



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

MAYOR: Laurie Elliott  
COUNCIL: Kevin Chapdelaine  
Tom Ingemann  
Marvin Taylor  
Bill Sumner

City Administrator: Joe Hatch  
Supt. of Public Works: Matt Yokiel  
Fire Chief: Steven Wiley  
Asst. to the City Admin: Travis Brierley  
Law Enforcement (WCSO): Bill Harrell

### **CITY COUNCIL AGENDA January 5, 2023- 5:30 PM**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. OATH OF OFFICE
  - A. Tom Ingemann
  - B. Bill Sumner
4. ROLL CALL
5. ADOPT AGENDA
6. 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.
7. 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- December 1, 2022 Regular Council
  - B. Minutes- December 1, 2022 Council Workshop
  - C. **Resolution No 2023-01-** Official Depository
  - D. **Resolution No 2023-02-** Safety Deposit Box
  - E. **Resolution No 2023-03-** Official Newspaper
  - F. **Resolution No 2023-04-** 2023 Fee Schedule
  - G. **Resolution No 2023-05-** 2023 Utility Rates
  - H. **Resolution No 2023-06-** Gambling Application St. Paul Park-Newport Lion's Club
  - I. **Resolution No 2023-08-** Accepting Donations
  - J. Council and Citizen Appointments
  - K. Kennel License- Buetow
  - L. List of Bills- \$3,050,007.84
  - M. Financial Statement- November 2022
8. WASHINGTON COUNTY SHERIFF'S OFFICE REPORT

9. FIRE CHIEF'S REPORT

10. ENGINEER'S REPORT

11. SUPERINTENDENT OF PUBLIC WORKS REPORT

12. ADMINISTRATION REPORT

A. **Resolution No 2023-07-** Keller Fence CUP

13. MAYOR AND COUNCIL REPORTS

14. ADJOURNMENT



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## **CITY COUNCIL MEETING MINUTES**

### **December 1, 2022**

#### **1. CALL TO ORDER**

Mayor Elliott called the City Council Meeting to order at 5:30 p.m. on December 1, 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**

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

#### **5. PUBLIC COMMENTS**

Bill Sumner, residing at 737 21<sup>st</sup> Street, addressed the Council. Mr. Sumner stated the Basic Needs organization has a newly opened food pantry at the Methodist Church on 11<sup>th</sup> Avenue. The library will be having a community event on December 10<sup>th</sup> from 1:00 p.m. – 4:00 p.m. You can participate by singing, reading a poem, or other events. The Heritage Preservation Commission (HPC) will be looking for members and has a meeting on December 14<sup>th</sup>. There will be a history talk at the library after the HPC meeting.

#### **6. ADOPT CONSENT AGENDA**

- A. Minutes-** November 3, 2022 Council Workshop
- B. Gambling Application-** Capital City Strutters
- C. Gambling Application-** Capital City Strutters
- D. List of Bills-** \$131,135.11

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

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

Washington County Sheriff's Deputy Sergeant Bill Harrell stated this time of year they usually see an uptick in package thefts, so residents should call 9-1-1 if they see anything suspicious and bring packages in as soon as possible. Sergeant Harrell reminded residents about the winter parking ban and to move their cars off the streets. The deputies do not like giving citations and want to make it easy for Public Works to do their jobs safely and effectively. Sergeant Harrell stated that Chief Wiley is not here tonight but reminded residents to shovel fire hydrants out when it snows. Mayor Elliott asked Sergeant Harrell to review the parking restrictions. Sergeant Harrell stated there is no parking on public streets between 2:00 a.m. and 7:00 a.m. from November 1<sup>st</sup> to April 1<sup>st</sup>. There is also no parking on the streets if the snow is over two inches and anytime a snow emergency is declared.

**8. FIRE CHIEF'S REPORT**

No formal report.

**9. ENGINEER'S REPORT**

**A. MOU- Underground BMP SWWD**

City Engineer Jon Herdegen stated we have a Memorandum of Understanding (MOU) with South Washington Watershed District (SWWD) to contribute funds to their stormwater BMP (best management practice). They are bidding for a project to be constructed next year for a vortex grit chamber to remove sediment from the storm water before reaching the Mississippi River, which will be constructed on 16<sup>th</sup> and Cedar. This agreement goes back to another MOU that the City and SWWD executed following the approval of the new City Hall building. One of SWWD requirements is limiting the total amount of phosphorus that discharges from a newly developed site. That requirement was difficult to reach since we have high bedrock. SWWD said we could use an alternative compliance schedule and set aside money to build another BMP within the drainage area to satisfy that requirement and were given 10 years to comply. We had originally planned to do a pond in one of our rights-of-way's before reaching the Mississippi River. Throughout the process of their design for their new BMP on 16<sup>th</sup> and Cedar they asked if would consider contributing to their project which will remove phosphorus and our contribution could help buy down that cost for them. The agreement is to also contribute the funds that Wilson Trucking Lines had set aside in escrow because they were having a challenging time meeting that same requirement. The MOU is for the city to contribute \$5,700 and allocate the \$22,440 from Wilson Trucking for a total amount of \$28,140. Engineer Herdegen stated their attorney still needs to review, but he is looking for approval from Council.

Member Chapdelaine motioned to approve the Memorandum of Understanding between the Cities of Newport and the South Washington Watershed District pending Legal Review. Seconded by Member Ingemann. Approved 5-0.



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

Superintendent of Public Works Matt Yokiell thanked Sergeant Harrell for reminding residents about snow emergencies and stated those are automatically enacted at two inches of snow. Superintendent Yokiell stated they are still working on the library windows and expect the windows to be completed by the end of the year. There will be painting and trim to finish when the weather is warmer. Superintendent Yokiell stated as early as next week contractors plan to start removing ash trees that are infected with emerald ash borer using a grant that was secured through the DNR. These are for trees in the rights-of-way and parks. If they are in front of a resident's house, they will try and knock first and/or leave a letter. In the spring they will replant trees in place of the ones removed and residents should call Public Works with any questions. Superintendent Yokiell stated they saw a VAC truck like the one they will be receiving this year. This will be an excellent improvement for maintaining our sewer systems. Mayor Elliott reminded folks this is a partnership with St. Paul Park and the Watershed District for a half million-dollar piece of equipment. Newport and St. Paul Park are each putting in about \$100,000 and the Watershed is paying the rest. Newport will be using our American Recovery Act Funds to pay for this.

## **11. ADMINISTRATION REPORT**

### **A. Public Hearing- Truth-In-Taxation (6:00 p.m.)**

City Administrator Joe Hatch presented to Council on the proposed 2023 property tax levy and budget. This year we had another decrease in local government aid which had a significant impact on our levy and property taxes for our residents. The general fund budget breakdown is 35% for police & fire, 16% for streets, 15% for parks & recreation, 33% general government, and 1% contingency. Fiscal disparities will increase by \$12,053 in 2023. Newport has a great bond rating of AA stable from Standard & Poor's. Our fund balance as a percent of expenditures is 61.6%, which is exceptionally good as our goal is to have our fund balance at 50%. The proposed levy for 2023 is 7.11%. The tax impact on a median valued home of \$282,000 is \$120.38 per year or \$10.03 per month. Mayor Elliott stated this is a higher percentage than Council would like and if the LGA had come through we would be looking at less than a four percent levy increase.

Mayor Elliott opened the Truth in Taxation public hearing at 6:23 p.m. on December 1, 2022.

Pauline Schottmuller, residing at 97 10<sup>th</sup> Street, addressed the Council. Ms. Schottmuller stated she appreciated the mayor meeting with Matt Klein and Rick Hansen to discuss the LGA because they had a record state surplus. Ms. Schottmuller inquired if the city's high fund balance could be a reason we do not get as much LGA. Mayor Elliott does not believe so as Senator Biggam had within the bill for us to not only maintain our 2022 LGA amount, but to have an inflationary adjustment of \$30,000, for a total of \$105,000. Unfortunately, that bill did not get approved. Ms. Schottmuller stated her property taxes go up each year and it has become unsustainable in her budget. Last year she had to budget \$500 per month to pay her tax bill, and this year she will have to budget about \$550 per month. Ms. Schottmuller stated there is so many important things the city is doing, but she does not think it is enough for what she is paying. Ms. Schottmuller wants her neighborhood to look descent and inquired if we are moving to West St. Paul for code enforcement. Administrator Hatch stated we signed a contract with West St. Paul for building inspections, code enforcement, and rental inspections that will be effective on January 1<sup>st</sup>. Ms. Schottmuller stated we need economic development, and we need a City Administrator who is well versed in economic development because we do a poor job and have had too many missed opportunities, such as the Kwik Trip. Ms. Schottmuller stated we need to do a better job communicating what is going on in the city. The city is doing excellent work, and she hopes we will get it out there with public engagement and transparency. Mayor Elliott clarified that the \$550 a month Ms. Schottmuller mentioned is not just the city taxes, as it is her total property tax bill between the various taxing jurisdictions. The city portion will be less than what is listed on the proposed tax notification after the final levy is voted on December 15<sup>th</sup>.

Administrative Hatch stated he appreciated Ms. Schottmuller's comments and understands the importance of community and the priorities from the Council.

Bill Sumner, residing at 737 21<sup>st</sup> Street, addressed the Council. Mr. Sumner stated as a Council member elect, he will inherit a budget that he cannot personally vote on and anytime there is an increase it will impact every one of us. Mr. Sumner loves Newport and will continue to be involved because of his desire to make this a terrific place to live. He thanked Council for the work they have done and looks forward to making sure every dollar is spent effectively, reasonably, and correctly. Mr. Sumner feels it is important to be involved with our legislators because that is where the money allocated to correcting the big problems in Newport will need to come from. He thanked Member Taylor for leading a strong initiative to let the communities know how much Newport Elementary means to us. Mr. Sumner stated every person in Newport has the option to come to any meeting as they are not closed or restricted. There is unfortunately a lack of interest to physically participate but encouraged residents to get involved and make their concerns and suggestions available to Council.

Mayor Elliott closed the Truth in Taxation public hearing at 6:51 p.m. on December 1, 2022.

Mayor Elliott stated we have the great fortune of representative Hansen as he is one of the most well-versed representatives at the state understanding I/I issues specifically as it relates to Newport. He has been pushing to get state funding to deal with these large I/I issues.

**B. Resolution No 2022-46- Assessment of Delinquent Accounts**

Administrator Hatch stated we have a Resolution directing the City Administrator to certify unpaid water, sanitary sewer, storm sewer, and street lighting charges to the County to be collected with other taxes on these properties. There is an attachment in the packet that lists out the accounts and the balances that the city would be assessing.

Member Chapdelaine motioned to adopt Resolution No. 2022-46 – Assessment of Delinquent Accounts. Seconded by Member Taylor. Approved 5-0.

Administrator Hatch stated Newport's staff met with the City of West St. Paul yesterday as they will be taking over our inspection services. They discussed building inspections, code enforcement, and rental inspections. Administrator Hatch feels this will be a great partnership with West St. Paul. Administrator Hatch stated that yesterday he attended his first Washington County Administrators meeting where he got to meet several administrators from surrounding cities. They talked about their levies and their TNT hearings. Administrator Hatch stated he was invited to the Public Works building and had lunch with the staff. He feels it went very well and stated we have a talented group of workers and thanked them for welcoming him.

**12. MAYOR AND COUNCIL REPORTS**

Mayor Elliott stated earlier this week she along with Member Chapdelaine and Administrator Hatch met with the new legislators. Newport has a new state senator, a new state representative, and a new federal representative. Senator Karla Bigham participated in this meeting to help with the transition, and ensure the new representatives understand Newport's issues. They discussed legislative priorities, with the top priority being our I/I issue. There were two bills introduced last year with one bill over six million dollars and the other bill over five million dollars. Mayor Elliott is very hopeful these legislators will push hard for funding for Newport. They also discussed our loss of approximately \$75,000 in local government aid and how that effects our budget. Mayor Elliott stated the Woodbury Park and Rec catalog came out and reminded residents they can participate in these recreation programs at the Woodbury resident rates.

Member Johnson welcomed a new volunteer to the library, Stephanie. On December 10<sup>th</sup> from 1:00 p.m. to 4:00 p.m. there is a winter market and holiday gathering at the library. There will be at least four vendors and entertainment throughout the event. On December 19<sup>th</sup> through December 22<sup>nd</sup> there is a holiday ornament craft you can make at the library. If you are interested in volunteering at the library, they are looking for help with peer tutoring which is now done by appointment. Thanks to Sara-Marie's family and the Rahm family for helping with peer tutoring.

Member Taylor stated the Steve Cozad Memorial Food and Toy Drive is ongoing with collections at the Cloverleaf Bar and the North Pole. On Sunday, December 4<sup>th</sup> the Fire Department will be at the Newport Center from 10:00 a.m. to 1:00 p.m. taking donations as well as checks made out to the Friends in Need Food Shelf. Member Taylor stated Steve Cozad started this food and toy drive in 1999 and passed away in 2017. Mr. Cozad was truly kind and soft-spoken, and this event was near and dear to him. The Newport Fire Department wants to carry this tradition forward.

### **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 6:56 p.m. on December 1, 2022.

Respectfully Submitted:  
Jill Thiesfeld,  
Administrative Assistant II

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



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## **COUNCIL WORKSHOP MINUTES December 1, 2022**

### **1. CALL TO ORDER**

Mayor Elliott called the City Council Workshop to order at 7:12 p.m. on December 1, 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. SANITARY SEWER CAPACITY**

City Engineer Jon Herdegen stated the packet contains a copy of the Sanitary Sewer Capacity study. This was prepared by MSA and paid for by a developer looking at a potential development north of Bailey Road. The potential development spans Newport, Woodbury, and Maplewood. The city wants to make sure we can supply facilities to future developments as we know our infrastructure is stressed at certain points. The goal is to identify our capacity limitations and where they overlap with our I/I issues. The city has several city-owned lift stations pumping sanitary flows to the trunkline in locations where it does not allow for gravity flow. Engineer Herdegen pointed out an area on the map between 17<sup>th</sup> Street and 15<sup>th</sup> Street where our system does not have extra capacity.

Mayor Elliott stated she hopes our bonding bills get approved, because they can help fund these projects.

### **4. FUTURE MEETING AGENDA ITEMS**

Mayor Elliott stated future meeting agenda items include the 2023 levy and budget, resolutions in support of funds from the state for our priority one and priority two projects, and discussions for zoning and economic development.

### **5. ADJOURNMENT**

Mayor Elliott adjourned the City Council Workshop at 7:53 p.m. on December 1, 2022.

Respectfully submitted:  
Jill Thiesfeld,  
Administrative Assistant II

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

City of Newport, MN  
Resolution No. 2023-01  
Designating an Official Depository of City Funds

**WHEREAS,** The council of any statutory city or of any city of the fourth class shall designate as a depository of city funds such national, state, or private banks as it may deem proper, and

**WHEREAS,** The City of Newport is a statutory, fourth class city as designated by law, and

**WHEREAS,** MidwestOne Bank, a corporation, is located in South Saint Paul, and is insured by an agency of the federal government (FDIC), and

**WHEREAS,** this designation is contingent upon MidwestOne Bank providing pledged securities and collateral to provide safety to all deposits as has been done in the past, and

**NOW, THEREFORE, BE IT RESOLVED,** that the City Council of Newport hereby designates MidwestOne Bank as its official depository, for city funds, for the year 2023, and

**BE IT FURTHER RESOLVED,** that the authorized persons to receive account information only are as follows:

Travis Brierley, Assistant to the City Administrator  
Deborah Schulz, Accountant  
Jill Thiesfeld, Administrative Assistant II

**BE IT FURTHER RESOLVED,** that the authorized signatures are as follows:

Laurie Elliott, Mayor  
Kevin Chapdelaine, Acting Mayor  
Joe Hatch, City Administrator

Adopted this 5<sup>th</sup> day of January, 2023 by the Newport City Council.

VOTE:	Elliott	_____
	Chapdelaine	_____
	Ingemann	_____
	Taylor	_____
	Sumner	_____

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

Attest: \_\_\_\_\_  
Joe Hatch, City Administrator

City of Newport, MN  
Resolution No. 2023-02

Designating an Official Bank Holding the Official City Safety Deposit Box

**WHEREAS,** The City of Newport has a need for a safety deposit box, and

**WHEREAS,** Old National Bank in West Saint Paul, MN currently houses the City of Newport a safety deposit box, and

**NOW, THEREFORE, BE IT RESOLVED,** that the City Council of Newport hereby designates Anchor Bank as the location for the City of Newport's safety deposit box, for the year 2023.

**BE IT FURTHER RESOLVED,** that the authorized signatures are as follows:

Laurie Elliott, Mayor  
Kevin Chapdelaine, Acting Mayor  
Joe Hatch, City Administrator

Adopted this 5<sup>th</sup> day of January, 2023 by the Newport City Council.

VOTE:	Elliott	_____
	Chapdelaine	_____
	Ingemann	_____
	Taylor	_____
	Sumner	_____

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

Attest: \_\_\_\_\_  
Joe Hatch, City Administrator

City of Newport, MN  
Resolution No. 2023-03

Designating an Official Newspaper to Publish Ordinances and Other Matter as  
Required by Law

**WHEREAS**, Minnesota State Statute 412.831, “an act,” requires statutory cities to designate a newspaper of general circulation as its official newspaper in which the city will publish ordinances and other matters as required by law, and

**WHEREAS**, The City of Newport is a statutory city, and

**WHEREAS**, The Pioneer Press is a newspaper of general circulation, and

**WHEREAS**, The Pioneer Press is generally circulated within the corporate limits of the City of Newport, and

**WHEREAS**, The City of Newport, has used the Pioneer Press as its official newspaper in the past, and

**WHEREAS**, The City of Newport will use the Pioneer Press as its official newspaper.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of Newport hereby designates the Pioneer Press as its official newspaper to publish ordinances and other matters as required by law, for the year 2023.

