screen or interfere with streets, sidewalks, or vehicular traffic.
- H. All fences shall be maintained in good condition and appearance.
- I. A fence shall only be constructed of the following materials:
 - 1) Treated wood, cedar, or redwood
 - 2) Simulated wood
 - 3) Decorative brick or stone
 - 4) Wrought iron or aluminum designed to simulate wrought iron
 - 5) Coated or non-coated chain link
 - 6) Split rail
 - 7) Other materials or fence types as approved by the Zoning Administrator
- J. Except in the RE District, welded wire may not be used for fences on property boundaries.
- K. Welded wire may be used in the RE District for fences on property boundaries of rear yards.
- L. Welded wire may only be used for small enclosures in all districts to protect vegetation such as trees, gardens, plants, and bushes.
- M. Except in the RE District, snow fences may not be used for fences.
- N. Snow fences may be erected in the RE District for controlling snow between November 1 and April 15. All snow fences must be removed by April 16.
- O. No fence shall be constructed on public rights-of-way.

Section 1350 – Non-residential Districts

1350.14 Uses in the Non-Residential Districts

| 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 |
| 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 sq ft maximum | C |
| Schools – trade, college, vocational, and associated facilities | C | C | C—50,000 sq ft 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 |

| Use | MX-1 | MX-2 | MX-3 | MX-4 |
|---|------|------|---|------|
| 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 sq ft 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 |
| 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 sq ft maximum | C |
| Internet publishing and broadcasting | P | P | P | P |
| Medical, dental, or veterinary clinics and laboratories | C | C | C—10,000 sq ft 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 sq ft; C—larger than 10,000 sq ft | 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 sq ft; C—10,000 to 50,000 sq ft maximum | P |

| Use | MX-1 | MX-2 | MX-3 | MX-4 |
|---|------|------|---|------|
| 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 sq ft or less; C—5,000 to 10,000 sq ft | 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 |
| Swimming Pool | P | P | P | P |

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 17th day of October, 2013.

Signed: _____
Tim Geraghty, Mayor

Attest: _____
Deb Hill, City Administrator

Section 1330--General District Regulations**1330.01 District Classification.**

In order to implement the Comprehensive Plan and achieve an orderly development pattern that protects the health, safety, and general welfare of the City of Newport, its residents, and business community, and minimizes development impacts on the environment, the city is hereby divided into the following zoning districts:

1330.01.1 Residential Districts

- RE Residential Estate
- R-1A River Residential District
- R-1 Low Density Single Family Residential District
- R-2 Medium Density Residential District
- R-3 High Density Residential District

1330.01.2 Nonresidential Districts

- B-1 Business Park/Office/Warehouse
- I-1 Light Industrial District
- I-2 General Industrial District
- I-S Industrial Storage District

1330.01.3 Mixed Use Districts

- MX-1 Downtown Mixed Use District
- MX-2 Commercial Mixed Use District
- MX-3 Transit-Oriented Mixed Use District
- MX-4 General Mixed Use District

1330.01.4 Planned Unit Developments (PUD)**1330.01.5 Special Overlay Districts**

- Shoreland Management District
- Critical Area Overlay District
- Flood Plain Management District
 - Floodway
 - Floodfringe
- Bluffland Area Overlay District
- Historic Neighborhood Conservation Overlay District
- Conservation Residential Overlay District
- River Redevelopment Overlay District

1330.02 Zoning Map

The location and boundaries of the districts established by this Chapter shall be hereby set forth in a map known as the "City of Newport Zoning Map" hereinafter referred to as the Zoning Map. The map and all notations, references, and data shown thereon are hereby incorporated by reference into this Chapter. It shall be the responsibility of the Zoning Administrator to maintain the Zoning Map, and amendments shall be recorded on the map within thirty (30) days after official publication of the amendments. The official zoning map shall be kept on file in the City hall.

1330.03 Boundary Lines

Wherever any uncertainty exists as to the boundary of any use district as shown on the zoning map incorporated herein, the following rules shall apply:

- A. Where district boundary lines are indicated as following streets, alleys, railroads, or similar rights-of-way, they shall be construed as following the centerlines thereof;
- B. Where district boundary lines are indicated as approximately following lot lines or section lines, such lines shall be construed to be such boundaries;
- C. Where a lot of record at the effective date of this Code that is held in one (1) ownership is divided by a district boundary line, the entire lot shall be construed to be within the less restricted district; provided that this section shall not apply if it increases the area of the less restricted portion of the lot by more than twenty (20) percent;

1330.04 Uses

It is the policy of the City of Newport that the enforcement, amendment, and administration of this Ordinance be accomplished with due consideration of the recommendation contained in *Chapter 1300, Section 1340.02* and *Sections 1350.01-1350.12, Intent of the Newport City Code of Ordinances* and the *City of Newport Comprehensive Plan* as developed and amended from time to time by the Planning Commission and City Council of the City of Newport.

Within the City's zoning districts, no land or buildings may be used or occupied in any manner except for the uses set forth in the following land use classification chart and described in the following subsections. If a use is not identified in the following land use classification chart, the Zoning Administrator shall issue a statement of clarification, finding that the use is or is not substantially similar in character and impact to a use regulated in the land use classification chart. If the use is not substantially similar to any other use regulated in the land use classification chart, the Zoning Administrator shall refer the matter to the City Council for determination. The Zoning Administrator and City Council shall take into consideration if the use meets the City's goals and plans, what zoning district may be most appropriate for the use as well as what conditions and standards should be imposed relating to development of the use. In addition, the Zoning Administrator and City Council shall take into consideration whether the use will conform to the performance standards (*Section 1330.05*) and overlay districts (*Section 1370*) described in this Chapter.

An appeal may be taken to the board of appeals and adjustments as described in *Section 1310.03 Appeal from Administrative Decisions* by any person aggrieved by any order, requirement, decision or determination made by the Zoning Administrator or any other administrative office of the City in enforcement of this Section.

Section 1330.04 Uses

| Land Use Classification | | | | | | | | | | | NP | Not Permitted | |
|---|-----------------|------------------------|-------------------------------|--------------------------------|------------------------------|---|----------------------|------------------------|---|-------------------------|---------------------------|---------------------------------------|---|
| | | | | | | | | | | | P | Permitted | |
| | | | | | | | | | | | PUD | Planned Unit Developments | |
| | | | | | | | | | | | C | Conditional Use Permit (CUP) required | |
| | | | | | | | | | | | A | Permitted Accessory Use | |
| | | | | | | | | | | | CC | Certificate of Compliance | |
| Land Use | Zoning District | | | | | | | | | | | | Additional Use Regulations (See footnotes) |
| | RE—Rural Estate | R-1A—River Residential | R-1—Low Density Single Family | R-2—Medium Density Residential | R-3—High Density Residential | B-1—Business Park /Office/ Warehouse | I-1—Light Industrial | I-2—General Industrial | I-S—Industrial Storage | MX-1—Downtown Mixed Use | MX-2—Commercial Mixed Use | MX-3 – Transit-Oriented Mixed Use | |
| Residential | | | | | | | | | | | | | |
| Single Family Detached, one dwelling per lot | P | P | P | P | P | Please see Section 1350.14 (B) for allowed uses in the Business and Industrial Districts. | | | Please see Section 1350.14 (A) for allowed uses in the Mixed Use Districts. | | | | |
| Single Family Detached, more than one dwelling unit per lot | PUD | PUD | PUD | PUD | PUD | | | | | | | | |
| Two Family residences | | | | P | P | | | | | | | | Includes townhomes |
| Multi-family (eight units or fewer per building) | | | | C | P | | | | | | | | Includes townhomes |
| Multi-family (eight or more units per building) | | | | C | P | | | | | | | | Includes townhomes |

| Land Use Classification | | | | | | | NP Not Permitted P Permitted PUD Planned Unit Developments C Conditional Use Permit (CUP) required A Permitted Accessory Use CC Certificate of Compliance | | | | | | |
|--|-----------------|------------------------|-------------------------------|--------------------------------|------------------------------|---|--|------------------------|------------------------|-------------------------|---|---------------------------|-----------------------------------|
| Land Use | Zoning District | | | | | | | | | | Additional Use Regulations (See footnotes) | | |
| | RE—Rural Estate | R-1A—River Residential | R-1—Low Density Single Family | R-2—Medium Density Residential | R-3—High Density Residential | B-1—Business Park /Office/ Warehouse | I-1—Light Industrial | I-2—General Industrial | I-S—Industrial Storage | MX-1—Downtown Mixed Use | | MX-2—Commercial Mixed Use | MX-3 – Transit-Oriented Mixed Use |
| Homes for handicapped or infirm including group homes or halfway houses but not containing more than 6 unrelated persons | P | P | P | P | P | Please see Section 1350.14 (B) for allowed uses in the Business and Industrial Districts. | | | | | | | |
| Planned residential developments | PUD | PUD | PUD | PUD | PUD | | | | | | | | |
| Manufactured Single-Family Dwelling | P | P | P | P | P | | | | | | | | |
| Mobile Homes | C | | | | | | | | | | | | |
| Public and Semi-Public Services | | | | | | | | | | | | | |
| Airport | C | | | | | Please see Section 1350.14 (B) for allowed uses in the Business and Industrial | | | | | | | |
| Cemetery | | | | | | | | | | | | | |

| Land Use Classification | | | | | | | NP Not Permitted P Permitted PUD Planned Unit Developments C Conditional Use Permit (CUP) required A Permitted Accessory Use CC Certificate of Compliance | | | | | | |
|---|-----------------|------------------------|-------------------------------|--------------------------------|------------------------------|---|--|------------------------|---|-------------------------|---------------------------|--|-----------------------------------|
| Land Use | Zoning District | | | | | | | | | | | Additional Use Regulations (See footnotes) | |
| | RE—Rural Estate | R-1A—River Residential | R-1—Low Density Single Family | R-2—Medium Density Residential | R-3—High Density Residential | B-1—Business Park /Office/ Warehouse | I-1—Light Industrial | I-2—General Industrial | I-S—Industrial Storage | MX-1—Downtown Mixed Use | MX-2—Commercial Mixed Use | | MX-3 – Transit-Oriented Mixed Use |
| Churches, synagogues, temples and associated facilities except schools | C | P | P | P | P | Districts. | | | | | | In Residential Districts and Mixed Use Districts building footprints shall not exceed 10,000 sq. ft. | |
| Crematorium | | | | | | | | | | | | | |
| Funeral Home | | | | | | | | | | | | | |
| Hospitals | | | | | | | | | | | | | |
| Medical Clinics | | | | | C | | | | | | | In the MX district, facilities must not exceed a 10,000 square foot footprint | |
| Military Reserve, National Guard Centers | | | | | | Please see Section 1350.14 (B) for allowed uses in the Business and Industrial Districts. | | | Please see Section 1350.14 (A) for allowed uses in the Mixed Use Districts. | | | | |
| <u>Day Care Facilities in Single Family Homes with 14 or fewer children being attended to</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | | | | | | | | |

| Land Use Classification | | | | | | NP Not Permitted P Permitted PUD Planned Unit Developments C Conditional Use Permit (CUP) required A Permitted Accessory Use CC Certificate of Compliance | | | | | | | |
|--|-----------------|------------------------|-------------------------------|--------------------------------|------------------------------|--|----------------------|------------------------|------------------------|-------------------------|---|---------------------------|-----------------------------------|
| Land Use | Zoning District | | | | | | | | | | Additional Use Regulations (See footnotes) | | |
| | RE—Rural Estate | R-1A—River Residential | R-1—Low Density Single Family | R-2—Medium Density Residential | R-3—High Density Residential | B-1—Business Park /Office/ Warehouse | I-1—Light Industrial | I-2—General Industrial | I-S—Industrial Storage | MX-1—Downtown Mixed Use | | MX-2—Commercial Mixed Use | MX-3 – Transit-Oriented Mixed Use |
| Nursery School/Day Care services <u>Facilities in Single Family Homes with more than 14 children being attended to</u> | C | C | C | P | P | | | | | | | | |
| <u>Nursery School/Day Care Facilities in Multi-Family Homes</u> | | | | C | C | | | | | | | | |
| Parking Garage (as principal use) | | | | | | | | | | | | | |
| Parking Lots--Surface (as principal use) | | | | | | | | | | | | | |
| Penal/correctional facilities | | | | | | | | | | | | | |
| Post Office | | | | | | | | | | | | | |

| Land Use Classification | | | | | | NP Not Permitted P Permitted PUD Planned Unit Developments C Conditional Use Permit (CUP) required A Permitted Accessory Use CC Certificate of Compliance | | | | | | | | | | | | | | |
|---|-----------------|------------------------|-------------------------------|--------------------------------|------------------------------|--|----------------------|------------------------|------------------------|---|---|---------------------------|---|--------------------------|--|--|--|--|--|--|
| Land Use | Zoning District | | | | | | | | | | Additional Use Regulations (See footnotes) | | | | | | | | | |
| | RE—Rural Estate | R-1A—River Residential | R-1—Low Density Single Family | R-2—Medium Density Residential | R-3—High Density Residential | B-1—Business Park /Office/ Warehouse | I-1—Light Industrial | I-2—General Industrial | I-S—Industrial Storage | MX-1—Downtown Mixed Use | | MX-2—Commercial Mixed Use | MX-3 – Transit-Oriented Mixed Use | MX-4 – General Mixed Use | | | | | | |
| Pubic Facilities including government offices, emergency facilities, public works facilities, Schools, libraries, museums, art galleries, and other municipally owned or operated facilities. | C | C | C | C | C | Please see Section 1350.14 (B) for allowed uses in the Business and Industrial Districts. | | | | Please see Section 1350.14 (A) for allowed uses in the Mixed Use Districts. | | | Public Facilities located in Residential Districts must not exceed 10,000 square foot footprint except if located in the RE District. | | | | | | | |
| Public utility | C | C | C | C | C | | | | | | | | | | | | | | | |
| Schools--Trade, College, Vocational and associated facilities | | | | | | | | | | | | | | | | | | | | |
| Social, fraternal clubs and lodges, union halls | | | | | | Please see Section 1350.14 (B) for allowed uses in the Business and Industrial Districts. | | | | Please see Section 1350.14 (A) for allowed uses in the Mixed Use Districts. | | | | | | | | | | |
| Sanitary Landfill | | | | | | | | | | | | | | | | | | | | |

| Land Use Classification | | | | | | | NP Not Permitted P Permitted PUD Planned Unit Developments C Conditional Use Permit (CUP) required A Permitted Accessory Use CC Certificate of Compliance | | | | | | | | |
|--|-----------------|------------------------|-------------------------------|--------------------------------|------------------------------|---|--|------------------------|------------------------|---|---|---------------------------|-----------------------------------|--------------------------|--|
| Land Use | Zoning District | | | | | | | | | | Additional Use Regulations (See footnotes) | | | | |
| | RE—Rural Estate | R-1A—River Residential | R-1—Low Density Single Family | R-2—Medium Density Residential | R-3—High Density Residential | B-1—Business Park /Office/ Warehouse | I-1—Light Industrial | I-2—General Industrial | I-S—Industrial Storage | MX-1—Downtown Mixed Use | | MX-2—Commercial Mixed Use | MX-3 – Transit-Oriented Mixed Use | MX-4 – General Mixed Use | |
| Towers and antennas | | | | | | | | | | | | | | See Ordinance 97-4 | |
| Transit Station | | | | | | | | | | | | | | | |
| Park-and-ride Lot | | | | | | | | | | | | | | | |
| Commercial | | | | | | | | | | | | | | | |
| Bed and Breakfast | C | C | C | C | C | Please see Section 1350.14 (B) for allowed uses in the Business and Industrial Districts. | | | | Please see Section 1350.14 (A) for allowed uses in the Mixed Use Districts. | | | | | |
| Hotels | | | | | | | | | | | | | | | |
| Motels | | | | | | | | | | | | | | | |
| Adult Uses (bookstore, theater, nightclub, nude or partially nude dancing) | | | | | | Please see Section 1350.14 (B) for allowed uses in the Business and Industrial Districts. | | | | Please see Section 1350.14 (A) for allowed uses in the Mixed Use Districts. | | | | | |
| Animal boarding | | | | | | | | | | | | | | | |
| Animal grooming | | | | | | | | | | | | | | | |
| Animal hospitals | | | | | | | | | | | | | | | |
| Animal retail sales | | | | | | | | | | | | | | | |
| Antique Shops | | | | | | | | | | | | | | | |

| Land Use Classification | | | | | | | | | | | NP | Not Permitted | | |
|--|-----------------|------------------------|-------------------------------|--------------------------------|------------------------------|--------------------------------------|----------------------|------------------------|------------------------|-------------------------|---------------------------|---|-----------------------------------|---|
| | | | | | | | | | | | P | Permitted | | |
| | | | | | | | | | | | PUD | Planned Unit Developments | | |
| | | | | | | | | | | | C | Conditional Use Permit (CUP) required | | |
| | | | | | | | | | | | A | Permitted Accessory Use | | |
| | | | | | | | | | | | CC | Certificate of Compliance | | |
| Land Use | Zoning District | | | | | | | | | | | Additional Use Regulations (See footnotes) | | |
| | RE—Rural Estate | R-1A—River Residential | R-1—Low Density Single Family | R-2—Medium Density Residential | R-3—High Density Residential | B-1—Business Park /Office/ Warehouse | I-1—Light Industrial | I-2—General Industrial | I-S—Industrial Storage | MX-1—Downtown Mixed Use | MX-2—Commercial Mixed Use | | MX-3 – Transit-Oriented Mixed Use | MX-4 – General Mixed Use |
| Artist studios | | | | | | | | | | | | | | |
| Auto sales, rental and services | | | | | | | | | | | | | | |
| Auto services only | | | | | | | | | | | | | | No more than 4 bays in the MX districts |
| Auto storage | | | | | | | | | | | | | | |
| Auto washing | | | | | | | | | | | | | | |
| Bakeries (Retail sales) | | | | | | | | | | | | | | |
| Bakeries (Wholesale) | | | | | | | | | | | | | | |
| Restaurant--Liquor Served--Bar Grill | | | | | | | | | | | | | | Please see Section 1350.14 (A) for allowed uses in the Mixed Use Districts. |
| Restaurant--Fast food | | | | | | | | | | | | | | |
| Restaurant--Traditional (no liquor, sit down restaurant) | | | | | | | | | | | | | | |
| Building materials and services | | | | | | | | | | | | | | |
| Catering services | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | Please see Section 1350.14 (B) for allowed uses in the Business and Industrial Districts. |
| | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | |

