



**CITY OF NEWPORT
REGULAR COUNCIL MEETING MINUTES
NEWPORT CITY HALL
June 2, 2022**

1. CALL TO ORDER

Mayor Elliott called the City Council Meeting to order at 5:30 p.m. on June 2, 2022.

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

Assistant to the City Administrator Travis Brierley stated there are two changes to the administrator's report. The first change is to remove item 12 for the Release of Easement, and the second change is to add the Park Dedication Fees for the Olson Subdivision.

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

5. PUBLIC COMMENTS

No Public Comments

6. ADOPT CONSENT AGENDA

- A. MNSpect Agreement**
- B. Public Works Maintenance Aid**
- C. Resolution No. 2022-19- 2022/2023 Liquor License**
- D. List of Bills- \$573,384.83**

Member Ingemann motioned to adopt the Consent Agenda. Seconded by Member Chapdelaine. Approved 5-0.

7. R&E CENTER PRESENTATION

Nikki Stewart, Nathan Klett, and Sam Hall gave Council a presentation for the Recycling and Energy (R&E) Center in Newport. The R&E board is a joint powers board made up of five Ramsey County and four Washington County Commissioners. All trash from Ramsey and Washington County is processed through this facility. Renovations to the R&E Center include odor mitigation, bulky waste load-out addition, administration building remodel, enclosure of the refuse-derived fuel (RDF) load-out for odor management, and addition of a used beverage container sortation equipment. The R&E Center is installing equipment to remove compostable bags that will have food waste in them as food scraps make up about 20% of the total waste. The timeline for the food scraps pickup program includes a pilot in mid-late 2022, a phase-one launch in 2023, and a full rollout by the end of 2023. The R&E Center continues their work to improve odor mitigation and has made several facility odor improvements.

8. WASHINGTON COUNTY SHERIFF'S OFFICE REPORT

None.

9. FIRE CHIEF'S REPORT

None.

10. ENGINEER'S REPORT

City Engineer Jon Herdegen gave an update on the 12th Avenue and 12th Street improvement project. Engineer Herdegen stated the city continues to hold retainage for this project due to the boulevard restoration. The contractor plans to come in next week to hydroseed the sparse areas and water.

11. SUPERINTENDENT OF PUBLIC WORKS REPORT

A. Public Hearing- SWPPP

Superintendent of Public Works Matt Yokiell gave Council a presentation on our Municipal Separate Storm Sewer System (MS4). Superintendent Yokiell stated they hold an annual Public Hearing for MS4 as a requirement for the permit that was renewed in 2021. Each year public works provides a report to the Minnesota Pollution Control Agency (MPCA) which ensures we are doing our job of keeping the water clean. One of the biggest things they look for is illicit discharge. Public Works uses GIS for all their reporting and records management. They utilize the East Metro Water Resource Education Program for public outreach and education. Residents can help by cleaning catch basins, not discharging grass clippings into the street, reducing salt use, and cleaning up after their pets.

Member Taylor inquired about the grit chambers and the impact they have on the river. Superintendent Yokiell stated throughout the year Public Works measures the level of buildup in the bottom of the chambers.

Mayor Elliott opened the Public Hearing at 7:01 p.m. on June 2, 2022.

Bill Sumner, residing at 737 21st Street, inquired about the street sweeping plan. Superintendent Yokiell stated they encourage residents to adopt a drain near their home. The organics can go to the compost site and the trash can be picked up and thrown away.

Mayor Elliott closed the Public Hearing at 7:04 p.m. on June 2, 2022.

Superintendent Yokiell updated Council on the new City Hall Public Safety Building. Most of the entrance glass has been installed and the contractors are working on the downstairs floor epoxy.

Superintendent Yokiell stated the city was officially awarded an emerald ash borer grant for approximately \$67,000 from the DNR. The grant money will be used to remove diseased trees and plant new trees.

Superintendent Yokiell stated they are happy to welcome Jeromy Werle to the team but acknowledged it will be hard to fill his old position.

12. ADMINISTRATOR'S REPORT

A. Granting of Easement

Assistant Brierley stated there is an easement for the properties at 1399 Military Road and 6012 Military Road. An access easement was granted by the City Council over a decade ago for John Mondry, residing at 1399, for a gravel driveway and to build a home. The property at 6012 Military Road does not have access through the Newport parcel that is owned by the city. This change would grant access to 6012 Military Road.

Member Chapdelaine motioned to approve Granting of Easement as described by staff. Seconded by Member Johnson. Approved 5-0.

B. Public Hearing- Major Abatement 1139 Tibbetts Place

City Attorney Alissa Harrington stated the city is holding a public hearing for a major abatement at 1139 Tibbetts Place. This property has been the subject of lawsuits and legal actions and the city wants to ensure the property gets cleaned up. Attorney Harrington stated there are two questions for Council. The first question is to determine if there is a nuisance present and the second question is to determine if Council wants to authorize the abatement of said nuisance. Attorney Harrington recommends the Council postpone the ordering of the major abatement until the June 16th meeting as this property is in the process of ownership transfer.

Assistant Brierley stated he went to the property this afternoon to review the current state. Assistant Brierley explained there has been considerable progress made over the past couple of weeks, but there are still items that need to be removed. These items include tires, pickup truck topper, vehicles, torn flags, and trash.

Mayor Elliott opened the Public Hearing at 6:15 p.m. on June 2, 2022.

