



**CITY OF NEWPORT  
REGULAR COUNCIL MEETING  
NEWPORT CITY HALL  
April 7, 2022 – 5:30 P.M.**

|          |                   |                          |                 |
|----------|-------------------|--------------------------|-----------------|
| MAYOR:   | Laurie Elliott    | City Administrator:      | Deb Hill        |
| COUNCIL: | Kevin Chapdelaine | Supt. of Public Works:   | Bruce Hanson    |
|          | Tom Ingemann      | Fire Chief:              | Steven Wiley    |
|          | Marvin Taylor     | Asst. to the City Admin: | Travis Brierley |
|          | Rozlyn Johnson    | Law Enforcement (WCSO):  | Bill Harrell    |

**AGENDA**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. ADOPT AGENDA
5. PUBLIC COMMENTS - Visitors may share their concerns with the City Council on any issue, which is not already on the agenda, under Public Comments. Please give your name, address and your concern or comments. Each person will have 3 minutes to speak. Your comments must be addressed exclusively to the Mayor and City Council, not to any individual Council or staff member. The Mayor reserves the right to limit an individual's presentation if it becomes redundant, repetitive, irrelevant, or overly argumentative. All comments will be taken under advisement by the Council. No action will be taken at this time.
6. 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- March 3, 2022 Workshop
  - B. Minutes- March 17, 2022 Regular Council
  - C. Minutes- March 17, 2022 Workshop
  - D. **Resolution No. 2022-16-** Gambling Application SPP-Newport Lions
  - E. Chicken Permit- Wolff
  - F. Special Animal Permit- Peacebunny Island
  - G. MOU- Woodbury Recreation
  - H. List of Bills- \$355,782.31
7. WASHINGTON COUNTY SHERIFF'S OFFICE REPORT
8. FIRE CHIEF'S REPORT
9. ENGINEER'S REPORT
10. SUPERINTENDENT OF PUBLIC WORKS REPORT

11. ADMINISTRATOR'S REPORT

- A. **Ordinance No. 2022-01-** Lot Combination and Adjustments
- B. **Ordinance No. 2022-02-** Parking Ordinance
- C. Assistant Superintendent of Public Works Hire

12. MAYOR AND COUNCIL REPORTS

13. POTENTIALLY CLOSED MEETING

(Meeting closed as authorized by Minn. Stat. 13D.05, subd. 3(c)(1), to consider purchase offer for real property at 825 Glen Terrace; PID 36.028.22.21.0084.)

14. ADJOURNMENT



**CITY OF NEWPORT  
CITY COUNCIL WORKSHOP MINUTES  
NEWPORT CITY HALL  
March 3, 2022**

**1. CALL TO ORDER**

Mayor Elliott called the City Council Workshop to order at 6:23 p.m. on March 3, 2022.

**2. 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.

**3. AMERICAN RESCUE PLAN MONIES**

**A. LIBRARY AND COMMUNITY CENTER HVAC**

**B. I&I and INFRASTRUCTURE**

Mayor Elliott stated the city will receive around \$400,000 from the American Rescue Plan Act (ARPA). The city received half the money in November and will receive the 2<sup>nd</sup> half of the money later this summer. Superintendent of Public Works Bruce Hanson presented a list of potential projects the city could complete using the ARPA money. These projects include SCADA Upgrades, Stormwater Treatment, Wall Removal/Inspections, Street Sweeper, Vac-Trailer, HVAC Upgrades at the Library, Sewer Televising Equipment, Manhole Sealing, and Expanded Broadband Services. City Administrator Deb Hill stated the total estimated costs of these projects, excluding the street sweeper, is approximately \$390,000. Mayor Elliott requested staff put these items on the capital improvement plan (CIP) so we can get started with some of these projects.

**4. PIONEER PARK PLAYGROUND EQUIPMENT**

Superintendent Hanson stated St. Croix Recreation created a concept plan for Pioneer Park back in 2018. These plans were updated and brought to the Park Board for their feedback. Chris Johnson, with St. Croix Recreation, presented the preliminary design of the updated equipment and safe surface to Council. Mr. Johnson stated the playground equipment was designed with a section geared for ages 2-5 and another section geared for ages 5-12. This playground was designed with a theme of the city's history in mind and includes a trading post store front, paddle boat, the Mississippi river along the safe surface, etc. There is various spinning equipment included in the design that is good for childhood development. Council discussed a few changes they would like to see incorporated. The goal would be to complete this park by late August or early September.

## **5. STAFFING UPDATE**

Mayor Elliott stated Superintendent Hanson is planning to offer his letter of resignation with his last day being April 29<sup>th</sup>, 2022. The Council needs to determine if they want to backfill the Superintendent position with an internal-only job posting or if they want to go with an external job posting for the hiring process. Council discussed and agreed to do an internal posting. Mayor Elliott stated the internal candidate(s) would need to fill out an application and be interviewed by Council. From there, the Council can have a discussion and decide if they want to promote internally. By promoting an internal candidate, that would in turn create another opening within the Public Works department. Staff believes there are interested and qualified candidates that could also fill an Assistant Superintendent position. Mayor Elliott will review the job posting and a Special Council Meeting will be held on March 14<sup>th</sup> for interviews.

## **6. CITY NEWSLETTER**

Mayor Elliott stated with the community survey we learned that the website and the city newsletter are the top two ways that residents learn what is going on within our city. Mayor Elliott would like Council to take another look at the Newport newsletter. Mayor Elliott would like the Council to discuss if Newport should publish six issues of the newsletter instead of four and consider going to a full-color newsletter. Mayor Elliott brought sample newsletters from other communities for Council to review and discuss. Assistant to the City Administrator Travis Brierley stated our new website will have an information section and the ability to communicate important items to our residents. Council discussed photos would be helpful in drawing in readers. Mayor Elliott would like staff to attend a newsletter seminar and see if there are ideas for improving our current newsletter.

## **7. FUTURE MEETING AGENDA ITEMS**

City Administrator Deb Hill stated upcoming agenda items include the 10<sup>th</sup> Avenue Storm Pond, Parking Ordinance, Retail Business for Imperial Camper, and a Parcel Combination.

## **8. ADJOURNMENT**

Mayor Elliott adjourned the City Council Workshop at 8:26 p.m. on March 3, 2022.

Respectfully Submitted:  
Jill Thiesfeld,  
Administrative Assistant II

Signed: \_\_\_\_\_  
Laurie Elliott, Mayor



**CITY OF NEWPORT  
REGULAR COUNCIL MEETING MINUTES  
NEWPORT CITY HALL  
March 17, 2022**

**1. CALL TO ORDER**

Mayor Elliott called the City Council Meeting to order at 5:30 p.m. on March 17, 2022

**2. PLEDGE OF ALLEGIANCE**

**3. 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

**4. ADOPT AGENDA**

Member Ingemann motioned to adopt the agenda. Seconded by Member Chapdelaine. Approved 4-0.

**5. PUBLIC COMMENTS**

Bill Sumner, residing at 737 21<sup>st</sup> Street, addressed the Council. Mr. Sumner stated the Red Cross is still in need of blood donations from the public. Mr. Sumner stated seven tree trimmers, including five colleagues from Newport, met at the Lake Elmo Park to trim trees.

**6. ADOPT CONSENT AGENDA**

- A. Minutes-** March 3, 2022 Regular Council
- B. Minutes-** March 14, 2022 Special Council
- C. Open the Books (LBAE) Meeting Dates**
- D. Gambling Application Date Change-** Pheasants Forever
- E. List of Bills-** \$467,954.31
- F. Financial Statement-** February 2022

Member Chapdelaine motioned to adopt the Consent Agenda. Seconded by Member Ingemann. Approved 4-0.

**7. WASHINGTON COUNTY SHERIFF'S OFFICE REPORT**

None.

**8. FIRE CHIEF'S REPORT**

None.

## **9. ENGINEER'S REPORT**

### **A. 10<sup>th</sup> Avenue Stormwater Pond**

#### **1. Pay Request Fitzgerald Excavating- \$9,753.65**

City Engineer Jon Herdegen stated we have Pay Application No. 3 for the 10<sup>th</sup> Avenue stormwater pond project. The project has already been closed out, but through the audit process, it was determined that Payment No. 3 was never paid out. We had sent the payment to the contractor for review and asked them to return a signed copy, but they never did. This payment is for Fitzgerald Excavating in the amount of \$9,753.65.

Member Chapdelaine motioned to approve Pay Application No. 3 in the amount of \$9,753.65 to Fitzgerald Excavating. Seconded by Member Taylor. Approved 4-0.

Mayor Elliott inquired if there are any update on the sewer lining project that is coming this summer. Engineer Herdegen stated he has no formal update, but they are in the process of gathering public outreach information and hope to have something for Council to review in April.

## **10. SUPERINTENDENT OF PUBLIC WORKS REPORT**

### **A. Pay Request H&U- \$275,607.29**

Assistant Superintendent of Public Works Matt Yokiel stated they have one pay request for Council to review. This is Pay Request No. 14 for H+U for the new City Hall / Public Safety building in the amount of \$275,607.29. Member Chapdelaine inquired what is included with this payment. Assistant Yokiel stated most of this payment is for materials and a large portion is for the garage doors.