| Land Use Classification | | | | | | | | | | | NP | Not Permitted | | | | | | | | | |
|---|-----------------|------------------------|-------------------------------|--------------------------------|------------------------------|---|----------------------|------------------------|------------------------|---|---------------------------|---|--|--------------------------|--|--|--|--|----------------------|--|---|
| | | | | | | | | | | | P | Permitted | | | | | | | | | |
| | | | | | | | | | | | PUD | Planned Unit Developments | | | | | | | | | |
| | | | | | | | | | | | C | Conditional Use Permit (CUP) required | | | | | | | | | |
| | | | | | | | | | | | A | Permitted Accessory Use | | | | | | | | | |
| | | | | | | | | | | | CC | Certificate of Compliance | | | | | | | | | |
| Land Use | Zoning District | | | | | | | | | | | Additional Use Regulations (See footnotes) | | | | | | | | | |
| | RE—Rural Estate | R-1A—River Residential | R-1—Low Density Single Family | R-2—Medium Density Residential | R-3—High Density Residential | B-1—Business Park /Office/ Warehouse | I-1—Light Industrial | I-2—General Industrial | I-S—Industrial Storage | MX-1—Downtown Mixed Use | MX-2—Commercial Mixed Use | | MX-3 – Transit-Oriented Mixed Use | MX-4 – General Mixed Use | | | | | | | |
| Professional Offices | | | | | | Please see Section 1350.14 (B) for allowed uses in the Business and Industrial Districts. | | | | Please see Section 1350.14 (A) for allowed uses in the Mixed Use Districts. | | | | | | | | | | | |
| Convenience Stores | | | | | | | | | | | | | | | | | | | | | |
| Bicycle Sales Dry Cleaner Laundromat Drug Store/Pharmacy Floral/Flower shop Hobby Shop | | | | | | | | | | | | | | | | | | | | | In the MX district, drive up windows require a conditional use permit (CUP) |
| Wholesale sales | | | | | | | | | | | | | | | | | | | | | |
| Produce sales: vegetables, fruit, flowers, etc... | | | | | | | | | | | | | | | | | | | | | |
| Drive up Banks | | | | | | | | | | | | | | | | | | | | | |
| Entertainment/ amusement halls Bowling Alley Skating Rink, Indoor | | | | | | Please see Section 1350.14 (B) for allowed uses in the Business and Industrial Districts. | | | | Please see Section 1350.14 (A) for allowed uses in the Mixed Use Districts. | | | If alcohol is part of the use a (CUP) is required. | | | | | | | | |
| Movie Theater | | | | | | | | | | | | | | | | | | | 300 or less capacity | | |

| Land Use Classification | | | | | | | | | | | NP | Not Permitted | | |
|-----------------------------------|-----------------|------------------------|-------------------------------|--------------------------------|------------------------------|--------------------------------------|----------------------|------------------------|------------------------|-------------------------|---------------------------|---|-----------------------------------|--------------------------|
| | | | | | | | | | | | P | Permitted | | |
| | | | | | | | | | | | PUD | Planned Unit Developments | | |
| | | | | | | | | | | | C | Conditional Use Permit (CUP) required | | |
| | | | | | | | | | | | A | Permitted Accessory Use | | |
| | | | | | | | | | | | CC | Certificate of Compliance | | |
| Land Use | Zoning District | | | | | | | | | | | Additional Use Regulations (See footnotes) | | |
| | RE—Rural Estate | R-1A—River Residential | R-1—Low Density Single Family | R-2—Medium Density Residential | R-3—High Density Residential | B-1—Business Park /Office/ Warehouse | I-1—Light Industrial | I-2—General Industrial | I-S—Industrial Storage | MX-1—Downtown Mixed Use | MX-2—Commercial Mixed Use | | MX-3 – Transit-Oriented Mixed Use | MX-4 – General Mixed Use |
| Movie Theater | | | | | | | | | | | | | | 300 or greater capacity |
| Coliseums, stadiums | | | | | | | | | | | | | | |
| Country Club and Golf Course | C | C | C | C | C | | | | | | | | | |
| Private athletic fields or courts | C | C | C | C | C | | | | | | | | | |
| Golf Driving Range | | | | | | | | | | | | | | |
| Horseback Riding, Stables | C | | | | | | | | | | | | | |
| Auto and motorcycle racing tracks | | | | | | | | | | | | | | |
| Drive-in movie theater | | | | | | | | | | | | | | |
| Mobile Home Sales | | | | | | | | | | | | | | |
| Manufactured Home Sales | | | | | | | | | | | | | | |

| Land Use Classification | | | | | | | | | | | NP | Not Permitted | | |
|---|-----------------|------------------------|-------------------------------|--------------------------------|------------------------------|--------------------------------------|----------------------|------------------------|------------------------|-------------------------|---------------------------|---|-----------------------------------|--------------------------|
| | | | | | | | | | | | P | Permitted | | |
| | | | | | | | | | | | PUD | Planned Unit Developments | | |
| | | | | | | | | | | | C | Conditional Use Permit (CUP) required | | |
| | | | | | | | | | | | A | Permitted Accessory Use | | |
| | | | | | | | | | | | CC | Certificate of Compliance | | |
| Land Use | Zoning District | | | | | | | | | | | Additional Use Regulations (See footnotes) | | |
| | RE—Rural Estate | R-1A—River Residential | R-1—Low Density Single Family | R-2—Medium Density Residential | R-3—High Density Residential | B-1—Business Park /Office/ Warehouse | I-1—Light Industrial | I-2—General Industrial | I-S—Industrial Storage | MX-1—Downtown Mixed Use | MX-2—Commercial Mixed Use | | MX-3 – Transit-Oriented Mixed Use | MX-4 – General Mixed Use |
| Automobile Parts/accessories retail sales and installation | | | | | | | | | | | | | | |
| Automobile painting and body work | | | | | | | | | | | | | | |
| Gas, diesel or other motor fuel retail sales | | | | | | | | | | | | | | |
| Storage Mini-storage/cold storage | | | | | | | | | | | | | | |
| Salvage yard (auto or scrap iron) | | | | | | | | | | | | | | |
| Animal Kennel for more than 6 animals | C | | | | | | | | | | | | | |
| Agricultural operations, row cropping, tree farming (excluding livestock) | P | | | | | | | | | | | | | No on-premises sales |

| Land Use Classification | | Zoning District | | | | | | | | | | | Additional Use Regulations (See footnotes) | |
|--|---|-----------------|------------------------|-------------------------------|--------------------------------|---|--------------------------------------|----------------------|------------------------|------------------------|---|---------------------------|---|--|
| | | RE—Rural Estate | R-1A—River Residential | R-1—Low Density Single Family | R-2—Medium Density Residential | R-3—High Density Residential | B-1—Business Park /Office/ Warehouse | I-1—Light Industrial | I-2—General Industrial | I-S—Industrial Storage | MX-1—Downtown Mixed Use | MX-2—Commercial Mixed Use | | MX-3 – Transit-Oriented Mixed Use |
| Commercial Greenhouse operations | C | | | | | Please see Section 1350.14 (B) for allowed uses in the Business and Industrial Districts. | | | | | Please see Section 1350.14 (A) for allowed uses in the Mixed Use Districts. | | | Outside storage or sales requires a CUP. No on-premise sales permitted in RE district. |
| Veterinarian Clinic, animal hospital | | | | | | | | | | | | | | |
| Industrial | | | | | | | | | | | | | | |
| Manufacturing | | | | | | Please see Section 1350.14 (B) for allowed uses in the Business and Industrial Districts. | | | | | Please see Section 1350.14 (A) for allowed uses in the Mixed Use Districts. | | | |
| Warehousing | | | | | | | | | | | | | | |
| Storage and Distribution of Bulk Petroleum Products, Oil and Gasoline | | | | | | Please see Section 1350.14 (B) for allowed uses in the Business and Industrial Districts. | | | | | Please see Section 1350.14 (A) for allowed uses in the Mixed Use Districts. | | | |
| Storage and distribution of bulk liquid fertilizer, chemicals or similar materials | | | | | | | | | | | | | | |

| Land Use Classification | | | | | | | | | | | NP | Not Permitted | | |
|---|-----------------|------------------------|-------------------------------|--------------------------------|------------------------------|--------------------------------------|----------------------|------------------------|------------------------|-------------------------|---------------------------|---|--|-----------------------------------|
| | | | | | | | | | | | P | Permitted | | |
| | | | | | | | | | | | PUD | Planned Unit Developments | | |
| | | | | | | | | | | | C | Conditional Use Permit (CUP) required | | |
| | | | | | | | | | | | A | Permitted Accessory Use | | |
| | | | | | | | | | | | CC | Certificate of Compliance | | |
| Land Use | Zoning District | | | | | | | | | | | Additional Use Regulations (See footnotes) | | |
| | RE—Rural Estate | R-1A—River Residential | R-1—Low Density Single Family | R-2—Medium Density Residential | R-3—High Density Residential | B-1—Business Park /Office/ Warehouse | I-1—Light Industrial | I-2—General Industrial | I-S—Industrial Storage | MX-1—Downtown Mixed Use | MX-2—Commercial Mixed Use | | | MX-3 – Transit-Oriented Mixed Use |
| Retail Sale, Installation and remanufacturing of vehicle parts and accessories. | | | | | | | | | | | | | | |

1330.05 Performance Standards

Subd. 1 Intent. It shall be the intent of this section to promote high standards of design and construction in the City. These standards are set forth in order to enhance the visual appearance of the built environment within the City, to preserve the taxable value, to implement the goals and policies of the Comprehensive Plan and to promote the public health, safety, and welfare of the general public.

Subd. 2 General Scope. Except in the RE, R-1, and R-1A districts, any construction or alteration of buildings, structures, property or exterior equipment in the City which requires a building permit under the provisions of this Chapter shall be reviewed by the Zoning Administrator and shall comply with the standards set in Subds. 3 through 19 inclusive. If the Zoning Administrator determines that the plans comply with the intent and standards contained herein, a building permit may be issued. All decisions of the Zoning Administrator may be appealed to the City Council as provided for in this Chapter.

Subd. 3 Building Materials. Exterior building materials of all structures shall be one of, or a combination of, the following materials:

A. Permitted materials:

- 1) Face brick, stone, or glass;
- 2) Decorative concrete block with a color and texture theme that is directly related to the building material, if not more than 50% of the building elevation faces any public roadway. Plain, flat unpainted concrete block is not allowed, nor is any type of painted concrete block;
- 3) Architecturally treated concrete or cast-in-place or precast concrete panels;
- 4) Stucco or other cement like coating applied in a manner so as to create a harmonious design with other exterior materials;
- 5) Metal panels with interlocking, concealed, or tongue-and-groove seams, and concealed fasteners, if the exterior surface finish is warranted by the manufacturer for twenty years against blistering, peeling, cracking, flaking, checking, or chipping, if not more than 50% of the building elevation faces any public roadway;
- 6) Wood, wood siding, metal siding, or vinyl siding, but only in the R-2 and R-3 districts, and only on buildings with eight (8) or fewer units.

B. Conditional materials. Other exterior building materials may be approved by Conditional Use Permit, if it is determined that:

- 1) The materials are similar to or better than the permitted materials listed above;
- 2) The materials are high quality, long-lasting, attractive, reasonably maintenance-free, and;
- 3) The materials are integrated harmoniously into the building design and with neighboring uses.
- 4) The materials are approved by the building official.

Subd. 4 Additions, Alterations, and Accessory Structures. All subsequent additions, exterior alterations, and accessory structures, built after the construction of the original building or buildings shall be of the same materials as those used in the original building and shall be designed to conform to the original architectural concept and general appearance. These provisions shall not prevent the upgrading of the quality of materials used in a remodeling or expansion project. Such alterations shall also maintain the appearance of the building exterior due to fading, cracking, peeling, rotting, or other degradations or inconsistencies, particularly where signage, equipment, fixtures, or other features may have been removed, revealing an inconsistent color or condition of materials.

Subd. 5 Other Structures. Garages, screen walls, and other areas of exposed permanent materials shall be of a similar type, quality and appearance as the principal structure. These provisions shall not prevent the upgrading of the quality of materials used in a remodeling or expansion project. Exposed areas of retaining walls shall be of high quality durable materials compatible with the overall design of the site plan and structures.

Subd. 6 Outside Storage. All outside storage of equipment, materials, or vehicles shall be completely screened from the eye-level view of adjacent residential property and public streets, and from the public front and office sides of business and industrial uses, subject to the following conditions and exceptions:

- A. Temporary, daily parking of vehicles, for a period of no more than forty-eight (48) consecutive hours, for employees or patrons of a business, need not be screened in side and rear yards adjacent to other business or industrial uses, but shall be completely screened from residential uses. In front yards, all such vehicles need to be screened to a height of three (3) feet. Any vehicle parked for more than forty-eight (48) consecutive hours shall be completely screened from the eye-level view of adjacent residential property and public streets, and from the public front and office sides of business and industrial uses.
- B. Any outside storage or display of vehicles for sale, rent, or lease shall be by Conditional Use Permit only as governed by this Chapter, and shall include only operable new vehicles or operable used vehicles in good working order and of good appearance.
- C. Open storage of any kind shall be prohibited in any required front, side or rear yard setback.
- D. Overnight storage of perishable goods shall be allowed only within a completely enclosed permanent structure.

Subd. 7 Paving and Curbing. All parking areas and drives shall be constructed of concrete, blacktop, or similar durable hard surface free of dust. The periphery of all parking areas and drives shall be constructed with poured-in-place concrete curbing unless otherwise approved by the City.

Subd. 8 Utility Equipment. All utility equipment, such as heating and ventilating equipment, meters and other devices shall be completely screened from eye-level view of adjacent properties and streets. Equipment shall be screened with a screen wall, berm, or landscaping if located on the ground. If on the roof, the equipment shall be screened with a parapet or screen wall of materials compatible with the principal structure. Vertical or horizontal wood slats, fencing or similar materials are not acceptable screening material.

Subd. 9 Loading and Service Areas. All loading and service areas shall be completely screened from eye-level view of adjacent residential uses, adjacent public streets, and the public front and

- A. At least one (1) overstory tree shall be provided in the front yard for each fifty (50) feet of lot frontage.
- B. There shall be a minimum of one (1) tree for every one thousand (1,000) square feet of non-impervious surface area on the lot.
- C. All landscape materials shall be appropriate to the physical characteristics of the site in terms of hardiness, salt-tolerance, and sun or shade tolerance. Trees provided shall be at least twenty-five (25) percent overstory deciduous and at least twenty-five (25) percent coniferous. All deciduous trees provided shall be long-lived hardwood species.
- D. All areas not otherwise improved in accordance with approved site plans shall be sodded. Exceptions shall be as follows:
 - 1) Seeding of future expansion areas as shown on approved plans.
 - 2) Undisturbed areas containing existing viable natural vegetation that can be maintained free of foreign and noxious plant material.
 - 3) Areas designated as open space or future expansion areas properly planted and maintained with native prairie grass.
 - 4) Use of mulch material such as rock or wood chips in support of shrubs and foundation plantings.
- E. Slopes and Berms. Final slope grades steeper than the ratio of 3:1 shall not be permitted without special landscaping treatments such as terracing, retaining walls, or ground cover.
- F. Berming used to provide screening of parking lots shall be 3 feet in height and shall have a maximum slope ratio of 3:1.
- G. Parking Lot Requirements.
 - 1) Parking lots for more than eight (8) cars shall landscape 10 percent of the parking lot surface area. The landscaped area may be in the form of landscape islands, special brick paving or other landscaping as approved by the Zoning Administrator. Landscape islands shall be a minimum width of 16 feet and with a minimum surface area of 250 square feet. The landscaped area shall adhere to the size and material requirements of this Chapter.
 - 2) On a corner lot, and at entrances, nothing shall be placed or allowed to grow in such a manner as to impede vision between a height of 2 ½ and 10 feet above the centerline grades of the intersecting streets within a triangular area 30 feet from the intersecting street right-of-way lines.
- H. Plant Size Requirements. Plant size requirements for landscaping areas shall be as follows:
 - 1) Deciduous trees shall be at least 2 ½ inches in diameter.
 - 2) Ornamental trees shall be a minimum of 1 ½ inches in diameter
 - 3) Evergreen trees shall have a minimum height of 6 feet.

- 4) Potted shrubs shall be in a 5 gallon pot or larger.
- 5) Evergreen shrubs used for screening purposes shall be at least 3 feet in height at planting. Evergreen shrubs will have a minimum spread of 24 inches.
- I. Landscape plans and screening plantings shall be completed within one year from the date a building permit is issued.

Subd. 15 Fences. Except in the RE, R-1, R-1A, MX-1, MX-2, ~~and MX-3,~~ and MX-4 districts, fences shall comply with the following standards:

- A. A fence may be placed along a property line provided no physical damage of any kind results to the abutting property.
- B. That side of the fence considered the face (the finished side as opposed to the structural supports) shall face the abutting property.

C. Except in the I-S, I-1, and I-2 districts, barbed wire may not be used for fences.

D. Barbed wire for fences in the I-S, I-1, and I-2 districts shall start at least six (6) feet off the ground.

~~E.~~ E. A fence shall be of one color or pattern, may not contain or support pictures, signage or lettering, and must be maintained in good condition and appearance.

~~F.~~ F. A fence shall only be constructed of the following materials:

- 1) Treated wood, cedar, or redwood
- 2) Simulated wood
- 3) Decorative brick or stone
- 4) Wrought iron or aluminum designed to simulate wrought iron
- 5) Coated or non-coated chain link

6) Split rail

~~7)~~ Other materials or fence types as approved by the Zoning Administrator

~~G.~~ G. A fence may be no more than twelve (12) feet in height.

~~H.~~ H. A fence shall not visually screen or interfere with streets, sidewalks, or vehicular traffic.

~~I.~~ I. In the I-S district, a fence at least six (6) feet in height shall be required around all storage tanks.

~~J.~~ J. No fence shall be constructed on public rights-of-way.

Subd. 16 Noxious Matter. The emission of noxious matter shall be controlled so that no such emission crosses the lot line of the property from which it originates. Noxious matter shall mean any

solid, liquid or gaseous material, including but not limited to gases, vapors, odor, dusts, fumes, mists, or combinations thereof, the emission of which is detrimental to or endangers the public health, safety, comfort or general welfare, or causes damage to property. The operator of the facility shall comply with a regular inspection schedule as approved by the City and shall submit reports of such inspections to the City.

Subd. 17 Restricted Operations. Uses which because of the nature of their operation are accompanied by an excess of noise, vibration, dust, dirt, smoke, odor, noxious gases, glare or wastes shall not be permitted. Noise, odors, smoke and particulate matter shall not exceed Minnesota Pollution Control Agency standards. Glare, whether direct or reflected, such as from spotlights or high temperature processes, as differentiated from general illumination, shall not be visible beyond the lot line of the property from which it originates.

Subd. 18 Explosives. Any use requiring the storage, use or manufacturing of explosives, or other products which could decompose by detonation, shall not be located less than four hundred (400) feet from any residential use or residentially zoned area. This provision shall not apply to the storage or use of liquefied petroleum or natural gas for normal residential or business purposes, nor to the storage and distribution for retail sale of gasoline and other motor fuels if properly stored and handled according to applicable safety regulations.