Adopted this 5<sup>th</sup> day of January, 2023 by the Newport City Council.

VOTE:	Elliott	_____
	Chapdelaine	_____
	Ingemann	_____
	Taylor	_____
	Sumner	_____

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

Attest: \_\_\_\_\_  
Joe Hatch, City Administrator



CITY OF NEWPORT

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## MEMO

TO: Mayor and Council  
FROM: Travis Brierley, Assistant to the City Administrator  
DATE: December 29, 2022 – for City Council Jan 5, 2023  
SUBJECT: 2023 Fee Schedule

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### Background

The annual fee schedule is presented for consideration at the 1<sup>st</sup> City Council meeting of the year. Throughout the year changes can be presented back to the City Council for consideration.

### Discussion

Staff have reviewed the fees charged in 2022 and are proposing increases and changes (in yellow) of the following items:

- After hours Public Works fees for turning water on and off. Increased to \$150
- Addition of a Back Hoe fee of \$150 per hour
- Addition of a Vactor Truck fee is \$250 per hour
  - Any usage of Public Works equipment is for non-standard/emergency services and only Public Works staff is authorized to use
- Materials Used fee of 125% of cost
  - This is if dirt, seed, pavement, etc. materials are required for non-standard/emergency services
- Late Fee on for non-utility billings of 1.5% after 30 days
- Use of City Hall fees and restrictions updated. To include:
  - Restrictions to time, availability, and fees
- Sewer and water fees to match Resolution No 2023-05- Utility Rates
- Electrical Fees updated to align with West Saint Paul as approved by Electrical Inspector

### Recommendation

Staff recommends the City Council approve the 2023 fee schedule as presented.



City of Newport, MN  
Resolution No. 2023-04  
A Resolution Approving The 2023 City Fee Schedule

**WHEREAS**, the City Council of Newport annually establishes and approves a fee schedule for services rendered by the City; and

**WHEREAS**, the City Fee Schedule undergoes annual review, revisions, and updates, and

**NOW, THEREFORE, BE IT RESOLVED**, that the Newport City Council hereby approves the City Fee Schedule effective January 6, 2023.

Adopted this 5<sup>th</sup> day of January, 2023 by the Newport City Council.

VOTE:	Elliott	_____
	Chapdelaine	_____
	Ingemann	_____
	Taylor	_____
	Sumner	_____

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

Attest: \_\_\_\_\_  
Joe Hatch, City Administrator

**CITY OF NEWPORT  
2023 FEE SCHEDULE**

Effective January 6, 2023

**1. LIQUOR**

On-sale	\$	2,500.00	
Off-sale	\$	240.00	
Sunday on-sale	\$	200.00	
On-sale wine	\$	1,250.00	
3.2 On-sale	\$	100.00	
3.2 One Day	\$	25.00	
3.2 Off-sale	\$	30.00	
Brewer Taproom	\$	200.00	
On-Sale Brew Pub	\$	200.00	
Off-Sale Brew Pub	\$	200.00	
Park Permit (Non-intoxicating)	\$	50.00	
Park Maintenance Deposit Less than 25 People Attending	\$	100.00	
Park Maintenance Deposit More than 25 People Attending	\$	150.00	
1 - 4 Day Temporary On-sale	\$	50.00	per day
Investigation Fee for In-State		Actual Cost, Not to Exceed \$500	
Investigation Fee for Out-State		Actual Cost, Not to Exceed \$10,000	

**2. BUSINESS**

Rubbish Haulers	\$	300.00	
Commercial Contractors - not licensed with the State	\$	50.00	
Seasonal			
Farmer's Market	\$	75.00	
Christmas Trees	\$	75.00	
Fireworks	\$	350.00	
Incidental Fireworks	\$	50.00	
Billboard	\$	100.00	
Tobacco	\$	250.00	
Games of Skill	\$	50.00	per game
Solicitors (per day)	\$	50.00	
Solicitors (per year)	\$	300.00	
Transient Merchant (per day)	\$	100.00	
Transient Merchant (per year)	\$	300.00	
Peddler / Hawker (per day)	\$	50.00	
Peddler / Hawker (per year)	\$	250.00	
Investigation Fee for Solicitors, Transient Merchants, Peddlers, Hawkers, and Massage Therapists	\$	50.00	
Whether or not permit is issued, this fee is not refundable.			
Pawn Shop License	\$	10,000.00	
Investigation Fee for Pawn Shop	\$	750.00	
\$500 will be refunded if total investigation is within MN.			
Monthly Transaction Fee for Pawn Shops	\$	1.50	per transaction
Reporting Failure Penalty for Pawn Shops	\$	2.50	per transaction
Massage Therapy Businesses			
Application Fee	\$	300.00	
Investigation Fee	\$	300.00	
Additional Owner/New Officer	\$	300.00	
Change in On-Site Manager	\$	100.00	
Amendment to License	\$	75.00	
Massage Therapists			
New Application Fee	\$	100.00	
Renewal Application Fee	\$	75.00	

### 3. ANIMAL CONTROL

Dog License	\$	10.00
Dog License after Jan. 31st	\$	20.00
Chicken Permit	\$	25.00
Farm Animal Permit	\$	25.00
Special Animal Permit	\$	25.00
Kennel Permit (4 or more dogs / cats)	\$	50.00
Domestic Boarding		actual cost
Domestic Disposal		actual cost
Farm Animal Impound		actual cost
Farm Animal Boarding		actual cost
Farm Animal Disposal		actual cost

### 4. BUILDING PERMIT

	Min \$20.50; 65% of 68% of Maximum Permit Fee for	
Plan Review Fee	Maximum Permit Fee	Permits Not Issued
Business Sign (Temporary Banner, etc.)	\$ 10.00	per sign request
Business Sign (Permanent)	based on value	
Residential Fence	\$ 15.00	
Fireplace (Wood Burning)	based on value	
Fireplace (Gas)	\$ 50.00	
Swimming Pool	based on value	
Storage Shed Under 200 Square Feet	\$ 75.00	
Storage Shed Over 200 Square Feet	based on value	
Residing (Residential)	\$ 65.00	
Reroofing (Residential)	\$ 65.00	
Commercial Fencing	based on value	
Commercial Slab	based on value	
Demolition (Residential)	\$ 100.00	
Demolition (Commercial)	\$ 150.00	
Commercial Roofing		
	based on value minus	
	the plan review	
Commercial Siding		
	based on value minus	
	the plan review	
Retaining Wall Over 4' (Residential)	based on value	
Retaining Wall Over 4' (Commercial)	based on value	
Replacing Windows (Residential)	\$ 65.00	
Replacing Windows (Commercial)		
	based on value minus	
	the plan review	
New Windows (Residential and Commercial)	based on value	
Moving House / Building	\$ 300.00	
Residential Driveway	\$ 15.00	
Commercial Paving / Parking Lot Repair	based on value	
State Surcharge for Fixed Fee Permits	\$ 1.00	
State Surcharge for Value Based Permits	based on value	
Building Without Permit	double fee	
Additional Certificate of Survey Reviews (more than 2 reviews)	\$ 100.00	
Additional Top-of-Block/Grading Verifications	At Cost	
Fire Inspection Permit	\$ 50.00	
Engineering Reinspection	\$ 300.00	
Rental Registration Fee	\$ 50.00	per building
Each Additional Unit	\$ 12.00	each additional unit
Rental Reinspection	\$ 50.00	per reinspection
Certificate of Occupancy	\$ 50.00	
Vacant Building Registration		
Residential - First Year	\$ 1,000.00	
Residential - Second Year	\$ 2,000.00	
Commercial - First Year	\$ 1,500.00	
Commercial - Second Year	\$ 3,000.00	

**5. MECHANICAL**

New Home	\$	150.00	
Air Conditioner	\$	50.00	
Furnace (Up to 100,000 BTU's)	\$	50.00	
Residential:			
Each additional 100,000 BTU's	\$	15.00	
Commercial:			
General Mechanical Permit			based on valuation
State Surcharge for Fixed Fee Permits	\$	1.00	
State Surcharge for Value Based Permits			based on value

**6. PLUMBING**

Residential:			
Permit Base Fee	\$	50.00	
Per Opening	\$	15.00	
Commercial:			
Minimum or as set by City Administrator			based on value
Per Opening			based on value
Water Heater Replacement or New	\$	65.00	
Water Softener Replacement or New	\$	65.00	
Sprinkling System			based on value
Must be reviewed by State Fire Marshal			
State Surcharge for Fixed Fee Permits	\$	1.00	
State Surcharge for Value Based Permits			based on value

**7. ELECTRICAL - SEE ATTACHED FEE SCHEDULE FOR RATES****8. UTILITY - SEE ATTACHED FEE SCHEDULE FOR RATES**

Late Fee for Utility Bill		10%	
Certification of Delinquent Utilities Fee	\$	25.00	plus 18% interest
Normal Working Hours			
Water On	\$	50.00	
Water Off	\$	50.00	
After Normal Working Hours (OT)			
Water On	\$	150.00	
Water Off	\$	150.00	
Final Meter Read	\$	25.00	
Fire Flow Test	\$	100.00	

**9. WATER PERMIT**

Hook-Up	\$	100.00	
Water Disconnect	\$	100.00	
State Surcharge for Fixed Fee Permits	\$	1.00	

**10. WATER TAPPING**

1" - 1 1/2" line	\$	400.00	
2" line and over			time & material

**11. SEWER PERMIT**

4" line hook-up	\$	100.00	
Sewer Disconnect	\$	100.00	
State Surcharge for Fixed Fee Permits	\$	1.00	

<b>12. HYDRANT USE / HOOK-UP</b>	\$	50.00	
Plus water usage at \$.01 / gal			
<b>13. WATER METER TESTING</b>			
2" or less	\$	75.00	
2" or more	\$	75.00	
<b>14. WATER METER RENTAL PER DAY</b>	\$	10.00	
1" with hydrant adapter (deposit)	\$	350.00	
2 1/2" with hydrant adapter (deposit)	\$	550.00	
<b>15. WATER SALES TAX</b>		7.1250%	
<b>16. SEWER AND WATER MAIN TRUNK</b>			
Single Family	\$	1,750.00	each
Multi-Family (1-4 Units per acre) per Dwelling Unit	\$	900.00	each
Multi-Family (4-8 Units per acre) per Dwelling Unit	\$	640.00	each
Multi-Family (8+ Units per acre) per Dwelling Unit	\$	490.00	each
Commercial/Industrial	\$	4,360.00	per acre
<b>17. Non-Resident Sewer and Water Main Trunk</b>			
Connection on Existing Trunk Line >10 years old			
Water Connection	\$	1,500.00	per MET-C SAC rate
Sewer Connection	\$	1,500.00	per MET-C SAC rate
Connection on Existing Trunk Line <10 years old			
Water Connection	\$	5,000.00	per MET-C SAC rate
Sewer Connection	\$	5,000.00	per MET-C SAC rate
<b>18. CITY ACCESS FEE (WAC)</b>			
Single Family	\$	1,050.00	per MET-C SAC rate
Multi-Family	\$	1,050.00	per MET-C SAC rate
Commercial/Industrial	\$	1,050.00	per MET-C SAC rate
Outside City Limit Connections	\$	1,050.00	per MET-C SAC rate
<b>19. CITY SEWER ACCESS FEE (SAC)</b>			
Single Family	\$	1,050.00	per MET-C SAC rate
Multi-Family	\$	1,050.00	per MET-C SAC rate
Commercial/Industrial	\$	1,050.00	per MET-C SAC rate
Outside City Limit Connections	\$	1,050.00	per MET-C SAC rate
<b>20. RIGHT-OF-WAY PERMITS</b>			
General ROW Permit (up to 100 feet)	\$	100.00	
Fee per Additional 100 feet	\$	30.00	
Work without Permit		Double Fee	
<b>21. PUBLIC WORKS MAINTENANCE DEPARTMENT</b>			
Truck use (pick-up)	\$	40.00	per hour
Other vehicle use per hour	\$	75.00	per hour
Single axle dump truck	\$	150.00	per hour
Tandem axle dump truck	\$	200.00	per hour
Front end loader	\$	150.00	per hour
Back hoe	\$	150.00	per hour
Vactor truck	\$	250.00	per hour
Materials used		125%	In-Addition to Vehicle Charges
Labor		150%	

**22. ADMINISTRATION**

Election Filing	\$	2.00	
Assessment Search	\$	25.00	
Searches may be requested in writing or oral. A fee is established 336A.09 MN Statutes 2008			
Comprehensive Land Use Plan	\$	50.00	
City Code of Ordinances	\$	100.00	
Zoning Ordinance	\$	50.00	
Large Zoning Map	\$	5.00	
Ortho Photomap			City cost at 125%
Copies per page	\$	0.25	
Public Data Requests Less Than 100 Pages	\$	0.25	
			Based on cost of
Public Data Requests 100 Pages or More			staff's time
Fax Transmissions	\$	3.00	
Each additional page	\$	1.00	
Compost brush per cubic yard	\$	5.00	
Leaves and grass clippings per load	\$	5.00	
Rental of Railroad Building per day	\$	1.00	
Non-Sufficient Funds (NSF) Checks	\$	30.00	
Non-Resident Park Reservation Fee	\$	50.00	
Ordinance Compliance Reinspection Fail Administrative Citation Fee	\$	100.00	
Late Fee; Non-Utility		1.50%	30-Days From Invoice Date

**23. USE OF CITY HALL**

Training Room (4 hours max)	\$	150.00	M-TH 8am-5pm
City Council Chambers (4 hours max)	\$	200.00	M-TH 8am-5pm
City Council Chambers (non-profits and community engagement)		No Charge	As Approved By Council
Small Conference Room (2 hours max)	\$	75.00	M-TH 8am-5pm
Large Conference Room (2 hours max)	\$	125.00	M-TH 8am-5pm
Charging of PHEVs	\$	1.00	per day

**24. USE OF LIBRARY AND COMMUNITY CENTER**

\$	35.00	per day
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**25. LIBRARY AND COMMUNITY CENTER**

Copies/Printing	\$	0.25	per page
Fax Transmissions	\$	3.00	first page
Each additional page	\$	1.00	
Library Card Replacement	\$	1.00	
Headphones			Actual Cost
Paperback Books for Sale	\$	0.50	
Hardcover Books for Sale	\$	1.00	
VHS'/DVDs/Cds for Sale	\$	2.00	
Lamination Services			
4 x 6"	\$	0.50	per sheet
5 x 7"	\$	1.00	per sheet
8 x 10"	\$	2.00	per sheet

**26. PLANNING & ZONING**

Rezoning	\$	500.00	plus escrow
Street / Alley Vacation	\$	350.00	plus escrow
Variance	\$	300.00	plus escrow
Building Without Variance		Double Fee	
Conditional Use/Interim Use Permit			
Residential	\$	300.00	plus escrow
Commercial	\$	450.00	plus escrow
Special Meeting	\$	200.00	plus escrow
Certificate of Compliance (Home Occupation)	\$	150.00	
Home Occupation annual renewal	\$	25.00	
Comprehensive Guide Plan	\$	500.00	plus escrow
Minor Subdivision/Lot Combination	\$	300.00	plus escrow
Major Subdivision Preliminary Plat	\$	500.00	plus escrow
Plus per lot	\$	50.00	
Final Plat	\$	200.00	
Park Dedication Fees			
Residential Single Family Land Dedication		10% of land	
Residential Multi-Family Land Dedication (5-9 Units per Acre)		13% of land	
Residential Multi-Family Land Dedication (10-19 Units per Acre)		15% of land	
Residential Multi-Family Land Dedication (Over 20 Units per Acre)		18% of land	
Residential Single Family (in lieu of land dedication)	\$	3,400.00	per dwelling unit
Residential Multi-Family (in lieu of land dedication)	\$	2,550.00	per dwelling unit
Commercial / Industrial (in lieu of land dedication)	\$	6,000.00	per acre
Escrow Fees			
Rezoning	\$	500.00	
Street/Alley Vacation	\$	1,000.00	
Residential Variance	\$	500.00	
Commercial Variance	\$	1,000.00	
Residential Conditional Use/Interim Use Permit	\$	750.00	
Commercial Conditional Use/Interim Use Permit	\$	1,000.00	
Preliminary Plat Under 10 Acres	\$	3,500.00	
Preliminary Plat Over 10 Acres	\$	6,500.00	
Fees for Residential Minor Subdivision, Major Subdivision, Site Plan Review, Final Plat and Planned Unit Development			
8 Units or Less	\$	2,000.00	
9 to 40 Units	\$	3,200.00	
41 Units or More	\$	4,500.00	
Fees for Commercial Minor Subdivision, Major Subdivision, Site Plan Review, Final Plat and Planned Unit Development			
0 to 5,000 sq ft building	\$	2,000.00	
5,001 to 10,000 sq ft building	\$	3,000.00	
10,001 to 50,000 sq ft building	\$	3,750.00	
50,000 plus sq ft building	\$	4,500.00	

**27. WATER****Flat Rates**

Residential	\$	31.04	
Multi-Family	\$	23.28	per unit
Senior	\$	31.04	
Commercial	\$	50.89	

**Usage Rages****Residential and Multi-Family**

0-8,000 Gallons	\$	2.55	per 1,000 gallons used
8,001-20,000 Gallons	\$	3.18	per 1,000 gallons used
Over 20,000 Gallons	\$	4.45	per 1,000 gallons used

**Senior**

0-8,000 Gallons		\$0.00	per 1,000 gallons used
8,001-20,000 Gallons	\$	3.18	per 1,000 gallons used
Over 20,000 Gallons	\$	4.45	per 1,000 gallons used

