



CITY OF NEWPORT
2060 1ST 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 Yokiell
Fire Chief: Steven Wiley
Asst. to the City Admin: Travis Brierley
Law Enforcement (WCSO): Bill Harrell

CITY COUNCIL AGENDA
September 7, 2023- 5:30 PM

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. ADOPT AGENDA
5. RAMSEY/WASHINGTON COUNTY RECYCLING AND ENERGY CENTER PRESENTATION
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 – August 3, 2023 Council Workshop
 - B. Minutes – August 8, 2023 Special Council Meeting
 - C. List of Bills- \$214,831.12
8. WASHINGTON COUNTY SHERIFF'S OFFICE REPORT
9. FIRE CHIEF'S REPORT
 - A. Emergency Response Presentation
10. ENGINEER'S REPORT
11. SUPERINTENDENT OF PUBLIC WORKS REPORT
12. ADMINISTRATION REPORT
 - A. **Ordinance No. 2023-05**- Cannabis Business Moratorium – Public Hearing
 - B. Verizon Wireless Lease Agreement
13. MAYOR AND COUNCIL REPORTS

14. ADJOURNMENT



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COUNCIL WORKSHOP MINUTES

August 3, 2023

1. CALL TO ORDER

Mayor Elliott called the City Council Workshop to order at 5:50 p.m. on August 3, 2023.

2. ROLL CALL

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

Not Present (0): None.

3. PARK DEDICATION DISCUSSION

City Administrator Joe Hatch stated he asked our City Planner to research our park dedication ordinance and suggest potential changes or updates that Council may want to consider.

City Planner Nathan Fuerst gave a presentation on park dedication. The state allows cities to require dedication of park land, or cash in lieu of land, as part of a development. Newport has an existing ordinance that requires developments dedicate 10% of land or cash. Planner Fuerst looked at ordinances of other cities including Victoria and Lake Elmo. The City of Victoria requires one acre of land for every seventy-five residents. Victoria identifies distinct types of housing and estimates how many residents each type of housing produces and then uses a simple formula. Lake Elmo's ordinance is similar to ours in that they require 10% land dedication. The state requires a nexus between the fees or dedication and the purpose for using those fees. The city will need to determine the desired structure of our ordinance and then repeal or replace our existing ordinance. Council discussed and would like staff to bring back a draft ordinance modeled after the City of Victoria.

4. 2024 CAPITAL IMPROVEMENT PLAN DISCUSSION

Administrator Hatch stated the budget committee reviewed the Capital Improvement Plan (CIP). The CIP includes parks, equipment for fire and public works, and building supplies. Administrator Hatch gave Council a high-level overview of what items have been changed or updated in the CIP. The City Council gave feedback and recommendations for Administrator Hatch.

5. FUTURE MEETING AGENDA ITEMS

Administrator Hatch stated future agenda items include moratorium on cannabis, public tobacco ordinance, emergency response presentation, and budget discussions.

6. ADJOURNMENT

Mayor Elliott adjourned the City Council Workshop at 7:30 p.m. on August 3, 2023.

Respectfully Submitted:
Jill Thiesfeld,
Administrative Assistant II

Signed: _____
Laurie Elliott, Mayor



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SPECIAL CITY COUNCIL MEETING MINUTES
August 8, 2023

1. CALL TO ORDER

Mayor Elliott called the Special City Council meeting to order at 4:30 p.m. on August 8, 2023.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present (3): Mayor Laurie Elliott, Council Member Marvin Taylor, and Council Member Bill Sumner.

Not Present (2): Council Member Kevin Chapdelaine and Council Member Tom Ingemann.

4. RESOLUTION NO. 2023-35 – APPROVE GAMBLING APPLICATION FOR THE COTTAGE GROVE ATHLETIC ASSOCIATION

City Administrator Joe Hatch stated the first resolution is to approve the gambling application for the Cottage Grove Athletic Association (CGAA). This will allow the CGAA to host bingo at Pioneer Day on Sunday, August 13th.

Member Sumner motioned to adopt Resolution No. 2023-35 – Approve Gambling Application for the Cottage Grove Athletic Association. Seconded by Member Taylor. Approved 3-0.

5. RESOLUTION NO. 2023-36 – APPROVE TEMPORARY LIQUOR LICENSE FOR THE NEWPORT FIRE RELIEF ASSOCIATION

Administrator Hatch stated the next resolution is for a temporary liquor license for the Newport Fire Relief Association (NFRA). The NFRA will be hosting Booya on September 17th. Fire Chief Steve Wiley informed the city they need city approval and must get their application to the state thirty days prior to the event.

Member Sumner motioned to adopt Resolution No. 2023-36 – Approve Temporary Liquor License for the Newport Fire Relief Association. Seconded by Member Taylor. Approved 3-0.

6. ADJOURNMENT

Member Sumner motioned to adjourn the Special City Council meeting. Seconded by Member Taylor. Approved 3-0.

The Special City Council meeting was adjourned at 4:40 p.m. on August 8, 2023.