Subd. 19 Exceptions for Legal Non-Conforming Structures. The standards in this section do not apply to legal non-conforming single family residential structures and properties in Business and Industrial districts, provided they are continuously used for residential purposes only, and provided any additions or alterations to these structures meet the standards of the R-1 district and other applicable zoning and building code standards. For legal non-conforming non-residential structures in the Business and Industrial districts or for existing non-residential development on properties that are rezoned to a Business or Industrial zoning district, the following exceptions shall apply:

- A. New construction projects for repairs, remodeling, or additions to a structure do not need to meet the standards in this section if the construction increases the size of the building by less than ten (10) percent, or if it increases the assessor's market value by less than twenty (20) percent.
- B. Construction projects involving a building expansion between ten (10) and fifty (50) percent of the size of the building or an increase in assessor's market value between twenty (20) and fifty (50) percent of its value need not meet all the standards of this section, but shall be required to meet a reasonable proportion of the requirements of this section as determined by the Planning Commission, upon the advice of the Zoning Administrator. If two or more smaller projects, over a period of five years or less, together exceed the percentage thresholds in this paragraph, the property shall then meet a reasonable proportion of the requirements as determined by the Zoning Administrator.
- C. Construction projects involving a building expansion over fifty (50) percent of the size of the building or an increase in assessor's market value over fifty (50) percent of its value shall be required to meet all the standards of this section. If two or more smaller projects, over a period of five years or less, together exceed the percentage threshold in this paragraph, the property shall then meet all the standards of this section.
- D. For the purposes of determining compliance with the standards in this section, site work not involving the structures on site shall be considered separately from work on the structures.

- 1) For legal non-conforming uses, new construction projects for repairs, remodeling, or additions to the parking lot, outdoor spaces, landscaping, or other exterior features do not need to meet the standards in this section if the construction increases the size of these areas by less than ten (10) percent.
- 2) Construction projects involving an expansion of exterior space between ten (10) and fifty (50) percent of the size of the parking lot or other outdoor space need not meet all the standards of this section, but shall be required to meet a reasonable proportion of the requirements as determined by the Planning Commission, upon the advice of the Zoning Administrator.
- 3) For the purposes of this section, adding one inch or more of new material to an existing parking lot surface shall be considered an increase of one hundred (100) percent of the area involved.

Subd. 20 Performance Standards in RE, R-1, and R-1A districts. All construction or alteration of buildings, structures, or property in the RE, R-1, and R-1A districts shall comply with the standards set in Subds. 21 through 23 inclusive, as interpreted by the Zoning Administrator. All decisions of the Zoning Administrator may be appealed to the City Council as provided for elsewhere in this Code.

Subd. 21 Fences in the RE, R-1, R-1A, MX-1, MX-2, ~~and MX-3,~~ and MX-4 districts.

- A. A fence may be placed along a property line provided no physical damage of any kind results to the abutting property.
- B. That side of the fence considered being the face (the finished side as opposed to the structural supports) shall face the abutting property.
- C. A fence in the front yard shall be of one color or pattern, and may not contain or support pictures, signage or lettering visible to a public street or to adjacent properties.
- D. A fence may be no more than four (4) feet in height in the front yard.
- E. A fence may be no more than six (6) feet in height in a side or rear yard, unless the side or rear lot line is common with the front yard of an abutting lot, in which case the portion of the side or rear lot line equal to the required front yard of the abutting lot may have a fence no more than four (4) feet in height.
- F. Except in the RE district, ~~barbed wire may not be used for fences~~ electric fences may not be used.
- G. A fence shall not visually screen or interfere with streets, sidewalks, or vehicular traffic.
- H. All fences shall be maintained in good condition and appearance.
- I. A fence shall only be constructed of the following materials:
 - 1) Treated wood, cedar, or redwood
 - 2) Simulated wood
 - 3) Decorative brick or stone

- 4) Wrought iron or aluminum designed to simulate wrought iron
- 5) Coated or non-coated chain link

6) Split rail

7) Other materials or fence types as approved by the Zoning Administrator

- J. Except in the RE District, welded wire may not be used for fences on property boundaries.
- K. Welded wire may be used in the RE District for fences on property boundaries of rear yards.
- L. Welded wire may only be used for small enclosures in all districts to protect vegetation such as trees, gardens, plants, and bushes.
- M. Except in the RE District, snow fences may not be used for fences.
- N. Snow fences may be erected in the RE District for controlling snow between November 1 and April 15. All snow fences must be removed by April 16.
- O. No fence shall be constructed on public rights-of-way.

Subd. 22 Exterior Storage and Screening in RE, R-1, and R-1A districts.

- A. All waste, refuse, garbage and containers shall be kept in a building or in a fully screened area, except as allowed before a scheduled collection.
- B. All non-operating vehicles or equipment shall be kept within a fully enclosed building.
- C. No exterior storage shall be allowed in the front yard, except parking of operable vehicles, subject to the following conditions and exceptions:
 - 1) All vehicles parked in the front yard shall be on concrete, blacktop, or similar durable hard surface free of dust.
 - 2) No more than three (3) vehicles may be parked in the front yard at any one time, only one of which may be over six thousand (6,000) pounds gross vehicle weight or over twenty (20) feet in length.
 - 3) Additional operable vehicles above the limit of three (3) may be parked in the front yard on a temporary basis, for no more than forty-eight (48) consecutive hours.
- D. All exterior storage in the street side yard of a corner lot shall be fully screened from the street and adjacent properties.

Subd. 23 Lighting in the RE, R-1, and R-1A districts. Lighting used to illuminate any exterior area or structure shall be arranged so as to direct the light away from any adjoining property or from the public street.

Subd. 24 Landscaping in the RE, R-1 and R-1A Districts. All areas of land not covered by structures or pavement shall be landscaped with sod, mulch, or rock materials, and landscaped according to the provisions of this section:

- A. At least one (1) overstory tree shall be provided in the front yard for each fifty (50) feet of lot frontage.
- B. There shall be a minimum of one (1) tree for every one thousand (1,000) square feet of non-impervious surface area on the lot.
- C. All landscape materials shall be appropriate to the physical characteristics of the site in terms of hardiness, salt-tolerance, and sun or shade tolerance.
- D. All areas of land not covered by structures, pavement, or landscaping may be covered by natural characteristics, when appropriate.
- E. All areas not otherwise improved in accordance with approved site plans shall be sodded. Exceptions shall be as follows:
 - 1) Seeding of future expansion areas as shown on approved plans.
 - 2) Undisturbed areas containing existing viable natural vegetation that can be maintained free of foreign and noxious plant material.
 - 3) Areas designated as open space or future expansion areas properly planted and maintained with native prairie grass.
 - 4) Use of mulch material such as rock or wood chips in support of shrubs and foundation plantings.
- F. Slopes and Berms. Final slope grades steeper than the ratio of 3:1 shall not be permitted without special landscaping treatments such as terracing, retaining walls, or ground cover.
- G. Plant Size Requirements. Plant size requirements for landscaping areas shall be as follows:
 1. Deciduous trees shall be at least 2 ½ inches in diameter.
 2. Ornamental trees shall be a minimum of 1 ½ inches in diameter.
 3. Evergreen trees shall have a minimum height of 6 feet.
 4. Potted shrubs shall be in a 5 gallon pot or larger.
 5. Evergreen shrubs used for screening purposes shall be at least 3 feet in height at planting. Evergreen shrubs will have a minimum spread of 24 inches.
 6. Except when a property's topsoil depth is less than 24 inches, the plant size requirement may be reduced by 50% or to 1 ¼ inches and doubling the number of trees.
- H. Landscape plans and screening plantings shall be completed within one year from the date a building permit is issued.

1330.06 Off-Street Parking**Subd. 1 General.**

- A. Standards. Off-street parking, loading, and service areas shall be improved with a durable and dustless surface, and shall be graded and drained so as to dispose of all surface water accumulation within the parking area. Acceptable surfaces may include crushed rock and similar treatment for parking accessory to single family and duplex residential structures, all other uses shall utilize asphalt, concrete or substitute as approved by the Zoning Administrator. All surfacing shall be completed prior to occupancy of the structure, unless specific approval otherwise has been granted by the City. Parking areas for three (3) vehicles or fewer shall be exempt from the requirements of this paragraph.
- B. Dimensions. Each off-street parking space shall be a minimum of nine (9) feet wide by eighteen (18) feet deep. Access drives and aisles shall be a minimum of twenty-four (24) feet wide for two-way traffic, and eighteen (18) feet wide for one-way traffic. Parking space dimensions for angled parking shall be approved by the Zoning Administrator, based on acceptable planning standards.
- C. Compact Car Parking. Parking spaces for compact cars may be included within a parking lot plan approved by the Zoning Administrator provided the spaces comprise no more than forty (40) percent of the spaces for the entire use or project, and provided they shall be clearly identified on the site and their location shall be designed carefully into the overall site plan. The spaces shall be a minimum of eight (8) feet wide by sixteen (16) deep.
- D. Handicapped Parking. Parking for handicapped persons shall be provided in accordance with State and Federal regulations.
- E. Access. All off-street parking spaces shall have access from a private driveway and shall not access directly onto a public street.

Subd. 2 Number of Off-street Parking Spaces. The number of off-street parking spaces required for uses in the Residential, Non-Residential, and MX-1 and MX-2 Districts shall be as follows. Section 1350.18(D) prescribes the number of off street parking spaces required for uses in the MX-3 District.

- A. Single and Two-family Dwellings: Two (2) spaces per unit, at least one of which shall be enclosed.
- B. Residential Dwellings up to Eight (8) Units per structure: Two (2) spaces per unit, at least one each of which shall be enclosed, plus one half (0.5) space per unit of visitor parking, apart from individual garages or reserved resident spaces, within one hundred (100) feet of the entrance to each private unit entrance or to the building entrance if there is a common entrance. Visitor spaces may be further away if they have enclosed access to the building.
- C. Residential Dwelling with more than Eight (8) Units: One and one-half (1-½) spaces per unit for each efficiency or one bedroom unit, at least one each of which shall be enclosed, and two (2) spaces per unit for each unit with two or more bedrooms, at least one each of which shall be enclosed. In addition, there shall be one-half (½) space per unit of visitor parking, apart from individual garages or reserved resident spaces, within two hundred (200) feet of

- the entrance to each private unit entrance or to the building entrance if there is a common entrance. Visitor spaces may be further away if they have enclosed access to the building.
- D. Driveway Space: Driveway space immediately in front of a garage door, blocking normal access to the garage, may not be counted as part of the required parking space for any residential use.
 - E. Retail Sales and Service Uses: One (1) space for each two hundred fifty (250) square feet of gross floor area.
 - F. Hotel or Motel: One (1) space per unit, plus one (1) space per employee on the largest shift.
 - G. Medical or Dental Clinic: Six (6) spaces per doctor or dentist.
 - H. Vehicle or Equipment Service and Repair: Two (2) spaces plus three (3) spaces for each service stall
 - I. Restaurants, Taverns, Clubs, and Similar Uses: One (1) space for each two and one half (2.5) seats, based on maximum design capacity.
 - J. Offices, Other than Medical or Dental: One (1) space for each two hundred fifty (250) square feet of gross floor area.
 - K. Churches, Theaters, Auditoriums, Funeral Homes, and Other Places of Assembly.: One (1) space for each three (3) seats or for each five (5) feet of pew or bleacher length, based on the maximum design capacity.
 - L. Warehouse, Storage, Handling of Bulk Goods, Industrial Storage: One (1) space for each two (2) employees on the largest shift, or one (1) space for each two thousand (2,000) square feet of gross floor area, whichever shall be greater.
 - M. Manufacturing, Light Industrial, Processing, and Fabrication: One (1) space per five hundred (500) square feet of gross floor area.
 - N. Uses Not Specifically Mentioned: As shall be determined by the Zoning Administrator.

Subd. 3 Residential Districts.

- A. No more than twenty-five (25) percent of the required yard area shall be surfaced or utilized for driveway space or vehicle storage.
- B. All parking spaces shall be on the same lot as the principal use for which they are intended.

Subd. 4 Shared Parking in Non-residential Districts. The standards for shared parking spaces for uses in all-non-residential districts are as follows:

- A. Required parking facilities serving two or more uses may be located on the same lot or in the same structure, provided that the total number of parking spaces furnished shall not be less than the sum of the separate requirements for each use.

- B. A shared parking plan for two or more uses involving fewer than the total number of parking spaces required in paragraph (1) above may be approved by Conditional Use Permit, if at least the following conditions shall be met:
- 1) No more than fifty (50) percent of the required parking spaces for a given use may be shared with another use.
 - 2) The applicant shall show that there is no substantial conflict between the principal operating hours of the uses, which will share parking spaces.
 - 3) A properly drawn legal instrument covering access easements, cross parking arrangements, maintenance, or other pertinent issues, executed by the parties involved, and approved by the City Attorney, shall be filed with the City Clerk-Administrator.
 - 4) Proof of available parking can be made available should a more intensive use be proposed for the site at a later time.

Subd. 5 Location of Parking. Unless otherwise provided, required parking for all uses shall be within four hundred (400) feet of the entrance to the use.

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 | None | 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 if adjacent to any R district | 5 | 5 | 5 | 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 1300.09 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:

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

*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

| 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 | P |

| Use | MX-1 | MX-2 | MX-3 | MX-4 |
|--|----------|----------|-------------------------|----------|
| | | | more units | |
| 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 Care centers <u>Facilities in Single Family Homes with 14 or fewer children being attended to</u> | <u>P</u> | <u>P</u> | <u>N</u> | <u>P</u> |
| <u>Day Care Facilities in Single Family Homes with more than 14 children being attended to</u> | <u>C</u> | <u>C</u> | <u>N</u> | <u>C</u> |
| Day care Care centers <u>Facilities</u> | C | C | C | C |
| Day care Care centers 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 sq ft maximum | C |
| Schools – trade, college, vocational, and associated facilities | C | C | C—50,000 sq ft 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 sq ft 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 |

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| Use | MX-1 | MX-2 | MX-3 | MX-4 |
|---|------|------|---|------|
| Bakeries, wholesale | P | C | C | C |
| Bed and Breakfast | P | P | N | P |
| Biotechnology | P | P | P | 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 sq ft maximum | C |
| Internet publishing and broadcasting | P | P | P | P |
| Medical, dental, or veterinary clinics and laboratories | C | C | C—10,000 sq ft 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 sq ft; C—larger than 10,000 sq ft | 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 sq ft; C—10,000 to 50,000 sq ft 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 sq | P |

| Use | MX-1 | MX-2 | MX-3 | MX-4 |
|--|------|------|---|------|
| | | | ft or less; C—5,000 to 10,000 sq ft | |
| 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 |
| 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

| 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 | N | N | C | C |

| Use | B-1 | I-1 | I-2 | I-S |
|--|-----|-----|-----|-----|
| partially nude dancing) | | | | |
| Auto painting and body work | N | C | N | N |
| Auto storage | N | C | P | C |
| 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 |
| 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 |
| Storage, mini-storage, cold-storage | N | N | N | P |
| Veterinary clinic, animal hospital | C | P | N | N |
| Wholesale sales | P | N | N | N |
| Warehouse and Industrial Uses | | | | |
| Manufacturing | C | 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 |

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.
- B. If a zoning change for a nonresidential district is approved, the first phase of construction shall begin or show reasonable progress within two (2) years after approval of the general development plan and zoning change by ordinance or the district may be zoned back to its original zoning district classification or other appropriate zoning district classification.
- C. Upon receipt of a completed application for rezoning, subdivision or site plan approval, a date shall be set for a public hearing before the Planning Commission. The hearing will be held no less than 10 days after mailed notice is sent to the owners of property located wholly or partially within 350 feet of the site. The Planning Commission shall submit its recommendation to the City Council. Following appropriate review, the Council shall make a decision regarding the application.
- D. Upon finding by the Planning Commission and City Council that the proposed zoning district and preliminary plat shall constitute a district of sustained desirability, is consistent with long range comprehensive plans for the City, and meets the requirements of the district, the City Council may establish such district on the property included in the preliminary plat. The preliminary plat as approved together with such covenants, deed restrictions, controls, or special conditional use permits as may be attached to it, shall be filed and recorded by the owners or developer in the office of the county register of deeds and shall become a part of the ordinance establishing the zoning charge. Any substantial change to the plat shall require resubmission to and approval by the Planning Commission and City Council.
- E. The final platting of such land shall be subject to such requirements for approval, recording, and the installation of improvements as required by other City ordinances.

1350.16 Administrative Procedure for Site Plan Review in the Non-residential Districts and Additional Procedures for Development in the MX-3 District

- A. *Site Plan Review.* Prior to obtaining a building permit or constructing any building improvements on an individual lot or site within any nonresidential district, three (3) copies of the site plan of proposed improvements shall be submitted to the Zoning Administrator. The Zoning Administrator may require review by the Planning Commission and City Council. Such site plan shall include the following:
- 1) A survey or plat of the property
 - 2) Evidence of ownership or interest in the property
 - 3) The fee specified in the City’s fee schedule
 - 4) Information regarding project phasing and timing.
 - 5) Complete development plans, signed by a registered architect, civil engineer, landscape architect, or other appropriate design professional, as required by the State Building Code.
 - 6) Phasing plan
 - 7) Architectural plans showing the following:
 - a. Colored elevations of all sides of the building
 - b. Type, color and samples of exterior building materials
 - c. Typical floor plans
 - d. Dimensions of all structures
 - e. The location of exterior trash storage areas and of exterior electrical, heating, ventilation and air conditioning equipment
 - f. Utility plans including water, sanitary sewer, and storm sewer
 - g. A plan showing landscaping, lighting, and signs that meets code requirements
 - h. Illustrations that show adjacent building elevations to show the scale of adjacent buildings and landscaping
 - i. Such other information as may be required by the City to process the application
- B. *MX-3 District.* Additional Administrative Procedures for Development in the MX-3 District
- 1) *Preliminary Review.* It is strongly recommended that anyone planning to develop or redevelop property in an MX-3 District meet with the City Administrator (1) during the conceptual design process in order that the staff may offer input into meeting the ordinance requirements and design standards and (2) during the design development stage to ensure that the plans meet the minimum MX-3 District Standards.
 - 2) *Station Area Plan Procedure.* No new development or redevelopment may occur, and no building permit will be issued, without approval of a Station Area Plan conforming to the requirements of this

section. Approval of individual site plans must conform to the Station Area Plan. Upon the submission of the Station Area Plan, the Planning Commission will conduct a public hearing and make a recommendation to the City Council, which shall approve, modify, or deny the Station Area Plan. The Station Area Plan shall include the following:

- a. A drawing showing existing conditions such as property boundaries, generalized contours, site features such as wetlands and wooded areas, and surrounding land uses and development.
 - b. A conceptual development plan showing public and private open space, and general site data such as building locations, density, setbacks, ponding areas, parking areas and generalized screening, buffering and landscape concepts.
 - c. Generalized traffic information including proposed new streets and alley connections, and improvements to existing roads.
 - d. An elements plan that includes, but is not limited to, lighting, public art, planters, fountains, litter receptacles, benches or seating areas.
- 3) The findings necessary for approval of the Station Area Plan include, but are not limited to, the following:
- a. The Station Area Plan is consistent with the intent of the MX-3 District.
 - b. The Station Area Plan reflects development that:
 - i. Is not detrimental to the public health, safety, or general welfare
 - ii. Is not hazardous, detrimental, or disturbing to surrounding land uses, or that creates pollution, vibration, general unsightliness, electrical interference, or other nuisances
 - iii. Does not create traffic congestion, unsafe access, or parking needs that will cause inconvenience to adjoining properties
 - iv. Is served adequately by essential public services such as streets, police, fire protection, utilities, and parks
 - v. Does not create excessive additional requirements at public cost for public facilities and services, and is not detrimental to the economic welfare of the City
 - vi. Causes minimal adverse environmental effects
 - vii. Each phase or stage of the Station Area Plan can exist as an independent unit.
- 4) *Administrative Approval.* To offer some degree of flexibility, the City Administrator has the authority to administratively alter any of the development and urban design standards by five percent (5%) in an MX-3 District. If administrative approval is required for parking or an item normally approved by the Planning Commission and City Council, the City Administrator shall only grant approval after consultation with other city staff (public works, building inspections, fire chief, etc.)

