



CITY OF NEWPORT
2060 1ST Avenue
Newport, MN 55055
(651) 459-5677
ci.newport.mn.us

COUNCIL WORKSHOP MINUTES October 20, 2022

1. CALL TO ORDER

Mayor Elliott called the City Council Workshop to order at 6:00 p.m. on October 20, 2022.

2. ROLL CALL

Present (4): Mayor Laurie Elliott, Council Member Kevin Chapdelaine, Council Member Tom Ingemann, and Council Member Marvin Taylor.

Not Present (1): Council Member Rozlyn Johnson.

3. CITY HALL CONCRETE UPDATE

Alissa Harrington, Attorney with Flaherty and Hood, addressed the Council. Attorney Harrington explain the insurance claim process for the concrete issue. The subcontractors will determine what part of their costs they want to attempt to claim back. The insurance company will go through their claim process which is generally 30-60 days. After that we will move to distribute the costs based on what the insurance provides. Attorney Harrington stated the city is not in the position to pay for these repairs. The goal is for the insurance to make the payout on the claim. The Council may need an extension of the tolling agreement. Attorney Harrington explained our tolling agreement basically stops time, so we preserve the right to bring a suit if we do not come to a settlement or agreement.

4. CODE ENFORCEMENT

Attorney Harrington gave Council a brief overview on code enforcement and the process we go through to enforce our city code. The types of codes enforced are behavior, nuisance, and land use. The main goal of code enforcement is compliance. Compliance can come through the administrative, criminal, or civil process. The criminal process requires the highest level of evidence. The criminal process is best at stopping a behavior, but not at cleaning up a nuisance. The administrative process is often a fine issued by city staff. The administrative process requires notices, appeals, etc. The civil process is generally used to stop a use or an ongoing action from continuing. Civil processes are often the most expensive and require a civil attorney to go to court. We use different processes based on the issue and what will get attention and gain compliance.

5. THC ORDINANCE

Attorney Harrington stated in MN before July 1st there was an allowance for CBD products to be sold that were derived from hemp if they did not exceed the federal limit on THC. For many years the federal limit on THC was zero. Starting July 1st there is a law in MN that legalizes a small amount of THC in food products (edibles) that are hemp derived CBD. The way the law is written, there are rules such as you must be 21 years old, show identification, and pay electronically. Retail establishments that are not a drug store or pharmacy can sell edibles. Cities have three options: place a moratorium, license & set provisions, or do nothing.

Mayor Elliott stated she had inquired to Attorney Harrington about the possibility of a municipal edibles store with the idea you would use the profits to lower city property taxes. Attorney Harrington stated state law allows cities to operate municipal liquor stores, but it would take a legislative change to allow cities to have an edible store.

The Council is in consensus with licensing and setting provisions. Attorney Harrington gathered information from the Council as to what types of rules and provisions they would like to see and will bring back a draft ordinance for review. The Council discussed keeping within a zoning district and having yearly licensing fees and background checks.

6. FEMA GRANT

Assistant to the City Administrator Travis Brierley stated we have been awarded the FEMA Grant. The FEMA grant covers about 90%, which is a little less than a half million. The DNR will cover half of our cost (5%), leaving the city with about 5% or \$27,000. Staff has been in contact with Jim Walsh and the current plan would be to close in the spring. Council discussed staff move forward and get a purchase agreement drafted with the Watershed’s Attorney.

7. CITY PROTECTION FOR CITY HALL

Assistant Brierley stated he and Superintendent of Public Works Matt Yokiell discussed options for protecting the building. Superintendent Yokiell suggested using boulders that Public Works already has. This will fit in with the landscaping rock at City Hall. Council agreed and told staff to proceed.

8. FUTURE MEETING AGENDA ITEMS

Assistant Brierley stated future agenda items include the CIP, Refinery presentation, Solar Panel agreement for the new City Hall, new contract for building permits, code enforcement, and rental inspections, and plans for the open house.

9. ADJOURNMENT

Mayor Elliott adjourned the City Council Workshop at 7:29 p.m. on October 20, 2022.

Respectfully submitted:
Jill Thiesfeld,
Administrative Assistant II

Signed: _____
Laurie Elliott, Mayor