Member Ingemann motioned to approve Pay Request No. 14 in the amount of \$275,607.29 for H+U. Seconded by Member Chapdelaine. Approved 4-0.

Mayor Elliott stated she was able to get inside the new City Hall / Public Safety building last week. The garage doors are in, and they are framing in rooms and the Council chambers. Mayor Elliott stated she is excited for Newport to have a modern facility.

## 11. ADMINISTRATOR'S REPORT

### A. Resolution No. 2022-14- Opposing the Closure of Newport Elementary School

City Administrator Deb Hill stated a few years ago the Council approved a resolution opposing the closure of Newport Elementary. South Washington School District 833 has proposed a 10-year facility plan which includes closing Newport Elementary. Administrator Hill stated Member Taylor created a resolution to again oppose the closure of Newport Elementary. Member Taylor read Resolution No. 2022-14 aloud for the record.

Mayor Elliott opened the meeting for public comments. Mayor Elliott reminded the audience that Council does not have authority over the school board.

Pauline Schottmuller, residing at 97 10<sup>th</sup> Street, addressed the Council. Ms. Schottmuller stated she would like to frame this discussion so everyone in Newport knows what is at stake and the school district and school board can hear our views. Newport Elementary is a Title One school. A title one school is the largest federally funded educational program. It provides funds for school districts to assist schools with a high concentration of low-income students to meet their educational goals. The funds are used to improve curriculum, instructional activities, counseling, parental involvement, and increased staff and program improvements. One of the teachers at Newport Elementary explained to Ms. Schottmuller that the staff takes extra classes to understand how to deal with transient, low-income population. Schools must make yearly progress in order to continue receiving funds and Newport has done that year after year. Ms. Schottmuller explained that sending Newport kids to three different schools, which are not title one schools, would mean that our kids would lose the educational support they are currently getting and will be in classrooms with teachers who are not trained in title one educational strategies. School staff have expressed their fear that Newport kids will fall behind. Newport would be the only city without an elementary school. Under this proposal, 90% of Newport Elementary students would go to Cottage Grove Elementary and Oltman Middle School, and then be sent to Woodbury High School, where they may not be welcomed. Ms. Schottmuller suggested the school district utilize the extra space within Cottage Grove Elementary for Early Childhood education and in turn keep Newport Elementary open. Ms. Schottmuller thanked the Council for their effort but stated the proposed resolution is not worded strongly enough for the impact this will have on our community. Ms. Schottmuller encouraged Council to reach out to neighboring Councils and community representatives to get their support to help keep Newport Elementary open.

Andrea Wade, residing at 1595 11<sup>th</sup> Avenue, addressed the Council. Ms. Wade stated she is a mother of four children. She stated her children thrived at Newport elementary and is worried Newport students will fall through the cracks if they get moved to these larger non-title-one schools.

Sara Bonine, who is a teacher at Newport Elementary and resides in St. Paul, addressed the Council. Ms. Bonine stated she has been in the district for 17 years and has been at Newport Elementary for 16 of those years. She respects the district and knows they work hard to fight for equity for all students. Ms. Bonine stated she is proud of her students and thanked the Council for their commitment to this community.

Mayor Elliott inquired if the Council would like stronger wording in the proposed resolution. Member Chapdelaine stated Ms. Schottmuller could suggest additional points and staff could help revise. Ms. Schottmuller stated the population demographics that the district is using is out-of-date and inaccurate. The district does not want in-depth conversations. Council discussed and agreed it is important to approve this resolution as a starting point while they continue to work for this cause.

Member Taylor motioned to adopt Resolution No. 2022-14 – Opposing the Closure of Newport Elementary School. Seconded by Member Ingemann. Approved 4-0.

Mayor Elliott directed staff to send this resolution to the principal, superintendent, school district staff, school board, Representative Frankie, Senator Bigham, and the Mayors or Administrators of Woodbury, Cottage Grove, and St. Paul Park.

## **12. MAYOR AND COUNCIL REPORTS**

Mayor Elliott encouraged residents to consider our adopt-a-park program where you can weed flower beds or pick up litter in our parks. Mayor Elliott stated there is one vacancy on the Park Board. They meet once a month for about an hour. Mayor Elliott wished everyone a Happy St. Patrick's Day.

## **13. ADJOURNMENT**

Member Chapdelaine motioned to adjourn the City Council Meeting. Seconded by Member Ingemann. Approved 4-0.

The City Council Meeting was adjourned at 6:26 p.m. on March 17, 2022.

Respectfully Submitted:  
Jill Thiesfeld,  
Administrative Assistant II

Signed: \_\_\_\_\_  
Laurie Elliott, Mayor





**CITY OF NEWPORT  
CITY COUNCIL WORKSHOP MINUTES  
NEWPORT CITY HALL  
March 17, 2022**

**1. CALL TO ORDER**

Mayor Elliott called the City Council Workshop to order at 6:31 p.m. on March 17, 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. IMPERIAL CAMPER SITE**

Owners of BioLawn presented conceptual ideas to the Council regarding the purchase of 1139 Tibbetts Place. They plan to purchase the site as-is and use the main buildings for offices and storage of company vehicles. These vehicles are mainly pick-up style trucks, a few box trucks, and trailers. The business would be housing fertilizer and performs lawn maintenance. The discussion included use of the site, future plans of the site, and controls to alleviate concerns from the current property condition. BioLawn will present plans in greater detail at a future Council Workshop.

**4. PARKING ORDINANCE**

City Planner Nathan Fuerst presented updates of the parking ordinance based on prior Council discussions. A final draft of the ordinance was agreed upon and will be brought forth during the April 7<sup>th</sup> regular meeting for consideration. A flyer or similar mailer will be put together by staff after the ordinance is adopted in order to inform residents of the new regulations.

**5. PARCEL COMBINATION AND LINE ADJUSTMENT ORDINANCE**

Planner Fuerst presented a new ordinance regulating lot line adjustments and combinations. The ordinance is a direct reflection of the policy and process the City currently uses. The recommendation was the City Attorney was to formalize the process with an ordinance. The Council had questions on how the process works and recommended the ordinance be brought to the Council on April 7<sup>th</sup> for consideration.

**6. POTENTIALLY CLOSED MEETING**

(Meeting closed as authorized by Minn. Stat. 13D.05, subd. 3(c)(1), to determine the asking price for PID 36.028.22.21.0084.)

City Administrator Deb Hill presented on interest for the purchasing of the Glen Rd site. Council provided consensus on sale ranges. Counter offers or acceptance will be brought back to the Council for further discussion.

**7. FUTURE MEETING AGENDA ITEMS**

Administrator Hill informed the Council of future agenda items.

## **8. ADJOURNMENT**

Mayor Elliott adjourned the City Council Workshop at 9:04 p.m. on March 17, 2022.

Respectfully Submitted:  
Travis Brierley  
Assistant to the City Adminsitrator

Signed: \_\_\_\_\_  
Laurie Elliott, Mayor

City of Newport, MN  
Resolution No. 2022-16  
A Resolution Approving A LG230 Application To Conduct Off-Site  
Gambling For the South Saint Paul-Newport Lions Club

**WHEREAS,** The City of Newport has received a request from the St. Paul Park/Newport Lions Club to approve a gambling application to conduct off-site gambling for a raffle on May 7, 2022, at Tinucci's Restaurant located at 396 21<sup>st</sup> Street, and

**WHEREAS,** the Tinucci's Restaurant located at 396 21<sup>st</sup> Street is located within the corporate limits of the City of Newport, and

**WHEREAS,** the St. Paul Park/Newport Lions Club is an organization based within the City of Newport, and,

**NOW, THEREFORE BE IT RESOLVED,** that the City of Newport, Minnesota, approves the request of the St. Paul Park-Newport Lions Club to conduct a raffle, pull-tabs, tipboards, and paddlewheel gambling at Tinucci's Restaurant located at 396 21<sup>st</sup> Street, on May 7, 2022.

Adopted this 7<sup>th</sup> day of April, 2022 by the Newport City Council.

Motion by: \_\_\_\_\_,

Seconded by: \_\_\_\_\_

VOTE:

|             |       |
|-------------|-------|
| Elliott     | _____ |
| Chapdelaine | _____ |
| Ingemann    | _____ |
| Taylor      | _____ |
| Johnson     | _____ |

Signed: \_\_\_\_\_  
Laurie Elliott, Mayor

Attest: \_\_\_\_\_  
Deb Hill, City Administrator

**LG230 Application to Conduct Off-Site Gambling****No Fee****ORGANIZATION INFORMATION**

Organization Name: St Paul Park - Newport Lions Club License Number: 01107

Address: 321 Braodway Ave #10 City: St Paul Park, MN Zip: 55071

Chief Executive Officer (CEO) Name: Tim Conrad Daytime Phone: 651-455-1673

Gambling Manager Name: Mr. Raymond Kane Daytime Phone: 651-323-8330

**GAMBLING ACTIVITY**

Twelve off-site events are allowed each calendar year not to exceed a total of 36 days.