On matters that do not involve quantitative measurements, the City Administrator may also make minor alterations if he/she determines that such changes would be an acceptable design approach to development and would be in keeping with the general intent of the MX-3 District. Any such approval shall meet the following criteria:

- a. Incorporates existing buildings, trees, topographic features, or other existing elements consistent with the intent of the MX-3 District; and
- b. Provides urban open space, seating, fountains, accent landscaping, or other similar urban pedestrian amenities consistent with the intent of the MX-3 District.

1350.17 Performance Standards for Non-residential Districts

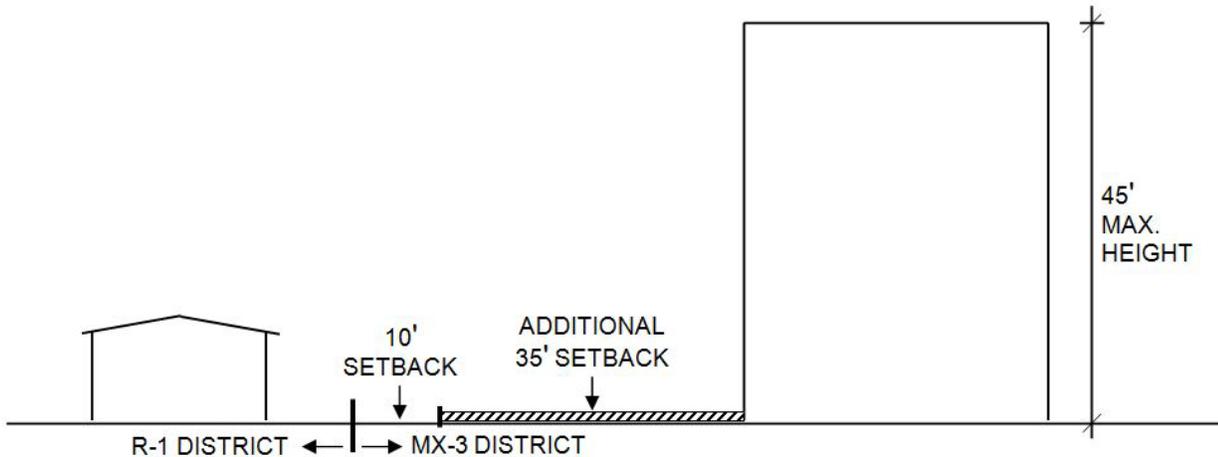
- A. The Performance Standards included in Item 1330.05 of this Ordinance shall apply in the Non-residential districts, except as modified in this Section.
- B. All public rights-of-way within the MX, Business, and Industrial Districts shall be considered collector streets or arterials as defined in the City thoroughfare plan.
- C. MX District Parking standards.
 - 1) Parking requirements in the MX Districts shall be governed by Section 1330.06 except for the following: Surface Parking Lots in the MX-2 and MX-3 Districts shall be located at the side or rear of buildings and not in the front yard area. Surface parking lot or driveway access may not make up more than 25% of lot frontage. The required front setback for surface parking lots in the MX-1 and MX-4 district shall include a planted boulevard that meets the landscaping requirements of the ordinance.
 - 2) In the MX-1 District, parking requirements shall be 1 space for every 350 square feet of office or retail gross floor area. On-street parking spaces that are adjacent to the parcel that the parking is being calculated for may be included in the calculation. The maximum number of off-street parking spaces permitted shall not exceed 1 space per 250 square feet of office or retail uses, except in the case of restaurants which shall be allowed one space per 200 square feet if shared parking facilities are not available.
 - 3) Parking standards for the MX-3 District are included in Section 1350.17.
 - 4) Additional reductions in parking requirements in the MX-1 and MX-2 Districts shall be permitted with demonstrations of proof of parking or a parking management strategy acceptable to the Zoning Administrator.
- D. Building Standards. Every primary and accessory building in a Commercial, Industrial, or Mixed Use District shall be uniform in design and materials on all sides of a structure facing a public street, having extensive visual exposure from a public street or is adjacent to a residential zoning district, unless modified herein.
 - 1) Exterior surfaces of all buildings shall be faced with or a combination of brick, stone (or better), decorating architecturally textured concrete products, wood veneer, glass, stone, decorative pre-cast panels, equivalent products, or better.
 - 2) Primary and accessory buildings: facades or roofs in any Commercial District shall not be constructed of non-textured cinder concrete block, sheet aluminum, steel, corrugated aluminum or steel, or similar products.

- 3) Primary or accessory building facades in any Industrial District not fronting on a public street, not having extensive visual exposure from a public street or is not adjacent to a Residential Zone may be constructed of non-textured cinder block, sheet aluminum, steel, corrugated block, corrugated aluminum or steel or similar products.
- 4) Within an Industrial District a multi-tenant, mini-storage or trucking terminal with extensive use of garage doors on many sides of a building or groups of buildings may be constructed of metal, untextured cinder block, sheet aluminum, steel, corrugated aluminum or steel, or similar products. Exterior metal surface finishes shall be warranted by the manufacturer for twenty years against blistering, peeling, cracking, flaking, checking, or chipping, and shall not compose more than 50% of the building elevation facing a public roadway.
- 5) Metal-like materials, in a zone other than Industrial, are only acceptable as trim, fascia, mansards, portions of the main facade, or the like. Metal roof materials may be used upon approval by the Zoning Administrator.
- 6) Accessory tanks, exterior equipment, stacks, pipes, towers and the like are exempt from these requirements.
- 7) Other exterior building materials may be approved by Conditional Use Permit if it is determined that:
 - a. The materials are similar to or better than the permitted materials listed above;
 - b. The materials are high-quality, long-lasting, attractive, reasonably maintenance-free; and
 - c. The materials are integrated harmoniously into the building design and consistent with neighboring uses.
- E. Exterior Storage: No materials, product, or equipment shall be stored outside of an enclosed building except for daily display (during store hours) of merchandise.
- F. All refuse and recycling containers must be stored inside of the principle structure or a fully enclosed accessory structure.
- G. All roof equipment must be screened from public view unless designed as an integral part of the building and is compatible with the site lines of the building, as determined by the Zoning Administrator.
- H. All developments (except for improvements to a single-family detached housing unit or construction of a new single-family detached housing unit) conducted within the MX-1 or MX-2 district must be completed through the Planned Development District process as outlined in Section 1360 of the Zoning Code.

1350.18 Additional Performance Standards for the MX-3 District

- A. Height and Setback Standards
 - 1) General setback standards for the MX-3 District are indicated on the table in Section 1350.13.
 - 2) Additional setback and building height standards for the MX-3 District include the following:
 - a. If new construction incorporates an existing structure located within a minimum setback, the City Administrator may allow the setback for the building addition to be reduced to the established setback.

- b. All above-ground utility structures associated with electric, natural gas, telecommunications, cable television distribution lines, pipes, conduits, or other public utilities shall be located behind the minimum setback unless otherwise approved as part of the site plan approval. This applies to air vents, utility boxes, and back-flow preventers.
- c. Driveways may cross the front setback, but shall be as near as perpendicular to the street for pedestrian safety and to minimize the intrusion into any landscaped area.
- d. Balconies may project up to two feet (2') over the right-of-way, subject to an approved sidewalk encroachment agreement. Balconies shall have a minimum clearance of ten feet (10') from grade.
- e. When a lot abuts an existing single-family residence or a property that may be used for single-family residential purposes, a minimum side yard of fifteen feet (15') and a rear yard of twenty-five feet (25') shall be required.
- f. The permitted maximum height of structures adjacent to single-family residential uses shall be determined by the distance of the structure to the boundary line of the nearest single-family residential district. Any required side or rear yard setback shall be increased by one foot for each additional foot of height.



- B. Open Storage Prohibited. Outside storage shall be prohibited in the MX-3 District.
- C. Open Space Requirement. Developers will be expected to work with the city to provide a minimum of ten percent (10%) of residential project sites and five feet (5') of commercial and mixed use project sites as open space. The open space may be designed as a square, plaza, terrace, or green, with a variety of landscaped and paved surfaces and seating areas. This requirement may be waived in cases where the City’s master plan specifies the location and design of open space.
 - 1) All required open space shall be accessible to users of the building and shall be improved with seating, plantings, and amenities. Open space for commercial and mixed-use sites shall be visible from the street or pedestrian areas.
 - 2) Floor area ratio credits are allowed for all new developments when the pedestrian space is available for use by the public, including widened sidewalk areas.

D. Parking Requirements. For purposes of this section, a new use within the MX-3 District shall be required to meet the minimum/maximum parking spaces as shown in the following chart. All square footage is measured as ‘gross footage.’

| | PARKING MINIMUM | PARKING MAXIMUM |
|-----------------------------|--|--|
| Residential | 1.5 parking spaces per dwelling unit, plus 10% for guest parking | 2.5 spaces per dwelling unit, plus 10% for guest parking |
| Commercial, Retail, Service | 1 space per 400 SF | 1 space per 200 SF |
| Office | 1 space per 400 SF | 1 space per 300 SF |
| Restaurant | 1 space per 200 SF | 1 space per 75 SF |
| Hotel | .75 per room, plus 10% guest and staff parking | 1.5 spaces per room, plus 10% guest and staff parking |
| Clinic | 1 space per 300 SF | 1 space per 100 SF |
| Community Center | 1 space per 400 SF | 1 space per 200 SF |
| Theater | 1 space per 6 seats plus 5% for staff | 1 space per 3 seats plus 10% for staff |

- 1) The required/permitted number of parking spaces of any building within the MX-3 District, including mixed-use buildings, shall be the sum total of the requirements for each use in the building.
- 2) Parking maximums may be exceeded under the following circumstances, if one or more of the following is provided:
 - a. If structured or underground parking is provided on site, parking may be exceeded by 25%.
 - b. If a shared parking agreement is executed, parking may be exceeded by 20%.
 - c. If all parking spaces are located behind the building and are not visible from the public right-of-way, parking may be exceeded by 10%.
 - d. If driveways and access points are shared by at least two adjacent properties, parking may be exceeded by 10%.
 - e. If a provision is made for combining or interconnecting adjacent parking lots and pedestrian access points, parking may be exceeded by 10%.
 - f. In no case shall the cumulative increase in parking exceed 25%.
 - g. A 25% parking reduction in the minimum number of parking spaces required is allowed if the principle use is located within 800 feet of a parking facility with public spaces available to the general public or within 800 feet of a public transit park and ride facility with an approved joint use agreement.
- 3) No surface parking or maneuvering space shall be permitted within a required setback or between the primary structure and the front yard, except that driveways providing access to the parking area may be installed across these areas. It is the intent that these driveways be as nearly perpendicular to the street right-of-way as possible for pedestrian safety and to minimize intrusion into the landscaped areas.

- 4) Parking requirements may be met on-site or off-site at a distance of up to 800 feet from the permitted use. Off-site parking to meet the requirements of this section may be provided through a lease, subject to the review and approval of the City.
- 5) Parking that is located to the rear of the primary structure may extend the entire width of the lot, with the exception of any required screening or landscaped areas. Parking that is located to the side of the primary structure shall not cover more than thirty-five percent (35%) of the total lot width.
- 6) Shared parking shall be permitted and encouraged.
- 7) Bicycle parking shall be provided as a component of all parking facilities at a ratio of one bicycle space per 20 automobile spaces, or a minimum of two bicycle parking spaces, whichever is greater. Bicycle parking must be provided within view of each business front entrance. Adjoining businesses may share common bicycle parking areas.
- 8) All parking areas for more than ten (10) motorized vehicles (except for parking areas for townhouse dwellings on a single lot) shall provide screening. If a wall is provided, then the area devoted to the wall shall be wide enough to allow for its maintenance. The screening may be eliminated if abutting parking lots are combined or interconnected with vehicular and pedestrian access.
- 9) Structured parking shall meet the following additional requirements:
 - a. At least fifty percent (50%) of the linear street level frontage of the facility shall be devoted to retail, office, civic, institutional, or residential uses. If seventy-five percent (75%) or more of the linear street frontage is devoted to such uses, then the total square footage of these uses shall be credited one hundred percent (100%) toward the required FAR minimums.
 - b. If retail, office, civic, institutional, or residential uses are constructed on the rear or side of the facility or above the ground floor on the street frontage of the facility, then the total square footage of these areas shall be credited one hundred percent (100%) toward the required FAR minimums.
 - c. Underground parking structures are permitted. Subsurface parking located in the minimum setback shall be permitted with an eight foot (8') clearance from the top of the subsurface structure to the sidewalk, subject to an approved encroachment agreement. No ventilation shall be permitted in the setback.
 - d. A minimum nine foot (9') clearance shall be maintained on the first level and any additional level that provides disabled parking spaces. A minimum seven-foot (7') clearance shall be maintained throughout the remainder of the parking deck to ensure the safe movement of vans and emergency vehicles.

E. Loading Standards

- 1) Non-residential buildings and structures, excluding parking structures, subject to the provisions of this Section, shall provide a minimum number of off-street service/delivery loading spaces. The loading spaces shall be designed and constructed so that all parking maneuvers can take place entirely within the property lines of the premises and shall not interfere with the normal movement of vehicles and pedestrians on the public rights-of-way. The loading spaces shall be a minimum of ten feet (10') by twenty-five feet (25') and shall be provided in accordance with the following:

| | |
|---|---------------|
| Non-residential uses with gross floor area: | |
| Less than 50,000 square feet | None required |

| | |
|-------------------------------------|---------------|
| 50,000-150,000 feet | One (1) space |
| Each additional 100,000 square feet | One (1) space |

Existing buildings are exempt from these standards.

- 2) No loading spaces shall be permitted within any required or established setback, or between the primary structure and the required setback, except that driveways providing access to the loading area may be installed across these areas.

F. Additional MX-3 District Design Standards

- 1) Connectivity and Circulation. Transit-oriented development uses shall be integrated with the surrounding area, easily accessible, and have a good internal circulation system for a variety of travel modes.

- a. A pedestrian sidewalk system shall meet the following standards:

- i. Internal sidewalk connections are required between buildings and from buildings to all on-site facilities (parking areas, bicycle facilities, open space, etc.). All internal sidewalks shall be finished with a hard surface as required by the City's Public Works Department.
- ii. External sidewalk connections are required to provide direct connections from all buildings on site to the existing and/or required sidewalk system and to adjacent multi-use trails, parks, and greenways. Sidewalks shall be constructed with a hard surface and of a width as required by the City's Public Works Department.

- 2) Street Design

- a. Street walls

- i. No blank walls are permitted to face public streets, walkways, or public open spaces.
- ii. All non-residential buildings fronting directly on a street shall be designed so that the first floor street façade of the building(s) along all streets include clear glass window and doors to create pedestrian interest. These openings shall be arranged so that the uses are visible from and to the street on at least fifty percent (50%) of the length of the first floor street level frontage.
- iii. For all other uses, buildings shall be designed so that the first floor street façade along all streets includes the use of clear glass windows and doors arranged so that the uses are visible from and/or accessible to the street on at least twenty-five percent (25%) of the length of the first floor street frontage.
- iv. Expanses of blank walls shall not exceed twenty (20) continuous feet in length. A blank wall is a façade that does not contain clear glass windows or doors or sufficient ornamentation, decoration or articulation.
- v. No reflective surfaces shall be permitted on street level exterior facades.

- b. Corner building placement

- i. At intersections, buildings shall have front and side facades aligned at or near the front property line.

- c. Top of buildings
 - i. All rooftop mechanical equipment on buildings shall be screened from above or below (based on the type of mechanical equipment utilized) by integrating it into the building and roof design to the maximum extent feasible. Such equipment shall be screened with parapets or other materials similar to and compatible with exterior materials and architectural treatment on the structure being served. Horizontal or vertical slats of wood material shall not be utilized for this purpose. Solar and wind energy equipment is exempt from this provision if screening would interfere with system operations.
- d. Building entrances and orientation.
 - i. Entrances shall be clearly visible and identifiable from the street and delineated with elements such as roof overhangs, recessed entries, landscaping, or similar design features.
 - ii. At least one or more operable pedestrian entrances per building shall be provided, unless in a case where all the three circumstances below exist, only two (2) entrances shall be required:
 - A. When a lot abuts a public street right-of-way, at least one entrance shall be provided along all building façade(s) fronting all public rights-of-way.
 - B. When a lot abuts an existing or proposed public open space system, multi-use trail, or greenway, entrance(s) shall be provided on the building façade closest to the public open space, multi-use trail, or greenway.
 - C. When abutting a sidewalk in the rail station area, an entrance(s) shall be provided on the building façade closest to the station area sidewalk.
- e. Canopies
 - i. Canopies, awnings, cornices and similar architectural accents are permitted on exterior building walls. Such features shall be constructed of rigid or flexible material design to complement the streetscape of the area. Any such feature may extend from the building no more than four feet (4'). In no instance shall such feature extend over or interfere with the growth or maintenance of any required tree plantings. Minimum overhead clearance shall be eight feet (8'). Ground supports for these features are not permitted in the minimum setback, sidewalk or public right-of-way.
- f. Exterior Materials
 - i. The primary exterior opaque materials on each elevation of a building, except for the service side, must be brick, stone, decorative masonry, or similar materials, or a combination thereof.
 - ii. The following materials are not allowed as exterior materials: painted or unpainted concrete block, aluminum, vinyl or fiberglass siding or roofing materials, precast concrete materials, unless specifically approved by the City Council for a new commercial building, painting of previously unpainted brick, and wooden exteriors.
 - iii. The following materials are not allowed as exterior materials: painted or unpainted concrete block, aluminum, vinyl or fiberglass siding or roofing materials, precast concrete materials, unless specifically approved by the City Council for a new commercial building, painting of previously unpainted brick, wooden exteriors.