**Commercial**

0-30,000 Gallons	\$	2.55	per 1,000 gallons used
8,001-20,000 Gallons	\$	3.18	per 1,000 gallons used
Over 20,000 Gallons	\$	4.29	per 1,000 gallons used

**28. SEWER AND MWCC****Flat Rates**

Residential	\$	27.19	
Multi-Family	\$	20.40	
Commerical	\$	27.19	

**Usage Rates (Includes MET-C)**

Sewer Only	\$	7.10	per 1,000 gallons used
Residential, Multi-Family and Commercial	\$	7.10	per 1,000 gallons used

<b>STORM WATER</b>	\$	16.91	per REU per quarter
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<b>RESIDENTIAL STREET LIGHT</b>	\$	9.25	per quarter
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<b>MULTI-FAMILY STREET LIGHT</b>	\$	67.10	per quarter
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<b>COMMERCIAL STREET LIGHT</b>	\$	111.76	per quarter
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## CITY OF NEWPORT

## 2023 ELECTRICAL PERMIT FEE SCHEDULE

Reconnect Existing Feeder/Circuits (panel board replacements)	\$100
Service/Power Supply 0-400 Amp	\$70
Service/Power Supply 401-800 Amp	\$140
Service/Power Supply Over 800 Amp	\$200
(Over 250 Volts) Service/Power Supply 0-400 Amp	\$140
(Over 250 Volts) Service/Power Supply 401-800 Amp	\$280
(Over 250 Volts) Service/Power Supply Over 800 Amp	\$400
Circuits Under 200 Amp	\$12
Circuits Above 200 Amp	\$30
(Over 250 Volts) Circuits Under 200 Amp	\$24
(Over 250 Volts) Circuits Above 200 Amp	\$60
New Single-Family Dwelling (0-25 circuits)	\$175
New Multi Family Dwelling	\$80
Existing Single Family Dwelling (0-14 Ckts) Per ckt	\$12
Existing Single Family Dwelling (15ckts )	\$100
Retrofit of Existing Lighting Fixtures	0.25 Per fixture
Separate Bonding Inspection	\$40
Technology Circuits & Circuits less than 50 Volts	\$0.75 per device
Manufactured Home Park Lot Supply	\$40
RV Pedestals (all circuits originating in pedestal including factory circuits)	\$12
Street, Parking & Outdoor Lighting Standards	\$5
Transformers for Light, Heat & Power (0-10 KVA)	\$20
Transformers for Light, Heat & Power (Over 10 KVA)	\$40
Carnivals, Fairs, Transient Projects: Min + Power Supplies & Units	\$174
Commercial Remodel – 2 Inspections	\$80
Commercial Remodel with Ceiling – 3 Inspections	\$120
Pools	\$80
License Verification Fee	\$5
State Surcharge	\$1
<b>Solar Fees (Electrical Only)</b>	
0 watts to and including 5,000 watts	\$90
5,001 watts to and including 10,000 watts	\$150
10,001 watts to and including 20,000 watts	\$225
20,001 watts to and including 30,000 watts	\$300
30,001 watts to and including 40,000 watts	\$375
40,001 watts to and including 1,000,000 watts, and \$25 for each additional	\$375
1,000,001 watts to 5,000,000 watts, \$15 for each additional 10,000	\$3,975
5,000,001 watts and larger , and \$10 for each additional 10,000 watts over	\$12,975

Total inspection fee is calculated using the above fee schedule or \$40.00 multiplied by the number of required inspection trips plus the fees for feeders, circuits, devices, apparatus, standards, transformers, or signals, whichever is greater.

City of Newport, MN  
Resolution No 2023-05

A Resolution Establishing Municipal Water, Sanitary Sewer, Street Lights,  
and Storm Sewer Rates For 2023-2025

**WHEREAS**, the City of Newport has reviewed projections of upcoming expenditures and income to both its Water and Sanitary Sewer Enterprise funds for 2023 and beyond; and

**WHEREAS**, the current Water and Sewer rates are adequate to meet operating expenses but not generating enough revenue to pay for depreciation, capital and bonds, and to maintain an adequate reserve; and

**WHEREAS**, the City of Newport bills on the calendar quarter,

**WHEREAS**, the City Council received a Rate Study report from the City Financial Advisor; and

**WHEREAS**, the Rate Study concluded that rates should be increased annually; and

**WHEREAS**, City Staff recommends the following rates as determined by the Rate Study effective January 1, 2023 through December 31, 2025:

**Municipal Water**

<u>Flat Rates</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>
Residential	\$ 28.15	\$ 29.56	\$ 31.04	\$ 32.59	\$ 34.22
Multi-Family	\$ 21.12	\$ 22.18	\$ 23.28	\$ 24.45	\$ 25.67
Senior	\$ 28.15	\$ 29.56	\$ 31.04	\$ 32.59	\$ 34.22
Commercial	\$ 46.16	\$ 48.47	\$ 50.89	\$ 53.44	\$ 56.11

<u>Usage Rate (Per 1,000 Gallons)</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>
Residential & Multi-Family					
0-8,000 Gallons	\$ 2.31	\$ 2.43	\$ 2.55	\$ 2.67	\$ 2.81
8,001-20,000 Gallons	\$ 2.88	\$ 3.02	\$ 3.18	\$ 3.33	\$ 3.50
20,001+ Gallons	\$ 4.04	\$ 4.24	\$ 4.45	\$ 4.68	\$ 4.91

Senior					
0-8,000 Gallons	\$ -	\$ -	\$ -	\$ -	\$ -
8,001-20,000 Gallons	\$ 2.88	\$ 3.02	\$ 3.18	\$ 3.33	\$ 3.50
20,001+ Gallons	\$ 4.04	\$ 4.24	\$ 4.45	\$ 4.68	\$ 4.91

Commercial					
0-8,000 Gallons	\$ 2.31	\$ 2.43	\$ 2.55	\$ 2.67	\$ 2.81
8,001-20,000 Gallons	\$ 2.88	\$ 3.02	\$ 3.18	\$ 3.33	\$ 3.50
20,001+ Gallons	\$ 3.89	\$ 4.08	\$ 4.29	\$ 4.50	\$ 4.73

**Sanitary Sewer & MWCC**

<u>Flat Rates</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>
Residential	\$ 24.66	\$ 25.89	\$ 27.19	\$ 28.55	\$ 29.97
Multi-Family	\$ 18.50	\$ 19.43	\$ 20.40	\$ 21.42	\$ 22.49
Senior	\$ 24.66	\$ 25.89	\$ 27.19	\$ 28.55	\$ 29.97
Commercial	\$ 27.19	\$ 28.55	\$ 29.98	\$ 31.48	\$ 33.05

Usage Rates (Includes MET-C)

Sewer Only	\$ 6.44	\$ 6.76	\$ 7.10	\$ 7.45	\$ 7.83
Residential, Multi-Family, & Commercial	\$ 6.44	\$ 6.76	\$ 7.10	\$ 7.45	\$ 7.83

**Street Lights**

<u>Flat Rates</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>
Residential	\$ 9.25	\$ 9.25	\$ 9.25	\$ 9.25	\$ 9.25
Multi-Family	\$ 67.10	\$ 67.10	\$ 67.10	\$ 67.10	\$ 67.10
Commercial	\$ 111.76	\$ 111.76	\$ 111.76	\$ 111.76	\$ 111.76

**Storm Sewer**

<u>Flat Rates</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>
Per REU	\$ 16.25	\$ 16.58	\$ 16.91	\$ 17.24	\$ 17.59

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Newport adopts the quarterly billing rates for Municipal Water, Sanitary Sewer, Street Lights, and Storm Sewer; and

**BE IT FURTHER RESOLVED**, that the City Council may change the any future rates by resolution.

Adopted this 5<sup>th</sup> day of January, 2023 by the Newport City Council.

VOTE: Elliott \_\_\_\_\_  
 Chapdelaine \_\_\_\_\_  
 Ingemann \_\_\_\_\_  
 Taylor \_\_\_\_\_  
 Sumner \_\_\_\_\_

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

Attest: \_\_\_\_\_  
 Joe Hatch, City Administrator

City of Newport, MN  
Resolution No. 2023-06  
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, pull-tabs, bingo, tipboards, and Paddlewheel gambling between February 12, 2023 and February 22, 2023, 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, between February 12, 2023 and February 22, 2023.

Adopted this 5<sup>th</sup> day of January, 2023 by the Newport City Council.

VOTE:	Elliott	_____
	Chapdelaine	_____
	Ingemann	_____
	Taylor	_____
	Sumner	_____

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

Attest: \_\_\_\_\_  
Joe Hatch, 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 Broadway Ave City: St Paul Park, MN Zip: 55071

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

Gambling Manager Name: 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 02 / 12 / 23 to 02 / 22 / 23

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's

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

- 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.

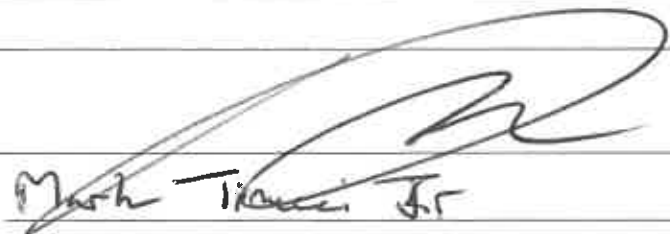
☒ **No** If no, the lease agreement below must be completed, and signed by the lessor.

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

Rent to be paid for the leased area: \$0 (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: 

Print Lessor's Name: Mark Tinucci Jr

Date: 12/20/22

**CONTINUE TO PAGE 2**

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

<b>CITY APPROVAL for a gambling premises located within city limits</b>	<b>COUNTY APPROVAL for a gambling premises located in a township</b>
City Name: _____	County Name: _____
Date Approved by City Council: _____	Date Approved by County Board: _____
Resolution Number: _____ (If none, attach meeting minutes.)	Resolution Number: _____ (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; text-align: center;"> <b>Local unit of government must sign.</b> </div>	<b>TOWNSHIP NAME:</b> _____  <b>Complete below only if required by the county.</b> 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.)  Print Township Name: _____  Signature of Township Officer: _____  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, MN  
Resolution No. 2023-08  
A Resolution Accepting Donations

**WHEREAS,** The City of Newport, Minnesota is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of recreational services pursuant to Minnesota Statutes Section 471.17; and

**WHEREAS,** The following persons and entities have offered to contribute the items set forth below to the City:

Individual/Business	Donated Item	Donated Amount
The Lolita M Johnson Trust Agreement	Cash	\$155

**WHEREAS,** The City Council finds that it is appropriate to accept the donations offered.

**NOW, THEREFORE, BE IT RESOLVED,** That the Newport City Council hereby accepts the above donations.

Adopted this 5<sup>th</sup> day of January, 2023 by the Newport City Council.

VOTE:	Elliott	_____
	Chapdelaine	_____
	Ingemann	_____
	Taylor	_____
	Sumner	_____

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

Attest: \_\_\_\_\_  
Joe Hatch, City Administrator



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

## 2023 ANNUAL APPOINTMENTS

1) ACTING MAYOR	Kevin Chapdelaine
2) CITY ADMINISTRATOR / CLERK / TREASURER	Joe Hatch
3) CITY ATTORNEY	Flaherty & Hood, P.A.
4) PROSECUTION SERVICES	Eckberg Lammers, P.C.
5) CITY AUDITOR	Jim Eichten (MMKR)
6) CITY ENGINEER	Jon Herdegen (MSA)
7) CITY HERITAGE PRESERVATION CONSULTANT	Robert Vogel
8) CITY PLANNING PROFESSIONAL	Nathan Fuerst (Bolton & Menk)
9) BUILDING INSPECTOR	City of West Saint Paul
10) PLUMBING/HEATING INSPECTOR	City of West Saint Paul
11) ELECTRICAL INSPECTOR	Pat McMullen
12) FIRE MARSHAL	Steven Wiley
13) WEED INSPECTOR	Laurie Elliott
14) ASST. WEED INSPECTOR	Matt Yokiel
15) EMERGENCY MANAGEMENT DIRECTOR	Steven Wiley
16) RESPONSIBLE AUTHORITY TO ADMINISTER REQUIREMENTS FOR COLLECTION, STORAGE, USE, AND DISSEMINATION OF DATA	Travis Brierley
17) COMMUNITY GARDEN VOLUNTEER MANAGER	Marge Meconis





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

## ANNUAL KENNEL LICENSE

Name: Bruce & Kay Buetow

Address: 1777 3rd Ave

Phone: 651-458-5610

Total Lot Size (Sq Ft): 120' x 130' - Fenced

Size of Kennel (Sq Ft): N/A

Type of Animal to be Kenneled: Dogs

Breed(s): Pryness, cavapoo, terrier, cockapoo

Maximum Adult Animals to be Kenneled: 4

Applicants Signature: Kay Buetow Bruce Buetow

Fee: \$50

Receipt #: 1324 Date: 12/27/20 Cash: \_\_\_\_\_ Check #: 7055

Approved by the Newport City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

This license is valid until December 31, 20\_\_.

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

\_\_\_\_\_  
Mayor

# Recurring

2079e	WEX HEALTH	29-Dec-22	\$24,800.00	Yearly employer HAS Contribution
2065e	UNITED STATES TREASURY	15-Dec-22	\$8,994.74	SS, Federal and Medicare
2066e	MN REVENUE	15-Dec-22	\$1,550.53	State taxes
2067e	MSRS	15-Dec-22	\$4,143.78	HCSP & voluntary retirement
2068e	WEX HEALTH	15-Dec-22	\$30.25	Monthly fee
2069e	WEX HEALTH	15-Dec-22	\$476.69	HSPA
2070e	COMCAST	21-Dec-22	\$461.92	Phone rental and service
2071e	HEALTHPARTNERS	21-Dec-22	\$5,506.52	Partial dental and medical insurance
2072e	UNUM	21-Dec-22	\$605.27	Long-term disability and life insurance
2073e	UNITED STATES TREASURY	29-Dec-22	\$9,131.47	SS, Federal & Medicare
2074e	MN REVENUE	29-Dec-22	\$1,580.46	State taxes
2075e	MN REVENUE	29-Dec-22	\$855.00	Water sales and use tax
2076e	MSRS	29-Dec-22	\$3,668.95	HCSP & voluntary retirement
2077e	WEX HEALTH	29-Dec-22	\$476.69	HSPA
2078e	EHLERS	29-Dec-22	\$1,000,000.00	Transfer for investment
25205	Cardmember Services	15-Dec-22	\$3,832.30	Credit card purchases
25206	CINTAS	15-Dec-22	\$509.76	Uniform cleaning
25207	INSTRUMENTAL RESEARCH, INC.	15-Dec-22	\$47.10	Water testing
25208	INTERNATIONAL UNION OF OP. ENC	15-Dec-22	\$210.00	Union dues
25209	JASON JOA	15-Dec-22	\$270.87	Insurance payout
25210	PERA	15-Dec-22	\$5,108.78	Retirement
25211	XCEL ENERGY	15-Dec-22	\$2,929.04	Natural gas and electricity
25212	H & U CONSTRUCTION	19-Dec-22	\$117,901.45	Pay application #23
25213	ANCHOR SOLAR INVESTMENTS, LLC	21-Dec-22	\$387.07	Solar leasing
25214	NCBERS GROUP LIFE INS.	21-Dec-22	\$16.00	Addt. Life insurance
25215	ANTHONY SEAR	21-Dec-22	\$984.26	Refund overpayment of water bill
25216	VERIZON	21-Dec-22	\$269.79	Cell phones and hot spots
25217	BRIDGET WOLFF	21-Dec-22	\$50.00	Toilet rebate
25218	BASIC NEEDS THRIFT SHOP	29-Dec-22	\$50.89	Lawful gambling donation
25219	CHERYL BOOTHROYD	29-Dec-22	\$174.44	Overpayment of water bill
25220	TRAVIS BRIERLEY	29-Dec-22	\$135.69	Mileage reimbursement
25221	FRIENDS IN NEED FOOD SHELF	29-Dec-22	\$50.89	Lawful gambling donation
25222	SARA-MARIE MALEWITZ	29-Dec-22	\$105.17	Library mileage and purchases for projects
25223	MARCO TECHNOLOGY LLC	29-Dec-22	\$268.70	Copier contract
25224	PERA	29-Dec-22	\$5,091.42	Retirement
25225	DEB SCHULZ	29-Dec-22	\$136.43	Mileage and purchase reimbursement
25226	DEAN SWEARINGEN	29-Dec-22	\$131.28	Uniform reimbursement
25227	JILL THIESFELD	29-Dec-22	\$48.13	Mileage reimbursement
25228	XCEL ENERGY	29-Dec-22	\$15,182.99	Natural gas and electricity
	Staff		\$43,746.85	
Non-recurring				
25229	A-1 HYDRAULIC SALES & SERVICE	05-Jan-23	\$297.45	Hydraulic hoses & fittings
25230	ATOMIC DATA, LLC	05-Jan-23	\$511.92	Addt. Cost for laptop
25231	BOLTON & MENK, INC.	05-Jan-23	\$2,110.00	City planning
25232	CARGILL INC.	05-Jan-23	\$10,823.81	Salt
25233	CORE & MAIN	05-Jan-23	\$2,844.00	Hydrant repair Hastings & 21st Street
25234	EHLERS	05-Jan-23	\$1,297,584.38	2014A, 2016A & B, 2018A & 2021A bond pay, interest & fiscal payments
25235	FAIR OFFICE WORLD	05-Jan-23	\$127.80	Office supplies
25236	FERGUSON WATERWORKS #2516	05-Jan-23	\$966.15	Water main tee's
25237	FIRE SAFETY USA, INC.	05-Jan-23	\$7,647.65	Tender 1 Tools and Equipment
25238	GRAINGER PARTS	05-Jan-23	\$97.14	Grease tubes
25239	GUARDIAN SUPPLY	05-Jan-23	\$1,037.78	Uniform Hively & Connolly
25240	HAWKINS	05-Jan-23	\$40.00	Chlorine cylinder
25241	HEALTHPARTNERS	05-Jan-23	\$770.00	Pre-Employment Exam-Hennagir
25242	LUBE TECH ESI	05-Jan-23	\$187.00	Grease
25243	MACQUEEN EMERGENCY	05-Jan-23	\$648.48	Oxygen sensors
25244	MCFOA	05-Jan-23	\$200.00	Membership dues
25245	MCMULLEN INSPECTIONS, INC.	05-Jan-23	\$5,353.53	Electrical inspections
25246	MENARDS - COTTAGE GROVE	05-Jan-23	\$241.86	Operating supplies
25247	MINUTEMAN PRESS	05-Jan-23	\$437.69	Return window envelopes
25248	MN DEPT OF LABOR AND INDUSTRY	05-Jan-23	\$30.00	Hydro tank
25249	NEWPORT POST OFFICE	05-Jan-23	\$275.00	USPS Marketing mail permit
25250	PIRTEK MIDWAY	05-Jan-23	\$982.21	Hydraulic hose for plow truck
25251	WASHINGTON CTY SHERIFF	05-Jan-23	\$456,561.31	2nd half 2022 contracted services
25252	CITY OF WOODBURY	05-Jan-23	\$145.00	Misc. charges for Woodbury recreation mailer
25253	ZEP SALES & SERVICE	05-Jan-23	\$166.11	Truck wash
			\$3,050,007.84	

