



**CITY OF NEWPORT
REGULAR COUNCIL MEETING MINUTES
NEWPORT CITY HALL
May 20, 2021**

1. CALL TO ORDER

Mayor Elliott called the City Council Meeting to order at 5:30 p.m. on May 20, 2021.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present (5): Mayor Laurie Elliott, Council Member Kevin Chapdelaine, Council Member Tom Ingemann, Council Member Marvin Taylor, and Council Member Rozlyn Johnson.

Not Present (0): None.

4. ADOPT AGENDA

City Administrator Deb Hill stated there are a few additions for discussion during the administrators report. These include an update for our new City Planner, discussion whether to hold the first Council Meeting in July, and an update to the Covid policy.

Member Chapdelaine motioned to adopt the agenda as amended by staff. Seconded by Member Johnson. Approved 5-0.

5. PUBLIC COMMENTS

None.

6. ADOPT CONSENT AGENDA

- A. Minutes-** May 6, 2021 Regular Council
- B. Minutes-** May 6, 2021 Council Workshop
- C. Resolution No. 2021-25-** Utility Bill Bank Transfer Fees
- D. Resolution No. 2021-26-** Accepting Donations
- E. Resolution No. 2021-27-** Contracted Services City Official
- F. List of Bills-** \$520,874.77
- G. Financial Statement-** April 2021

Member Johnson requested to have Resolution No. 2021-26 and Resolution No. 2021-27 pulled from the Consent Agenda.

Member Chapdelaine motioned to adopt the Consent Agenda with the removal of items D and E. Seconded by Member Taylor. Approved 5-0.

Member Taylor motioned to adopt Resolution No. 2021-26 – Accepting Donations. Seconded by Mayor Elliott. Approved 4-0-1 (Johnson).

Member Ingemann motioned to adopt Resolution No. 2021-27 – Contracted Services City Official. Seconded by Member Chapdelaine. Approved 4-0-1 (Johnson).

7. WASHINGTON COUNTY SHERIFF'S OFFICE REPORT

Washington County Sheriff Deputy Sergeant Bill Harrell stated there are no pattern crimes to report over the past few weeks and will stand for questions. Member Chapdelaine inquired if there have been springtime park issues. Sergeant Harrell stated they have been patrolling Bailey School Forest during the evenings and making sure people are out of the park after hours.

8. FIRE CHIEF'S REPORT

None.

9. ENGINEER'S REPORT

City Engineer Jon Herdegen stated they are expecting the Washington County staff to engage the Newport City Council in a workshop setting to discuss the County Road 38 trail. The plan is to get that scheduled for the second meeting in June.

10. SUPERINTENDENT OF PUBLIC WORKS REPORT

A. H&U Pay Application No 4- \$161,692.86

Superintendent of Public Works Bruce Hanson stated the underground water retention system has been installed along with about 90% of the underground piping. The subgrade for the footings has been completed and there is an EarthCam at the site. Superintendent Hanson stated that pay application No. 4 is for \$161,692.86 which includes \$124,824.22 for labor and \$36,868.64 for materials.

Member Chapdelaine motioned to approve Pay Application No. 4 in the amount of \$161,692.86 to H+U. Seconded by Member Johnson. Approved 5-0.

Mayor Elliott inquired if the well issue was resolved. Superintendent Hanson stated they were doing additional testing on the hydro system for the high zone at Bailey Meadows. It was strictly a fire flow test which had some short comings. Superintendent stated they had an outage and a few complaints, but it was resolved quickly.

11. ADMINISTRATOR'S REPORT

A. Ordinance No. 2021-07- Tree Ordinance

City Planner Sherri Buss stated this item comes from the Planning Commission and addresses the City's current tree ordinance on tree health. This was a suggestion that started from Susan Lindoo who was a former Planning Commission member and active volunteer with the trees in Newport, and Matt Yokiell who is the Assistant Superintendent of Public Works and who works with natural resource issues. Ms. Lindoo and Assistant Yokiell felt the existing ordinance dealing with tree diseases was out of date and the City should update it to be consistent with the policies of the State Agricultural Department and DNR. The main updates in the draft include updates to the policy section, added definition section, and enforcement section. The Planning Commission held a public hearing on the amended tree ordinance on May 11th. They received one public comment from Bill Sumner who supported the proposed ordinance. The Planning Commission recommends the City Council adopts the amended tree ordinance.

Member Taylor stated the policy section should incorporate the language that is in the definition section on serious shade disease and serious shade tree pests.

Member Taylor motioned to approve Ordinance No. 2021-07 with an amendment to section 18-31 to include the definitions for serious shade tree disease and serious shade tree pests in the language. Seconded by Member Chapdelaine. Approved 5-0.