- iv. Sustainability Standards. The City encourages the use of sustainable building materials and construction techniques through programs such as U.S. Green Building Council's LEED (leadership in Energy and Environmental Design) program, Minnesota Sustainable Building Guidelines, and similar programs.
- v. Alternative Designs or Materials. To encourage creativity, imagination, innovation, and variety in architectural design, the Planning Commission may recommend modifications of the requirements of this Section and the City Council may approve such modifications upon determining that the proposed architectural design or exterior facades (s) materials meet all of the following conditions:
 - A. The proposed design or material is consistent with the purposes of this section.
 - B. The proposed design or material would enhance the architectural appearance of the building and would be equal or superior to designs or materials permitted by this section.
 - C. The proposed design or material would be in harmony with the character of adjacent buildings and the surrounding district.
- g. Screening Standards
 - i. All service entrances, utility structures associated with a building, and loading docks and/or spaces shall be screened from the abutting property and from public view from a public street.
 - ii. Any fences or walls used for screening or other purposes shall be constructed in a durable fashion of brick, stone, and other masonry materials specifically designed as fencing materials. The finished side of the fence shall face the abutting property. Chain link, wood, vinyl, or barbed wire fences are not permitted.
 - iii. The composition of the screening material and the placement on the lot shall be left up to the discretion of the property owners as long as the intent of this Section is met. A wall cannot be substituted for a planting strip along any public street unless supplemented by landscaping.
 - iv. Landscaping used for screening shall be evergreen and at least four feet (4') tall with a minimum spread of two feet (2') when planted and no further apart than five feet (5'). Shrubs shall be adequately maintained as that an average height of five to six feet can be expected as normal growth within four years of planting. The average expected height may be reduced to four feet (4') for screening along public streets.
 - v. The maximum height for walls and fences shall be six feet (6') or whatever is sufficient to visually screen the use but not less than four feet (4').
 - vi. Dumpsters, recycling containers, compactors , and solid waste handling areas are not permitted in any setback or yard and shall be screened from adjacent property and from public view with a six-foot high solid and finished masonry wall with closeable gates. In no instance shall a chain link fence, wood, vinyl, or barbed wire fence be permitted.
- h. Buffer Standards
 - i. All uses, other than single-family detached dwelling units, shall provide landscaping along all property lines abutting residentially used property located adjacent to the MX-3 District.

This requirement also applies in situations where an alley with a right-of-way width of twenty-five feet (25') or less separates uses in the MX-3 District from a non-MX-3 District residential property. Landscaping shall be provided along all property lines abutting the alley when adjacent to residential uses. Multi-family developments in an MX-3 District are exempt from this landscaping requirement when they abut other multi-family uses.

- ii. In no instance shall a chain link, wood, vinyl, or barbed wire fence be permitted.
- i. Exterior Lighting Standards
 - i. Exterior lighting shall be used to provide illumination for the security and safety of entry drives, parking, service and loading areas, pathways, courtyards and plazas, without intruding on adjacent properties and shall comply with the following standards:
 - A. Poles and fixtures shall be architecturally compatible with structures and lighting on-site and on adjacent properties.
 - B. Security lighting shall be adequate for visibility, but not overly bright.
 - C. Metal halide lighting shall be used with a concealed light source of the “cut-off” variety to prevent glare and “light trespass” onto adjacent buildings and sites.
 - D. Poles within landscaped areas and plazas shall have a maximum height of twenty feet (20'), measured from grade, and shall be coordinated with city standards.
 - E. Poles in parking lots shall have a maximum height of 24 feet (24') measured from finished grade.
 - F. Lighting fixtures mounted directly on structures shall be permitted when utilized to enhance specific architectural elements or to help establish scale or provide visual interest.
 - G. “Wall paks” shall be permitted only in loading and service areas and shall be down-lit and shielded from view.
 - H. Shielded illumination or fixtures shall be permitted to light building mounted signage, building facades, or pedestrian arcades if they are integrated into a building’s architectural design.
 - I. Lighting should highlight entrances, art, terraces, and special landscape features.
 - J. Separate pedestrian scale lighting or other low-level fixtures, such as bollards, shall be incorporated for all pedestrian ways through parking lots and drop-off areas at entrances to buildings.
 - K. All primary walkways, steps, or ramps along pedestrian routes shall be illuminated.
 - ii. Light Intensity
 - A. A photometric lighting plan is required for all proposed commercial developments to ensure that adequate and appropriate light levels are provided for each site condition.

- B. Lighting shall not exceed 0.1 foot candle at residential property lines or 0.5 foot candle on non-residential property lines measured on a vertical plane.
- C. The following minimum levels of illumination must be maintained for each of the specific locations:

| | |
|------------------------|------------------|
| Building entrances | 5.0 foot candles |
| Sidewalks | 2.0 foot candles |
| Bikeways | 1.0 foot candles |
| Courts/plazas/terraces | 1.5 foot candles |
| Ramps | 5.0 foot candles |
| Stairways | 5.0 foot candles |
| Underpasses | 5.0 foot candles |
| Waiting areas | 1.0 foot candles |
| Parking lots | 1.0 foot candles |

- j. Signs, banners, flags and pennants
 - i. Where signs, banners, flags, and pennants for identification or decoration are provided, they shall conform to the following:
 - A. Wall signs shall have a maximum of 150 total square feet or five percent (5%) of the building wall area occupied by the user, whichever is less. Wall signs may be increased by twenty (20) square feet per sign in lieu of a ground mounted or monument sign.
 - B. Signs are permitted to project up to two feet (2') into the minimum setback as measured from the building. Under no circumstances shall a sign project more than four feet (4') from the back of the curb. A minimum overhead clearance of eight feet (8') from the sidewalk shall be maintained.
 - C. Marquee signs are permitted.
 - D. Ground mounted or monument signs are permitted as follows:
 - 1. Signs shall not exceed ten feet (10') in height and forty (40) square feet in area.
 - 2. Signs shall be located behind the right-of way and out of any sight distance triangle.
 - 3. Signs shall be setback five feet (5') from any property line.
 - 4. No freestanding pole signs shall be permitted.
 - 5. No off-premise signs shall be permitted.
 - E. Signs shall also conform to Section 1380.02 and 1380.03 of this code.
- k. Landscaping Standards
 - i. The plan for landscaping must include ground cover, bushes, trees, foundation plantings, sculpture, fountains, decorative walks, or other similar site design features or materials. Landscaping must conform to the requirements of the City Code, Section 1330.05, Subd. 14:

- ii. Landscaping shall support the purpose and intent of the District, and be consistent with the Station Area Plan or adopted master plans for the District.

G. Design Manual

- 1) All design guidelines included in the City's Red Rock Transit District Design Guidelines shall apply. The Design guidelines have been adopted as part of the City's Comprehensive Plan.

CITY OF NEWPORT VOLUNTEER POLICY

VOLUNTEERING

Thank you for your interest in volunteering for the City of Newport!

The City recognizes that limited budgetary and staff resources restrict the ability of the City to accomplish all of the activities that the residents of Newport would consider necessary in maintaining a high quality and standard of life. Given the need to focus on critical priorities for the City, the City must seek other opportunities for accomplishing some of these less critical activities. This directive for volunteers will focus on those activities related to the maintenance of the City parks, recycling efforts, and the general beautification of Newport, as well as the Newport Library and Community Center. It is the intent of this directive to promote civic involvement and boost citizen pride in our community, while completing City projects in a manner that saves funding for critical needs.

Volunteer programs and activities are open to community groups, civic groups, churches, families, and individual residents. These activities will be assigned on a first come, first serve basis. If a volunteer activity is being performed by an organization, the City must be presented with a copy of the organization's certificate of insurance.

The City reserves the right to approve the involvement of all groups and individuals volunteering to assist the City in implementing these volunteer programs. Volunteers under 17 years of age shall not be permitted to operate any type of commercial equipment / vehicles. The City reserves the right to review, refuse, cancel, or revise its relationship and agreements with any individuals or organizations if, in the judgment of the City, severing the relationship is in the best interest of the City and its residents.

Any and all volunteers entering into an agreement with the City, while engaged in any work or performance under that agreement, shall not be considered as employees of the City, and any and all claims that may arise under the Worker's Compensation Act of Minnesota on behalf of said employees or other persons while so engaged, and any and all claims made by any third party of the group's volunteers or other persons while so engaged in any of the work or services to be rendered, shall in no way be the obligation or responsibility of the City.

Upon entering into a volunteer position with the City, all volunteers shall be required to sign the form at the back clarifying that the City bears no legal obligations to any parties who are injured while performing volunteer services for the City. Additionally, all volunteers shall be required to complete the Volunteer Application. Individuals that only participate in the Annual Buckthorn Removal Day shall only complete the Buckthorn Removal Volunteer Application and Waiver.

DRESS

Clothing and footwear should be neat and clean, comfortable, and appropriate to the tasks performed and to the safety of the volunteer. Volunteers should discuss clothing questions for specific situations with their staff contact.

COMPUTERS

In order for the City to remain in compliance with the Minnesota Data Practices Act, access to private data by volunteers on the City's computer system is not permitted.

EMERGENCIES

There are policies and guidelines that explain to staff their responsibilities in a medical emergency or an emergency due to fire, gas leak, bomb threat, tornado, etc. Please follow the directives of in-charge staff in the event of an emergency.

Approved September 5, 2013

SAFETY

The health and safety of each volunteer of the City and the prevention of occupational injuries and illnesses are of primary importance to the City. Supervisors shall brief volunteers on potential safety concerns for each volunteer activity.

You must let the person-in-charge know as soon as possible whenever there is an injury. A report must be submitted within 24 hours. Also report to the person-in-charge any injury to program users. You should let the person-in-charge know when you have a concern about a City facility, a work routine or other situation.

CITYWIDE WORK RULES & CODE OF CONDUCT

Conduct as a City Volunteer

In volunteering for the City, volunteers become representatives of the City and are responsible for assisting and serving the community. Volunteers should exhibit conduct that is ethical, professional, responsive, and of standards becoming of a City volunteer. To achieve this goal, volunteers must adhere to established policies, rules, and procedures.

Falsification of Records

Any volunteers who make false statements or commits, or attempts to commit, fraud in an effort to prevent the impartial application of these policies will be subject to immediate disciplinary action up to and including termination and potential criminal prosecution.

Gifts Acceptance

Minnesota State law prohibits any City volunteer from accepting a gift from anyone doing business with the City. While the State law allows limited exceptions, for all practical purposes, gifts of any value are prohibited.

Political Activity

City volunteers have the right to express their views and to pursue legitimate involvement in the political system. However, no City volunteer will directly or indirectly, while volunteering, solicit or receive funds for political purposes. Further, any political activity in the workplace must be pre-approved by the City to avoid any conflict of interest or perception of bias such as using authority or political influence to compel another volunteer to apply for or become a member in a political organization.

RESPECTFUL WORKPLACE POLICY

The intent of this policy is to provide general guidelines about the conduct that is and is not appropriate in the workplace. The City acknowledges that this policy cannot possibly predict all situations that might arise, and also recognizes that some volunteers are exposed to disrespectful behavior, and even violence, by the very nature of their jobs.

Applicability

Maintaining a respectful work environment is a shared responsibility. This policy is applicable to all City personnel, including regular and temporary employees, volunteers, firefighters, and City Council members.

Abusive Customer Behavior

While the City has a strong commitment to customer service, the City does not expect that volunteers accept verbal abuse from any customer. Any volunteer may request that a supervisor intervene when a customer is abusive, or they may defuse the situation themselves, including ending the contact.

If there is a concern over the possibility of physical violence, a supervisor should be contacted immediately. When extreme conditions dictate, 9-1-1 may be called. Volunteers should leave the area immediately when violence is imminent unless their duties require them to remain. Volunteers must notify their supervisor about the incident as soon as possible.

Approved September 5, 2013

Types of Disrespectful Behavior

The following types of behaviors cause a disruption in the workplace and are, in many instances, unlawful:

Violent behavior includes the use of physical force, harassment, or intimidation.

Discriminatory behavior includes inappropriate remarks about or conduct related to a person's race, color, creed, religion, national origin, disability, sex, marital status, age, sexual orientation, or status with regard to public assistance.

Offensive behavior may include such actions as: rudeness, angry outbursts, inappropriate humor, vulgar obscenities, name calling, disrespectful language, or any other behavior regarded as offensive behavior. Accordingly, volunteers are encouraged to discuss with their fellow volunteers and supervisor what is regarded as offensive, taking into account the sensibilities of volunteers and the possibility of public reaction. Although the standard for how volunteers treat each other and the general public will be the same throughout the City, there may be differences between work groups about what is appropriate in other circumstances unique to a work group. If a volunteer is unsure whether a particular behavior is appropriate, the volunteer should request clarification from their supervisor or the City Administrator.

Sexual harassment can consist of a wide range of unwanted and unwelcome sexually directed behavior such as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submitting to the conduct is made either explicitly or implicitly a term or condition of an individual's volunteer position; or
- Submitting to or rejecting the conduct is used as the basis for a volunteer decision affecting an individual's volunteer position; or
- Such conduct has the purpose or result of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment includes, but is not limited to, the following:

- Unwelcome or unwanted sexual advances. This means stalking, patting, pinching, brushing up against, hugging, cornering, kissing, fondling, or any other similar physical contact considered unacceptable by another individual.
- Verbal or written abuse, kidding, or comments that are sexually-oriented and considered unacceptable by another individual. This includes comments about an individual's body or appearance where such comments go beyond mere courtesy, telling "dirty jokes" or any other tasteless, sexually oriented comments, innuendos, or actions that offend others.
- Requests or demands for sexual favors. This includes subtle or obvious expectations, pressures, or requests for any type of sexual favor, along with an implied or specific promise of favorable treatment (or negative consequence) concerning one's current or future job.

Possession and Use of Dangerous Weapons

Possession or use of a dangerous weapon is prohibited on City property, in City vehicles, or in any personal vehicle, which is being used for City business. This includes volunteers with valid permits to carry firearms.

The following expectations to the dangerous weapons prohibition are **as follows**:

- Volunteers legally in possession of a firearm for which the volunteer holds a valid permit, if required, and said firearm is secured within an attended personal vehicle or concealed from view within a locked unattended personal vehicle while that person is working on City property.
- A person who is showing or transferring the weapon or firearm to a police officer as part of an investigation.
- Police officers and volunteers who are in possession of a weapon or firearm in the scope of their official duties.

Approved September 5, 2013

Volunteer Response to Disrespectful Workplace Behavior

Volunteers who believe that disrespectful behavior is occurring are encouraged to deal with the situation in one of the ways listed below. However, if the allegations involve violent behavior, sexual harassment, or discriminatory behavior, then the volunteer is responsible for taking one of the actions below. If volunteers see or overhear a violation of this policy, they are encouraged to take the steps below.

Step 1 (a). Politely, but firmly, tell whoever is engaging in the disrespectful behavior how you feel about their actions. Politely request the person to stop the behavior because you feel intimidated, offended, or uncomfortable. If practical, bring a witness with you for this discussion.

Step 1 (b). If you fear adverse consequences could result from telling the offender or if the matter is not resolved by direct contact, go to your supervisor or City Administrator. The person to whom you speak is responsible for documenting the issues and for giving you a status report on the matter no later than ten business days after your report.

Step 1 (c). In the case of violent behavior, all volunteers are required to report the incident immediately to their supervisor, City Administrator, or Police Department. Any volunteer who observes sexual harassment or discriminatory behavior, or receives any reliable information about such conduct, must report it within two business days to a supervisor or the City Administrator.

Step 2. If, after what is considered to be a reasonable length of time (i.e. 30 days), you believe inadequate action is being taken to resolve your complaint / concern, the next step is to report the incident to the City Administrator or Mayor.

Supervisor's Response to Allegations of Disrespectful Workplace Behavior

In the case of sexual harassment or discriminatory behavior, a supervisor must report the allegations within two business days to the City Administrator, who will determine whether an investigation is warranted. A supervisor must act upon such a report even if requested otherwise by the victim. In situations other than sexual harassment and discriminatory behavior, supervisors will use the following guidelines when an allegation is reported:

Step 1. If the nature of the allegations and the wishes of the victim warrant a simple intervention, the supervisor may choose to handle the matter informally. The supervisor may conduct a coaching session with the offender, explaining the impact of his / her actions and requiring that the conduct not reoccur. This approach is particularly appropriate when there is some ambiguity about whether the conduct was disrespectful.

Step 2. If a formal investigation is warranted, the individual alleging a violation of this policy will be interviewed to discuss the nature of the allegations. The person being interviewed may have someone of his / her own choosing present during the interview. The investigator will obtain the following description of the incident, including date, time, and place:

- Corroborating evidence
- List of witnesses
- Identification of the offender

Step 3. The supervisor must notify the City Administrator about the allegations.

Step 4. As soon as practical after receiving the written or verbal complaint, the alleged policy violator will be informed of the allegations. The alleged violator will have the opportunity to answer questions and respond to the allegations.

Step 5. After adequate investigation and consultation with the appropriate personnel, a decision will be made regarding whether or not disciplinary action will be taken.

Approved September 5, 2013

Step 6. The alleged violator and complainant will be advised of the findings and conclusions as soon as practicable.

Special Reporting Requirements

When the supervisor is perceived to be the cause of a disrespectful workplace behavior incident, a report will be made to the City Administrator who will assume the responsibility for investigation and discipline.

If the City Administrator is perceived to be the cause of a disrespectful workplace behavior, a report will be made to the City Attorney, who will confer with the Mayor and City Council regarding appropriate investigation and action.

If a Council Member is perceived to be the cause of a disrespectful workplace behavior incident involving City personnel, the report will be made to the City Administrator and referred to the City Attorney, who will undertake the necessary investigation. The City Attorney will report his / her findings to the City Council, which will take the action it deems appropriate.

Pending completion of the investigation, the City Administrator may at his / her discretion take appropriate action to protect the alleged victim, other volunteers, or citizens.

Confidentiality

A person reporting or witnessing a violation of this policy cannot be guaranteed anonymity. The person's name and statements may have to be provided to the alleged offender. All complaints and investigative materials will be contained in a file separate from the involved volunteers' personnel files. If disciplinary action does result from the investigation, the results of the disciplinary action will then become a part of the volunteer(s) personnel file(s).

Retaliation

Consistent with the terms of applicable statutes and City personnel policies, the City may discipline any individual who retaliates against any person who reports alleged violations of this policy. The City may also discipline any individual who retaliates against any participant in an investigation, proceeding, or hearing relating to the report of alleged violations. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

E-MAIL USAGE

The City's electronic mail system (e-mail) is designed to facilitate City business communication among employees, volunteers and other business associates for messages or memoranda. Since no computer system is completely secure, the e-mail system is not intended to transmit sensitive materials and other similar information that may be more appropriately communicated by written memorandum or personal conversation.

The e-mail system is City property and intended for City business. The system is not to be used for employee or volunteer personal gain or to support or advocate for non-City related business or purposes. All data and other electronic messages within this system are the property of the City.

Personal e-mail accounts accessed through the public computers at the Library and Community Center are not covered by this policy, unless the e-mail is regarding City business.

Approved September 5, 2013

General Information on Passwords

While you have a confidential password, users should be aware that this does not suggest that the system is for personal confidential communication, nor does it suggest that e-mail is the property right of the employee or volunteer. The use of the e-mail system is for City business. Passwords should be periodically changed to ensure security of the e-mail system. Users should not share their password with anyone else.