Wiley	Amazon	Return-sign holder	\$ (16.99)	yes
	Amazon	Picture frames	\$ 107.90	yes
	Amazon	Picture frames	\$ 156.04	yes
	Office Depot	ID plates	\$ 92.70	yes
	The Bravest Decals	Labels and decals	\$ 191.83	yes
	Smartsigns	Cut letters	\$ 123.57	yes
	Amazon	Picture frames	\$ 203.68	yes
	Amazon	Badger holder	\$ 7.98	yes
	WPSG, Inc	Insulated rubber boot spacer	\$ 303.61	yes
Schulz	Target	Return-volunteer appreciation gift	\$ (48.29)	yes
	Amazon	Return-frame	\$ (31.16)	yes
	Kohls	Frames	\$ 21.45	yes
	Target	Open house water and misc	\$ 58.95	yes
	Subway	Insurance meeting	\$ 109.82	yes
	Sams Club	Open house cookies	\$ 96.06	yes
	Walmart	Hangers	\$ 14.95	yes
Brierley	Speedway	Employee appreciation	\$ 240.00	yes
	Hy-Vee	Coffee supplies	\$ 63.43	yes
	Best Buy	Two computer docking stations	\$ 229.98	yes
	Hy-Vee	Election-breakfast	\$ 40.24	yes
	Jimmy Johns	Election-lunch	\$ 100.87	yes
	Cub Foods	Election-food and drink	\$ 57.06	yes
	Caribou Coffee	Election-coffee	\$ 17.17	yes
	Adobe Acropro	Monthly Software charge	\$ 16.10	yes
	Micro Center	Universal power supply	\$ 529.97	yes
	Adobe Acropro	Monthly Software charge	\$ 16.10	yes
Yokiel	Dakota Supply Group	4 inch rubber gaskets	\$ 24.27	yes
Marson	Speedway	Petrol for public works truck	\$ 164.06	yes
	Office Depot	Ink	\$ 101.47	yes
	Adobe	Monthly Software charge	\$ 16.10	yes
	Duffys	LP gas	\$ 100.00	yes
	Duffys	LP gas	\$ 100.00	yes
	Under Armour	Uniform-Marson	\$ 156.00	yes
	South St. Paul Steel	Flat bars	\$ 69.50	yes
	Office Depot	Printer and ink	\$ 397.88	yes



# **City of Newport, MN**

## **Financial Status Report**

**Period ended November 30, 2022**

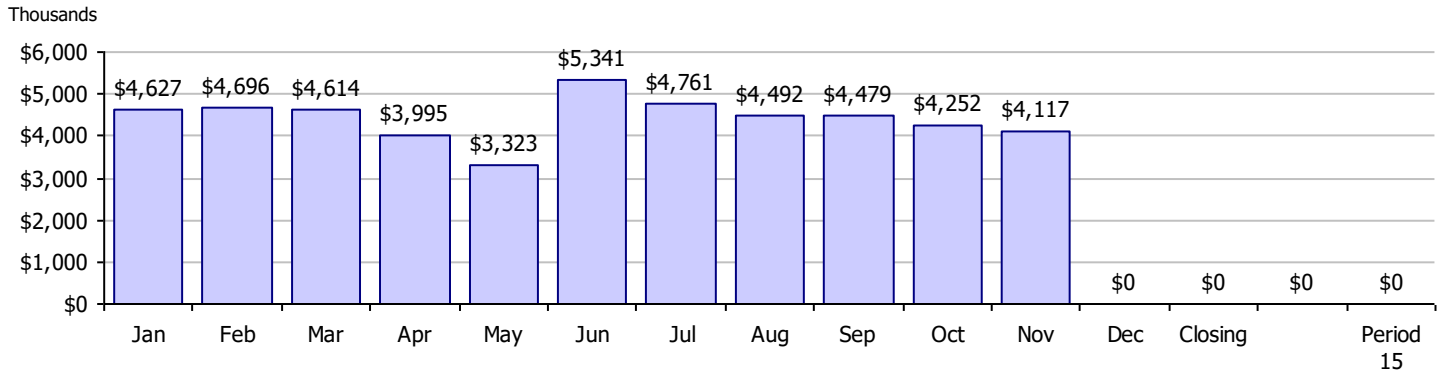
**(Un-Audited)**

Prepared by:  
Administration Department

**CITY OF NEWPORT**  
**\*Check Reconciliation©**  
**MidWest One**  
**10100 CASH**  
**November 2022**

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**Account Summary**

Beginning Balance o 11/1/2022	\$4,187,064.54
+ Receipts/Deposits	\$397,207.76
- Payments (Checks and Withdrawals)	\$283,635.00
Ending Balance as of 11/30/2022	\$4,300,637.30

Cleared	\$4,300,637.30
Statement	\$4,300,637.30
Difference	\$0.00

**Cash Balance**

Active 101-10100 GENERAL FUND	-\$137,972.43
Active 201-10100 PARKS SPECIAL FUND	\$193,311.14
Active 204-10100 HERITAGE PRESERVATION COMM	\$6,288.03
Active 205-10100 RECYCLING	\$23,391.64
Active 206-10100 FIRE ENGINE	\$0.00
Active 208-10100 BUY FORFEITURE	\$1,319.30
Active 210-10100 CARES: CORONAVIRUS RELIEF FUND	-\$0.18
Active 211-10100 AMERICRESCPLAN	\$357,720.67
Active 225-10100 PIONEER DAY	\$28,655.65
Active 270-10100 EDA	\$576,788.74
Active 301-10100 2010A G.O. CAPITAL IMP. PLAN	\$3.27
Active 302-10100 2018 BAILEY MEADOWS DEVELOP.	\$231,699.85
Active 303-10100 2012 STREET NORTH RAVINE	\$18,842.18
Active 304-10100 2016B GO BOND WATER RESEVOIR	-\$5,850.25
Active 305-10100 2013 STREET ASSESSMENT	-\$46,223.36
Active 306-10100 2014 STREET ASSESSMENT	\$141,330.63
Active 307-10100 2016A GO BOND STREET ASSESS.	\$71,143.14
Active 308-10100 CERIFICATES OF INDEBTEDNESS	\$0.00
Active 312-10100 2020 12TH ST & 12TH AVE PROJ	\$130,128.93
Active 313-10100 2000B GO IMP BOND	\$0.22
Active 315-10100 2002A \$690,000 BOND	-\$0.12
Active 316-10100 PFA/TRLF REVENUE NOTE	\$1.29
Active 318-10100 CITY/FIRE HALL	\$431,072.76
Active 321-10100 2006A EQUIP CERTIFICATE	\$0.00

Beginng Balance	\$4,187,064.54
+ Total Deposits	\$413,115.44
- Checks Written	\$483,414.66
Check Book Balance	\$4,116,765.32
Difference	\$0.00

Active	322-10100 2011A GO BONDS	\$115,988.16
Active	401-10100 EQUIPMENT REVOLVING	\$102,028.70
Active	402-10100 2018 BAILEY MEADOWS DEVEL	\$3,974.94
Active	405-10100 T.H. HWY 61	\$2.54
Active	407-10100 2016B GO BOND (WATER RESEVOIR)	\$0.00
Active	408-10100 2016A GO BOND STREET CONST.	\$73,576.67
Active	409-10100 2013 STREET RECON.	\$0.00
Active	410-10100 2014 STREET RECON.	\$3,587.13
Active	411-10100 BUILDING FUND	\$240,594.55
Active	412-10100 2020 12TH ST & 12TH AVE PROJ	\$36,914.16
Active	416-10100 4TH AVENUE RAVINE	\$12,861.40
Active	417-10100 NORTH RAVINE	\$12,621.60
Active	418-10100 CITY/FIRE HALL	\$204,584.60
Active	422-10100 FEMA-17TH STREET & CEDAR LANE	\$0.00
Active	423-10100 2011A EQUIPMENT CAPITAL	\$0.00
Active	601-10100 WATER FUND	\$267,642.08
Active	602-10100 SEWER FUND	\$605,071.29
Active	603-10100 STREET LIGHT FUND	\$163,981.82
Active	604-10100 STORM WATER FUND	\$251,684.58
	Cash Balance	\$4,116,765.32

**City of Newport**  
**INVESTMENTS**  
**Nov-22**

<u>TYPE</u>	<u>BOUGHT DATE</u>	<u>MATURITY DATE</u>	<u># OF DAYS</u>	<u>COST</u>	<u>RATE</u>	<u>GASB #40 Val.</u>	
RBC-Weath Management							
MS Private Bank	12/26/2019	12/27/2022	1,092	100,000	1.85%	99,867.00	101
Wells Fargo Natl. Bk	1/17/2020	1/17/2023	1,092	115,000	1.80%	114,728.60	101
AMERICAN EXP.	3/31/2020	3/31/2023	1,092	94,000	1.48%	93,136.14	101
ENERBank USA	7/22/2019	7/21/2023	1,456	125,000	2.30%	123,171.25	101
Texas Ex. Bank	6/19/2020	6/19/2025	1,820	120,000	1.00%	108,769.20	101
Accrued Interest	all CDs in Investment					531.68	
Sub-total Investments GASB 40						540,203.87	
RBC-Wealth Management							
Bell St Bank	3/24/2020	3/24/2023	1,274	245,000	0.85%	242,442.20	601&2
Forbright Bank	11/2/2022	11/2/2026	1,460	150,000	4.60%	148,642.50	401
Accrued Interest	all CDs in Reserve Investment					237.18	
Sub-total Reserve Investments GASB 40						391,321.88	
Ehlers Inv-TDAmeritrade							
Money Market	2/15/2019	N/A		7,350,000	Var.	7,198,455.00	
CENTRAL BANK							
Checking						4,300,637.30	
Total Cash, Investments and CD's						12,430,618.05	
Ehlers Inv by Acct.	101-\$2,100,000	201-\$420,000	225-\$20,000	270-\$1,750,000			
	306-\$500,000	410-\$170,000	411-\$425,000				
	601-\$790,000	602-\$1,065,000	603-\$110,000				

**CITY OF NEWPORT**  
**\*Cash Balance Investments**  
Cash Account: 10100  
November 2022

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Fund	Begin 2022	Receipts	Disbursements	-----Transfers-----		JE Payroll	Balance NO Investments	Investments	Balance	
				Rec/Disb	Journal Entries					
10100 - MidWest One										
101 - GENERAL FUND	\$60,750.55	\$1,977,015.53	(\$2,520,553.49)	0	\$606,837.11	(\$261,798.42)	(\$137,748.72)	\$2,652,371.32	\$2,514,622.60	In Balance
201 - PARKS SPECIAL FU	\$165,849.65	\$864.95	(\$333,403.46)	0	\$360,000.00		\$193,311.14	\$430,881.00	\$624,192.14	In Balance
204 - HERITAGE PRESER	\$7,037.06	\$2.04	(\$9,751.07)	0	\$9,000.00		\$6,288.03		\$6,288.03	In Balance
205 - RECYCLING	\$20,522.73	\$21,302.23	(\$16,527.50)	0		(\$1,905.82)	\$23,391.64		\$23,391.64	In Balance
208 - BUY FORFEITURE	\$1,318.92	\$0.38		0			\$1,319.30		\$1,319.30	In Balance
210 - CARES: CORONAVIR	(\$0.18)			0			(\$0.18)		(\$0.18)	In Balance
211 - AMERICRESCPLAN	\$196,052.34	\$196,052.33	(\$34,384.00)	0			\$357,720.67	\$0.00	\$357,720.67	In Balance
225 - PIONEER DAY	\$17,396.17	\$14,674.23	(\$3,414.75)	0			\$28,655.65	\$20,676.00	\$49,331.65	In Balance
270 - EDA	\$725,294.97	\$154,795.47	(\$4,801.70)	0	(\$298,500.00)		\$576,788.74	\$1,759,817.89	\$2,336,606.63	In Balance
301 - 2010A G.O. CAPITAL	(\$0.25)	\$3.52		0			\$3.27		\$3.27	In Balance
302 - 2018 BAILEY MEADO	\$224,322.69	\$270,258.42	(\$262,881.26)	0			\$231,699.85	\$459.00	\$232,158.85	In Balance
303 - 2012 STREET NORT	\$18,349.37	\$492.81		0			\$18,842.18	\$0.00	\$18,842.18	In Balance
304 - 2016B GO BOND WA	(\$5,275.25)		(\$575.00)	0			(\$5,850.25)		(\$5,850.25)	In Balance
305 - 2013 STREET ASSES	\$0.23	\$103,943.89	(\$111,197.48)	0	(\$38,970.00)		(\$46,223.36)	\$0.00	(\$46,223.36)	In Balance
306 - 2014 STREET ASSES	\$175,597.31	\$183,791.44	(\$218,058.12)	0			\$141,330.63	\$513,536.00	\$654,866.63	In Balance
307 - 2016A GO BOND ST	\$95,160.90	\$24,277.24	(\$48,295.00)	0			\$71,143.14		\$71,143.14	In Balance
312 - 2020 12TH ST & 12T	\$204,693.18	\$24,058.39	(\$98,622.64)	0			\$130,128.93	\$0.00	\$130,128.93	In Balance
313 - 2000B GO IMP BOND	\$0.22			0			\$0.22		\$0.22	In Balance
315 - 2002A \$690,000 BON	(\$0.25)	\$0.13		0			(\$0.12)		(\$0.12)	In Balance
316 - PFA/TRLF REVENUE	(\$0.29)	\$1.58		0			\$1.29		\$1.29	In Balance
318 - CITY/FIRE HALL	\$367,463.00	\$480,406.34	(\$416,796.58)	0			\$431,072.76	\$0.00	\$431,072.76	In Balance
322 - 2011A GO BONDS	\$115,960.21	\$27.95		0			\$115,988.16		\$115,988.16	In Balance
401 - EQUIPMENT REVOL	(\$168,793.55)	\$3,156.59	(\$167,919.84)	0	\$435,585.50		\$102,028.70	\$161,490.00	\$263,518.70	In Balance
402 - 2018 BAILEY MEADO	(\$98,803.67)	\$190,778.61	\$0.00	0	(\$88,000.00)		\$3,974.94	\$80,237.77	\$84,212.71	In Balance
405 - T.H. HWY 61	\$2.54			0			\$2.54	\$0.00	\$2.54	In Balance
408 - 2016A GO BOND ST	\$73,555.27	\$21.40		0			\$73,576.67		\$73,576.67	In Balance
410 - 2014 STREET RECO	\$3,586.08	\$1.05		0			\$3,587.13	\$175,753.00	\$179,340.13	In Balance
411 - BUILDING FUND	\$232,918.61	\$775.94	(\$10,100.00)	0	\$17,000.00		\$240,594.55	\$426,325.00	\$666,919.55	In Balance
412 - 2020 12TH ST & 12T	\$1,127,453.94	\$20,014.06	(\$14,356.48)	0	(\$1,096,197.36)		\$36,914.16	\$0.00	\$36,914.16	In Balance
416 - 4TH AVENUE RAVIN	\$12,857.65	\$3.75		0			\$12,861.40		\$12,861.40	In Balance
417 - NORTH RAVINE	\$12,617.94	\$3.66		0			\$12,621.60	\$447.00	\$13,068.60	In Balance
418 - CITY/FIRE HALL	\$610,509.61	\$1,511,881.56	(\$2,915,662.73)	0	\$997,856.16		\$204,584.60	\$0.00	\$204,584.60	In Balance
601 - WATER FUND	\$492,264.46	\$505,122.95	(\$321,106.91)	0	(\$291,506.09)	(\$117,132.33)	\$267,642.08	\$940,370.00	\$1,208,012.08	In Balance
602 - SEWER FUND	\$581,374.72	\$1,087,558.07	(\$611,200.92)	0	(\$330,514.21)	(\$122,146.37)	\$605,071.29	\$1,163,717.12	\$1,768,788.41	In Balance
603 - STREET LIGHT FUN	\$134,546.65	\$88,784.90	(\$46,687.73)	0		(\$12,662.00)	\$163,981.82	\$112,984.00	\$276,965.82	In Balance



**CITY OF NEWPORT**  
**\*Cash Balance Investments**  
Cash Account: 10100  
November 2022

12/13/22 3:04 PM  
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Fund	Begin 2022	Receipts	Disbursements	-----Transfers-----		JE Payroll	Balance NO Investments	Investments	Balance	
				Rec/Disb	Journal Entries					
604 - STORM WATER FUN	\$481,952.40	\$204,171.66	(\$133,879.21)	0	(\$281,751.11)	(\$18,809.16)	\$251,684.58	\$0.00	\$251,684.58	In Balance
	\$5,886,535.93	\$7,064,243.07	(\$8,300,175.87)	\$0.00	\$840.00	(\$534,454.10)	\$4,116,989.03	\$8,439,065.10	\$12,556,054.13	



Real People. Real Solutions.