From 5 / 7 / 22 to 5 / 7 / 22

Check the type of games that will be conducted:



Raffle



Pull-Tabs



Bingo



Tipboards



Paddlewheel

**GAMBLING PREMISES**

Name of location where gambling activity will be conducted: Tinucci'e Restaurant

Street address and  
City (or township): 396 21st, Newport Zip: 55055 County: washtington

- Do not use a post office box.
- If no street address, write in road designations (example: 3 miles east of Hwy. 63 on County Road 42).

Does your organization own the gambling premises?



**Yes** If yes, a lease is not required.



**No** If no, the lease agreement below must be completed, and signed by the lessor.

**LEASE AGREEMENT FOR OFF-SITE ACTIVITY (a lease agreement is not required for raffles)**

Rent to be paid for the leased area: \$300.00 (if none, write "0")

All obligations and agreements between the organization and the lessor are listed below or attached.

- Any attachments must be dated and signed by both the lessor and lessee.
- This lease and any attachments is the total and only agreement between the lessor and the organization conducting lawful gambling activities.
- Other terms, if any:

Lessor's Signature: 

Date: 3-31-22

Print Lessor's Name: MARK TUNCCEL

**CONTINUE TO PAGE 2**

**Acknowledgment by Local Unit of Government: Approval by Resolution**

| CITY APPROVAL<br>for a gambling premises<br>located within city limits  | COUNTY APPROVAL<br>for a gambling premises<br>located in a township  |
|---|--|
| City Name: <u>City Of Newport, MN</u>   | County Name: _____   |
| Date Approved by City Council: _____  | Date Approved by County Board: _____   |
| Resolution Number: _____<br>(If none, attach meeting minutes.)  | Resolution Number: _____<br>(If none, attach meeting minutes.)   |
| Signature of City Personnel: _____  | Signature of County Personnel: _____   |
| Title: _____ Date Signed: _____   | Title: _____ Date Signed: _____  |
| <div style="border: 1px solid black; padding: 10px; width: fit-content; margin: 0 auto;"> <b>Local unit of government<br/>must sign.</b> </div> | <b>TOWNSHIP NAME:</b> _____<br><br><b>Complete below only if required by the county.</b><br>On behalf of the township, I acknowledge that the organization is applying to conduct gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minnesota Statutes 349.213, Subd. 2.)<br><br>Print Township Name: _____<br><br>Signature of Township Officer: _____<br><br>Title: _____ Date Signed: _____ |

**CHIEF EXECUTIVE OFFICER (CEO) ACKNOWLEDGMENT**

The person signing this application must be your organization's CEO and have their name on file with the Gambling Control Board. If the CEO has changed and the current CEO has not filed a LG200B Organization Officers Affidavit with the Gambling Control Board, he or she must do so at this time.

I have read this application, and all information is true, accurate, and complete and, if applicable, agree to the lease terms as stated in this application.

\_\_\_\_\_  
Signature of CEO (must be CEO's signature; designee may not sign)

\_\_\_\_\_  
Date

**Mail or fax to:**

Minnesota Gambling Control Board  
Suite 300 South  
1711 West County Road B  
Roseville, MN 55113  
**Fax: 651-639-4032**

**No attachments required.**

Questions? Contact a Licensing Specialist at 651-539-1900.

This publication will be made available in alternative format (i.e. large print, braille) upon request.

**Data privacy notice:** The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process your organization's application.

Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public.

If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public.

Private data about your organization are available to: Board members, Board staff whose work requires access to the information; Minnesota's Department of Public Safety; Attorney General; commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor; national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.



**City of Newport, Minnesota  
ANNUAL CHICKEN PERMIT**

Name of Applicant: BRIDGET WOLFF / MIKE WOLF  
Address: 1460 GLEN RD, NEWPORT MN 55055  
Phone: 651-795-8175 (MIKE)

Upon application made by the above name individual and approved by the Newport City Council at its regularly scheduled meeting of \_\_\_\_\_, and subject to the requirements of Newport City Code Section 600.20, \_\_\_\_\_ has been granted this permit for the keeping of chickens for property located at: \_\_\_\_\_.

The applicant has also provided the following information to the City:

- ☐ Site Plan of Property, identifying property lines, location and size of chicken coop and run
- ☐ Number of chickens to be kept
- ☐ Written consent from 75% of property owners situated within 150 feet from the chicken coop

Approved by the Newport City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.  
This license is valid until December 31, 20\_\_.

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
City Administrator

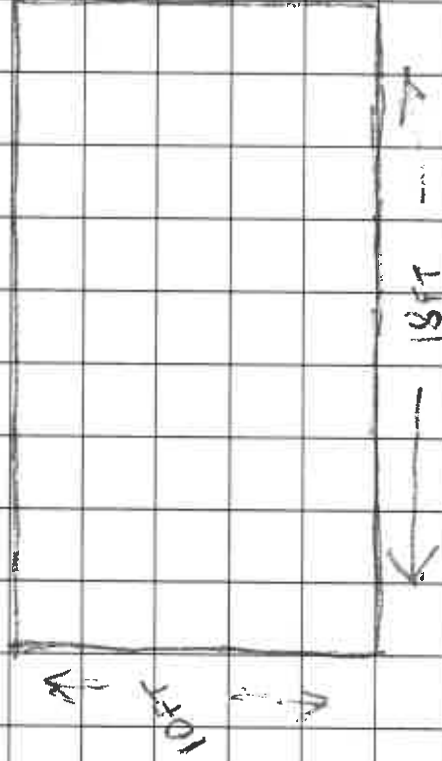
\_\_\_\_\_  
Mayor

Fee: \$25

Receipt #: \_\_\_\_\_ Date: \_\_\_\_\_ Cash: \_\_\_\_\_ Check #: \_\_\_\_\_

BLOUFF - 1460 GLEN RD. - DIMENSIONS  
M. WOLF

R U N 15' x 10' = 6 1/2' H



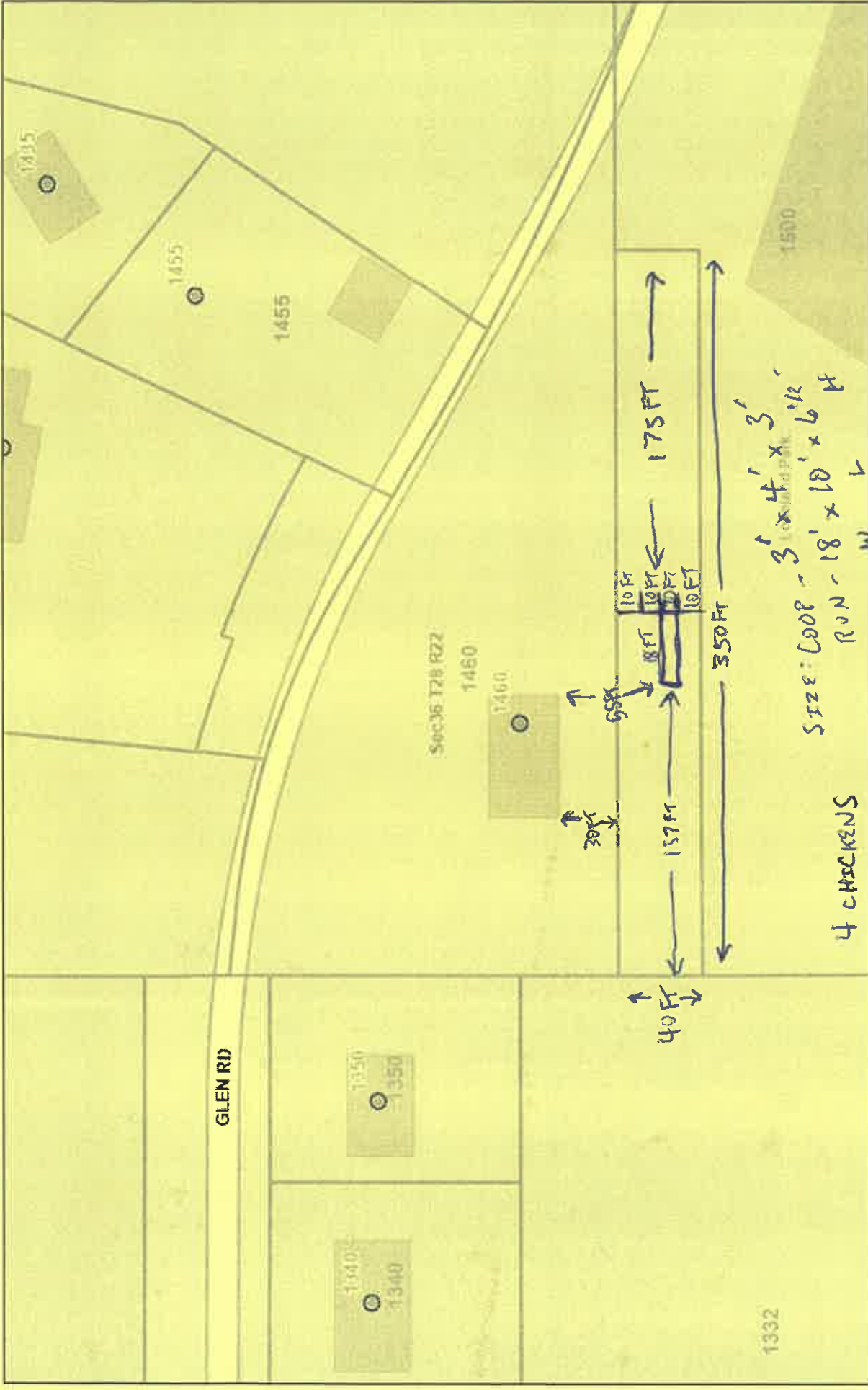
(IMAGE IS ENCLOSED)