Corey Thorpe, owner of KCS Metals, addressed the Council. Mr. Thorpe stated he and his partner have assisted with the cleanup of the Tibbetts Place property, especially with the abandoned vehicles. Mayor Elliott inquired if Mr. Thorpe is asking the city to consider using them to remove any remaining vehicles. Mr. Thorpe stated he is here to help the community. Member Chapdelaine inquired if they remove trash in addition to vehicles. Mr. Thorpe stated yes, they specialize in metal recycling but do junk removal as well.

Mr. Sumner, residing at 737 21st Street, addressed the Council. Mr. Sumner stated he is pleased to see the progress that has been made at the property. Mr. Sumner inquired if Mr. Thorpe can remove tires. Mr. Thorpe stated yes. Mr. Sumner stated he does not want the burden or any cost to be put on the new property owners.

Dan O'Brien, owner of Croix Holdings LLC, addressed the Council. Mr. O'Brien gave background information and stated the city prevented them from doing their business in April of 2019, which in turn caused them to have to take on any tenants they could get. Mr. O'Brien gave an update on the current state of the property and stated all the dealers are gone and not doing business there any longer. The only thing going on at the property is clean up of remaining items. Mr. O'Brien stated he wrote to the city a month ago with his plan of action and timeline. They have leases with their tenants that require a 60-day notice, but Mr. O'Brien gave them a 30-day notice. Mr. O'Brien feels the city is out to harm him. Mayor Elliott stated the court order came down on March 15th, which is a 2.5-month notice and the city attorney suggested an additional two weeks. Mayor Elliott stated this is an abatement hearing and the question before the Council is do we enforce the abatement deadline of May 31st or do we allow an additional two weeks until June 16th. Mayor Elliott inquired if the additional two weeks would help Mr. O'Brien. Mr. O'Brien stated he told the city in his written commitment that he expected to spend the first half of July cleaning up the site. Mr. O'Brien held up a map and stated the abatement notice explained he must move his fences and vacate all the areas in white and he cannot do that. Attorney Harrington stated the notice for the major abatement involves the condition of the fences and barbed wire at the top but does not involve the location of the fences.

Mayor Elliott closed the Public Hearing at 6:38 p.m. on June 2, 2022.

Member Chapdelaine inquired if Assistant Brierley can give an overview of the deadline dates. Assistant Brierley stated the city sent certified correction letters. The first letter was dated April 13, 2022 and provided a deadline of April 25, 2022. A second letter, which granted additional time, provided a deadline of June 1, 2022 at 4:00 p.m. These letters provided ample warning as well as the orders of the court.

Attorney Harrington stated they attempted to reach out to put together a consent agreement with reasonable agreed upon dates and actions with Mr. O'Brien. During that correspondence, Mr. O'Brien indicated that he had legal counsel. Upon attempting to reach legal counsel, Attorney Harrington was informed they were not representing Mr. O'Brien on that matter, and Mr. O'Brien refused to provide any updated legal counsel information.

Mayor Elliott suggested the two-week extension to June 16th may be an appropriate action to allow for a smoother transition with the purchase on this property. Council discussed and agreed to allow for the additional two weeks.

Member Chapdelaine motioned to table the decision on the major abatement until June 16, 2022. Seconded by Member Johnson. Approved 5-0.

C. EPA Brownfield Assessment Grant

City Administrator Deb Hill stated a prospective buyer of a parcel on Glen Road was concerned with potential soil contaminants. Staff applied for an EPA Brownfields Assessment Grant to test both Fire Halls and the Glen Terrace site. This agreement allows Stantec access to those properties to complete their testing.

1. 155 20th St (Fire Hall 1)

Member Johnson motioned to approve the site access agreement. Seconded by Member Chapdelaine. Approved 5-0.

2. 971 Glen Rd (Fire Hall 2)

Member Johnson motioned to approve the site access agreement. Seconded by Member Chapdelaine. Approved 5-0.

D. Park Dedication Fees - Olson Subdivision

Assistant Brierley stated the park dedication fees for the Olson subdivision was a negotiable part of the conditions for the subdivision to take place on Military and Century. Mr. Olson gave up land to the city and it is staff’s recommendation that Council approves a motion to waive the park dedication fees for the four newly created parcels in the amount of \$13,600.

Member Ingemann motioned to waive the park dedication fees for Mr. Olson in the amount of \$13,600. Seconded by Member Chapdelaine. Approved 5-0.

13. MAYOR AND COUNCIL REPORTS

Mayor Elliott stated there was an application submitted on the City of Newport’s behalf for funding related to Cedar Lane as well as the 10th Street overlook and river access. Mayor Elliott stated we made it through the first round as Senator Smith’s office has forwarded our request of \$350,000 to the Senate Appropriations Committee. Mayor Elliott is hopeful, but it will be another few months before we hear back.

Member Johnson stated the library will be doing a Father’s Day craft from June 13th – June 18th. The library is also hosting adult craft time every Wednesday at 1:00 p.m. PAWS to Read will take place twice a month during the summer. On Saturday, there is Storytime at 1:00 p.m. The library would like to welcome their new volunteer, Katie Mueller. Finally, the library is starting to sell bags of book for \$5.00.

14. ADJOURNMENT

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

The City Council Meeting was adjourned at 7:14 p.m. on June 2, 2022.

Respectfully Submitted:
Jill Thiesfeld,
Administrative Assistant II

Signed: _____
Laurie Elliott, Mayor