Respectfully Submitted:
Jill Thiesfeld,
Administrative Assistant II

Signed: _____
Laurie Elliott, Mayor

Recurring

2242e	COMCAST	21-Aug-23	\$467.85 Phone rental and phone lines
2243e	QUADIENT FINANCE USA, INC.	21-Aug-23	\$500.00 Postage
2244e	UNUM	21-Aug-23	\$557.04 Life and long-term disability insurance
2245e	COMCAST	24-Aug-23	\$129.64 Library Internet and Norton Internet security
2246e	UNITED STATES TREASURY	24-Aug-23	\$9,376.36 SS, Federal and Medicare
2247e	MN REVENUE	24-Aug-23	\$1,687.89 State taxes
2248e	MSRS	24-Aug-23	\$3,519.12 HCSP & voluntary retirement
2249e	WEX HEALTH	24-Aug-23	\$33.00 Monthly fee
2250e	WEX HEALTH	24-Aug-23	\$745.73 HSPA
2251e	COMCAST	31-Aug-23	\$268.69 Internet and analog phone lines City Hall
2252e	COMCAST	31-Aug-23	\$210.54 Internet and analog phone lines PW building
2253e	WEX BANK	31-Aug-23	\$3,478.52 Petrol
25903	XCEL ENERGY	17-Aug-23	\$2,810.56 Natural gas and electricity
25904	BASIC NEEDS THRIFT SHOP	24-Aug-23	\$290.47 Lawful gambling donation
25905	FRIENDS IN NEED FOOD SHELF	24-Aug-23	\$290.47 Lawful gambling donation
25906	DEREK JOHNSON	24-Aug-23	\$96.64 House burn train ing supplies-straw
25907	NCPERS GROUP LIFE INS.	24-Aug-23	\$16.00 Addt. Life insuranc
25908	PERA	24-Aug-23	\$5,223.79 Retirement
25909	DEB SCHULZ	24-Aug-23	\$130.69 Mileage and purchases reimbursement
25910	VERIZON	24-Aug-23	\$269.79 Cell phones and hot spots
25911	PENNY DUFF	31-Aug-23	\$459.86 Reimbursement for HPC Annual Conference
25912	ADAM GUTHMILLER	31-Aug-23	\$3.59 Overpayment of final utility bill
25913	MARCO TECHNOLOGY LLC	31-Aug-23	\$280.60 Copier contract
25914	JACQUELINE RICHARDS-SHRESTH,	31-Aug-23	\$8.86 Overpayment of final utility bill
25915	XCEL ENERGY	31-Aug-23	\$8,638.29 Natural gas and electricity
	Staff		\$23,567.04

Non-recurring

25916	ADVANCED GRAPHIX INC.	07-Sep-23	\$55.00 Lettering for City Hall
25917	ANCHOR SOLAR INVESTMENTS, LL	07-Sep-23	\$387.07 Solar leasing
25918	BIFFS INC.	07-Sep-23	\$455.00 Pioneer Day addt. Port-o-potty
25919	CITY OF BLOOMINGTON	07-Sep-23	\$12.00 Water lab testing
25920	BOLTON & MENK, INC.	07-Sep-23	\$5,972.50 City planning
25921	BULLETIN LICENSE CENTER	07-Sep-23	\$846.28 Trailer tax and license
25922	BURGGRAFS ACE	07-Sep-23	\$198.13 Supplies
25923	CHETS SAFETY SALES	07-Sep-23	\$191.39 Uniform boots Joa
25924	EMERGENCY SERVICES MARKETIN	07-Sep-23	\$735.00 I am Responding 2023 subscription
25925	ESRI	07-Sep-23	\$2,720.00 Arc GIS online annual suscription
25926	FAIR OFFICE WORLD	07-Sep-23	\$222.75 Property folders and ink
25927	FLAHERTY & HOOD, P.A.	07-Sep-23	\$48.75 Legal fees
25928	GERLACH OUTDOOR POWER EQUI	07-Sep-23	\$495.28 Parks-mower wheels
25929	GRAINGER PARTS	07-Sep-23	\$57.36 Key for outside spigot at City hall and towel holder for public works
25930	GREEN LEAF TREE SERVICE	07-Sep-23	\$11,900.00 Ash tree removal and storm tree removal
25931	GUARDIAN SUPPLY	07-Sep-23	\$645.99 Uniforms hats and pant
25932	H&L MESABI	07-Sep-23	\$1,860.00 Plow cutting edges
25933	HAWKINS	07-Sep-23	\$30.00 Chlorine cylinders
25934	HKGI	07-Sep-23	\$22,809.96 Area redevelopment study
25935	IDEAL ENERGIES SOLAR LEASING ;	07-Sep-23	\$904.23 Solar leasing City Hall
25936	MARTIN MARIETTA	07-Sep-23	\$162.24 Asphalt
25937	MENARDS - COTTAGE GROVE	07-Sep-23	\$1,132.12 Softner salt, soap, water, pd electric, park paint
25938	MMKR	07-Sep-23	\$19,859.00 Audit completion
25939	MINNESOTA DEPARTMENT OF HEA	07-Sep-23	\$2,335.00 Community water supply connection fee
25940	MN DEPT OF LABOR AND INDUSTR	07-Sep-23	\$100.00 Annual elevator inspection
25941	MN FIRE SERVICE CERT. BOARD	07-Sep-23	\$126.00 FFII Certification Test-Hively
25942	CITY OF SAINT PAUL	07-Sep-23	\$2,481.74 Main repair 1751 Wildridge Trail
25943	SKYLINE SALT SOLUTIONS	07-Sep-23	\$2,374.77 Road salt
25944	WASHINGTON CTY PUBLIC WORKS	07-Sep-23	\$72,097.68 CSAH 38-reconstruction & watermain replacement-payment 1 & 2
25945	WINZER	07-Sep-23	\$138.60 Plow bolts
25946	ZEP SALES & SERVICE	07-Sep-23	\$416.25 Hand soap and brake wash
			\$214,831.12