C O O P 3' x 4' = 3' H

(4 CHECKS)



# ArcGIS Web AppBuilder



3/14/2022, 12:36:55 PM



Parcels

Easement Lines

## Parks

COMPUTED UTILITY DRAINAGE

CITY

## Sections

## Address Points

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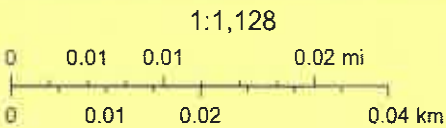


# ArcGIS Web AppBuilder



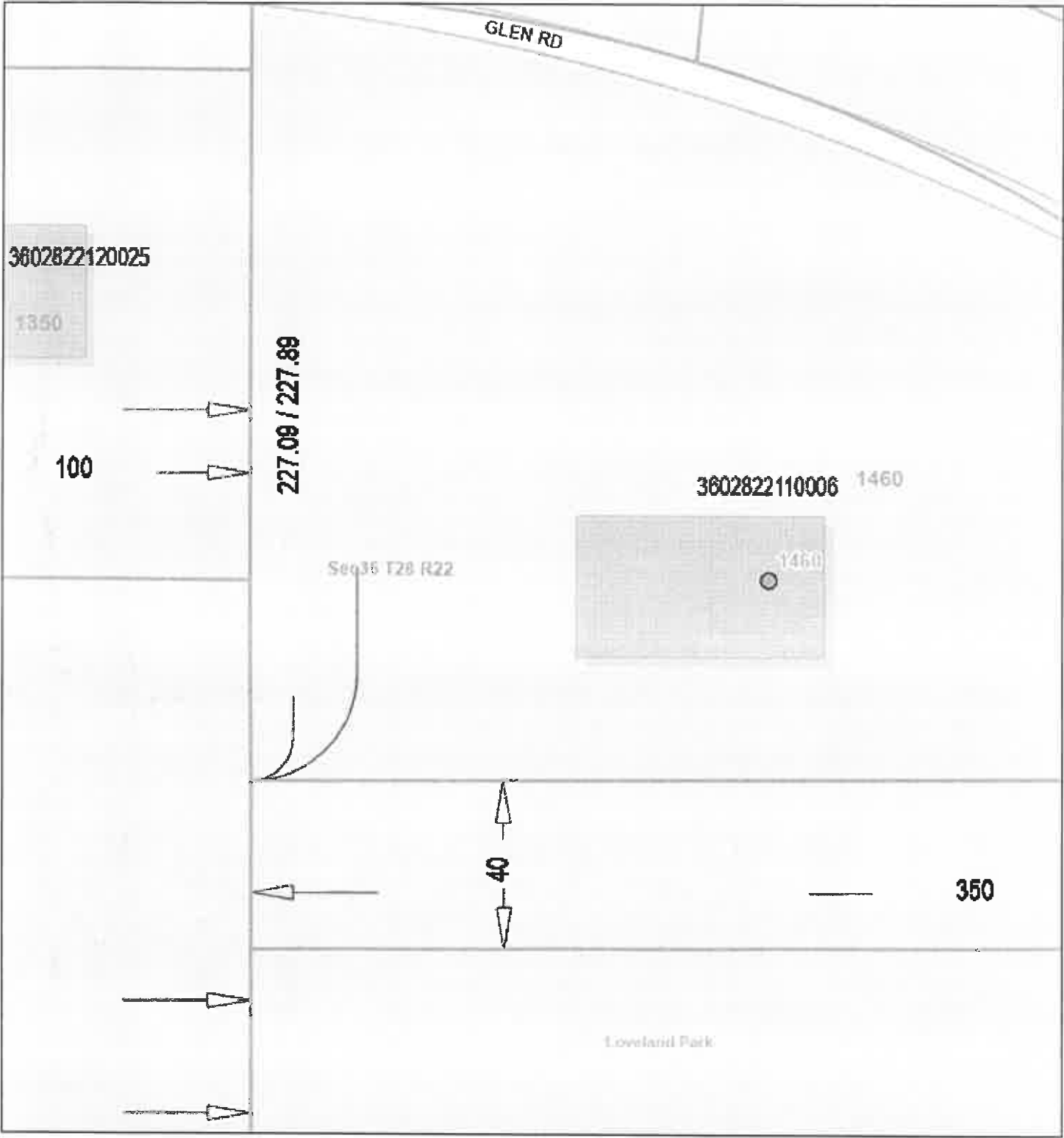
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- Parcels
- Sections
- Address Points
- Parks
- CITY



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# ArcGIS Web AppBuilder



3/18/2022, 9:04:50 AM



Parcels



Sections

Leader Lines



DIMENSION LEADER



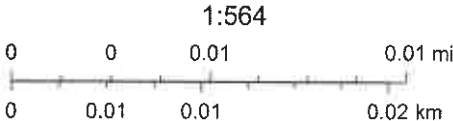
ROW LEADER



Address Points

Parks

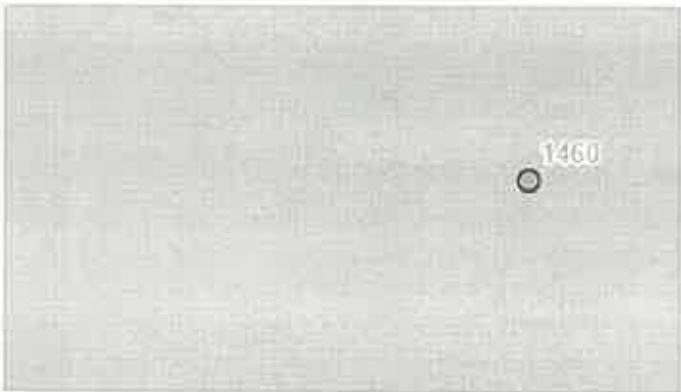
CITY



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3602822110006

1460



Sec36 T28 R22

55 FT

40

18'

10'

3602822140005  
~~360~~

Loveland Park

3/18/2022, 9:03:42 AM

1:282



Parcels



Address Points



Sections

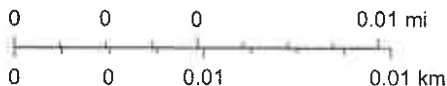
Parks

Leader Lines

CITY



DIMENSION LEADER



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**City of Newport, Minnesota  
ANNUAL SPECIAL ANIMAL PERMIT**

Name of Applicant:

Peacebunny Island

Address:

PO Box 202

Phone:

612 306 6111

Upon application made by the above name individual and approved by the Newport City Council at its regularly scheduled meeting of \_\_\_\_\_, and subject to the requirements of Newport City Code Section 600.03, Peacebunny Island has been granted this permit for the keeping of rabbits for property located at: Peacebunny Island.

The applicant has also provided the following information to the City:

NA

Names and addresses of all property owners within 75 feet of the applicant's property or signed acknowledgement of the property owners within 75 feet stating that they have been informed of the Council hearing date and have no objection to the granting of the special animal permit

Approved by the Newport City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.  
This license is valid until December 31, 20\_\_.

Stephanie Smith

Applicant

City Administrator

Mayor

Fee: \$25

Receipt #: \_\_\_\_\_ Date: \_\_\_\_\_ Cash: \_\_\_\_\_ Check #: \_\_\_\_\_

**MEMORANDUM OF UNDERSTANDING**  
**Between**  
**THE CITY OF NEWPORT**  
**and**  
**THE CITY OF WOODBURY**  
**ALLOWING NEWPORT RESIDENTS ACCESS TO WOODBURY RECREATION**  
**PROGRAMS AT RESIDENT RATES**

**ARTICLE I**  
**INTRODUCTION AND PURPOSE**

- 1.1 This Memorandum of Understanding (MOU) establishes the framework under which residents of the City of Newport will be offered the resident rate for City of Woodbury Parks and Recreation Department programs.
- 1.2 Both parties recognize that the objectives of this MOU can best be realized through close coordination and cooperation.
- 1.3 The City of Newport agrees to compensate the City of Woodbury the difference between Woodbury's resident and non-resident rates, allowing Newport residents to pay to the City of Woodbury resident rates for Woodbury Parks and Recreation Department programs.