Prohibited Uses

Solicitation of funds, political messages, harassing messages and other such messages are specifically prohibited. All e-mail messages are subject to all state and federal laws, such as, open meeting laws, data practices act, the human rights act, etc.

Retention of E-Mails

Employees, volunteers, members of the City Council, members of Advisory Boards, and Consultants shall retain all e-mails associated with City business for one month.

Applicability to Volunteers and Other Users

This e-mail policy applies to all full-time employees, part-time employees, temporary employees, interns, volunteers, and other individuals in all departments who are provided access to the City's e-mail system as necessary for their business purpose with the City.

System Monitoring

Users expressly waive any right of any privacy in anything they create, store, send, or receive on the company's computer system. The City can, but is not obliged to, monitor e-mails without prior notification. If there is evidence that an volunteer is not adhering to the guidelines set out in this policy, the City reserves the right to take disciplinary action, including termination and / or legal action.

INTERNET USAGE

Business Use Only

By definition, the Internet is a collection of computers, computer networks, communication protocols, information servers, and personal and organizational information retrieval clients, connected together in a global community. Traffic may cross multiple networks prior to reaching the client destination. The City provides its volunteers with access to the vast information resources of the Internet to assist them in performing their job duties in an effective and efficient matter. The facilities to provide Internet access represent a substantial commitment of City resources and therefore, the City has developed this policy to ensure that the Internet is being used appropriately.

The Internet is a business tool to be used exclusively for business purposes, i.e., to communicate with customers and suppliers, to research relevant topics, and to obtain business information. When using the Internet, volunteers are expected to conduct themselves in a professional manner and to respect copyrights, software licensing rules, etc.

Unnecessary or unauthorized Internet usage takes away from work time, consumes supplies, ties up printers and other shared resources. Unlawful Internet usage may also garner negative publicity for the City and expose it to significant legal liabilities.

This policy covers all files that can be read on a computer screen, including HTML files read in an Internet browser, any file meant to be accessed by a word processing or desk-top publishing program or its viewer, any files prepared for the Adobe Acrobat reader and other electronic publishing tools. Graphics includes all photographs, pictures, animations, movies or other drawings.

Prohibited Use

Inappropriate Internet use includes: transmitting obscene, harassing, offensive, or unprofessional messages; accessing any site that is sexually or racially offensive or discriminatory; displaying, downloading, or distributing

Approved September 5, 2013

any sexually explicit material; transmitting any of the City's confidential or proprietary information, including customer data, trade secrets, or other confidential information.

Monitoring

The City reserves the right to monitor volunteer use of the Internet at any time and volunteers should not consider their Internet usage to be private. Personal passwords are not an assurance of confidentiality, and the Internet itself is not secure.

Copyright Restrictions; Permission Required

Any software or other material downloaded into the City's computers may be used only in ways consistent with the licenses and copyrights of the vendors, authors, or owners of the material. Prior written authorization from a manager is required before introducing software into the City's computer system. Volunteers may not download entertainment software, games, or any other software unrelated to their work.

No Company Representation

Only authorized employees may communicate on the Internet on behalf of the City. Volunteers may not express opinions or personal views that could be misconstrued as being those of the City. Volunteers may not state their company affiliation on the Internet unless required as part of their assigned duties.

Violations of Policy

Any violation of this policy may result in loss of computer access and disciplinary action, including immediate termination.

TELEPHONE USAGE

All personal telephone calls, text messaging, and e-mailing from telephones, are to be done only during breaks or lunch breaks, or when emergency situations warrant. They are not to interfere with City work and are to be completed as quickly as possible. Volunteers working at the Library and Community Center shall ensure personal telephone usage does not interfere with assigned duties. Any personal long distance costs will be paid for by the volunteer.

NEWS RELEASES

Formal news releases concerning municipal affairs are the responsibility of the City Administrator or his or her designee. All media interviews must be approved by the City Administrator before the interview in all situations practicable. All contacts with the media should be reported to the City Administrator as soon as possible.

No City volunteer is authorized to speak on behalf of the City without prior authorization from the City Administrator or his / her designee.

All news releases concerning City personnel will be the responsibility of the City Administrator.

SMOKING

All City buildings and vehicles, in their entirety, shall be designated as tobacco free, meaning that no person will smoke tobacco or other substances or use smokeless tobacco while in a City facility or vehicle.

DRUGS

While on the City premises and while conducting business-related activities off the City premises, no volunteer may use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs.

VOLUNTEERING AT THE NEWPORT LIBRARY AND COMMUNITY CENTER

Schedules and Attendance

Punctual attendance at your appointed volunteer times is expected. Notify your staff contact or the person-in-charge if you are unable to work your agreed on schedule.

Approved September 5, 2013

Checking In and Recording Time

At the start of each volunteer shift, check in by marking your start time on the Volunteer Activities Tracking Form. Be sure to record when you leave and the tasks you completed before leaving for the day.

Using the Library

Borrowed Materials Regulations: When you borrow library materials, you are subject to the same rules as other library users. All materials must be checked out and you should return materials before they become overdue.

Public Computers: Volunteers working at the Library and Community Center may use the public computers during their scheduled time but must ensure that it does not interfere with their assigned duties. Volunteers are subject to the same rules listed in the Library and Community Center Policy.

Approved September 5, 2013

**CITY OF NEWPORT
VOLUNTEER POLICY**

By signing this document, I _____, am acknowledging that I have
(printed name)
received and read a copy of the City of Newport's Citizen Volunteer Policy and fully understand and agree to the provisions of the Policy. Furthermore, I understand that the City bears no legal obligations to any parties who are injured while performing volunteer services.

Signature

Date

City of NEWPORT

BUCKTHORN REMOVAL VOLUNTEER APPLICATION & WAIVER

Newport City Hall ♦ 596 7th Avenue ♦ Newport ♦ Minnesota ♦ 55055 ♦ Telephone 651-459-5677 ♦ Fax 651-459-9883

Thank you for volunteering for Buckthorn Removal Day!

Personal Information

Name: _____ Telephone: _____

Address: _____ Cell: _____

City/State/Zip: _____ Under 18 years old? Yes No

Applicant Statement and Acknowledgements

I certify that the information contained in this document is correct, and I have not omitted or misstated any information.

Liability Waiver

By signing this document I am acknowledging that the City bears no legal obligations to any parties who are injured while performing volunteer services for the City.

City of Newport Volunteer Policy

By signing this document I am acknowledging that I have received (at the sign-in table) and read a copy of the City of Newport's Citizen Volunteer Policy and fully understand and agree to the provisions of the Policy.

I understand that I am required to abide by all rules and regulations set forth by the City of Newport. I also understand that I have the right to receive a copy of this acknowledgement should I request one.

Photo Release Consent

By signing this document I consent and authorize the City of Newport to use and publish any of the images in any format taken of me on this day. I understand these images may be used for a variety of purposes and may appear on the City website, in the City newsletter, promotional materials or any other media. I also understand that the City of Newport will use the images exclusively for city-related purposes and not for any commercial gain.

Since anyone can download an image from the Internet or make copies from printed materials, I agree that the City of Newport is not responsible for unauthorized use of the images. I am aware that I am not entitled to any compensation and that the images may appear with or without my name.

Volunteer's Signature: _____ Date: _____

Parent/Guardian's Signature (required if under 18): _____



MEMO

TO: Mayor and Council
FROM: Deb Hill, City Administrator
DATE: October 9, 2013
SUBJECT: Strategic Plan Consultant

Background:

At the October 3, 2013 Council workshop, Dave Unmacht of Springstead presented his template for facilitating a strategic planning process. Mr. Unmacht has 15 years of administrative experience and has facilitated over 30 work sessions with elected officials and staff.

Discussion:

Mr. Unmacht will provide the following services for either a half-day (\$1500) or a full day (\$2500):

- Preparation
- Pre-session planning
- Facilitation
- Follow-up Summary

Recommendation:

Staff recommends that the City Council approve the hiring of Dave Unmacht as a facilitator for the strategic planning process at the cost of \$1500 (half-day).

**City of Newport, Minnesota
City Council
Work Plan for Facilitation
July 29, 2013**

Introduction

Springsted is one of the most established independent public sector advisory firms in the United States. For more than 50 years, we have continually grown in the range of our local government relationships, the comprehensiveness of our services and our prominence within the industry. Our managed growth is focused on providing local governments with a balance of national perspective and local expertise.

Springsted is a women-owned business and is certified as a Women's Business Enterprise ("WBE") by the City of Saint Paul, Minnesota. Three employee-owners lead Springsted and our 65 staff members. Our headquarters are located in Saint Paul, Minnesota, with additional offices located close to our clients throughout the Midwest and Mid-Atlantic states. Specifically, our regional offices include Milwaukee, Wisconsin; Des Moines, Iowa; Kansas City, Missouri; Richmond, Virginia; Denver, Colorado and Los Angeles, California.

Contact Information and Brief Bio

Springsted Incorporated

Mr. David Unmacht, *Senior Vice President*

380 Jackson Street, Suite 300

Saint Paul, Minnesota 55101

651-223-3047 Office

612-202-2391 Cell

dunmacht@springsted.com

Mr. David Unmacht is Director of Springsted's Organizational Management/Human Resources group. He is a long time local government professional with more than 15 years of county administration experience, having worked for Scott and Dakota counties, Minnesota. He has also worked as City Manager in Prior Lake and City Administrator in Belle Plaine, Minnesota. He works closely with city and county governments in many different fields including executive searches, organizational assessments, intergovernmental collaborations, facilitation services, goal setting and strategic planning. He has a master's in Public Administration from Drake University in Iowa and a bachelor's degree in Business Administration and Political Science from Wartburg College in Iowa.

Mr. Unmacht was the recipient of the Minnesota Association of County Administrators (MACA) Joe Ries Excellence in County Management Award in 2000 and the Minnesota City/County Management Association (MCMA) Award for Management Excellence in 2006. Mr. Unmacht is also a Credentialed Manager with the International City/County Management Association (ICMA) and a community faculty member with Metropolitan State University in Saint Paul, Minnesota.

Within the past four years, he has been the lead facilitator on over 30 work sessions with elected officials and staff. He is recognized for his high energy, engaging and informative presentations,

discussions and work sessions. He has a crisp and clean writing style and easily grasps different ideas and concepts and offers ideas and experiences in support of the City's goals and objectives.

Process

Mr. Unmacht brings extensive experience in working with elected officials in many different settings and situations. Prior to the work session he will contact each member of the City Council to discuss their ideas, thoughts and expectations. Once these interviews are completed he will work with the City Administrator to finalize the actual agenda and organize the details and logistics of the work session. It is important to be open and flexible to learn more about the specific goals and objectives before finalizing the methods to use in the work session.

The length of a strategic planning or goal setting session varies. Typically these sessions range from four to eight hours. The length of the session should be a function of City Council availability and the goals, expectations and objectives of the City. Typical discussion topics in a goal setting or strategic planning work session include such topics as: 1) city assets, strengths and positive attributes; 2) issues, challenges and opportunities; 3) major projects and activities; and 4) identifying the priorities and goals of the City Council.

Establishing goals or initiating a strategic planning process is not complicated or difficult. In short, the engagement is simply a deliberate and intentional decision to understand where the City has been, where you are today and where you want to go in the future. A strategic planning experience including the process and outcomes are effective tools for city officials in four distinct ways:

- **Decision-Making** — to assist you in making choices about your city
- **Leadership** — to assist you in identifying and establishing strategies
- **Management** — to operationalize your plans and accountabilities
- **Communication** — to inform others about your plans and priorities

Facilitation Skills

We believe you will find each of these qualities in Mr. Unmacht's work with the City of Newport.

- Organized and effective meeting management
- Extensive knowledge of city government
- Extensive knowledge of the elected officials and staff roles and relationships
- Flexible process to adapt to the City's goals and objectives
- Value added contributions to the work sessions and discussions
- Fair, objective and impartial to all participants
- Stimulate and encourage open discussion and creative ideas
- Excellent communicator

References

The following references are available for you to contact. Feel free to contact any one of the individuals. If you would like additional references, please let me know.

City of St. Anthony Village, Minnesota – (2011-2012-2013)
Population: 8,200
Mr. Mark Casey, *City Administrator*
612-782-3311

City of Carver, Minnesota – (2012-2013)
Population: 3,790
Mr. Brent Mareck, *City Administrator*
952-448-5353

City of Waconia, Minnesota – (2013)
Population: 10,800
Mr. Shane Fineran, *Assistant City Administrator*
952-442-3103

McLeod County, Minnesota – (2013)
Population: 36,000
Mr. Pat Melvin, *County Administrator*
320-864-1324

City of Faribault, Minnesota – (2013)
Population: 23,450
Mr. Brian Anderson, *City Administrator*
507-333-0355

City of Melrose, Minnesota – (2012)
Population: 3,200
Mr. Mike Brethorst, *City Administrator*
320-256-4278

City of Windom, Minnesota – (2011)
Population: 4,100
Mr. Steve Nasby, *City Administrator*
507-831-6129

Fee

For a one-half day work session, the anticipated cost is \$1,500. For a full day work session, the anticipated cost is \$2,500. There will be no miscellaneous expenses associated with the facilitation. This cost includes all preparation, pre-session planning, facilitation and working with the City Administrator on any follow-up summary of the session.

Mr. Unmacht is available at any time to schedule and arrange the logistics of the work session. The timeframe is subject to discussion and determination by the City.

David Unmacht
Springsted, Incorporated
July 29, 2013



MEMO

TO: Mayor and Council
FROM: Deb Hill, City Administrator
DATE: October 9, 2013
SUBJECT: New flooring for City Hall and Fire 1

Background:

The flooring in City Hall offices, council chambers and the upper floor of Fire Station 1 have become worn, stained and dated - the floorings in city hall have a patchwork appearance. The city office area has had numerous issues with our copier as the floor slopes to the west and the walls host a variety of outdated coverings. Next year marks the 125th anniversary of Newport - I believe it would be timely to have City Hall and Fire Station 1 'dressed up' for this occasion. New flooring for City Hall alone was slated in the 2017 Building's CIP at a cost of \$20,000.00.

Discussion:

We received a quote from Sonus Interiors (the company that updated the entry hall) for new flooring. The quote includes new carpet, removal of the old flooring, moving of freestanding furniture (the fire department would have to move their weight equipment) and installation. Carpet tile would be installed in the storeroom area. Individual quotes are as follows:

Office area - \$4463.56
Chambers - \$10,445.75
Firehouse 1 upper level - \$2710.50
Total - \$17,619.81

Bruce Hanson indicated that public works could fix the sloped floor, sheetrock the walls, and replace the dropped ceiling in the office area for around \$2000.00, which would be right in line with the 2017 line item. Staff recommends approval for the improvements to City Hall and Fire 1.



2440 Fernbrook Lane North
 Suite 200
 Plymouth, MN 55447
 Phone: (763) 557-0720
 Fax: (763) 557-0845
 Direct: (763) 398-6508
 E-mail: Marcie@sonusinteriors.com

08/28/13

Mr. Bruce Hanson
 City of Newport
 596 7th Avenue
 Newport, MN 55055

RE: **City Offices**

| Qty | Unit | Product Description | Price | Total |
|---------------------|------|--|----------|---------------------|
| Office Area: | | | | |
| 63.96 | syds | Shaw Carpet Tile: based upon Venture Capital (5.33 syds/ctn) | \$ 29.75 | \$ 1,902.81 |
| 3 | syds | Shaw BL for carpet base - to match field | \$ 20.25 | \$ 60.75 |
| 1 | lot | <u>Work completed during non-business hours: (Sundays excluded)</u> Move freestanding furniture, LIFT cubicle for installation, demo of existing carpet, disposal off site, install carpet tile w/releasable adhesive, prep area at transition to wood subfloor, cutting at bolted file track, bind and install carpet base in open area only | \$ | 2,500.00 |
| TOTAL | | | | \$ 4,463.56 |
| Chambers: | | | | |
| 197.21 | syds | Shaw Carpet Tile: based upon Venture Capital (5.33 syds/ctn) | \$ 29.75 | \$ 5,867.00 |
| 55 | syds | Shaw BL for stage area - to match field | \$ 20.25 | \$ 1,113.75 |
| 1 | lot | <u>Installation during regular business hours:</u> Take up existing carpet, disposal off site, install carpet tile w/releasable adhesive, install BL on stage area, wrap steps w/BL, prep VCT closet area for cpt tile, install carpet tile | \$ | 3,465.00 |
| TOTAL | | | | \$ 10,445.75 |

Please note: Pricing includes use tax and freight to MN.
 Pricing reflects approval of all areas to be purchased together.
 Installation pricing reflects union labor on hours as stated above.
 Pricing is valid for ninety days.

Sincerely yours,

Authorized By:

Marcie Gilmer
 Account Manager
 612-558-0557
marcie@sonusinteriors.com

Date:



2440 Fernbrook Lane North
 Suite 200
 Plymouth, MN 55447
 Phone: (763) 557-0720
 Fax: (763) 557-0845
 Direct: (763) 398-6508
 E-mail: Marcie@sonusinteriors.com

08/28/13

Mr. Bruce Hanson
 City of Newport
 596 7th Avenue
 Newport, MN 55055

RE: **Firehouse - Upper Level**

| Qty | Unit | Product Description | Price | Total |
|--------------------|------|--|-----------|------------------------|
| 58 | syds | Carpet: Based upon Shaw 12' Ultraloc MP back Style: Vestige | \$ 20.35 | \$ 1,180.30 |
| 92 | lnft | Vinyl cove base: 4" cove - Johnsonite based upon standard colors | \$ 0.60 | \$ 55.20 |
| 1 | lot | Installation during regular business hours: Take up existing, minor prep for wood subfloor (2 hrs), install carpet; direct glue, adhesive included | | \$ 1,475.00 |
| TOTAL | | | \$ | <u>2,710.50</u> |

Option Deduct:
 57 syds Style Entity in lieu of Vestige

Please note: Pricing includes use tax and freight to MN.
 Floor prep beyond 2 hours is not included.
 Stairs and furniture moving is not included.
 Furniture and equipment removal and replacement is not included.