12224 Nicollet Avenue  
Burnsville, MN 55337-1649

Ph: (952) 890-0509  
Fax: (952) 890-8065  
Bolton-Menk.com

## MEMORANDUM

**Memo Date:** December 23, 2022  
**Meeting Date:** January 5, 2023  
**To:** Newport City Council  
**From:** Nathan Fuerst, AICP, City Planner  
**Subject:** Conditional Use Permit Request - Keller Fence

**Action Requested:** Review the Conditional Use Permit request and provide a determination.

### Overview

**Applicant:** Keller Fence  
**Owner:** Presidential Recovery Services, LLC

**PIDs:** 0102722210031, 0102722210030,  
0102722210029, 0102722210028

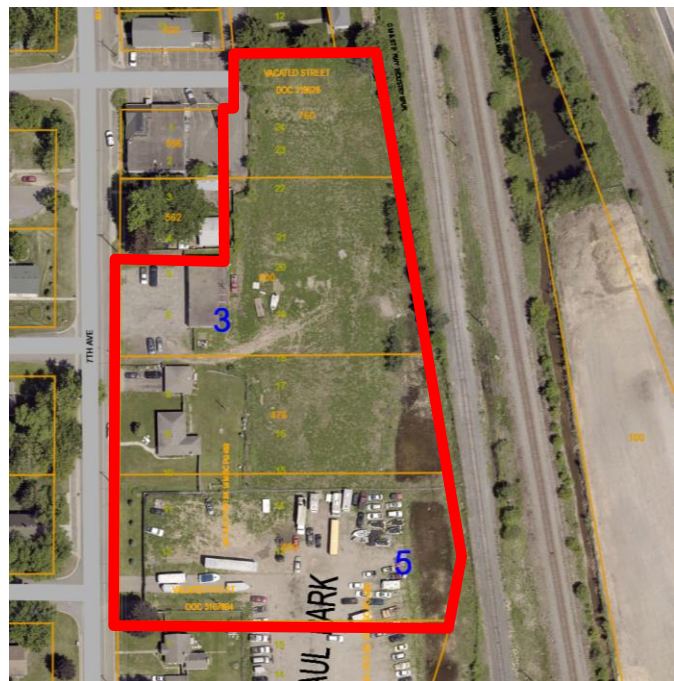
**Zoning:** B-2 General Business

**Future Land Use:** Mixed  
Commercial/Residential

**60 Day Period:** January 20, 2023

### Summary of Proposal

The City has received a Conditional Use Permit request from Keller Fence regarding the largely undeveloped parcels south and east of the former Newport City Hall property. Keller Fence is looking to acquire, combine, and redevelop the four subject parcels to create a new base for their business operations. This use is classified as *Building Materials and Services* under Sec. 36-229 of the Newport City Code and only allowed with a Conditional Use Permit (CUP).



The City's Planning Commission reviewed and held a public hearing on this request at its regular meeting on November 15<sup>th</sup>. The Commission unanimously voted to table this item, requesting additional information on traffic impacts, and screening.

This item was reviewed again by the City's Planning Commission on December 13<sup>th</sup>, 2022, and the Planning Commission voted 3-2 to recommend denial for this requested CUP.

## Site Plan Review

Application materials submitted with this request have been reviewed by staff for conformance with the zoning code's performance standards. A summary of this review is below.

### Building Design

The exterior building materials meet the City Code's requirements for commercial structures established in Sec. 36-162.1.b, which requires that the building facades be covered in at least 60% of either Class I or II materials. In this case, precast concrete panels qualify as a worthy Class II material. Metal siding is a permitted accent material. Finished metal standing seam roofing is permitted in all zoning districts.

### Lighting

The submitted plans meet the City's performance standards for lighting on private developments. Lighting does not exceed maximum thresholds on surrounding properties.

### Parking/Loading Areas

With the office and warehousing uses, the City Code requires a combination of 26 plus 2 stalls respectively. As proposed, the site meets this standard as 46 stalls will be provided. Proposed parking and loading areas also meet the requirements for parking lot landscaping and surfacing requirements.

### Landscaping

The Site meets the minimum planting requirements for trees in relation to square feet of open area. This requirement (Sec. 36-162.11.b) requires the following:

*There shall be a minimum of one tree for every 1,000 square feet of non-impervious surface area on the lot.*

As proposed, the site plan shows a total of 57,954 S.F., which translates to a requirement of 58 trees. By removing an estimated 18,000 S.F. required for the storm basins, we are left with 39,954 S.F. of non-impervious area, or 40 trees. The applicant is proposing that many trees, and therefore meets code requirements.

### Screening

The Applicant is proposing two different types of screening at the suggestion of City Staff. Along the 7<sup>th</sup> Avenue Corridor, the Applicant is proposing a continuous row of overstory deciduous trees. This will help to satisfy tree planting requirements while buffering the use visually from adjacent properties.

In addition, the applicant is proposing fencing along the perimeter of their outdoor storage and ponding areas. Fences and gates are proposed at 8'. Fencing will be comprised of coated vinyl chain link fence with slating to fully screen the storage area.

### Site Access

There are two access points proposed for this site, which line up at the intersections of 7<sup>th</sup> Avenue and 5<sup>th</sup> and 4<sup>th</sup> streets. The southerly access, at 4<sup>th</sup> street, will be utilized primarily for the ingress and egress of delivery and fleet vehicles from this site. Controlled gate access into that access point is proposed. It is staff's recommendation that access to this site from fleet or delivery vehicles be limited to the southerly access point at 4<sup>th</sup> Street.

## Traffic Impacts

Staff asked that the Applicant provide more detailed information on the nature of traffic to serve this use. The following details were provided:

- **Deliveries** - The trucks that the Applicant's vendors use for deliveries have 48' beds. The Applicant intends to have these deliveries pull entirely into the storage yard for off loading.
- **Fleet Vehicles** – The Applicant has 10 F450s (GVW 8500 – 8700 lbs) that are in use daily along with 2 Isuzu cab over trucks
- **Routing** – The Applicant is open to routing their vehicles south.
- **Material Deliveries** – Whenever possible, the Applicant has materials delivered directly to job sites. If timing doesn't work, then materials will be delivered to this site. The Applicant currently keeps inventory and will continue to do so.
- **Delivery Windows** – The Applicant reports a set delivery window on Fridays from 8-10am on a typical day. They also reported that there "is usually one other during the week as needed with a similar window".

## 7<sup>th</sup> Avenue Restrictions

7<sup>th</sup> Avenue is constructed to allow for 9 tons per axel. This means that it's designed to withstand heavy vehicles, including semis. In 2004, among concerns regarding truck traffic along 7<sup>th</sup> Avenue, the Newport City Council unanimously passed Resolution 2004-55. That Resolution restricted the weight of vehicles on 7<sup>th</sup> Avenue between 2<sup>nd</sup> Street and the Glen Road Interchange to 10,000 pounds of gross vehicle weight.

Functionally, Resolution 2004-55 restricted 7<sup>th</sup> Avenue from heavy truck through traffic, namely prohibiting semis that served the refineries in neighboring St. Paul Park. At the time that this resolution was passed, the Council clarified that heavy vehicles such as furniture delivery or moving vans making deliveries were not subject to this restriction.

When the CUP amendment was approved for what is now Absolute Towing and Recovery in 2016, the City Council provided a number of different conditions to mitigate the anticipated impacts of the use with respect to traffic. Those restrictions include the following:

- Requirement to divert traffic to and from this site south, to the 70<sup>th</sup> Street exit off Highway 61.
- Requirements for truck traffic to utilize the southerly site access point
- Gates must remain closed when not in use
- Limited daily operation hours for deliveries or work outdoors on site from 8am to 8pm, unless headlight and backup alarm controls were in place
- Limit for any truck traffic to 9 tons in weight, year-round

## Back Up/Reverse Alarms

Community members also shared concerns regarding the use of alarms when backing up to maneuver on the property. Such alarms are commonly required by OSHA and other federal, state, or local agencies as standard for many different types of commercial vehicles.

In recent years, the use of broadband alarms has proliferated specifically in context of delivery vehicles. As opposed to a piercing noise emitted by standard tonal alarms, broadband alarms issue a noise which could be considered less intrusive or more similar to a white noise. In reaction to public concern, staff have proposed a condition of approval requiring either this technology to be implemented or for site circulation of vehicles such that they do not need to back up.

## Public Hearing

A public hearing was noticed for and held by the Planning Commission at its regular meeting on November 15, 2022. The Planning Commission heard several public comments both written and in person. Several residents raised concerns about the impact of the truck traffic along 7<sup>th</sup> avenue. Specifically, Resolution 2004-55 was referenced when discussing traffic concerns.

Generally, comments were made with concern for surrounding residential uses, and the potential impacts that development of this site with the proposed use could have. Specifically, residents were concerned that traffic impacts could be created by this project, or other commercial or multifamily developments. Traffic concerns with this project included semi vehicle deliveries and ingress/egress of fleet vehicles tied to the land use. Outdoor storage, screening, and lighting were also concerns of residents, and the commission's review of screening was requested.

Although not noticed as a public hearing, and not required by City Code or Minnesota Statute, the Planning Commission determined that as a number of residents had shown up with concern for this item to the December 13, 2022 meeting, they would be heard by the Commission. The Planning Commission heard similar concerns to the November 15 meeting from the community members in attendance. Complaints generally related to traffic impacts such as noise, lights, pedestrian safety, speeding and general heavy traffic along the corridor.

## Conditional Use Permit

The applicant has requested a conditional use permit pursuant to City Code section 36-241, Uses in the Nonresidential Districts.

## Criteria for Consideration

The Planning Commission and City Council are required to consider criteria a – h in City Code Section [36-45 \(d\)\(3\)](#) when determination whether to approve a Conditional Use Permit request. Headings for those criteria are provided below:

- a) *Consistency with the Comprehensive Plan*
- b) *Health and Safety*
- c) *Compliance with standards*
- d) *Public infrastructure services*
- e) *Screening and landscaping*
- f) *Architectural standards*
- g) *Zoning*
- h) *Traffic*

## Consistency with Criteria and Proposed Findings

Staff have reviewed the Applicant's site plan and find that it is generally consistent with the criteria for approval established in Section 36-45. Staff propose the following findings:

- a) Consistency with the Comprehensive Plan - The 2040 Comprehensive Plan guides Mixed Residential and Commercial areas for a wide variety of land uses compatible in type and scale with residential uses. The B-2 zoning district designation for this site is aligned with the adopted Future Land Use Map and provides for gradual transition along 7<sup>th</sup> avenue from more predominantly residential to more predominantly industrial uses. The B-2 zone permits the proposed land use through a conditional use permit.
- b) Health and Safety - As proposed, the land use is not expected to detract from health and safety of those land uses surrounding. Site alterations are not anticipated to create any detrimental impacts

to surrounding properties. Anticipated impacts from this land use, on this property, can be mitigated through conditions of approval which require the land use to reduce real or perceived issues not limited to noise, light, traffic, parking, aesthetics, stormwater, or odor.

- c) Compliance with standards - As proposed, the land use and site plan meet applicable zoning and subdivision standards. It will be required to meet, or continue meeting, City standards through proposed conditions of approval.
- d) Public infrastructure services - This land use will be adequately served by public infrastructure. It will not create demand in excess of what can be supported by existing infrastructure.
- e) Screening and landscaping - Any non-temporary parking and outdoor storage will be screened either behind the principal structure or by use of fencing. Plantings meet minimum requirements and will be used to soften the appearance of the property as seen from neighboring parcels or public rights of way. Conditioned approval will require that screening and storage surfaces be maintained to continue proper function.
- f) Architectural standards - The building and site design conform with established design standards.
- g) Zoning - The B-2 zoning district permits the use requested, Building materials and services, through a Conditional Use Permit. The applicant's submittal indicates a use consistent with City Code Section 36-241. Through site plan and design review, staff have not identified any inconsistencies with City Code site or design performance standards.
- h) Traffic - Access points will align with existing intersections. Parking demand for this use is satisfied by dedicated parking on site. Traffic entering and egressing from the site due to the proposed use will not exceed what is currently supported on the surrounding street network. Mitigating conditions will regulate traffic associated with this use to limit impacts on surrounding residential land uses.

### **Conditions of Approval**

City Code section 36-45(d)(5) allows the City to establish considerations relating to review of sites and address various performance issues on an individualized basis. Staff have generated a list of proposed conditions should the City wish to approve this conditional use permit.

### **Staff Recommended Conditions**

Should the City seek to approve this request, it may do so with conditions of approval. Staff have drafted conditions considerate of public testimony and Planning Commission discussion, and recommend the following:

1. Applicant must receive any required city permits prior to beginning any work on site.
2. Applicant must pay all fees and escrows associated with this application.
3. Applicant must submit a lot combination application and any necessary documentation to satisfy City Engineering review requirements.
4. Applicant must adequately address comments in the City Engineer's review memo dated September 30, 2022, prior to issuance of a building permit.
5. Applicant must prepare, submit for review, and record acceptable drainage and utility easement agreements prior to issuance of the building permit.
6. Applicant must provide permanent stormwater management facilities that achieve applicable requirements of the City of Newport City Code and the South Washington Watershed District rules.
7. All permanent stormwater facilities shall be contained within a drainage and utility easement.
8. All storm water infrastructure and connecting pipe shall be privately owned and maintained.
9. All traffic to the site must weigh less than 9 tons per axle year-round.
10. All fleet and delivery vehicle traffic associated with this use shall be directed to access the site from the south, using the 70<sup>th</sup> Street exit from Highway 61 and 7<sup>th</sup> Avenue.



11. All fleet and delivery vehicle traffic shall use the southerly site access proposed at the intersection of 4<sup>th</sup> Street and 7<sup>th</sup> Avenue.
12. All fleet and delivery vehicle traffic on site shall be restricted from 7am to 7pm, on weekdays.
13. Diesel vehicles shall not be idled or operated outside of regular operating hours between 7am to 7pm on weekdays.
14. Vehicles on site with back up signals must either utilize broadband alarms while backing up or a circular traffic pattern around the site to avoid the need to back up.
15. Outdoor storage shall only consist of building materials and shall not be visible from the public right of way on 7<sup>th</sup> Avenue.
16. Gates shall remain closed when not in use.
17. Parking required by this use should be fully accommodated on the site, no customer, staff, or delivery parking may take place on 7<sup>th</sup> Avenue.
18. Parking, loading, and exterior storage surfaces shall be maintained sufficiently to keep them in good condition and dust free.
19. Fencing and gates shall be maintained sufficiently to keep such improvements in good condition and meeting screening requirements.
20. Landscaping shall be provided and routinely maintained to meet applicable city standards.
21. A trash enclosure, meeting applicable City standards, must be constructed if refuse is to be stored outdoors outside of regular collection.
22. Retail sales are not permitted on site.
23. Intensification of the use on site by expansion of the principal structure, or as otherwise identified by staff, shall require a CUP amendment per Sec. 36-45.
24. Site improvements must conform with those proposed in the site plans reviewed at the City Council meeting on November 17, 2022. Deviations from the reviewed plans must be reviewed consistent with Sec. 36-51.

### **Planning Commission Recommendation**

The Planning Commission reviewed and discussed this item at its meeting on November 15. At that meeting, and in consideration of public testimony, the Planning Commission voted unanimously to table consideration. The commission requested additional information on 7<sup>th</sup> avenue regulations, proposed site conditions, and information relating to traffic impacts.

Staff brought this item back to the Planning Commission at its regular meeting on December 13, 2022. At that meeting, as noted and summarized above, a number of residents were allowed by the Commission to make public comments relating to this request. The Planning Commission discussed this request and the potential impacts that it felt could or could not be mitigated by conditions of approval. Commissioners discussed impacts to surrounding properties including noise, traffic, safety, and health and wellbeing.

Ultimately, the Planning Commission voted 3-2 to recommend that the City Council deny this request based on the following findings of fact, summarized by City Staff:

- Inconsistency with Criteria b – The use will create health and safety impacts to the surrounding community which cannot be mitigated with proposed conditions. Concern is for noise or light created on site which could impact the health of surrounding residents, and proximity to a public library which provides programming to youth.
- Inconsistency with Criteria h – Commissioners were concerned with the amount of traffic that this use will generate during hours of operation. The City cannot easily enforce the conditions that would be required to mitigate concerns about traffic routing and intensity.

The planning commission discussed three changes to possible conditions of approval should this request ultimately be granted:

1. Restrictions are desired to prevent customer, staff, fleet, or delivery vehicles associated with Keller Fence from parking on surrounding properties.
2. Restricting all fleet and delivery vehicle traffic from accessing the site from the north along 7<sup>th</sup> Avenue.
3. Creating more strict language relating to noises emitted from reverse or back up alarms. Language should only allow for broadband (white noise) alarms or circulation which creates no need to back up.

### **Staff Recommended Action**

The City Council is reminded that this determination is *quasi-judicial* and should refer to information from the City Attorney on how such determinations should be made.