**ARTICLE II**  
**IMPLEMENTATION**

- 2.1 Beginning \_\_\_\_\_ 2022, residents of the City of Newport will be offered the Woodbury resident rate for Woodbury Parks and Recreation Department programs.
- 2.2 The City of Newport shall reimburse the City of Woodbury the difference between the resident and non-resident rates for all Parks and Recreation Department programs that its residents participate in. Woodbury shall record Newport resident participation in Woodbury Parks and Recreation Department programs and invoice the City of Newport periodically, but not less than three (3) times within the year. The invoice shall be for the actual cost differential between the resident and non-resident rates. Newport shall promptly remit the payment back to the City of Woodbury within thirty (30) days of the invoice. If any questions arise as to the invoice amount or detail, the City of Newport shall make prompt inquiry to the Parks and Recreation Department of the City of Woodbury, who shall reasonably respond with billing data accumulated to address the issue.

**ARTICLE 3**  
**COMMUNICATION AND MARKETING**

- 3.1 The City of Newport will draft and distribute all correspondence with their residents in regards to the programs and partnership in place.

- 3.2 The City of Woodbury will have the right to approve, through its Communication Division, the content of the correspondence sent to Newport residents from the City of Newport, relating to City of Woodbury Parks and Recreation Department programs and the partnership in place.
- 3.3 The City of Woodbury will recognize the City of Newport zip code as a resident zip code for the purposes of program registration offered through the City of Woodbury Parks and Recreation Department only.
- 3.4 The City of Woodbury, with the approval of the City of Newport officials may offer some trial programs as staff and resources allow, within the City of Newport. This use will be at no cost to the City of Woodbury.
- 3.5 The City of Newport may establish and implement their own “fee assistance” program that will be separate from the City of Woodbury “fee assistance” program.
- 3.6 The City of Newport will pay the City of Woodbury for additional printed copies, postage and delivery from the printer to the Newport post office or the Eagan bulk mail center, whichever of the two is the least expensive, for the City of Woodbury Parks and Recreation Department brochure that will be mailed three (3) times per year: March, July and November. Costs will be billed three (3) times/year with the submittal of invoices at cost plus five (5%) percent.
- 3.7 All data created, received, maintained, or disseminated for any purposes in the course of performance of this Agreement is governed by the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13. Under Minnesota Statute §13.548, the following data collected and maintained by either city for the purpose of enrolling individuals in recreational and other social programs are private: the name, address, telephone number, any other data that identify the individual, and any data which describes the health or medical condition of the individual, family relationships and living arrangements of an individual or which are opinions as to the emotional makeup or behavior of an individual. As reflected in Minnesota Statute § 13.03, subd. 4, the sharing of this data between the City of Mankato and the City of Newport does not change the classification of data related to enrollment of individuals into recreational or social programs.

#### ARTICLE 4 TERMINATION

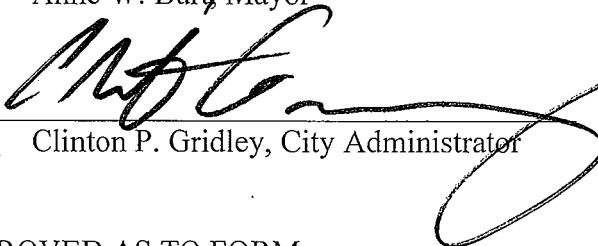
- 4.1 Both parties recognize that this endeavor is a program pursued for their mutual benefit. In the event either party finds that the effort is not meeting its needs to supply parks and recreation programs to its residents, either party may terminate this Agreement upon thirty (30) days advanced written notice to the other. Fees incurred under this Agreement, up to the date of termination, shall be due and payable by the City of Newport to the City of Woodbury.

- 4.2 Staff, from both communities, shall periodically review the Agreement and its implementation. Agreements to modify and change aspects of the program shall be in writing and approved by both cities. Both communities agree to cooperate to facilitate the implementation and success of the program.

**CITY OF WOODBURY**

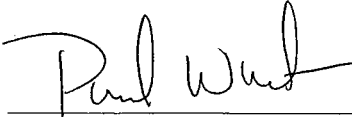
By   
Anne W. Burt, Mayor

Date: 3/3/22

By   
Clinton P. Gridley, City Administrator

Date: 3/11/22

APPROVED AS TO FORM:

  
City Attorney, City of Woodbury

Date: 3/3/2022

**CITY OF NEWPORT**

By \_\_\_\_\_  
Mayor, City of Newport

Date: \_\_\_\_\_

By \_\_\_\_\_  
City Administrator, City of Newport

Date: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney, City of Newport

Date: \_\_\_\_\_

# Recurring

|       |                               |           |             |   |
|-------|-------------------------------|-----------|-------------|---|
| 1870e | COMCAST                       | 24-Mar-22 | \$176.48    | Library Internet and cable                |
| 1871e | COMCAST                       | 24-Mar-22 | \$712.82    | Phone rental and service                  |
| 1872e | UNITED STATES TREASURY        | 24-Mar-22 | \$9,125.22  | SS, Federal & Medicare                    |
| 1873e | FURTHER                       | 24-Mar-22 | \$45.00     | Monthly fee                               |
| 1874e | FURTHER                       | 24-Mar-22 | \$598.22    | HSPA                                      |
| 1875e | HEALTHPARTNERS                | 24-Mar-22 | \$6,700.37  | Health insurance                          |
| 1876e | MN REVENUE                    | 24-Mar-22 | \$1,579.53  | State taxes                               |
| 1877e | MSRS                          | 24-Mar-22 | \$3,789.55  | HCSP & voluntary retirement               |
| 1878e | UNUM                          | 24-Mar-22 | \$545.73    | Long-term disability and life insurance   |
| 1879e | COMCAST                       | 31-Mar-22 | \$267.30    | PW garage Internet and cable              |
| 1880e | COMCAST                       | 31-Mar-22 | \$140.95    | Fire hall Internet                        |
| 1881e | COMCAST                       | 31-Mar-22 | \$217.01    | City hall Internet and cable              |
| 1882e | MN REVENUE                    | 31-Mar-22 | \$869.00    | Water sales and use tax                   |
| 1883e | WEX BANK                      | 31-Mar-22 | \$2,590.04  | Petrol                                    |
| 24486 | Cardmember Services           | 16-Mar-22 | \$231.51    | Credit Card Purchases                     |
| 24487 | CINTAS                        | 16-Mar-22 | \$479.52    | Uniform Cleaning                          |
| 24488 | MN CHILD SUPPORT PAYMENT CNT  | 16-Mar-22 | \$50.00     | Child Support 00157272152                 |
| 24489 | XCEL ENERGY                   | 16-Mar-22 | \$38.99     | Electricity and Natural Gas               |
| 24490 | FITZGERALD EXCAVATING INC.    | 21-Mar-22 | \$9,753.65  | Partial Payment #3 10th Avenue Storm Pond |
| 24491 | ANCHOR SOLAR INVESTMENTS, LLC | 24-Mar-22 | \$372.26    | Solar leasing                             |
| 24492 | ATOMIC DATA, LLC              | 24-Mar-22 | \$719.70    | IT support                                |
| 24493 | TRAVIS BRIERLEY               | 24-Mar-22 | \$287.42    | Mileage and phone reimbursement           |
| 24494 | BUFFLEHEAD WEB DESIGN         | 24-Mar-22 | \$71.80     | 1st quarter website hosting               |
| 24495 | PAUL GRETEN                   | 24-Mar-22 | \$159.26    | Uniform allowance                         |
| 24496 | DEBORA HILL                   | 24-Mar-22 | \$146.95    | Mileage                                   |
| 24497 | MARCO TECHNOLOGY LLC          | 24-Mar-22 | \$263.17    | Copier contract                           |
| 24498 | NCPERS GROUP LIFE INS.        | 24-Mar-22 | \$32.00     | Addt. Life insurance                      |
| 24499 | PERA                          | 24-Mar-22 | \$4,992.48  | Retirement                                |
| 24500 | DEB SCHULZ                    | 24-Mar-22 | \$212.50    | Mileage and phone reimbursement           |
| 24501 | JILL THIESFELD                | 24-Mar-22 | \$34.80     | Mileage reimbursement                     |
| 24502 | VERIZON                       | 24-Mar-22 | \$424.42    | Cell phones and hot spots                 |
| 24503 | SAMS CLUB DIRECT              | 31-Mar-22 | \$164.84    | Trash bags/paper towels                   |
| 24504 | XCEL ENERGY                   | 31-Mar-22 | \$15,232.74 | Electricity and natural gas               |
|       | Staff                         |           | \$21,030.86 |   |