Sincerely yours,

Authorized By:

Marcie Gilmer
 Account Manager
 612-558-0557
marcie@sonusinteriors.com

Date:

RESOLUTION NO. 2013-52

A RESOLUTION ADJUSTING THE INTEREST RATE, ADOPTING THE FINAL ASSESSMENT FOR CENTURY AVENUE BETWEEN MILITARY ROAD AND WILD CANYON DRIVE, BETWEEN HOWKINS ROAD AND KALEN DRIVE, 8TH AVENUE FROM FORD ROAD TO 18TH STREET, 18TH STREET FROM HASTINGS AVENUE TO HARVARD PLACE, 21ST STREET FROM 200 FEET WEST OF 8TH AVENUE TO BARRY DRIVE, BARRY DRIVE, ELLEN COURT, TERRACE ROAD, MARK COURT, AND 10TH AVENUE FROM TERRACE ROAD TO 18TH STREET, AND POSTPONING ASSESSMENT FOR CERTAIN PROPERTIES

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed assessment for the improvement of Century Avenue between County Hwy 20 (Military Road) and Wild Canyon Drive and between Howkins Road and Kalen Drive by regrading, reconstructing to improve the road surface, and drainage; and

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed assessment for the Improvement No. 2013-01, the improvement of, 8th Avenue from Ford Road to 18th Street, 18th Street from Hastings Avenue to Harvard Place, 21st Street from 200 feet west of 8th Avenue to Barry Drive, Barry Drive, Ellen Court, Terrace Road, Mark Court, and 10th Avenue from Terrace Road to 18th Street by regrading and improving the road surfaces and stormwater conveyance system; and

WHEREAS, the council shall postpone assessment of the properties abutting 8th Avenue from Ford Road to 18th Street, 18th Street from Hastings Avenue to Harvard Place and 21st Street from 200 feet west of 8th Avenue to 8th Avenue, and

WHEREAS, the council shall reduce the previously adopted annual interest rate of 5.5 percent to 4.15 percent for all assessments for the 2013 City of Woodbury Roadway Rehabilitation Project and Improvement No. 2013-01 including postponed assessment described herein.

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

1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
2. Such portion of the proposed assessment entitled "Postponed Until October 1, 2014" shall be adopted and said adoption shall be effective October 1, 2014.
3. Such assessment shall be payable in equal annual installments extending over a period of 10 years, the first of the installments to be payable on or before the first Monday in January 2014, and shall bear interest at the rate of 4.15 percent per annum from the date of adoption of this assessment resolution. To the first installment shall be added interest on the entire assessment from the date of this resolution until December 31, 2013. To each subsequent installment, when due, shall be added interest for one year on all unpaid installments.
4. The owner of any property so assessed may, at any time prior to the certification of the assessment to the county auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City of Newport, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution. An owner may, at any time thereafter, pay to the City of Newport the entire amount of the assessment remaining unpaid, with interest accrued to December 31

of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year.

5. The City Administrator shall forthwith transmit a certified duplicate of this assessment to the county auditor to be extended on the property tax lists of the county. Such assessment shall be collected and paid over in the same manner as other municipal taxes.

6. Payment schedule shall be based upon equal payments.

Adopted this 17th day of October, 2013 by the Newport City Council.

Motion by: _____, Seconded by: _____

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

Signed: _____
Tim Geraghty, Mayor

ATTEST: _____
Deb Hill, City Administrator

CITY OF NEWPORT
 2013 STREET IMPROVEMENT PROJECT
 FINAL ASSESSMENT ROLL - 18TH ST, 10TH AVE, BARRY DR, AND AREA
 AS CERTIFIED TO WASHINGTON COUNTY, OCTOBER 17, 2013

| PIN | BLDG_NUM | STREET NAME | STREET TYPE | OWNER_NAME | OWN_ADD_L1 | OWN_ADD_L3 | EQUIVALENT RESIDENTIAL UNITS | TOTAL ASSESSMENT AMOUNT |
|----------------------------------|----------|-------------|-------------|---------------------------------------|-------------------------|------------------------|------------------------------|-------------------------|
| BARRY DRIVE | | | | | | | | |
| 2502822340037 | 1810 | BARRY | DR | ANTHOLZ CHRISTOPHER | 1810 BARRY DR | NEWPORT MN 55055 | 1.00 | \$2,900.00 |
| 2502822340017 | 1829 | BARRY | DR | WAGNER GREG S & BRENDA R | 1829 BARRY DR | NEWPORT MN 55055 | 1.00 | \$2,900.00 |
| 2502822340036 | 1830 | BARRY | DR | HOPKINS RANDY W & JENNIFER M | 1830 BARRY DR | NEWPORT MN 55055 | 1.00 | \$2,900.00 |
| 2502822340015 | 1889 | BARRY | DR | GJERTSON MARK G & SHERILYN R | 1889 BARRY DR | NEWPORT MN 55055 | 1.00 | \$2,900.00 |
| 2502822340034 | 1890 | BARRY | DR | JOHNSON JEFFREY A & JODI L | 1890 BARRY DR | NEWPORT MN 55055 | 1.00 | \$2,900.00 |
| 2502822340012 | 1959 | BARRY | DR | LOVELL DAVID & DIANE M | 1959 BARRY DR | NEWPORT MN 55055 | 1.00 | \$2,900.00 |
| 2502822340031 | 1970 | BARRY | DR | BERG SCOTT E & STEPHANIE A | 1970 BARRY DR | NEWPORT MN 55055 | 1.00 | \$2,900.00 |
| 2502822340010 | 1989 | BARRY | DR | SCHORN GREGORY S & JOAN A | 1989 BARRY DR | NEWPORT MN 55055 | 1.00 | \$2,900.00 |
| 2502822340030 | 1990 | BARRY | DR | NARUSIEWICZ PATRICIA ANN | 1990 BARRY DR | NEWPORT MN 55055 | 1.00 | \$2,900.00 |
| 2502822340009 | 2069 | BARRY | DR | OLSON JARVIS V & VICTORIA A | 2069 BARRY DR | NEWPORT MN 55055 | 1.00 | \$2,900.00 |
| 2502822340004 | 2070 | BARRY | DR | INDYKIEWICZ STEVE & MIRANDA HILL | 2070 BARRY DR | NEWPORT MN 55055 | 1.00 | \$2,900.00 |
| 2502822340008 | 2079 | BARRY | DR | TINUCCI MARK T & MORIDA D | 6525 HADLEY AVE S | COTTAGE GROVE MN 55016 | 1.00 | \$2,900.00 |
| 2502822340003 | 2080 | BARRY | DR | ALMEN JASON | 2080 BARRY DR | NEWPORT MN 55055 | 1.00 | \$2,900.00 |
| 2502822340007 | 2083 | BARRY | DR | TERRY ANGELA & JEFFREY | 2083 BARRY DR | NEWPORT MN 55055 | 1.00 | \$2,900.00 |
| 21ST ST (EAST OF 8TH AVE) | | | | | | | | |
| 2502822310006 | 809 | 21ST | ST | LEE GORDON O & BEVERLY J | 809 21ST ST | NEWPORT MN 55055 | 1.00 | \$2,900.00 |
| 2502822340006 | 820 | 21ST | ST | KNAUFF ROBERT & JILL & JILL KNAUFF | 820 21ST ST | NEWPORT MN 55055 | 1.00 | \$2,900.00 |
| ELLEN COURT | | | | | | | | |
| 2502822310011 | 905 | ELLEN | CT | VANDERBILT TONY L | 905 ELLEN CT | NEWPORT MN 55055 | 1.00 | \$2,900.00 |
| 2502822340039 | 930 | ELLEN | CT | HAUGAN JOSEPH S | 930 ELLEN CT | NEWPORT MN 55055 | 1.00 | \$2,900.00 |
| 2502822340038 | 950 | ELLEN | CT | FOTT RICHARD A | 11228 WEST RIVER RD | CHAMPLIN MN 55316 | 1.00 | \$2,900.00 |
| 2502822310015 | 970 | ELLEN | CT | DOMBROCK TODD | 970 ELLEN CT | NEWPORT MN 55055 | 1.00 | \$2,900.00 |
| TERRACE RD | | | | | | | | |
| 2502822340041 | 935 | TERRACE | RD | STRICKLAND JONELL MARIE | 935 TERRACE RD | NEWPORT MN 55055 | 1.00 | \$2,900.00 |
| 10TH AVE (NORTH OF 18TH) | | | | | | | | |
| 2502822340063 | 1810 | 10TH | AVE | NILIUS JOEL & REBEKAH | 1810 10TH AVE | NEWPORT MN 55055 | 1.00 | \$2,900.00 |
| 2502822340073 | 1815 | 10TH | AVE | JACKSON ROBERT A & JUDITH C | 1815 10TH AVE | NEWPORT MN 55055 | 1.00 | \$2,900.00 |
| 2502822340062 | 1830 | 10TH | AVE | PACKER SANDRA | 1830 10TH AVE | NEWPORT MN 55055 | 1.00 | \$2,900.00 |
| 2502822340072 | 1835 | 10TH | AVE | HABBENA RYAN D & JENNY E | 1835 10TH AVE | NEWPORT MN 55055 | 1.00 | \$2,900.00 |
| 2502822340071 | 1855 | 10TH | AVE | WHITE ROBERT A & PATRICIA A | 1855 10TH AVE | NEWPORT MN 55055 | 1.00 | \$2,900.00 |
| 2502822340060 | 1870 | 10TH | AVE | GROEN NATHAN | 1870 10TH AVE | NEWPORT MN 55055 | 1.00 | \$2,900.00 |
| 2502822340070 | 1875 | 10TH | AVE | GRUBE TERI L | 1875 10TH AVE | NEWPORT MN 55055 | 1.00 | \$2,900.00 |
| 2502822340059 | 1890 | 10TH | AVE | DAVIS ROBERT W | 1890 10TH AVE | NEWPORT MN 55055 | 1.00 | \$2,900.00 |
| 2502822340047 | 1902 | 10TH | AVE | FEDERAL NATIONAL MORTGAGE ASSOCIATION | 14221 DALLAS PKWY #1000 | DALLAS, TX 75265 | 1.00 | \$2,900.00 |
| 2502822340068 | 1905 | 10TH | AVE | JACKSON BRIAN J & LYNN A | 1905 10TH AVE | NEWPORT MN 55055 | 1.00 | \$2,900.00 |
| 2502822340046 | 1910 | 10TH | AVE | BABCOCK LOIS | 1910 10TH AVE | NEWPORT MN 55055 | 1.00 | \$2,900.00 |
| 2502822340045 | 1920 | 10TH | AVE | AGUIRRE RICHARD PETER | 1920 10TH AVE | NEWPORT MN 55055 | 1.00 | \$2,900.00 |
| 2502822340043 | 1922 | 10TH | AVE | MARK COURT LLC | 1932 10TH AVE # 1 | NEWPORT MN 55055 | 24.00 | \$69,600.00 |
| 2502822340066 | 1945 | 10TH | AVE | LEONARD MICHAEL J | 1945 10TH AVE | NEWPORT MN 55055 | 1.00 | \$2,900.00 |
| MARK CT | | | | | | | | |

| PIN | BLDG_NUM | STREET NAME | STREET TYPE | OWNER_NAME | OWN_ADD_L1 | OWN_ADD_L3 | EQUIVALENT RESIDENTIAL UNITS | TOTAL ASSESSMENT AMOUNT | | |
|----------------------|----------|----------------|-------------|------------------------------|-------------------|------------------|---------------------------------|----------------------------|-------------|---------------------|
| 2502822340058 | 1102 | MARK | CT | SCHUSTER DUANE A & CAROLYN L | 1102 MARK CT | NEWPORT MN 55055 | 0.00 | * | \$0.00 | |
| 2502822340048 | 1105 | MARK | CT | MARK COURT LLC | 1932 10TH AVE # 1 | NEWPORT MN 55055 | 6.00 | | \$17,400.00 | |
| 2502822340049 | 1105 | MARK | CT | MARK COURT LLC | 1932 10TH AVE # 1 | NEWPORT MN 55055 | 6.00 | | \$17,400.00 | |
| 2502822340057 | 1120 | MARK | CT | ZELAYA WILLIAM A & CORAL G | 1120 MARK CT | NEWPORT MN 55055 | 1.00 | | \$2,900.00 | |
| 2502822340050 | 1125 | MARK | CT | MARK COURT LLC | 1932 10TH AVE # 1 | NEWPORT MN 55055 | 6.00 | | \$17,400.00 | |
| 2502822340051 | 1125 | MARK | CT | MARK COURT LLC | 1932 10TH AVE # 1 | NEWPORT MN 55055 | 6.00 | | \$17,400.00 | |
| * Assessment Defered | | | | | | | Total | 82.00 | | \$295,800.00 |

CITY OF NEWPORT
 2013 STREET IMPROVEMENT PROJECT
 FINAL ASSESSMENT ROLL - CENTURY AVENUE
 AS CERTIFIED TO WASHINGTON COUNTY, OCTOBER 17, 2013

| PIN | BLDG_NUM | STREET NAME | STREET TYPE | SUFFIX_DIR | OWNER_NAME | OWN_ADD_L1 | OWN_ADD_L3 | EQUIVALENT RESIDENTIAL UNITS | TOTAL ASSESSMENT AMOUNT |
|--------------------|----------|-------------|-------------|------------|-----------------------------|------------------|------------------|---------------------------------|----------------------------|
| CENTURY AVE | | | | | | | | | |
| 2502822140015 | 1811 | CENTURY | AVE | | STEWART DAVID A & SUSAN L | 1811 CENTURY AVE | NEWPORT MN 55055 | 1.00 | \$4,000 |
| 2502822140001 | 1851 | CENTURY | AVE | | LAUBER P CHARLES | 1851 CENTURY AVE | NEWPORT MN 55055 | 1.00 | \$4,000 |
| 3602822110028 | 1635 | CENTURY | AVE | | BELL JEFFREY M & PATRICIA G | 1635 CENTURY AVE | NEWPORT MN 55055 | 1.00 | \$4,000 |
| 3602822110003 | 1645 | CENTURY | AVE | | POZZINI MARK G & VIRGINIA L | 1645 CENTURY AVE | NEWPORT MN 55055 | 1.00 | \$4,000 |
| TOTAL | | | | | | | | 4.00 | \$16,000 |

CITY OF NEWPORT
 2013 STREET IMPROVEMENT PROJECT
 ASSESSMENT ROLL - 18TH ST, 10TH AVE, BARRY DR, AND AREA
 June 27, 2013 - Modified August 7, 2013

Postponed until October 1st 2014

| PIN | BLDG_NUM | STREET NAME | STREET TYPE | CITY | OWNER_NAME | OWN_ADD_L1 | OWN_ADD_L3 | EQUIVALENT RESIDENTIAL UNITS | TOTAL ASSESSMENT AMOUNT |
|--|----------|-------------|-------------|-----------------|-------------------------------|----------------------|------------------------|---------------------------------|----------------------------|
| <u>SUMMARY BY CONSTRUCTION TYPE</u> | | | | | | | | | |
| MILL & OVERLAY W/ CURB | | | | | | \$ | 2,900 | 37.75 | \$109,475 |
| 8TH AVE | | | | | | | | | |
| 2502822330061 | 780 | 19TH | ST | CITY OF NEWPORT | MEVMAR LLC | 9270 INVER GROVE TRL | INVER GROVE HEIGHTS MN | 1.25 | \$3,625 |
| 2502822330082 | 785 | 20TH | ST | CITY OF NEWPORT | FRITZ/20TH PROPERTIES LLC | 1362 GOODRICH AVE | ST PAUL MN 55105 | 1.25 | \$3,625 |
| 2502822330083 | 1912 | HASTINGS | AVE | CITY OF NEWPORT | FRITZ/HASTINGS PROPERTIES LLC | 1362 GOODRICH AVE | SAINT PAUL MN 55105 | 0.00 | \$0 |
| 2502822340020 | 1830 | 8TH | AVE | CITY OF NEWPORT | BEAUMONT RICHARD & JANE | 1830 8TH AVE | NEWPORT MN 55055 | 1.00 | \$2,900 |
| 2502822340021 | 1850 | 8TH | AVE | CITY OF NEWPORT | JANNETTO JON M & JEAN A | 1850 8TH AVE | NEWPORT MN 55055 | 1.00 | \$2,900 |
| 2502822340022 | 1890 | 8TH | AVE | CITY OF NEWPORT | MICHELTS TIMOTHY D | 1890 8TH AVE | NEWPORT MN 55055 | 1.00 | \$2,900 |
| 2502822340023 | 1930 | 8TH | AVE | CITY OF NEWPORT | HEATH-GRIFFIN KELLY | 1930 8TH AVE | NEWPORT MN 55055 | 1.00 | \$2,900 |
| 2502822340024 | 1950 | 8TH | AVE | CITY OF NEWPORT | STAMNESS ALICIA J | 1950 8TH AVE | NEWPORT MN 55055 | 1.00 | \$2,900 |
| 2502822340025 | 1960 | 8TH | AVE | CITY OF NEWPORT | NOWICKI KIM LAURENE | 1960 8TH AVE | NEWPORT MN 55055 | 1.00 | \$2,900 |
| 2502822340026 | 1970 | 8TH | AVE | CITY OF NEWPORT | BANASZEWSKI GARY K & PAMELA J | 1970 8TH AVE | NEWPORT MN 55055 | 1.00 | \$2,900 |
| 2502822340027 | 1990 | 8TH | AVE | CITY OF NEWPORT | THOMSEN JENNY | 1990 8TH AVE | NEWPORT MN 55055 | 1.00 | \$2,900 |
| 2502822340028 | 2070 | 8TH | AVE | CITY OF NEWPORT | HOWARD SCOTT E | 2070 EIGHTH AVE | NEWPORT MN 55055 | 1.00 | \$2,900 |
| 2502822340029 | 2080 | 8TH | AVE | CITY OF NEWPORT | VITULLO SHIRLENE M | 2080 8TH AVE | NEWPORT MN 55055 | 1.00 | \$2,900 |
| 2502822340005 | 2090 | 8TH | AVE | CITY OF NEWPORT | MARS JASON L | 2090 8TH AVE | NEWPORT MN 55055 | 1.00 | \$2,900 |
| 2502822310005 | 2120 | 8TH | AVE | CITY OF NEWPORT | COCHRAN BRENT S | 2120 8TH AVE | NEWPORT MN 55055 | 1.00 | \$2,900 |
| 2502822310001 | 2190 | 8TH | AVE | CITY OF NEWPORT | COSTIGAN LARRY M & LOIS E | 2190 8TH AVE | NEWPORT MN 55055 | 1.00 | \$2,900 |
| TOTAL | | | | | | | | 15.50 | \$44,950 |