Were this proposed land use any number of different uses permitted “by-right”, there would be no opportunity for the City to decide upon the use itself. The only review allowed would be to determine if the site meets City Code design and performance standards. Permitted uses in the B-2 district, found in City Code Section 36-241, include the following:

- Funeral Homes
- Medical Clinics
- Post Offices
- Schools
- Breweries/Distilleries
- Gas/diesel or other motor vehicle sales
- Hotels
- Wholesale retail

Staff have proposed findings fact that indicate conformance with required criteria for approval. Concerns relayed from the members of the community and Planning Commission are acknowledged and incorporated into the conditions of approval. It is Staff’s opinion that the conditions of approval can reasonably mitigate the impacts that this use may have on surrounding properties or residents. Therefore, approval of this request is recommended.

### **City Council Action**

The City Council may take several actions on this item:

- Approve
- Approve with conditions
- Denial
- Table (Action must be taken by January 20, 2023)

Should the City Council seek to approve this request, Staff suggest the aforementioned 24 conditions of approval.

Staff have provided an example motion approving the project as follows:

**“Move to adopt Resolution 2023-xx [approving/denying] approval of the Keller Fence Conditional Use Permit [with conditions of approval, 1-24, as proposed by staff]”**



Name: Keller Fence – Conditional Use Permit

Date: January 5, 2023

Page: 8

**Resources:**

- Application Documents (attached)
- Zoning Code ([link only](#))
- Citywide Zoning Map ([link only](#))
- 2040 Comprehensive Plan ([link only](#) - Land Use chapter begins on pg 31)



505 Randolph Avenue St. Paul, MN 55102  
Ph: 651/646-8305 Fax: 651/646-1615

9/21/2022

City of Newport  
Travis

RE: 498- 7<sup>th</sup> Ave

Travis,

Keller Fence would like to purchase and develop the three lots associated with 498 – 7<sup>th</sup> Avenue, Newport. Once a successful sale can be completed, we would secure the site with a chain link fence and maintain the current buildings as is through spring/summer of 2023. We would use this time to engage a contractor to construct an office and warehouse per our concept plans. After building construction and site work is completed Keller would move all operations to Newport.

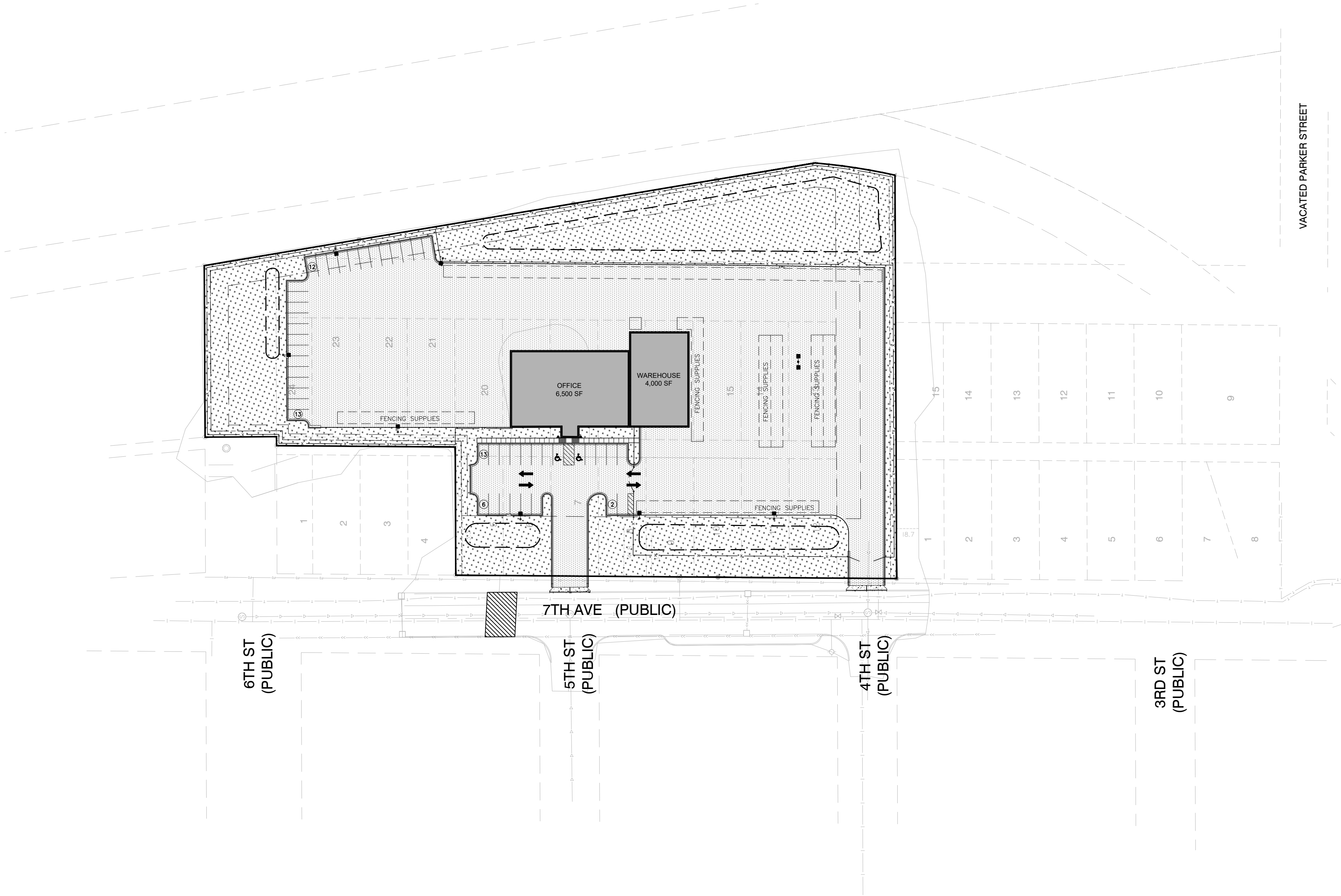
Our business hours would be 7-5 with all deliveries being received and off loaded inside security fence. We would provide parking for employees on site per our concept plans.

If you have any questions regarding these plans, please feel free to contract me at 651 260 2563.

Sincerely,  
KELLER FENCE  
Tim Dyrhaug

# KELLER FENCE

## 478 7TH AVENUE NEWPORT, MINNESOTA



### CONSTRUCTION NOTES:

- CONSTRUCTION SHALL COMPLY WITH THE FOLLOWING GOVERNING STANDARDS:
- MNDOT STANDARD SPECIFICATIONS FOR CONSTRUCTION – CURRENT EDITION
  - CITY ENGINEER’S ASSOCIATION OF MINNESOTA (CEAM) STANDARD SPECIFICATIONS – CURRENT EDITION
  - MINNESOTA UNIFORM MANUAL ON TRAFFIC CONTROL DEVICES (MNMUTCD)
  - CITY OF NEWPORT PUBLIC WORKS DESIGN MANUAL

### OWNER

CONTACT: TIM DYRHAUG  
KELLER FENCE  
505 RANDOLPH AVENUE  
ST. PAUL, MN 55102  
PH: 651-260-2563  
EM: TDYRHAUG@KELLERFENCE.COM

### CONSULTANT

ALLIANT ENGINEERING, INC.  
733 MARQUETTE AVE, SUITE 700  
MINNEAPOLIS, MN 55402  
PH: 612-758-3080 / FX: 612-758-3099

### SURVEYOR

PETER GOERS, PLS  
LICENSE NO. 44110  
EM: pgoers@alliant-inc.com

### CIVIL ENGINEER

CLARK WICKLUND  
LICENSE NO. 40922  
EM: cwicklund@alliant-inc.com

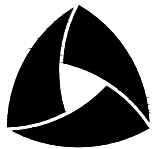
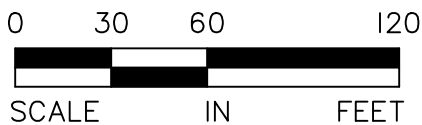
### LANDSCAPE ARCHITECT

MARK KRONBECK, PLA, ASLA  
LICENSE NO. 26222  
EM: mkronbeck@alliant-inc.com

### SHEET LIST

C-0.0	COVER SHEET
C-1.0	EXISTING CONDITIONS SURVEY
C-2.0	DEMOLITION PLAN
C-3.0	SITE PLAN
C-4.0	GRADING AND EROSION CONTROL PLAN
C-5.0	UTILITY PLAN
C-6.0	STORMWATER POLLUTION PREVENTION PLAN (SWPPP)
C-6.1	STORMWATER POLLUTION PREVENTION NOTES (SWPPP)
C-7.0	CITY DETAILS
L-1.0	LANDSCAPE PLAN
L-1.1	LANDSCAPE NOTES AND DETAILS
P-1.0	PHOTOMETRIC PLAN

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KELLER FENCE  
478 7TH AVENUE  
NEWPORT, MINNESOTA  
CITY SUBMITTAL  
COVER SHEET

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed PROFESSIONAL ENGINEER under the laws of the State of MINNESOTA.

CLARK WICKLUND, PE

Date License No.

QUALITY ASSURANCE/CONTROL

BY DATE

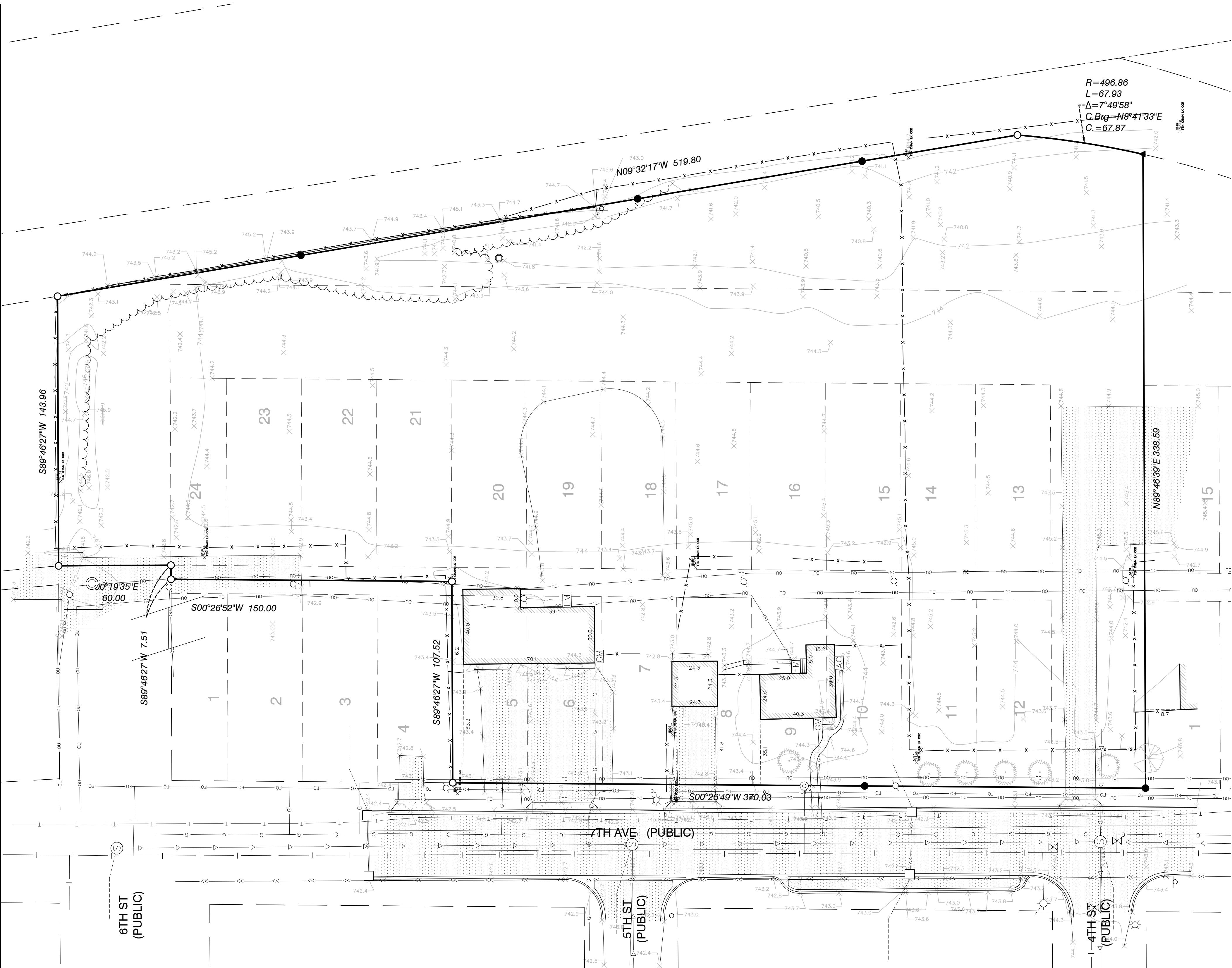
DATE	ISSUE
8-30-22	CITY SUBMITTAL
9-21-22	CITY COMMENTS
10-28-22	CITY COMMENTS

### PROJECT TEAM DATA

DESIGNED: MK  
DRAWN: TLM  
PROJECT NO: 222-0110

C-0.0

Drawing name: X:\2022\220110 -- Keller Fence\plan sheets\220110econ.dwg, Oct 28, 2022 -- 3:14pm



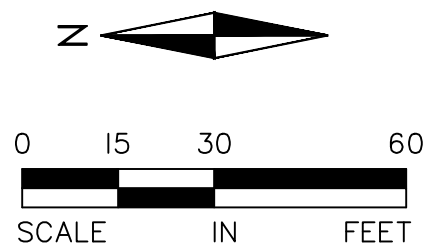
## NOTES

- This survey was prepared without the benefit of a Title Commitment.
- The locations of underground public utilities are depicted based on information from Gopher State One Call system for a "Boundary Survey locate". The information was provided by a combination of available maps, proposed plans or city records and field locations which may not be exact. Verify all utilities critical to construction or design.
- The orientation of this bearing system is based on the Washington County Coordinate System NAD83 (1986 ad.).
- All distances are in feet.
- The area of the above described property is 155,627 square feet or 3.573 acres.
- Bench Mark 1: MNDOT benchmark MCKINNIE, located in Newport, 0.08 mile east along County Road 22 (70th Street) and Trunk Highway 61 in St. Paul Park, thence 0.3 mile northwest on County Road 38 (Hastings Avenue), 0.02 mile northeast of County Road 74 (6th Street South), 30.0 feet northwest of County Road 74, 100.0 feet northeast of County Road 38 (Hastings Avenue) and has an elevation of 784.18 feet (NAVD 88).
- Bench Mark 2: TNH located at the NW corner of the intersection of 4th Street and 7th Avenue and has an elevation of 746.77 feet (NAVD 88).
- There is visible above ground evidence of earth moving work, building construction, or building additions within recent months.
- The site has vehicular access to 7th Avenue, a public right of way.

## LEGEND

- FOUND IRON MONUMENT
- SET IRON 4410
- ▲ FOUND MAG NAIL
- HYDRANT
- ⊗ WATER VALVE
- ⊗ CURB STOP
- ⊗ SANITARY MANHOLE
- ⊗ CATCH BASIN
- ⊗ ELECTRIC METER
- ⊗ LIGHT
- ⊗ STORM MANHOLE
- ⊗ POWER POLE
- ⊗ BOLLARD
- ⊗ AIR CONDITIONER
- ⊗ GAS METER
- ⊗ SIGN
- ⊗ SPOT ELEVATION
- ⊗ CONIFEROUS TREE
- ⊗ DECIDUOUS TREE
- GAS
- SANITARY SEWER
- STORM SEWER
- WATERMAIN
- UNDERGROUND TELEPHONE
- OVERHEAD UTILITY
- FIBER OPTIC
- FENCE
- TREE LINE
- CONCRETE
- BITUMINOUS

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**KELLER FENCE**

478 7TH AVENUE  
NEWPORT, MINNESOTA

**CITY SUBMITTAL**

**EXISTING CONDITIONS**

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed PROFESSIONAL ENGINEER under the laws of the State of MINNESOTA

CLARK WICKLUND, PE

Date License No.