B. Ordinance No. 2021-08- Nuisances

1. Resolution No. 2021-28- Fee Schedule Update

Assistant to the City Administrator Travis Brierley stated the nuisance ordinance was discussed at the Council Workshop. The changes allow the City to enforce the Community standards and include a proposed \$100 administrative citation for a failed inspection.

Member Ingemann requested clarification on section 18-3. Assistant Brierley stated that section is only for non-operable vehicles. If it is an RV, camper, flatbed, etc. in working order and registered, there is no problem.

City Attorney David Laberge stated the intent of the updated ordinance was to clarify the definitions and lay out a clear and equitable abatement and assessment process. In the event the City has identified a nuisance property, there is a clear process by which the City can remedy the problem.

Bill Sumner, residing at 737 21st Street addressed the Council. Mr. Sumner stated he has some wildlife habitat on his property where the native plants can be more than eight inches tall and inquired if there is flexibility for the eight-inch property vegetation rule. Mayor Elliott stated her understanding is there is a process through the DRN to get certified to have a natural lawn, but otherwise the City code would apply to all properties. Planner Buss stated people can have a prairie or meadow if they comply with three qualifiers. 1. If the prior vegetation is eliminated and the meadow vegetation is planted through transplants or seed. 2. If the area is cut at least once per year to a height of eight inches if weeds cover more than 25% of the area. 3. If a sign is posted on the property likely to be seen by the public that informs people this is a meadow or prairie.

Member Johnson inquired if nuisances are complaint driven. Assistant Brierley stated if the City receives a complaint on a property, then we look at it for compliance with our code. The City does not actively drive around the community looking for violations.

Member Chapdelaine motioned to adopt Ordinance No. 2021-08 - Nuisances. Seconded by Member Ingemann. Approved 5-0.

Mayor Elliott stated the next item is the resolution for the administration fee for nuisances. Mayor Elliott stated that residents would get a letter followed by an inspection for compliance. If there is not compliance, then an administrative citation of \$100 would be issued. Assistant Brierley stated the City encourages residents who receive a letter with any questions to call or contact the City as soon as possible. The City would rather educate and resolve issues rather than giving out citations.

Member Taylor motioned to adopt Resolution No. 2021-28 – Fee Schedule Update. Seconded by Member Johnson. Approved 5-0.

C. RFP Planning

Administrator Hill stated the interviews for the new City Planner were done by Mayor Elliott, Member Ingemann, Member Taylor, Planner Buss, Assistant Brierley, and Administrator Hill. There were three very good applicants, but the consensus was to select Bolton & Menk Planning Services. The plan is to get a contract approved at the June 3rd meeting.

D. July Council Meeting

Administrator Hill stated we typically do not hold the first Council meeting in July due to the holiday and requests direction from Council.

Member Ingemann motioned to cancel the July 1st Council Meeting. Seconded by Member Johnson. Approved 5-0.

E. Covid Policy

Assistant Brierley stated the City is under the state of emergency until June 4th, unless extended by the Council. The staff has several recommendations for moving forward and transitioning back pre-covid. Staff recommends that masks not be required for staff or visitors if they have been vaccinated. Assistant Brierley notes that staff is unable to ask anyone if they have been vaccinated. The door to City Hall has been unlocked. The fire halls would be open to the public on a limited basis based on the discretion of Fire Chief Steve Wiley. Public Works would operate under pre-covid conditions and restrictions. The council chambers would remove the social distancing requirement. The City would continue hybrid Council meetings and it would be up to the discretion of the Mayor when that would end. The library would continue to operate with limited patron capacity of 8 patrons or 2 families for one hour at a time. The Library still requests that masks be worn at the Library.

Council members discussed and agreed they feel comfortable attending the Council meetings in person starting on June 17th.

12. MAYOR AND COUNCIL REPORTS

Mayor Elliott stated Council approved allowing residents to pay their utility bills with their bank accounts without fees. Mayor Elliott encourages the public to use that feature as it will also save staff time. Assistant Brierley stated we should be able to apply that to the next bill which will be going out in five weeks.

Member Taylor stated the Planning Commission met last week. He appreciates their work on the tree ordinance and they continue to work on the RE / R-1 Sewer.

Member Chapdelaine stated the next workshop meetings for the 3M drinking water should be coming in June. There is a one-on-one meeting scheduled tomorrow where they hope to learn the options for Newport. Engineer Herdegen stated the subgroup one meeting took place yesterday where they discussed the ion exchange process for treating PFOS that Cottage Grove is piloting.

13. ADJOURNMENT

Member Chapdelaine motioned to adjourn the City Council Meeting. Seconded by Member Johnson. Approved 5-0.

The City Council Meeting was adjourned at 6:41 p.m. on May 20, 2021.

Respectfully Submitted:
Jill Thiesfeld
Administrative Assistant II

Signed: _____
Laurie Elliott, Mayor