# Non-recurring

|       |                                |           |              |  |
|-------|--------------------------------|-----------|--------------|--|
| 24505 | ADVANCED SPORTSWEAR            | 07-Apr-22 | \$115.50     | Clothing embroider                         |
| 24506 | ASTLEFORD INTERNATIONAL TRUC   | 07-Apr-22 | \$119.48     | Single dump truck                          |
| 24507 | BOLTON & MENK, INC.            | 07-Apr-22 | \$3,732.50   | City planning                              |
| 24508 | BURGGRAFS ACE                  | 07-Apr-22 | \$290.43     | Chain sharpening                           |
| 24509 | SHERRI BUSS                    | 07-Apr-22 | \$301.04     | City planning                              |
| 24510 | COMPASS MINERALS AMERICA       | 07-Apr-22 | \$11,646.82  | Road salt                                  |
| 24511 | CRYSTEEL TRUCK EQUIPMENT       | 07-Apr-22 | \$111.42     | Snow plow plug                             |
| 24512 | EDS TROPHIES INC               | 07-Apr-22 | \$10.00      | Employee name plates                       |
| 24513 | FAIR OFFICE WORLD              | 07-Apr-22 | \$69.95      | Office supplies                            |
| 24514 | GERLACH OUTDOOR POWER EQUIP    | 07-Apr-22 | \$34.15      | Bar oil and chainsaw                       |
| 24515 | GRAINGER PARTS                 | 07-Apr-22 | \$40.17      | Greas for snow plow                        |
| 24516 | HANCO CORP.                    | 07-Apr-22 | \$140.14     | Tire for patch trailer                     |
| 24517 | HORIZON DATASYS CORP.          | 07-Apr-22 | \$45.00      | Computer program for library               |
| 24518 | LEAGUE OF MN CITIES INS TRUST  | 07-Apr-22 | \$50,387.00  | Liability insurance                        |
| 24519 | LEGEND TECHNICAL SERVICES      | 07-Apr-22 | \$300.00     | Cadmium test for water                     |
| 24520 | LUBE TECH ESI                  | 07-Apr-22 | \$316.82     | Grease                                     |
| 24521 | MENARDS - COTTAGE GROVE        | 07-Apr-22 | \$313.78     | Supplies                                   |
| 24522 | METROPOLITAN AREA MGMT ASSO    | 07-Apr-22 | \$25.00      | Luncheon                                   |
| 24523 | MMKR                           | 07-Apr-22 | \$7,500.00   | Progress billing through February 28, 2022 |
| 24524 | MSA PROFESSIONAL SERVICES, INC | 07-Apr-22 | \$7,231.50   | City engineering                           |
| 24525 | NORTHERN SAFETY TECH. INC.     | 07-Apr-22 | \$187.43     | Strobe lights                              |
| 24526 | OXYGEN SERVICE CO.             | 07-Apr-22 | \$214.76     | Oxygen supplies-welding                    |
| 24527 | PIONEER RIM & WHEEL            | 07-Apr-22 | \$75.72      | Patching trailer rim                       |
| 24528 | RDO EQUIPMENT                  | 07-Apr-22 | \$156,483.95 | Loader                                     |
| 24529 | CITY OF SAINT PAUL             | 07-Apr-22 | \$9,852.60   | Repair water main break                    |
| 24530 | SOUTH SUBURBAN RENTAL, INC.    | 07-Apr-22 | \$92.56      | LP gas for patching                        |
| 24531 | CITY OF WEST ST. PAUL          | 07-Apr-22 | \$2,400.00   | Lateral sewer inspections                  |
| 24532 | CITY OF WOODBURY               | 07-Apr-22 | \$1,689.00   | Woodbury March rec mailer                  |
|       |                                |           | \$335,782.81 |  |





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## MEMORANDUM

**Memo Date:** March 25, 2022  
**Meeting Date:** April 7, 2022  
**To:** City of Newport, City Council  
**From:** Nathan Fuerst, City Planner  
**Subject:** Lot Combination and Lot Line Adjustment Subdivision Provisions

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**Applicant:** City of Newport (City Council)

### Action Requested:

The City Council is asked to adopt the Subdivision Ordinance to formalize the process currently used to permit lot combinations and lot line adjustments in the City.

### Background:

City staff have historically received requests to combine or adjust lot boundaries. To date, this has been accomplished through an administrative permit. This is in line with practice in other communities, although commonly the requirements for these processes are found in Cities' subdivision ordinances.

Staff suggest that the City Council consider amending the City's subdivision ordinance to include a process for lot combinations and lot line adjustments. Because they are so similar, and sometimes done concurrently, both lot combinations and lot line adjustments are considered the same process in ordinances. Most often, they are handled through an administrative process which gives staff the opportunity to ensure that requests will create conditions conforming to City ordinances and policies. This is advantageous because it provides for reviews of items that are typically very simple and would be burdensome to bring through an extended review process.

### Revisions Proposed:

Staff propose adding a new section to the Subdivision Ordinance (Chapter 28) Article II, Division 1 with the following parts:

- A. **Qualification** – This section defines which projects would qualify for which process, allows the City to require necessary easements, and would require rezoning to take place in instances where there are multiple zoning districts.
- B. **Procedure** – This section establishes the requirements for applications, process for review, and process for appeals. It is formalizing a process that staff have used to process previous requests.
- C. **Recording** – This section requires that the applicant record the new property boundaries within a certain timeframe and requires that to be done before any permits can be issued.

### Next Steps:

Make a determination regarding approval of the draft ordinance.

Name: Lot Combination/Adjustment Procedures

Date: April 7, 2022

Page: 2

**Attachments:**

Draft Ordinance – 2022-01

Redlined version – Draft City Code Revisions

City Code Chapter 28 – Subdivision Ordinance ([link only](#))

City of Newport, MN  
Ordinance No. 2022-01  
An Ordinance Amending Chapter 28, Article II, Division 1

**THE CITY COUNCIL OF THE CITY OF NEWPORT DOES ORDAIN THAT** (new material is underlined; deleted material is lined out; sections which are not proposed to be amended are omitted, sections which are only proposed to be re-numbered are only set forth below as to their number and title):

**SECTION 1.** City of Newport City Code, Chapter 28- Subdivisions, Article II- Platting Procedure, Division 1- Generally

**Sec. 28-37- Applicability**

All subdivisions are subject to platting requirements unless otherwise provided for in this article. Platting requires two sequential reviews and approvals by council. A preliminary plat is required for overall public infrastructure phasing and capital improvement planning, and a final plat is required for recording each phase or addition.

**Sec. 28-38. – Lot consolidation/lot line adjustment**

*(a) Qualification*

- (1) Lot consolidation. Two or more parcels, whether recorded platted lots or not, must be consolidated into 1 parcel.
- (2) Lot line adjustment. A lot line may be adjusted by relocating a common boundary.
- (3) Rezoning. If the adjustment or combination would cause 1 of the parcels to have 2 different zoning classifications, the applicant must rezone the property to achieve a consistent zoning classification for the newly created parcel.
- (4) Easements. Any easements that become unnecessary as a result of the combination of parcels must be vacated. In addition, new easements must be established where appropriate.

*(b) Procedure*

- (1) An application for a Lot Consolidation and/or Lot Line Adjustment, signed by the applicant and property owner, shall be submitted to the City. The application shall be accompanied by the following:
  - a. A certificate of survey detailing the existing and proposed lot lines, any existing structures or improvements on the properties, and setbacks from the current and/or proposed lot lines.
  - b. The required fee as established by the City Council in the City Fee Schedule.
  - c. Other relevant information as may be required by the Zoning Administrator.
- (2) Following receipt of a complete application, City staff will review the application for conformance with the provisions of the Subdivision, Zoning, and other applicable City ordinances and policies.
- (3) Unless a request for additional review time is requested by the City, action on the application shall be made within 60 days.
- (4) The Decision of the Zoning Administrator to approve or deny a lot consolidation and/or lot line adjustment shall be processed according to the provisions of section 36-41 of the Zoning Ordinance.

*(c) Recording*

- (1) Deadline. The applicant shall record the appropriate documents in the Office of the Washington County Recorder within 120 days after the date of approval. If not recorded within the 120-day period, the approval shall be considered void.
- (2) Building permit. No building permits shall be issued for construction of any structure on any affected lots until the city has received evidence of the document(s) being recorded by the County Recorder.

Secs. 28-3~~8~~<sup>9</sup>--- 28-62. – Reserved

**SECTION 2.** This Ordinance shall take effect following its passage and publication.

Passed by the City Council of the City of Newport, Minnesota this 7<sup>th</sup> Day of April, 2022.

Motion by: \_\_\_\_\_,

Seconded by: \_\_\_\_\_

VOTE:

|             |       |
|-------------|-------|
| Elliott     | _____ |
| Chapdelaine | _____ |
| Ingemann    | _____ |
| Taylor      | _____ |
| Johnson     | _____ |

Signed: \_\_\_\_\_  
Laurie Elliott, Mayor

Attest: \_\_\_\_\_  
Deb Hill, City Administrator



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## MEMORANDUM

**Memo Date:** March 29, 2022  
**Meeting Date:** April 7, 2022  
**To:** City of Newport, City Council  
**From:** Nathan Fuerst, City Planner  
**Subject:** Residential Parking Requirement Revisions

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**Applicant:** City of Newport (City Council)

### Action Requested:

Take an action on the draft ordinance proposed to amend residential parking requirements. If the draft ordinance is adopted, make a determination on the date by which the ordinance will take effect.