**QUALITY ASSURANCE/CONTROL**

BY DATE

DATE ISSUE

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9-21-22 CITY COMMENTS

10-28-22 CITY COMMENTS

**PROJECT TEAM DATA**

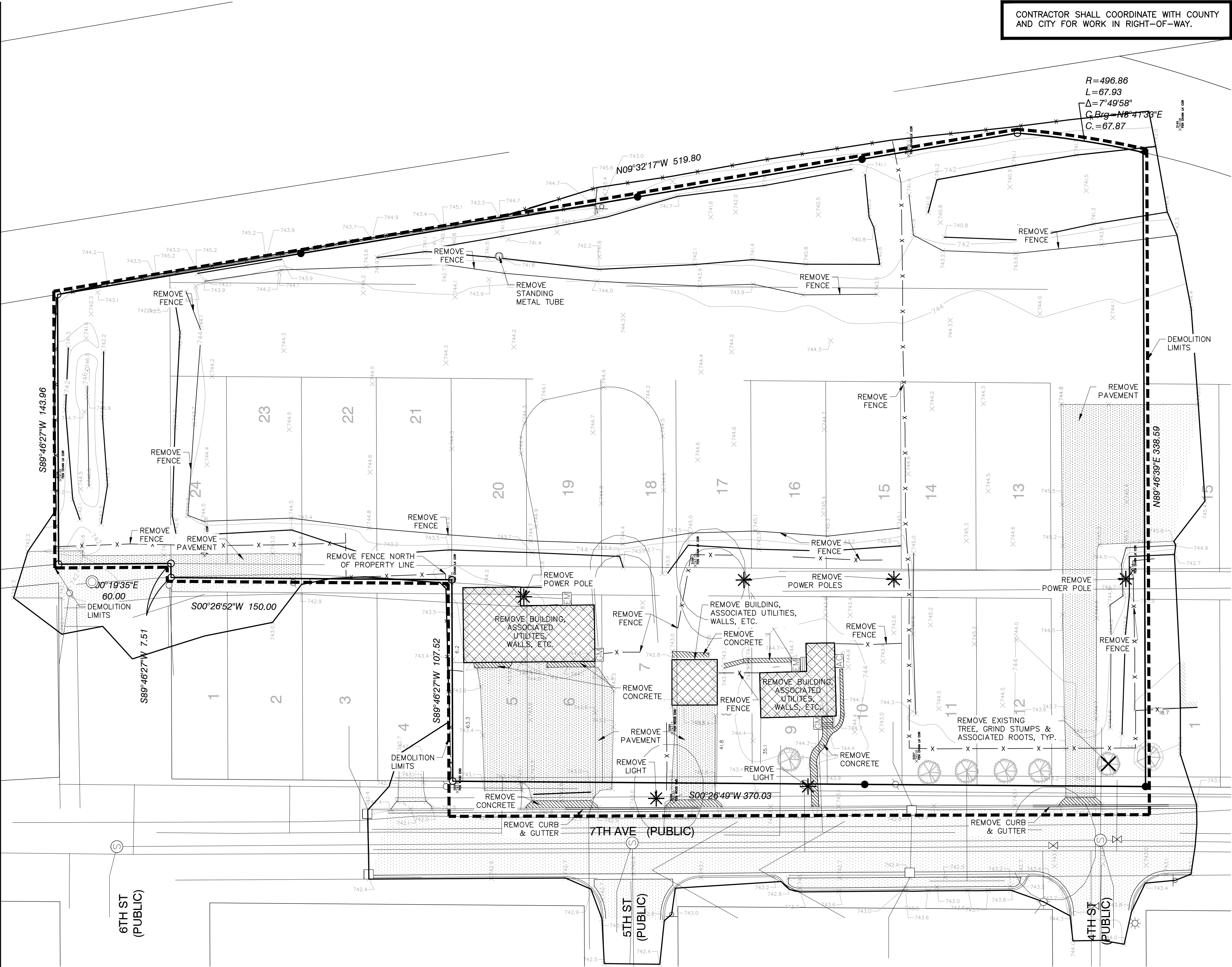
DESIGNED: MK

DRAWN: TLM

PROJECT NO: 222-0110

**C-1.0**





DEMOLITION NOTES

- ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THESE PLANS AND SPECIFICATIONS AND THE REQUIREMENTS AND STANDARDS OF THE LOCAL GOVERNING AUTHORITY. THE GEOTECHNICAL AND EVALUATION REPORTS AND RECOMMENDATIONS SET FORTH THEREIN ARE A PART OF THE REQUIRED CONSTRUCTION DOCUMENTS AND IN CASE OF CONFLICT SHALL TAKE PRECEDENCE UNLESS SPECIFICALLY NOTED OTHERWISE ON THE PLANS. THE CONTRACTOR SHALL NOTIFY THE CONSTRUCTION MANAGER OF ANY DISCREPANCY BETWEEN GEOTECHNICAL AND EVALUATION REPORTS & PLANS, ETC.
- THE SITE SURVEY SHALL BE CONSIDERED A PART OF THESE PLANS.
- NOTIFY GOPHER ONE 48 HOURS PRIOR TO ANY SITE DEMOLITION. CONTRACTOR SHALL VERIFY THE LOCATION OF ALL EXISTING UTILITIES, CONTACT GOPHER STATE ONE CALL (1-800-252-1166) FOR UTILITY LOCATION PRIOR TO DEMOLITION AND CONSTRUCTION.
- PRIOR TO STARTING CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE TO VERIFY THAT ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION OR FABRICATION SHALL BEGIN UNTIL THE CONTRACTOR HAS RECEIVED AND THOROUGHLY REVIEWED ALL PLANS AND OTHER DOCUMENTS APPROVED BY ALL OF THE PERMITTING AUTHORITIES. DEMOLITION CONTRACTOR SHALL ALSO FILE FOR ALL NECESSARY PERMITS FOR DEMOLITION WITH THE LOCAL GOVERNING AUTHORITY.
- CONTRACTOR TO COORDINATE THE REMOVAL OF THE EXISTING UTILITIES WITH THE RESPECTIVE UTILITY COMPANIES.
- DEMOLITION CONTRACTOR SHALL PROVIDE AIR QUALITY CONTROL MEASURES AT THE REQUEST OF COUNTY/CITY HEALTH INSPECTOR/INSPECTIONS OFFICER. DEMOLITION CONTRACTOR SHALL TAKE ALL NECESSARY MEASURES TO KEEP DUST LEVELS TO A MINIMUM.
- CONTRACTOR SHALL FURNISH ALL NECESSARY FENCING BARRICADES AND SIGNING NEEDED TO PROTECT PEDESTRIANS AND VEHICULAR TRAFFIC FROM HAZARDS RESULTING FROM DIRECTLY OR INDIRECTLY FROM CONSTRUCTION.
- ALL ITEMS CALLED FOR REMOVAL SHALL BE DISPOSED OF OFF-SITE IN A LOCATION APPROVED BY THE STATE.
- CONTRACTOR IS RESPONSIBLE FOR DEMOLITION & REMOVAL OF ALL EXISTING STRUCTURES WHICH INTERFERE WITH NEW WORK AS SHOWN IN PROPOSED CONSTRUCTION DRAWINGS.
- CONTRACTOR SHALL PROTECT ADJOINING PROPERTIES & STRUCTURES FROM HAZARDS ASSOCIATED WITH HIS CONSTRUCTION ACTIVITIES & SHALL BE RESPONSIBLE FOR ALL DAMAGES TO PROPERTIES & STRUCTURES THAT OCCUR AS A RESULT OF THESE ACTIVITIES.
- ANY DAMAGED PUBLIC R.O.W PAVEMENT AND CURBING SHALL BE REPLACED WITH THE EQUIVALENT PAVEMENT SECTION.
- CONTRACTOR SHALL NOT IMPEDE EXISTING TRAFFIC CIRCULATION TO ADJACENT BUSINESSES.
- THE CONTRACTOR REMOVING CONCRETE CURB AND GUTTER WITHIN RIGHT-OF-WAY SHALL PROVIDE TEMPORARY TRAFFIC CONTROL IN COMPLIANCE WITH THE MINNESOTA TEMPORARY TRAFFIC CONTROL ZONE LAYOUTS FIELD MANUAL DATED FEBRUARY 2011.
- CONTRACTOR SHALL REMOVE AND DISPOSE OF ALL EXISTING BITUMINOUS WITHIN CONSTRUCTION LIMITS. BITUMINOUS SHALL BE SAW CUT OR JACK HAMMERED FOR STRAIGHT EDGES. TACK SHALL BE USED ON BITUMINOUS EDGE PRIOR TO PATCHING. MATCH EXISTING EDGES.
- NO MATERIALS RESULTING FROM DEMOLITION SHALL BE STOCK PILED ON THE SITE FOR ANY LENGTH OF TIME GREATER THAN 24 HOURS.
- DEMOLITION CONTRACTOR SHALL HAVE THE SITE CLEARED AND FREE OF MATERIALS TO THE ACCEPTANCE OF THE GENERAL CONTRACTOR, OWNER AND ENGINEER PRIOR TO THE CONCLUSION OF THE DEMOLITION CONTRACT.
- DEMOLITION CONTRACTOR SHALL FAMILIARIZE THEMSELVES WITH THE ENVIRONMENTAL REPORTS INCLUDING THE PHASE I REPORT AND FOLLOW REPORT RECOMMENDATIONS.

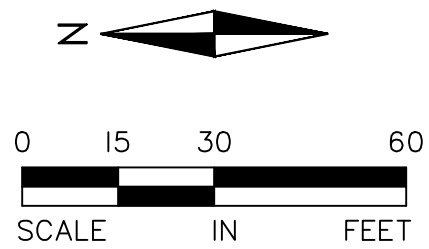
SURVEY LEGEND

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- SANITARY MANHOLE
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- FIBER OPTIC
- FENCE
- TREE LINE
- CONCRETE
- BITUMINOUS

DEMO LEGEND

- \* REMOVE EXISTING LIGHT POLE
- ✕ REMOVE EXISTING TREE
- ▨ CONCRETE TO REMAIN
- ▧ REMOVE EXISTING PAVEMENT
- ▩ REMOVE EXISTING BUILDING
- REMOVE EXISTING CONCRETE
- DEMOLITION LIMITS
- PROPERTY LINE
- EXISTING CURB AND GUTTER TO REMAIN
- REMOVE EXISTING CURB AND GUTTER

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CITY SUBMITTAL

DEMOLITION PLAN

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CLARK WICKLUND, PE

Date License No.

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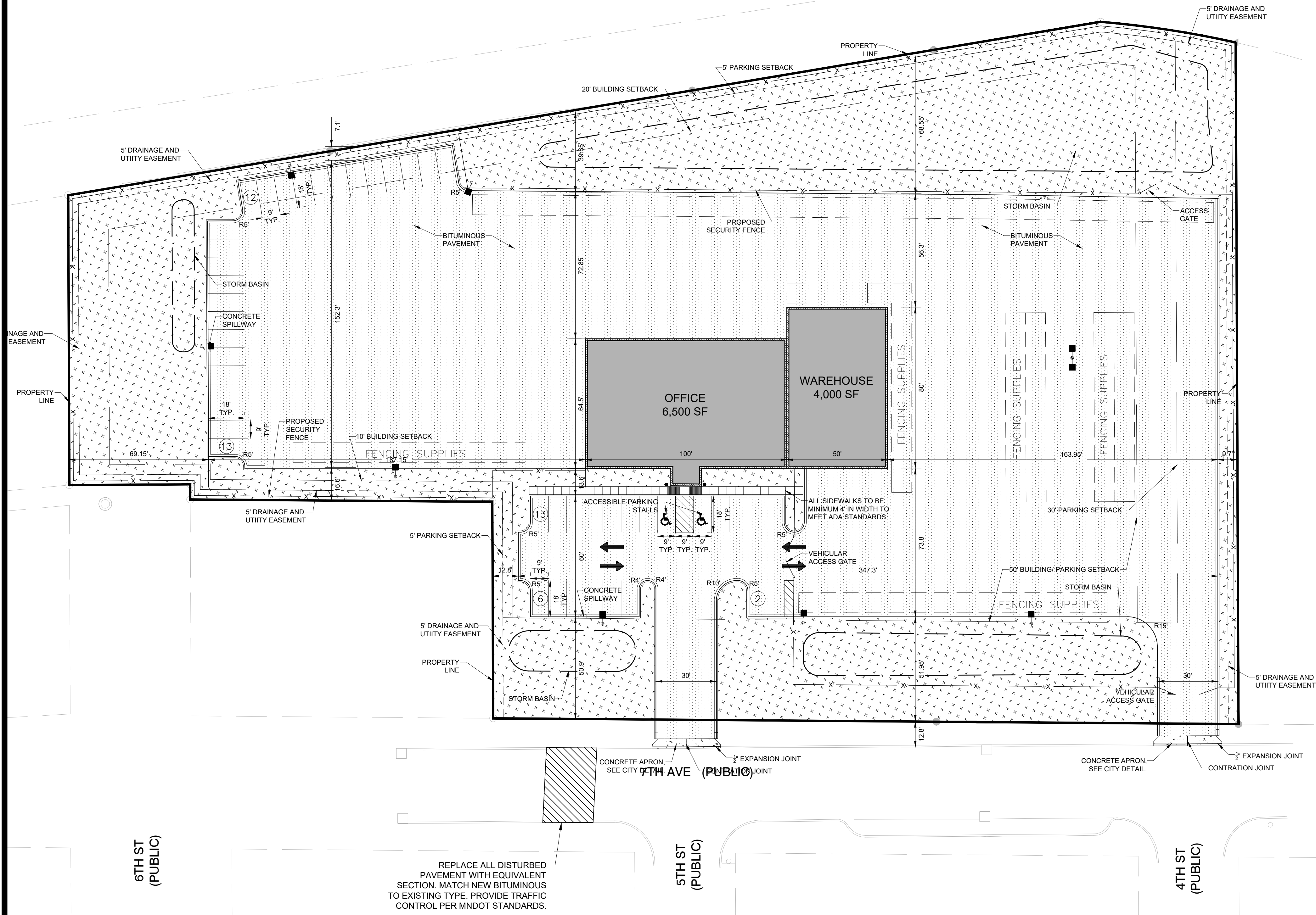
DESIGNED: MK

DRAWN: TLM

PROJECT NO: 222-0110

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SITE NOTES:

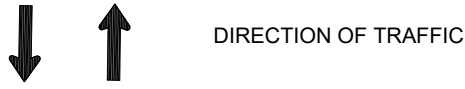
1. PRIOR TO STARTING CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE TO MAKE SURE THAT ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION OR FABRICATION SHALL BEGIN UNTIL THE CONTRACTOR HAS RECEIVED AND THOROUGHLY REVIEWED ALL PLANS AND OTHER DOCUMENTS APPROVED BY ALL OF THE PERMITTING AUTHORITIES.
2. CONTRACTOR SHALL FIELD VERIFY THE LOCATIONS AND ELEVATIONS OF EXISTING UTILITIES AND TOPOGRAPHIC FEATURES, SUCH AS EXISTING GUTTER GRADES AT THE PROPOSED DRIVEWAYS, PRIOR TO THE START OF SITE GRADING. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER OF ANY DISCREPANCIES OR VARIATIONS FROM THE PLANS.
3. ALL WORK TO BE PERFORMED IN ACCORDANCE WITH THESE PLANS AND SPECIFICATIONS AND THE REQUIREMENTS AND STANDARDS OF THE LOCAL GOVERNING AUTHORITY.
4. CONTRACTOR IS RESPONSIBLE FOR DEMOLITION & REMOVAL OF ALL EXISTING STRUCTURES WHICH INTERFERE WITH NEW WORK AS SHOWN.
5. ALL DIMENSIONS, GRADES, EXISTING AND PROPOSED INFORMATION SHOWN ON THE PLANS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE CONSTRUCTION MANAGER IF ANY DISCREPANCIES EXIST PRIOR TO PROCEEDING WITH CONSTRUCTION FOR NECESSARY PLAN OR GRADE CHANGES. NO EXTRA COMPENSATION SHALL BE PAID TO THE CONTRACTOR FOR WORK HAVING TO BE REDONE DUE TO INFORMATION SHOWN INCORRECTLY ON THESE PLANS IF SUCH NOTIFICATION HAS NOT BEEN GIVEN.
6. DIMENSIONS SHOWN ARE TO FACE OF CURB, CENTER OF STRUCTURE, EDGE OF SIDEWALK OR EXTERIOR OF BUILDING.
7. ALL CONCRETE SIDEWALK ADJACENT TO BUILDING SHALL BE SEPARATED BY A 1/2" EXPANSION JOINT.
8. PROTECT EXISTING CONCRETE SIDEWALKS DURING ALL PHASES OF CONSTRUCTION. CONTRACTOR TO REPLACE ANY CRACKED OR BROKEN PANELS CAUSED BY SITE CONSTRUCTION.
9. CONTRACTOR IS RESPONSIBLE FOR THE REMOVAL & DISPOSAL OF THE EXISTING BITUMINOUS. BITUMINOUS SHALL BE SAW CUT OR JACK HAMMERED FOR STRAIGHT EDGES. TACK SHALL BE USED ON BITUMINOUS EDGE PRIOR TO PATCHING. MATCH EXISTING GRADES.
10. CONTRACTOR SHALL PROTECT ADJOINING PROPERTIES & STRUCTURES FROM HAZARDS ASSOCIATED WITH HIS CONSTRUCTION ACTIVITIES & SHALL BE RESPONSIBLE FOR ALL DAMAGES TO PROPERTIES & STRUCTURES THAT OCCUR AS A RESULT OF THESE ACTIVITIES.
11. CONTRACTOR SHALL NOT IMPEDE EXISTING TRAFFIC CIRCULATION TO ADJACENT BUSINESSES. PROVIDE TRAFFIC CONTROL DURING CONSTRUCTION PER MNDOT STANDARDS.
12. CONTRACTOR SHALL PERFORM SWEEPING ON PRIVATE PARKING AREAS AND PUBLIC STREETS AT LEAST ONCE A WEEK, ONCE A DAY IF NEEDED.
13. CONTRACTOR SHALL BE HELD FULLY RESPONSIBLE TO PREVENT AND ELIMINATE ANY DUST NUISANCE OCCASIONED BY AND DURING CONSTRUCTION, UNTIL THE PROJECT HAS BEEN COMPLETED AND HANDED OVER.
14. REFER TO ARCHITECTURAL DRAWINGS FOR CONCRETE STOOPS ADJACENT TO PROPOSED BUILDING.
15. CONTINUOUS CONCRETE CURB & GUTTER WHICH CHANGES TYPE SHALL HAVE A FIVE FOOT TRANSITION.
16. ALL CONCRETE CURB AND GUTTER ADJACENT TO CONCRETE WALK SHALL BE SEPARATED BY A 1/2 INCH EXPANSION JOINT.
17. PARKING LOT STRIPING SHALL BE 4 INCH WHITE.
18. ALL WORK WITHIN THE R.O.W. SHALL COMPLY WITH THE CITY OF NEWPORT ENGINEERING DESIGN STANDARDS.
19. ALL CURB AND GUTTER TO BE CONCRETE B612 CURB UNLESS NOTED OTHERWISE.
20. CONCRETE APRONS TO BE INSTALLED FOR ALL ACCESS DRIVES ONTO PUBLIC STREETS PER CITY STANDARDS.
21. ALL WORK WITH COUNTY R/W SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE 2020 EDITION OF THE MNDOT STANDARD SPECIFICATIONS FOR CONSTRUCTION.