| PIN | BLDG_NUM | STREET NAME | STREET TYPE | CITY | OWNER_NAME | OWN_ADD_L1 | OWN_ADD_L3 | EQUIVALENT RESIDENTIAL UNITS | TOTAL ASSESSMENT AMOUNT |
|----------------------------------|------------|-------------|-------------|-----------------|--------------------------------|-----------------|-----------------------|---------------------------------|----------------------------|
| 21ST ST (WEST OF 8TH AVE) | | | | | | | | | |
| 2502822320028 | 765 | 21ST | ST | CITY OF NEWPORT | HACKEN ALVIN K & DEBORAH A | 765 21ST ST | NEWPORT MN 55055 | 1.00 | \$2,900 |
| 2502822320027 | VACANT LOT | | | CITY OF NEWPORT | HACKEN ALVIN K & DEBORAH A | 765 21ST ST | NEWPORT MN 55055 | 0.00 | \$0 |
| 2502822330032 | 780 | 21ST | ST | CITY OF NEWPORT | KIRCHNER TROY & JULIE | 780 21ST ST | NEWPORT MN 55055 | 1.00 | \$2,900 |
| 2502822330031 | 786 | 21ST | ST | CITY OF NEWPORT | KW REALTY INVESTORS LLC | 9200 PARK AVE | BLOOMINGTON MN 55420 | 1.00 | \$2,900 |
| 2502822320030 | 793 | 21ST | ST | CITY OF NEWPORT | MAILAND MARK S & DIANE L | 793 21ST ST | NEWPORT MN 55055 | 1.00 | \$2,900 |
| 2502822320031 | VACANT LOT | | | CITY OF NEWPORT | MAILAND MARK S & DIANE L | 793 21ST ST | NEWPORT MN 55055 | 0.00 | \$0 |
| 2502822320029 | VACANT LOT | | | CITY OF NEWPORT | MAILAND MARK S & DIANE L | 793 21ST ST | NEWPORT MN 55055 | 0.00 | \$0 |
| 2502822330030 | 794 | 21ST | ST | CITY OF NEWPORT | SAGSTETTER STEVE & RAVEN K | 1418 SELBY AVE | ST PAUL PARK MN 55071 | 1.25 | \$3,625 |
| TOTAL | | | | | | | | 5.25 | \$15,225 |
| 18TH ST | | | | | | | | | |
| 2502822340088 | 812 | 18TH | ST | CITY OF NEWPORT | BILD JULIA | 812 18TH ST | NEWPORT MN 55055 | 1.00 | \$2,900 |
| 2502822340086 | VACANT LOT | | | CITY OF NEWPORT | BILD JULIA | 812 18TH ST | NEWPORT MN 55055 | 0.50 | \$1,450 |
| 2502822340087 | VACANT LOT | | | CITY OF NEWPORT | BILD JULIA | 812 18TH ST | NEWPORT MN 55055 | 0.50 | \$1,450 |
| 2502822340019 | 825 | 18TH | ST | CITY OF NEWPORT | MURPHY STEVEN T & DAWN | 825 18TH ST | NEWPORT MN 55055 | 1.00 | \$2,900 |
| 2502822340018 | 875 | 18TH | ST | CITY OF NEWPORT | ALSIDES ABEL & DELORES B | 455 6TH AVE | NEWPORT MN 55055 | 1.00 | \$2,900 |
| 2502822340085 | 880 | 18TH | ST | CITY OF NEWPORT | VICK CHRIS R & MELISSA A | 880 18TH ST | NEWPORT MN 55055 | 0.00 | \$0 |
| 2502822340084 | 880 | 18TH | ST | CITY OF NEWPORT | VICK CHRIS R & MELISSA A | 880 18TH ST | NEWPORT MN 55055 | 1.00 | \$2,900 |
| 2502822340083 | 900 | 18TH | ST | CITY OF NEWPORT | RANTALA JOHN | 900 18TH ST | NEWPORT MN 55055 | 1.00 | \$2,900 |
| 2502822340099 | 950 | 18TH | ST | CITY OF NEWPORT | KNUTSON BRADLEY S | 950 18TH ST | NEWPORT MN 55055 | 1.00 | \$2,900 |
| 2502822340078 | 1799 | 10TH | AVE | CITY OF NEWPORT | JACOBSSON JONI CAROL | 1799 10TH AVE | NEWPORT MN 55055 | 1.00 | \$2,900 |
| 2502822330068 | VACANT LOT | 18TH | ST | CITY OF NEWPORT | RECHTZIGEL GENE A | 6533 160TH ST W | APPLE VALLEY MN 55124 | 1.00 | \$2,900 |
| 2502822330069 | 745 | 18TH | ST | CITY OF NEWPORT | HAPPEL WALTER J & JITTRA W | 745 18TH STS | NEWPORT MN 55055 | 1.00 | \$2,900 |
| 2502822330074 | 760 | 18TH | ST | CITY OF NEWPORT | TINUCCI BROS REST HOLDINGS LLC | 396 21ST ST | NEWPORT MN 55055 | 1.00 | \$2,900 |
| 2502822330070 | 765 | 18TH | ST | CITY OF NEWPORT | SMITH ERIC V & SHARON K | 765 18TH ST | NEWPORT MN 55055 | 1.00 | \$2,900 |
| 2502822330073 | 784 | 18TH | ST | CITY OF NEWPORT | URBANO SR FRANCISCO & DEABRA K | 784 18TH ST | NEWPORT MN 55055 | 1.00 | \$2,900 |
| 2502822330071 | 785 | 18TH | ST | CITY OF NEWPORT | MELBY WILLIAM A | 785 18TH ST | NEWPORT MN 55055 | 1.00 | \$2,900 |
| 2502822330072 | 1791 | 8TH | AVE | CITY OF NEWPORT | BERG PATRICIA J | 1791 8TH AVE | NEWPORT MN 55055 | 1.00 | \$2,900 |
| 2502822340002 | 1810 | 11TH | AVE | CITY OF NEWPORT | SWANLUND HOWARD W TRS | 1810 11TH AVE | NEWPORT MN 55055 | 1.00 | \$2,900 |
| 2502822340076 | 1020 | 18TH | ST | CITY OF NEWPORT | MANNING BONITA K | 1020 18TH ST | NEWPORT MN 55055 | 1.00 | \$2,900 |
| 2502822330067 | 1806 | HASTINGS | AVE | CITY OF NEWPORT | RECHTZIGEL GENE A | 6533 160TH ST W | APPLE VALLEY MN 55124 | 0.00 | \$0 |
| 2502822330075 | 1796 | HASTINGS | AVE | CITY OF NEWPORT | TINUCCI BROS REST HOLDINGS LLC | 396 21ST ST | NEWPORT MN 55055 | 0.00 | \$0 |
| TOTAL | | | | | | | | 17.00 | \$49,300 |

RESOLUTION NO. 2013-53

A RESOLUTION ADOPTING SEWER REPAIR CHARGES

WHEREAS, pursuant to proper notice duly given as required by law, the council has met and heard and passed upon all objections to the proposed sewer repair charges associated with the Improvement No. 2013-01, the improvement of 21st Street from 8th Avenue to Barry Drive, Barry Drive from 18th Street to 21st Street, Ellen Court, Terrace Road, Mark Court, and 10th Avenue from Terrace Road to 18th Street including sewer televising, service wye and service line repairs and;

WHEREAS, the city has performed additional sewer televising work for in advance of the improvement of 8th Avenue from Ford Road to 18th Street, 18th Street from Hastings Avenue to Harvard Place, 21st Street from 200 feet west of 8th Avenue.

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

1. Such proposed sewer repair roll, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute an assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed sewer repairs in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of 10 years, the first of the installments to be payable on or before the first Monday in January 2014, and shall bear interest at the rate of 4.15 percent per annum from the date of adoption of this assessment resolution. To the first installment shall be added interest on the entire assessment from the date of this resolution until December 31, 2013. To each subsequent installment, when due, shall be added interest for one year on all unpaid installments.
3. The owner of any property so assessed may, at any time prior to the certification of the assessment to the county auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City of Newport, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution. An owner may, at any time thereafter, pay to the City of Newport the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year.
4. The City Administrator shall forthwith transmit a certified duplicate of this assessment to the county auditor to be extended on the property tax lists of the county. Such assessment shall be collected and paid over in the same manner as other municipal taxes.
5. Payment schedule shall be based upon equal payments.

Adopted this 17th day of October, 2013 by the Newport City Council.

Motion by: _____, Seconded by: _____

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

Signed: _____
Tim Geraghty, Mayor

ATTEST: _____
Deb Hill, City Administrator

CITY OF NEWPORT
2013 STREET IMPROVEMENT PROJECT
SEWER REPAIR CHARGES - 10TH AVE, BARRY DR, AND AREA
October 17, 2013

| PIN | BLDG_NUM | STREET NAME | STREET TYPE | OWNER_NAME | OWN_ADD_L1 | OWN_ADD_L3 | CERTIFIED SEWER CHARGES |
|----------------------------------|----------|----------------|-------------|---------------------------------------|-------------------------|-----------------------|----------------------------|
| BARRY DRIVE | | | | | | | |
| 2502822340037 | 1810 | BARRY | DR | ANTHOLZ CHRISTOPHER | 1810 BARRY DR | NEWPORT MN 55055 | \$1,343.50 |
| 2502822340017 | 1829 | BARRY | DR | WAGNER GREG S & BRENDA R | 1829 BARRY DR | NEWPORT MN 55055 | \$0.00 |
| 2502822340036 | 1830 | BARRY | DR | HOPKINS RANDY W & JENNIFER M | 1830 BARRY DR | NEWPORT MN 55055 | \$1,056.50 |
| 2502822340015 | 1889 | BARRY | DR | GJERTSON MARK G & SHERILYN R | 1889 BARRY DR | NEWPORT MN 55055 | \$69.50 |
| 2502822340034 | 1890 | BARRY | DR | JOHNSON JEFFREY A & JODI L | 1890 BARRY DR | NEWPORT MN 55055 | \$1,068.50 |
| 2502822340012 | 1959 | BARRY | DR | LOVELL DAVID & DIANE M | 1959 BARRY DR | NEWPORT MN 55055 | \$69.50 |
| 2502822340011 | 1969 | BARRY | DR | LUND MARK M | 1969 BARRY DR | NEWPORT MN 55055 | \$69.50 |
| 2502822340031 | 1970 | BARRY | DR | BERG SCOTT E & STEPHANIE A | 1970 BARRY DR | NEWPORT MN 55055 | \$69.50 |
| 2502822340010 | 1989 | BARRY | DR | SCHORN GREGORY S & JOAN A | 1989 BARRY DR | NEWPORT MN 55055 | \$1,004.50 |
| 2502822340009 | 2069 | BARRY | DR | OLSON JARVIS V & VICTORIA A | 2069 BARRY DR | NEWPORT MN 55055 | \$69.50 |
| 2502822340004 | 2070 | BARRY | DR | INDYKIEWICZ STEVE & MIRANDA HILL | 2070 BARRY DR | NEWPORT MN 55055 | \$69.50 |
| 2502822340003 | 2080 | BARRY | DR | ALMEN JASON | 2080 BARRY DR | NEWPORT MN 55055 | \$1,835.50 |
| 2502822340007 | 2083 | BARRY | DR | TERRY ANGELA & JEFFREY | 2083 BARRY DR | NEWPORT MN 55055 | \$946.00 |
| 21ST ST (EAST OF 8TH AVE) | | | | | | | |
| 2502822310006 | 809 | 21ST | ST | LEE GORDON O & BEVERLY J | 809 21ST ST | NEWPORT MN 55055 | \$69.50 |
| 2502822340006 | 820 | 21ST | ST | KNAUFF ROBERT & JILL & JILL KNAUFF | 820 21ST ST | NEWPORT MN 55055 | \$69.50 |
| ELLEN COURT | | | | | | | |
| 2502822310011 | 905 | ELLEN | CT | VANDERBILT TONY L | 905 ELLEN CT | NEWPORT MN 55055 | \$69.50 |
| 2502822340039 | 930 | ELLEN | CT | HAUGAN JOSEPH S | 930 ELLEN CT | NEWPORT MN 55055 | \$69.50 |
| 2502822340038 | 950 | ELLEN | CT | FOTT RICHARD A | 11228 WEST RIVER RD | CHAMPLIN MN 55316 | \$69.50 |
| 2502822310015 | 970 | ELLEN | CT | DOMBROCK TODD | 970 ELLEN CT | NEWPORT MN 55055 | \$69.50 |
| TERRACE RD | | | | | | | |
| 2502822340042 | 1003 | TERRACE | RD | STREMICK NATHAN E | 1003 TERRACE RD | NEWPORT MN 55055 | \$69.50 |
| 2502822340040 | 915 | TERRACE | RD | VANG E | 915 TERRACE RD | NEWPORT MN 55055-1541 | \$622.00 |
| 2502822340041 | 935 | TERRACE | RD | STRICKLAND JONELL MARIE | 935 TERRACE RD | NEWPORT MN 55055 | \$213.50 |
| 10TH AVE (NORTH OF 18TH) | | | | | | | |
| 2502822340063 | 1810 | 10TH | AVE | NILIUS JOEL & REBEKAH | 1810 10TH AVE | NEWPORT MN 55055 | \$1,134.50 |
| 2502822340073 | 1815 | 10TH | AVE | JACKSON ROBERT A & JUDITH C | 1815 10TH AVE | NEWPORT MN 55055 | \$69.50 |
| 2502822340061 | 1850 | 10TH | AVE | THAO VANG & MAI N LOR | 1850 10TH AVENUE | NEWPORT MN 55055 | \$961.00 |
| 2502822340071 | 1855 | 10TH | AVE | WHITE ROBERT A & PATRICIA A | 1855 10TH AVE | NEWPORT MN 55055 | \$1,043.50 |
| 2502822340060 | 1870 | 10TH | AVE | GROEN NATHAN | 1870 10TH AVE | NEWPORT MN 55055 | \$1,043.50 |
| 2502822340070 | 1875 | 10TH | AVE | GRUBE TERI L | 1875 10TH AVE | NEWPORT MN 55055 | \$1,043.50 |
| 2502822340059 | 1890 | 10TH | AVE | DAVIS ROBERT W | 1890 10TH AVE | NEWPORT MN 55055 | \$69.50 |
| 2502822340047 | 1902 | 10TH | AVE | FEDERAL NATIONAL MORTGAGE ASSOCIATION | 14221 DALLAS PKWY #1000 | DALLAS, TX 75265 | \$69.50 |
| 2502822340068 | 1905 | 10TH | AVE | JACKSON BRIAN J & LYNN A | 1905 10TH AVE | NEWPORT MN 55055 | \$69.50 |
| 2502822340046 | 1910 | 10TH | AVE | BABCOCK LOIS | 1910 10TH AVE | NEWPORT MN 55055 | \$69.50 |
| 2502822340045 | 1920 | 10TH | AVE | AGUIRRE RICHARD PETER | 1920 10TH AVE | NEWPORT MN 55055 | \$69.50 |

| PIN | BLDG_NUM | STREET NAME | STREET TYPE | OWNER_NAME | OWN_ADD_L1 | OWN_ADD_L3 | CERTIFIED SEWER CHARGES |
|---------------|----------|----------------|-------------|------------------------------|-------------------|------------------|----------------------------|
| 2502822340043 | 1922 | 10TH | AVE | MARK COURT LLC | 1932 10TH AVE # 1 | NEWPORT MN 55055 | \$69.50 |
| 2502822340066 | 1945 | 10TH | AVE | LEONARD MICHAEL J | 1945 10TH AVE | NEWPORT MN 55055 | \$69.50 |
| MARK CT | | | | | | | |
| 2502822340058 | 1102 | MARK | CT | SCHUSTER DUANE A & CAROLYN L | 1102 MARK CT | NEWPORT MN 55055 | \$1,017.50 |
| 2502822340048 | 1105 | MARK | CT | MARK COURT LLC | 1932 10TH AVE # 1 | NEWPORT MN 55055 | \$1,160.50 |
| 2502822340057 | 1120 | MARK | CT | ZELAYA WILLIAM A & CORAL G | 1120 MARK CT | NEWPORT MN 55055 | \$69.50 |
| 2502822340050 | 1125 | MARK | CT | MARK COURT LLC | 1932 10TH AVE # 1 | NEWPORT MN 55055 | \$1,100.00 |
| 2502822340051 | 1125 | MARK | CT | MARK COURT LLC | 1932 10TH AVE # 1 | NEWPORT MN 55055 | \$139.00 |

CITY OF NEWPORT
 2013 STREET IMPROVEMENT PROJECT
 SEWER REPAIR CHARGES - 8th Ave, 18th St & 21st St
 October 17, 2013

| PIN | BLDG_NUM | STREET NAME | STREET TYPE | OWNER_NAME | OWN_ADD_L1 | OWN_ADD_L3 | CERTIFIED SEWER CHARGES |
|----------------------------------|------------|----------------|-------------|----------------------------|-------------------|-----------------------|----------------------------|
| 8TH AVE | | | | | | | |
| 2502822330082 | 785 | 20TH | ST | FRITZ/20TH PROPERTIES LLC | 1362 GOODRICH AVE | ST PAUL MN 55105 | \$69.50 |
| 2502822340022 | 1890 | 8TH | AVE | MICHELS TIMOTHY D | 1890 8TH AVE | NEWPORT MN 55055 | \$69.50 |
| 2502822340024 | 1950 | 8TH | AVE | STAMNESS ALICIA J | 1950 8TH AVE | NEWPORT MN 55055 | \$69.50 |
| 2502822340025 | 1960 | 8TH | AVE | NOWICKI KIM LAURENE | 1960 8TH AVE | NEWPORT MN 55055 | \$69.50 |
| 2502822340027 | 1990 | 8TH | AVE | THOMSEN JENNY | 1990 8TH AVE | NEWPORT MN 55055 | \$69.50 |
| 2502822340028 | 2070 | 8TH | AVE | HOWARD SCOTT E | 2070 EIGHTH AVE | NEWPORT MN 55055 | \$69.50 |
| 2502822340029 | 2080 | 8TH | AVE | VITULLO SHIRLENE M | 2080 8TH AVE | NEWPORT MN 55055 | \$69.50 |
| 2502822340005 | 2090 | 8TH | AVE | MARS JASON L | 2090 8TH AVE | NEWPORT MN 55055 | \$69.50 |
| 21ST ST (WEST OF 8TH AVE) | | | | | | | |
| 2502822330031 | 786 | 21ST | ST | KW REALTY INVESTORS LLC | 9200 PARK AVE | BLOOMINGTON MN 55420 | \$69.50 |
| 2502822320030 | 793 | 21ST | ST | MAILAND MARK S & DIANE L | 793 21ST ST | NEWPORT MN 55055 | \$213.50 |
| 2502822330030 | 794 | 21ST | ST | SAGSTETTER STEVE & RAVEN K | 1418 SELBY AVE | ST PAUL PARK MN 55071 | \$69.50 |
| 18TH ST | | | | | | | |
| 2502822340088 | 812 | 18TH | ST | LEE SUE | 812 18TH ST | NEWPORT MN 55055 | \$69.50 |
| 2502822340018 | 875 | 18TH | ST | ALSIDES ABEL & DELORES B | 455 6TH AVE | NEWPORT MN 55055 | \$69.50 |
| 2502822340099 | 950 | 18TH | ST | KNUTSON BRADLEY S | 950 18TH ST | NEWPORT MN 55055 | \$69.50 |
| 2502822340078 | 1799 | 10TH | AVE | JACOBSSON JONI CAROL | 1799 10TH AVE | NEWPORT MN 55055 | \$69.50 |
| 2502822330068 | VACANT LOT | 18TH | ST | RECHTZIGEL GENE A | 6533 160TH ST W | APPLE VALLEY MN 55124 | \$69.50 |
| 2502822330069 | 745 | 18TH | ST | HAPPEL WALTER J & JITTRA W | 745 18TH STS | NEWPORT MN 55055 | \$69.50 |
| 2502822330071 | 785 | 18TH | ST | MELBY WILLIAM A | 785 18TH ST | NEWPORT MN 55055 | \$69.50 |
| 2502822330072 | 1791 | 8TH | AVE | BERG PATRICIA J | 1791 8TH AVE | NEWPORT MN 55055 | \$69.50 |