### Background:

This item is returning to the City Council agenda to allow for a formal approval of revisions that have been discussed by the City's Planning Commission and City Council. In Summer 2021, the City Council discussed revisions to the parking ordinance and referred the ordinance revisions to the City's Planning Commission. A public hearing on this topic was held at the City's Planning Commission on October 12<sup>th</sup>, 2021. The topic was discussed at subsequent Planning Commission meetings in November and December 2021 and City Council Workshop meetings in early 2022.

The current draft ordinance reflects numerous comments received from the public and planning commission regarding the need for some flexibility within the parking ordinance. This is balanced by a desire to clearly define limits for exterior storage, specifically parking, on residential properties in the City.

### Revisions Proposed:

Revisions proposed in the draft ordinance are summarized below:

- City Code Section 32-39 *Residential Zones*
  - Length of Parking – vehicle parking is limited on city streets to a continuous period no longer than 24 hours.
  - Recreational Vehicles (RV's) – an exemption for recreational vehicles is removed, and such vehicles are included in the definition and storage requirements for "recreational equipment".
- City Code Section 36-161 *Standards for All Districts*
  - One to Four Unit Properties – This amendment adds a requirement that 1-4 unit residential properties are subject to the standards in 36-163(a) (summarized below). The rationale for including this reference is to ensure all properties used in this manner are held to the requirements established by this ordinance. The City Council has found that properties in this range of units tend to be more similar in terms of intensity of use and impacts on surrounding land uses.

- City Code Section 36-163 *Standards for Residential Districts*
  - Number of vehicles – Residents are limited to four (4) vehicles in any yard areas at any one time. Currently the City’s ordinance limits property owners to three (3) vehicles in front yard areas.
    - Exception for screened recreational equipment - If completely screened from the public right of way and abutting properties, up to two (2) items of recreational equipment will not count towards the total of four (4) vehicles permitted on a property. Recreational equipment must be stored according to all applicable performance standards.
  - Commercial vehicles – Residents are permitted one commercial vehicle provided such vehicles do not exceed 14,000 pounds gross vehicle weight or 20 feet in length.
  - Semi-trucks prohibited – Semis and other large vehicles are prohibited from being stored on residential property.
  - Off road vehicles – Such vehicles are not considered recreational equipment and must be stored inside or out of public view. This is consistent with the existing definition and requirements for recreational equipment.
- City Code Section 36-1 *Definitions*
  - Definitions are proposed for the following currently undefined terms:
    - *Commercial Vehicles*
      - *Class I*
      - *Class II*
    - *Exterior Storage*
    - *Motorcycle*
    - *Passenger car*
    - *Off-road motor vehicle*
    - *Residential Street*

### **Planning Commission Recommendation:**

At its regular meeting on December 12, 2021, the Planning Commission motioned unanimously to recommend the revisions proposed in the staff report reviewed by the Council on January 20, 2022 (link below). The council has since deviated from the recommendation provided by the Planning Commission with respect to flexibility to the overall number of vehicles, recreational equipment, and commercial vehicles.

### **Staff Recommendation**

The City Council is asked to take an action on the draft ordinance. The Council should determine a date by which the ordinance will take effect once published. To provide residents advance notice of the change, staff estimate that it will take at least two weeks to design, print, and mail information about the requirements. The Council should determine if additional time is warranted for residents to react to the notice.

Name: Parking Ordinance Amendment

Date: April 7, 2022

Page: 3

### **Attachments:**

#### Draft Code Sections

- Draft Ordinance – 2022-02
- Redlined text – Draft City Code Revisions

#### Staff Reports

- Staff Report – January 20, 2022 Council Workshop Meeting ([link only](#))
- Staff Report – February 3, 2022 Council Workshop Meeting ([link only](#))
- Staff Report – March 17, 2022 Council Workshop Meeting ([link only](#))

#### Existing Code Sections

- City Code Section 32-39 – Residential zones ([link only](#))
- City Code Section 36-161 – Standards for all uses ([link only](#))
- City Code Section 36-162 – Standards for nonresidential uses ([link only](#))
- City Code Section 36-163 – Standards for residential districts ([link only](#))

City of Newport, MN  
Ordinance No. 2022-02  
An Ordinance Amending Chapter 32- Traffic And Vehicles And Chapter  
36- Zoning

**THE CITY COUNCIL OF THE CITY OF NEWPORT DOES ORDAIN THAT** (new material is underlined; deleted material is lined out; sections which are not proposed to be amended are omitted, sections which are only proposed to be re-numbered are only set forth below as to their number and title):

**SECTION 1.** City of Newport City Code, Chapter 32- Traffic and Vehicles, Article II- Parking

**Sec. 32-39. Residential zones.**

- (a) *Definitions.* The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Recreational equipment* includes, but is not limited to, operable and licensed, as required by the state, recreational vehicles, travel trailers, chassis-mounted campers, tent trailers, slide-in campers, airplanes, and converted buses; snowmobiles and trailers, boats/watercraft and trailers, all-terrain vehicles, motorcycles and utility trailers. A fish house, boat, snowmobile or other recreational equipment when stored or kept on a trailer shall be considered as one unit. The term "recreational equipment" does not include a motor vehicle designed or used for off-road racing, off-road use or demolition derby.

*Residential zone* means all areas zoned for residential uses (R-1, R-1A, R-2, ~~R-3~~ & RE) ~~and Planned Development District (PDD)-areas~~ in the city.

- (b) *Truck or bus parking in residential zones.* No person shall park, stop, or stand any vehicle licensed by any state at over ~~12~~4,000 pounds for more than two hours upon any private property or public street in a residential zone. Parking, either on-street or off-street, of vehicles licensed by any state at over ~~12~~4,000 pounds, except for deliveries and unloading, shall be prohibited in all residential districts on lots less than two acres in size.
- (c) *Equipment.* No person shall park, stop, or stand any trailer that weighs over 10,000 pounds (lbs), back-hoe, front-end loader, bobcat, grader, asphalt paver, asphalt roller, or related road machinery or equipment for more than 24 hours upon any private property or public street in a residential zone, except as permitted under subsection (d) of this section. No more than one such vehicle or piece of equipment shall be allowed on a single parcel of property.
- (d) *Construction parking.* In the event building construction or grading is to be performed in a residential zone, the clerk-administrator may grant permission for parking equipment restricted under subsection (c) of this section upon the premises for a reasonable period of time during construction. The permission shall be in writing, provided that the permission may at the clerk-administrator's discretion be endorsed on the building permit issued for the construction.
- (e) *Length of parking.* A vehicle may not be upon any street or right-of-way in any one place for a longer continuous period than 24 hours.
- (f) *Exemption for large parcels.* The provisions of this section shall not apply to parcels of two acres or greater, provided that such parcels may not be used as rental vehicle or equipment parking space. In addition, any vehicle permitted under this exemption shall be screened from view from any adjacent lot by trees, fencing, or a storage building as permitted by the underlying zoning requirements. In no case shall any vehicle permitted under this exemption be parked closer than 40 feet from any adjacent property line.



~~(f) *Exemption for recreational vehicles.* The provisions of this section shall not apply to recreational vehicles.~~

~~(g) *Conditions and restrictions.* The city council may grant the privilege of truck parking in areas zoned for planned development district in the required conditional use permit for planned development districts, subject to conditions and restrictions as to truck use of the area.~~

(g) *Recreational equipment storage.*

- (1) *Generally.* Except as provided or as specifically allowed within the specific zoning districts, all materials and equipment shall be stored within a building.
- (2) *Exceptions.* Licensed and operable recreational equipment units may be parked or stored on property outside a building as follows:
  - a. In the front yard, provided they are kept on an established driveway, and entirely on the equipment or vehicle owner's property. Recreational equipment may not be parked or stored on public property or an improved street right-of-way.
  - b. In the side yard abutting an attached or detached garage provided the recreational equipment is not closer than two feet from the side lot line. The area must be surfaced with asphalt, concrete or crushed decorative rock but shall not be placed within drainage and utility easements unless approved by the zoning administrator. Parking or storage of recreational equipment on the side yard abutting the principal building is prohibited.
  - c. In the rear yard not closer than five feet from the rear lot line, five feet from the side lot lines, and not within drainage and utility easements.
  - d. A property can only store recreational vehicles and equipment that are registered to or licensed by the owner or occupant of the property.

(Code 1997, §§ 910.01, 1300.14; Ord. No. 2017-8, 12-21-2017)

## **SECTION 2.** Newport City Code, Chapter 36- Zoning, Article 1- In General

### **Sec. 36-1. Definitions.**

*Commercial Vehicle, means any self-propelled or towed motor vehicle used primarily in commerce to transport passengers or materials, often displaying company signage, company logos, commercial equipment, fixtures, or tools.*

*Class I: Commercial vehicles not exceeding the following:*

*A. A gross vehicle weight rating (GVWR) of fourteen thousand (14,000) pounds.*

*B. A length of twenty feet (20').*

*Class II: Any semi truck, tractor, trailer, and all other commercial vehicles not included as a Class I commercial vehicle.*

*Exterior Storage, means the storage of goods, materials, equipment, vehicles, manufactured products, and similar items not fully enclosed by a building.*

*Motorcycle, means all two or three wheeled motorized vehicles. Typical vehicles in this category have saddle type seats and are steered by handlebars rather than steering wheels. This category includes motorcycles, motor scooters, mopeds, motor powered bicycles, and three wheel motorcycles.*

*Off-road motor vehicle, means motor vehicle designed or used for track racing, off-road racing, off-road use or demolition derby*

Passenger cars, means all sedans, coupes, and station wagons manufactured primarily for the purpose of carrying passengers and including those passenger cars pulling recreational or other light trailers.