SITE DATA

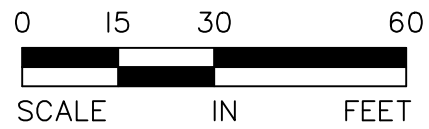
PARCEL AREA:	155,631 SQ FT	3.57 AC
ZONING	= B-2- GENERAL BUSINESS	
BUILDING COVERAGE	OFFICE:	6,500 S.F.
	WAREHOUSE:	4,000 S.F.
BUILDING SETBACKS		
	FRONT YARD	= 20 FT./50 FT (RES.)
	REAR YARD	= 20 FT./50 FT (RES.)
	SIDE (ROW)	= 10 FT./50 FT (RES.)
PARKING SETBACKS		
	FRONT	= 20 FT./50 FT (RES.)
	REAR	= 5 FT./30 FT (RES.)
	SIDE	= 5 FT./50 FT (RES.)
OPEN SPACE DATA		
TOTAL OPEN SPACE:	57,954 S.F.	
LOT AREA:	155,631 S.F.	
PERCENT OPEN SPACE:	37.24%	
MAXIMUM IMPERVIOUS SURFACE	75%	
PARKING DATA		
OFFICE(1 SPACE/ 250S.F.):	6,500/250= 26 SPACES	
WAREHOUSE (1 SPACE/2,000S.F.):	4,000/2,000= 2 SPACES	
TOTAL REQUIRED PARKING:	28 SPACES	
TOTAL PROPOSED:	46 SPACES	

LEGEND:

	B612 CURB & GUTTER (EXCEPT IN ROW)
	B612 CURB & GUTTER (OUTFALL)
	CONSTRUCTION LIMITS
	PROPERTY LINE
	PREVIOUS RIGHT OF WAY
	BUILDING SETBACK
	PARKING SETBACK
	LED SITE LIGHT FIXTURE 25' POLE ON 3" CONCRETE BASE SEE PHOTOMETRIC PLAN, P-1.0
	LED SITE LIGHT FIXTURE WALL PACK LIGHTING SEE PHOTOMETRIC PLAN, P-1.0
	CONCRETE PAVEMENT
	BITUMINOUS PAVEMENT
	LANDSCAPE AREA



FOR REVIEW ONLY  
PRELIMINARY  
NOT FOR CONSTRUCTION





**ALLIANT**  
733 Marquette Avenue  
Suite 700  
Minneapolis, MN 55402  
612.758.3080  
www.alliant-inc.com

KELLER FENCE  
478 7TH AVENUE  
NEWPORT, MINNESOTA  
CITY SUBMITTAL  
SITE PLAN

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed PROFESSIONAL ENGINEER under the laws of the State of MINNESOTA

CLARK WICKLUND, PE

Date License No.

QUALITY ASSURANCE/CONTROL

BY	DATE
DATE	ISSUE
8-30-22	CITY SUBMITTAL
9-21-22	CITY COMMENTS
10-28-22	CITY COMMENTS

PROJECT TEAM DATA	
DESIGNED:	MK
DRAWN:	TLM
PROJECT NO:	222-0110

C-3.0



The diagram illustrates various plant life forms and their corresponding symbols for a vegetation index calculation. The symbols are defined as follows:

- DECIDUOUS TREE:** Represented by a large circle with a '+' sign inside.
- CONIFEROUS TREE:** Represented by a circle with a '+' sign inside, surrounded by a sunburst pattern.
- ORNAMENTAL TREE:** Represented by a circle with a '+' sign inside, surrounded by a starburst pattern.
- DECIDUOUS SHRUBS:** Represented by a small circle with a '+' sign inside.
- EVERGREEN SHRUBS:** Represented by a small circle with a '+' sign inside, surrounded by a sunburst pattern.
- PERNNIALS/GRASSES:** Represented by a small circle with a '+' sign inside, surrounded by a starburst pattern.
- POLY-EDGER:** Represented by a small circle with a '+' sign inside, surrounded by a starburst pattern.
- SOD:** Represented by a rectangular area filled with small, repeating patterns.

MINIMUM OF ONE TREE PER 1,000 S.F. OR NON-IMPERVIOUS AREA.

NON-IMPERVIOUS AREA: 39,954 S.F.= 40 TREES REQUIRED

TREE PROPOSED: 40

MINIMUM SIZE:	
SHADE TREES:	2.5" DIAMETER
ORNAMENTAL TREES:	2.5" DIAMETER
CONIFEROUS EVERGREEN TREES:	6' HT.
TALL SHRUBS & HEDGE:	
(EVERGREEN OR DECIDUOUS:	5 GALLON
LOW SHRUBS:	
DECIDUOUS:	5 GALLON
CONIFEROUS EVERGREEN:	5 GALLON
SPREADING EVERGREEN:	5 GALLON

SERVICES TO UTILIZE EXISTING TRENCHES  
TO MINIMIZE BEDROCK EXCAVATION. FIELD  
VERIFY LOCATION OF TRENCHES/BEDROCK.  
REMOVE EXISTING SERVICES. NOTIFY ENGINEER  
IF MODIFICATIONS TO PLAN ARE REQUIRED.

2' CLAY LINER SECTION  
REQUIRED AT POND BOTTOM,  
WITHIN THE NWL 742' CONTOUR.  
ONSITE MATERIAL TO BE USED IF  
APPROVED BY GEOTECH ENGINEER.

7TH AVE (PUBLIC)

8" WATERMAIN W/  
8"x6" TEE & 6" G.V.

REPLACE ALL DISTURBED  
PAVEMENT WITH EQUIVALENT  
SECTION. MATCH NEW BITUMINOUS  
TO EXISTING TYPE. PROVIDE TRAFFIC  
CONTROL PER MNDOT STANDARDS.

## LANDSCAPE SCHEDULE

QUANTITY	KEY	COMMON NAME	SCIENTIFIC NAME	SIZE / ROOT TYPE	NOTES
<b>OVERSTORY TREES</b>					
5	HB	Common Hackberry	Celtis occidentalis	2.0" cal. B&B	Straight Trunk, No V-Crotch
6	KC	Kentucky Coffeetree 'Deca'	Gymnocladus dioica 'McKBranded'	2.0" cal. B&B	Straight Trunk, No V-Crotch
6	RM	Red Sunset Maple	Acer rubrum 'Franksred'	2.0" cal. B&B	Straight Trunk, No V-Crotch
4	SO	Swamp White Oak	Quercus bicolor	2.0" cal. B&B	Straight Trunk, No V-Crotch
<b>EVERGREEN TREES</b>					
10	SP	Swiss Stone Pine	Pinus cembra	6' ht B&B	Full Form
9	FA	Fat Albert Colorado Blue Spruce	Picea pungens 'Fat Albert'	6' ht B&B	Full Form
40	<b>TOTAL TREES</b>				

# LANDSCAPE PLAN

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed LANDSCAPE ARCHITECT under the laws of the State of MINNESOTA

MARK KRONBECK, PLA, ASLA

Date	License No.
------	-------------

**QUALITY ASSURANCE/CONTROL**

[illegible]

### PROJECT TEAM DATA

DESIGNED: MK  
DRAWN: TLM  
PROJECT NO: 222-0110

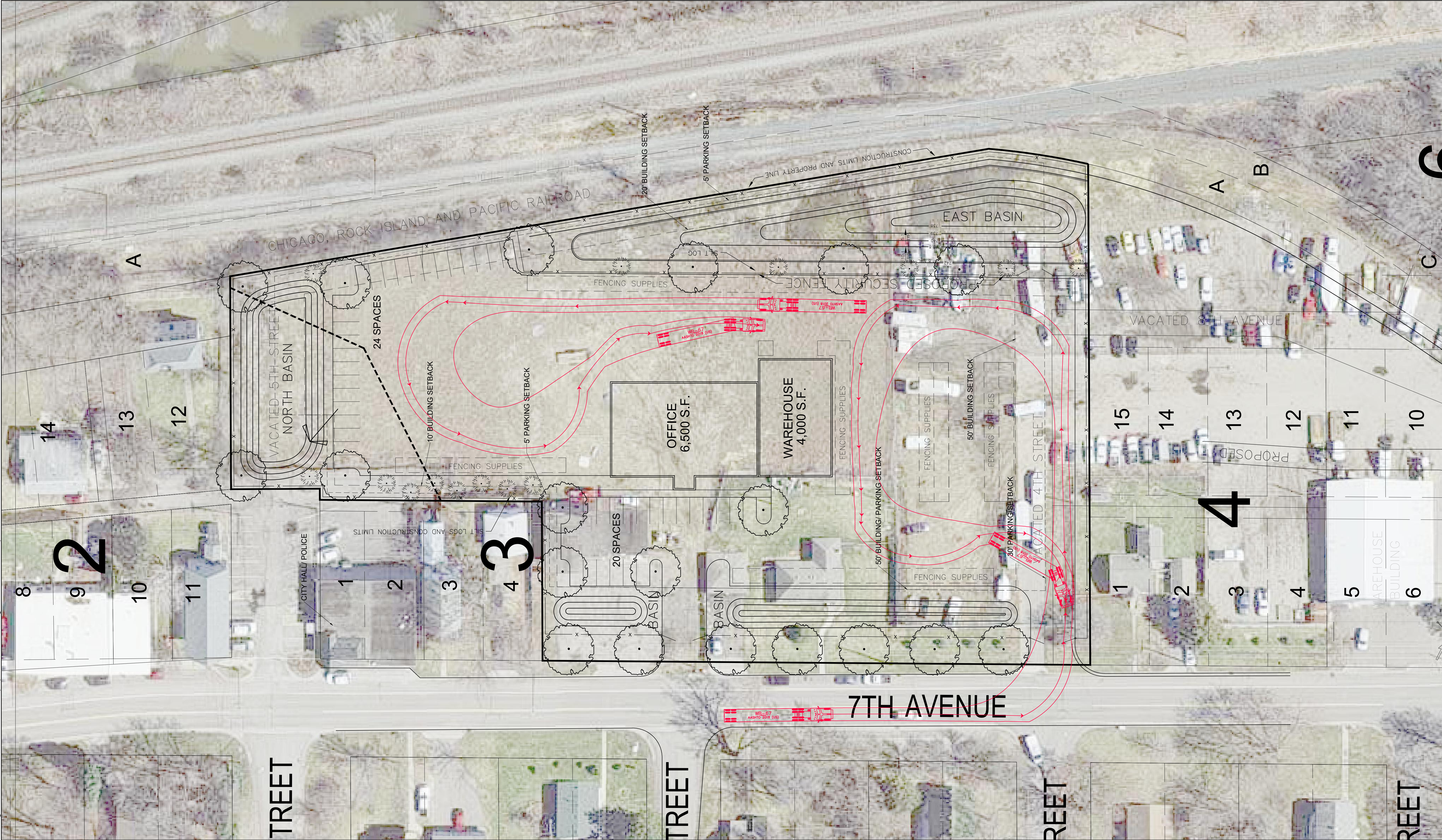
# L-1.0

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**PRELIMINARY**  
NOT FOR CONSTRUCTION





Drawing name: X:\2022\202110 - Keller Fence\proposed\22110-bas.dwg Jul 12, 2022 - 12:48pm



# KELLER FENCE FACILITY

Newport, Minnesota





## Building Perspective





## Building Perspective





## Building Perspective

City of Newport, MN  
Resolution No. 2023-07\_  
A Resolution Approving A Conditional Use Permit Request  
For Building Materials and Services in the City

**WHEREAS**, Tim Dyrhaug, 1773 Sutton Lane, Mendota Heights, MN 55118 has submitted a conditional use permit request on behalf of Keller Fence, Inc.; and

**WHEREAS**, the conditional use permit is requested for property located at existing PIDs 0102722210031, 0102722210030, 0102722210029, and 0102722210028, as depicted in the plans reviewed by the City Council on January 5, 2023; and

**WHEREAS**, the property is zoned as B-2 General Business District; and

**WHEREAS**, Section 36-45 of the city code governs conditional use permits, and the process; and

**WHEREAS**, The city may grant a conditional use permit when the use is consistent with the Zoning Ordinance and Comprehensive Plan, and the City may impose conditions and safeguards to protect the health, safety and welfare of the community. Criteria for evaluating the proposed uses and developing conditions for the variance include the following:

- a) Consistency with the comprehensive plan. The proposed use shall be consistent with the comprehensive plan.
- b) Health and safety. The proposed use shall not negatively impact the health, safety, and general welfare of occupants of surrounding lands and general welfare of the city, including, but not limited to the factors of noise, glare, odor, electrical interference, vibration, dust, and other nuisances; fire and safety hazards; existing and anticipated traffic conditions; parking facilities on adjacent streets and land; the effect on surrounding properties including valuation, aesthetics and scenic views; land uses and character and integrity of the neighborhood; impacts on governmental facilities and services including roads, sanitary sewer, water, and police and fire; effects on sensitive environmental features including lakes, surface and groundwater supply and quality, wetlands, slopes, floodplains and soils; and other factors found relevant by the city.
- c) Compliance with standards. The city shall consider whether the proposed use complies or is likely to comply in the future with all standards and requirements set out in the regulations and ordinances of the city or other governmental bodies having jurisdiction over the city.
- d) Public infrastructure services. Adequate public facilities and services shall be able to be provided to the site where the use is proposed, and/or existing infrastructure shall be able to absorb the additional demand for public services such as utilities, streets, parks, schools, etc.
- e) Screening and landscaping. Incompatible impacts of the proposed use shall be screened and buffered from adjacent property and the surrounding neighborhood. The city council may require additional landscaping or screening above that required in the zoning ordinance.
- f) Architectural standards. The site or building associated with the proposed use shall meet or exceed the architectural design and landscaping standards for the district in which it is located. The city council may require additional architectural standards above those required in the zoning ordinance.
- g) Zoning. The use shall be consistent with the requirements of the zoning ordinance and the requirements of the zoning district in which the applicant intends to locate the proposed use.
- h) Traffic. The city shall evaluate the potential generation and characteristics of the traffic associated with the use and its impact on traffic volumes and safety based on the proposed driveway locations, the existing and proposed capacity of adjacent roads, sidewalks, and trail

connections. The City shall determine that the existing transportation infrastructure is adequate to address the potential traffic or shall require that the potential impacts shall be mitigated; and

**WHEREAS,** The Planning Commission held a public hearing at its regular meeting on November 15, 2022, heard public testimony regarding this application, and unanimously voted to table consideration to request additional information.

**WHEREAS,** The Planning Commission reviewed the item on December 13, 2022, and voted 3-2 to recommend that the City Council deny a conditional use permit to allow Building Materials and Services.

**WHEREAS,** The Newport City Council reviewed the item on January 5, 2023, and discussed the Planning Commission's recommendation and findings, ultimately determining to approve the conditional use permit to allow Building Materials and Services.

**NOW, THEREFORE, BE IT RESOLVED,** the City Council of the City of Newport approves the proposed Conditional Use Permit for Building Materials and Services at existing PIDs 0102722210031, 0102722210030, 0102722210029, and 0102722210028, with the following conditions:

1. Applicant must receive any required city permits prior to beginning any work on site.
2. Applicant must pay all fees and escrows associated with this application.
3. Applicant must submit a lot combination application and any necessary documentation to satisfy City Engineering review requirements.
4. Applicant must adequately address comments in the City Engineer's review memo dated September 30, 2022, prior to issuance of a building permit.
5. Applicant must prepare, submit for review, and record acceptable drainage and utility easement agreements prior to issuance of the building permit.
6. Applicant must provide permanent stormwater management facilities that achieve applicable requirements of the City of Newport City Code and the South Washington Watershed District rules.
7. All permanent stormwater facilities shall be contained within a drainage and utility easement.
8. All storm water infrastructure and connecting pipe shall be privately owned and maintained.
9. All traffic to the site must weigh less than 9 tons per axle year-round.
10. All fleet and delivery vehicle traffic associated with this use shall be directed to access the site from the south, using the 70<sup>th</sup> Street exit from Highway 61 and 7<sup>th</sup> Avenue.
11. All fleet and delivery vehicle traffic shall use the southerly site access proposed at the intersection of 4<sup>th</sup> Street and 7<sup>th</sup> Avenue.
12. All fleet and delivery vehicle traffic on site shall be restricted from 7am to 7pm, on weekdays.
13. Diesel vehicles shall not be idled or operated outside of regular operating hours between 7am to 7pm on weekdays.
14. Vehicles on site with back up signals must either utilize broadband alarms while backing up or a circular traffic pattern around the site to avoid the need to back up.
15. Outdoor storage shall only consist of building materials and shall not be visible from the public right of way on 7<sup>th</sup> Avenue.
16. Gates shall remain closed when not in use.
17. Parking required by this use should be fully accommodated on the site, no customer, staff, or delivery parking may take place on 7<sup>th</sup> Avenue.

18. Parking, loading, and exterior storage surfaces shall be maintained sufficiently to keep them in good condition and dust free.
19. Fencing and gates shall be maintained sufficiently to keep such improvements in good condition and meeting screening requirements.
20. Landscaping shall be provided and routinely maintained to meet applicable city standards.
21. A trash enclosure, meeting applicable City standards, must be constructed if refuse is to be stored outdoors outside of regular collection.
22. Retail sales are not permitted on site.
23. Intensification of the use on site by expansion of the principal structure, or as otherwise identified by staff, shall require a CUP amendment per Sec. 36-45.
24. Site improvements must conform with those proposed in the site plans reviewed at the City Council meeting on November 17, 2022. Deviations from the reviewed plans must be reviewed consistent with Sec. 36-51.

Adopted this 5<sup>th</sup> day of January, 2023 by the Newport City Council.

VOTE:	Elliott	_____
	Chapdelaine	_____
	Ingemann	_____
	Taylor	_____
	Sumner	_____

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

Attest: \_\_\_\_\_  
Joe Hatch, City Administrator