



**City of Newport
City Council Workshop Meeting Minutes
October 16, 2014**

1. ROLL CALL -

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

Council Absent – Tom Ingemann

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

Staff Absent - Mark Mailand, Fire Chief;

2. DISCUSSION REGARDING AMENDMENTS TO CHAPTER 4 AND CHAPTER 8 IN REGARDS TO SOLID WASTE AND RECYCLING

Executive Analyst Eisenbeisz presented on this item as outlined in the October 16, 2014 City Council Workshop packet. The City Council directed staff to bring the proposed amendments forward to the November 20, 2014 City Council meeting with the following changes:

- Add that licensees must have at least 50 active accounts in order to renew to Section 400.06, Subd. 1, License Required
- Add commercial collection to Section 440.08, Subd. 1, Hours and collection. Staff will contact the restaurants to see if they have Sunday collection. If not, the hours of collection will be 6:00 a.m. - 6:00 p.m. Monday - Saturday.

Councilman Rahm - Steve, you've mentioned having one trash hauler before.

Admin. Hill - I attended a workshop last week where St. Anthony presented and they had three haulers and sectioned off the city and gave each hauler one section. They have one price for all three haulers. They did not regulate commercial haulers because they may have special hauling requirements.

Councilman Rahm - I think Oakdale went to one a couple years ago.

Mayor Geraghty - Can we phase it so that this year we have six and next year it goes down to five.

Admin. Hill - Renee and I were talking about requiring a certain amount of active accounts in order for haulers to renew.

Executive Analyst Eisenbeisz - That was the next point of discussion, if you wanted to add that regulation. Cottage Grove does that. They have a maximum of three residential licenses and they need at least 200 active accounts to renew. I did contact the garbage companies to see how many accounts they have.

Councilman Rahm - How do we measure wear and tear?

Supt. Hanson - One trip is better than five trips.

Mayor Geraghty - I like the idea of sectioning off the city.

Councilman Rahm - How do you decide who gets what section?

Mayor Geraghty - How much power do we have?

Attorney Knaak - You have some discretion.

Mayor Geraghty - We can't just say we're going to one?

Attorney Knaak - You can but any city that has tried to do that ends up with a whole association of haulers fighting them. We went through that in Fridley and after two years the city decided not to pursue it. For a city to make a change, it's a challenge.

Mayor Geraghty - Can't we go out for bid?

Councilman Gallagher - Hastings did that.

Attorney Knaak - There are excellent reasons for doing it. Then you end up with associations of smaller businesses saying that you're taking their business away from them.

Mayor Geraghty - I think it'd be more residential than commercial.

Executive Analyst Eisenbeisz - With the State Statutes, I believe there is a 60-day review process for haulers and they can perform a consortium like they did in St. Anthony. If the City wants to go down to one hauler, there's quite a review process involved in it.

Attorney Knaak - It's up to you but I don't want you to go into this not realizing that the Statutes are set up to make it miserable if you try.

Councilman Rahm - Maybe we should do the minimum accounts then.

Executive Analyst Eisenbeisz - I do think the proposed language will allow us to reduce the number of licenses over time and if we have the additional language for accounts it reduces it even further.

Councilman Gallagher - You might get a lot of competition early on.

Mayor Geraghty - I like the maximum of six for sure.

Executive Analyst Eisenbeisz - Ok, do you want to put in the active accounts now or wait a year to see how it goes?

Councilman Gallagher - I would say 50 at least.

Councilman Rahm - Me too. Residential only.

Councilman Sumner - What happens then? Do they stop hauling and people don't have collection?

Mayor Geraghty - They'll get new haulers.

Councilman Gallagher - They'll get a letter from their company.

Executive Analyst Eisenbeisz - Did you want to do a maximum for commercial?

Councilman Gallagher - Keep it open.

Executive Analyst Eisenbeisz - Ok. The last point was about organized collection and it doesn't sound like there is a consensus for that.

Councilman Sumner - We have other big trucks that go through the City right?

Supt. Hanson - Yes but garbage trucks are the heaviest.

Councilman Sumner - I'm more concerned about the garbage trucks leaking juice onto the road.

Executive Analyst Eisenbeisz - There is language in there for clean and safe collection that regulates it. It says "All persons engaged in the business of hauling solid waste, garbage, recyclables, and/or yard waste in the city shall transport the materials in enclosed vehicles, carts, dumpsters, bins, or other secure containers so as to prevent any loss of these materials and litter."

Councilman Sumner - What is our burning situation on yard waste? It's prohibited isn't it?

Executive Analyst Eisenbeisz - Yes. Moving on to Section 440.07, language is being amended to comply with State Law and requires haulers to provide notice of rate increases. If they don't provide notice, those increases will be nullified.

Councilman Gallagher - So they give you their rates?

Executive Analyst Eisenbeisz - Yes, when they renew their licenses. I don't get any notices of increases.

Councilman Gallagher - We should put that on our website.

Executive Analyst Eisenbeisz - I was going to starting in 2015. The next item for discussion is hours and collection. Right now we just have hours of collection for residential collection. A point of discussion is whether or not we should differentiate between residential and commercial. My recommendation for commercial would be Monday - Saturday, 6:00 a.m. - 6:00 p.m.

Councilman Sumner - Saturday is a big night. You should contact the restaurants to see if they have Sunday collection too.

Executive Analyst Eisenbeisz - I will do that. The next item for discussion is the penalties section. The point of discussion is if you'd like to keep the fines and if you'd like to increase the administrative fine amounts.

Councilman Sumner - These are for any violations?

Executive Analyst Eisenbeisz - Yes. These are the same as tobacco.

Mayor Geraghty - They increase too.

Councilman Rahm - I think it's fine.

Executive Analyst Eisenbeisz - The last item for discussion is the Solid Waste Management Standards that were created. These are implementing the City Ordinances and allow the City Administrator to update it without bringing it to the City Council each time. For example, when the list of recyclables change.

Councilman Sumner - These are what you designed for us?

Executive Analyst Eisenbeisz - Susan Young designed the standards.

Councilman Sumner - Do we have any problem with this portion?

Councilman Gallagher - I don't.

Executive Analyst Eisenbeisz - Since the amendments involve licensing requirements, I was going to recommend that

you hold a public hearing November 20 so that I can let the haulers know about the proposed amendments.

3. CLOSE THE MEETING TO THE PUBLIC TO PRELIMINARY CONSIDERATION OF ALLEGATIONS AND CHARGES OF EMPLOYEES PURSUANT TO MN STATUTES CHAPTER 13D.05, SUBD. 2, PARAGRAPH B

The City Council closed the meeting to the public at 6:23 p.m.

The City Council reviewed and discussed investigative data related to three pending complaints against City Police Officers Muellner, McArdeell, and Crist. No formal action was taken. These complaints remain pending without resolution.

The City Council opened the meeting to the public at 7:06 p.m.

4. ADJOURNMENT

Signed: _____
Tim Geraghty, Mayor

Respectfully Submitted,

Renee Helm
Executive Analyst