Residential Street, means a portion of a local street on which a residential use abuts on one or both sides of the street.

**SECTION 3.** Newport City Code, Chapter 36- Zoning, Article III- District Regulations Applicable To All Districts, Division 2- Performance Standards

**Sec. 36-161. Standards for all districts.**

(5) Off-street parking areas and driveways

- (a) Surfacing standards. All off-street parking areas and driveways, shall be constructed with an improved surface to meet the following requirements:
  - 1. In all nonresidential districts (MX, B and I districts), all driveways, parking, loading, and service areas shall be constructed with a concrete, asphalt or a similar durable and dustless surface that meets the city's public works design manual. The periphery of all parking areas and drives in nonresidential districts (except parking areas for single-family and two-family residential uses in those districts) shall be constructed with poured-in-place concrete curbing, unless otherwise approved by the city.
  - 2. In Residential (R) districts, the first 40 feet of the driveway or the driveway area between the street and garage, whichever is less, shall be paved with concrete, asphalt or an acceptable surface that meets the city's public works design manual, except for properties whose main access is on a non-paved roadway.
  - 3. For residential uses, the maximum driveway width shall be 24 feet at the curb line and property line. For commercial, office, or industrial uses, the maximum driveway width shall be 32 feet at the curb line and property line.
  - 4. On residential properties, any parking or driveway surface located in the side or rear yard shall be constructed of one of the following: concrete, asphalt, Class V gravel (minimum six inches compacted), landscape rock (minimum six inches compacted), landscape paver blocks, or brick that meets the standards in city's public works design manual. All parking surfaces draining to a public paved street shall be paved, unless otherwise approved by the city. The city may exempt a property owner from the paving requirement if the property owner can demonstrate the runoff from the rock surface is solely directed onto his property or surface runoff meets the city's public works design manual.
- (b) Drainage standards. Parking, loading and service areas of commercial and industrial uses shall be graded and drained so as to dispose of all surface water accumulation within the parcel to meet the city's public works design manual and other applicable stormwater management requirements. All surfacing shall be completed prior to occupancy of the structure, unless specific approval otherwise has been granted by the city.
- (c) Maintenance standards. The city can require the entire or greater portion of driveways that serve commercial and industrial uses or the first 40 feet of residential uses to be paved to comply with the city's public works design manual at the point of property sale. If the pavement surface of a driveway or parking lot has deteriorated beyond maintenance or repair and does not comply with the public works design manual, the owner shall be required to

remove and replace the driveway or off-street parking area pavement at the point of property sale in accordance with this division and the city's public works design manual.

- (d) **Setbacks.** All parking areas shall be set back a minimum of five feet from property lines. All driveways shall be setback a minimum of five feet from side and rear property lines. Parking areas and driveways shall meet the standards in section 18-73.
- (e) **Size.** In the R-1 and R-1A districts, the total area of the driveway and parking areas shall not exceed 35 percent of the front yard area. The lot coverage in the RE and nonresidential districts, including off-street parking areas, shall meet the requirements in sections 36-208 and 36-238.
- (f) **Easements.** The parking or driveway surface may not encroach on any drainage and utility easement, except the front yard drainage and utility easement abutting the street.
- (g) **Standard parking space dimensions.** Each off-street parking space shall be a minimum of nine feet wide by 18 feet deep. Access drives and aisles shall be a minimum of 24 feet wide for two-way traffic, and 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.
- (h) **Compact car parking dimensions.** 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 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 feet wide by 16 deep.
- (i) **Handicapped parking.** Parking for handicapped persons shall be provided in accordance with state and federal regulations.
- (j) **Access.** All off-street parking spaces for commercial and industrial uses shall have access from a private driveway and shall not access directly onto a public street.
- (k) **Location.** All parking spaces shall be on the same lot as the principal use for which they are intended, unless the city approves off-site parking for a principal use.
- (l) **Off-site parking location.** When required accessory off-street parking facilities are provided elsewhere than on the lot on which the principal use served is located, written authority of the property owner for using the property for off-street parking shall be filed with the city, confirming that the required number of off-street parking spaces will be maintained on the property during the existence of such principal use. No such parking facility shall, at its closest point, be located more than 400 feet from the principal use or building served.
- (m) Single, two, three and four family buildings. All properties with 1-4 dwelling units in the form of single family detached, duplex, triplex or quadplex shall adhere to exterior storage and screening requirements established in Sec. 36-163(a)

**Sec. 36-163. Standards for residential districts.**

- (a) *RE, R-1 and R-1A standards.* The following standards are applicable to the RE, R-1 and R-1A Residential districts:
  - (1) *Exterior storage and screening.*
    - 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, on concrete, blacktop, or similar durable hard surface free of dust. ~~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 vehicles may be parked in the front yard at any one time, only one of which may be over 6,000 pounds gross vehicle weight or over 20 feet in length.~~
  - ~~3. Additional operable vehicles above the limit of three may be parked in the front yard on a temporary basis, for no more than 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.
- e. No more than four vehicles including passenger cars, trailers, recreational vehicles, recreational equipment, truck, bus, off-road vehicles, or similar may be parked or stored in any yard area on a residential property at any one time, subject to the following conditions and exceptions:
  - 1. Vehicles, recreational vehicles, and equipment parked on a trailer shall be counted as one vehicle.
  - 2. One Class I commercial vehicle may be parked on a residential property at any time.
  - 3. Class II commercial vehicles are prohibited from being parked or stored on any residential property.
  - 4. Off-road motor vehicles are prohibited from being parked or stored in the front yard and shall be screened from public view or parked or stored in an enclosed structure.
  - 5. Up to two items of recreational equipment, as defined and regulated in Sec. 32-39, shall not count towards the total vehicles stored on a property if completely screened, as defined in Sec. 36-1, from the public right of way and abutting properties.

...

(c) *Standards for all residential districts.*

...

(3) *Home occupations.* All home occupations shall meet the following requirements:

- a. The number of employees shall be limited to one person in addition to family members residing within the home;
- b. The area within the dwelling used by the home occupation shall not exceed 20 percent of the dwelling's livable floor area;
- c. On-site sales shall be prohibited, except those clearly incidental to services provided in the dwelling;
- d. Any interior or exterior alterations of a dwelling for a home occupation shall be prohibited, except those customarily found in a dwelling;

- ~~e. Vehicles associated with a home occupation shall be limited to one automobile, pick-up truck or van on the premises, which shall be parked in a garage if the name of the home occupation or advertising appears on the vehicle. Any vehicles associated with a rural home occupation must be parked in a specified storage area or accessory structure;~~
- f. Unusual parking and traffic patterns shall not be created, which are not normally found in the neighborhood, and in no case shall customer vehicles be parked on public or private roads;
- g. Only one sign shall be permitted. Such sign shall be a non-illuminated nameplate of not more than three square feet in area, and shall be attached to the entrance of the dwelling and, in the case of a rural home occupation; it may be attached to the dwelling or the accessory structure.

**SECTION 4.** This Ordinance shall take effect following its passage and publication with an effective date of \_\_\_\_\_, 2022.

Passed by the City Council of the City of Newport, Minnesota this 7<sup>th</sup> Day of April, 2022.

Motion by: \_\_\_\_\_,

Seconded by: \_\_\_\_\_

VOTE:

|             |       |
|-------------|-------|
| Elliott     | _____ |
| Chapdelaine | _____ |
| Ingemann    | _____ |
| Taylor      | _____ |
| Johnson     | _____ |

Signed: \_\_\_\_\_  
Laurie Elliott, Mayor

Attest: \_\_\_\_\_  
Deb Hill, City Administrator



# MEMO

TO: Newport Mayor and City Council

FROM: Deb Hill, City Administrator

DATE: April 7, 2022

SUBJECT: Appointment of Derek Marson to the position of Assistant Superintendent of Public Works

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**Background:** Council directed staff on March 14 to post and interview candidates for the open position of Assistant Superintendent of Public Works. After the interview process, it was decided to offer Derek Marson the position with a starting salary of \$75,835 (Grade 13, Step 2).

There is a cap on accrued vacation for Derek of 160 hours – he is presently over that. A payout of up to 80 hours would be reasonable.

**Recommendation:** Staff recommends that the Newport City Council appoint Derek Marson to the position of Assist Superintendent of Public Works at the starting salary of \$75,835 (Grade 13, Step 2) and the option of up to 80 hours of vacation payout at his Maintenance Operator wage.

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