City of Newport Emergency Management

August 2023



City of Newport Emergency Management



Purpose:

To create a secure and resilient city with the capabilities required to maximize protection of life and property, ensure continuity of government protect all involved and recover from the threats and hazards that pose the greatest risk.

Mission:

In any emergency, the mission is to:

- Protect life
- Minimize impact to property and the environment
- Secure critical infrastructure and facilities
- Resume regular services to our citizens

Key Stakeholders:

- Fire Chief / Emergency Management Director: Steve Wiley
- Washington County Sherriff's Office: Sergeant Bill Harrell
- Superintendent of Public Works: Matt Yokiell
- Mayor: Laurie Elliott
- City Council
- City Administrator: Joe Hatch

**The Emergency Operations Plan contains information pertaining to the deployment, mobilization, and tactical operations of the City of Newport in response to emergencies. It is exempt from public disclosure under Minnesota state law.*

Emergency Operations Plan

Purpose of the Emergency Operation Plan (EOP):

- Every emergency is different: Dependent on geography, weather, population, materials involved and location.
- While over 400 pages in length, the EOP is not a blueprint with all the answers.
- Like rough carpentry the EOP provides the framework by which City of Newport manages major emergencies that impact health, safety, property and resources.
- The plan provides guidelines on how to manage major emergencies that threaten health, functions, services and operations.
- It is a City-wide document that provides cohesive, coordinated, and cooperative interoperability among multiple jurisdictions and agencies.
- It is intended to capture best practices for managing incidents that range from the serious but purely local, to large scale catastrophic disasters, whether they be natural, technological, or human caused (accidental or intentional).



**The Emergency Operations Plan contains information pertaining to the deployment, mobilization, and tactical operations of the City of Newport in response to emergencies. It is exempt from public disclosure under Minnesota state law.*

Emergency Operations Plan



Foundation of the EOP is based on the Incident Command System (ICS):

➤ What is ICS:

- ICS is a nationally accepted hierarchical management system used to manage emergencies.
- It is primarily a field response system but has been adapted for use in an Emergency Operations Center.
- Created by the fire service in 1971, it provides guidelines for common multiagency operating procedures, terminology, communications, and management.
- Provides guidance for how to organize assets to respond to an incident
- Its modular structure allows for a consistent and coordinated response to incidents of all sizes, types and complexity

➤ Newport Fire Department's Standard Operating Guidelines are based on the ICS

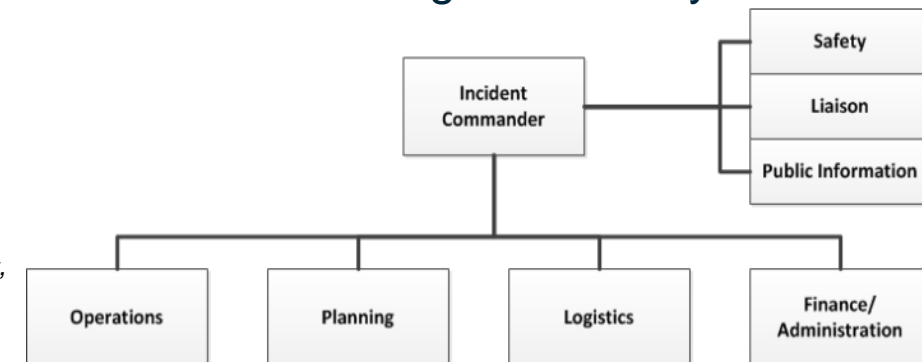
➤ The Newport Fire Department uses the ICS on some level for all incidents.

➤ All Fire Officers are trained in ICS which covers local scale events

- IS-700 - Introduction
- ICS-100 - Incident Command System
- ICS-200 - Incident Command System for initial response

➤ All Chief Officers are trained in ICS for regional incidents through a four-day in-person FEMA training course

- ICS-300 - ICS for expanding Incidents



**The Emergency Operations Plan contains information pertaining to the deployment, mobilization, and tactical operations of the City of Newport in response to emergencies. It is exempt from public disclosure under Minnesota state law.*

Emergency Operations Plan

Types of emergencies that could trigger the Emergency Operations Plan:

- Large scale fires
- Mass casualty incidents
- Weather related incidents
- Large scale search & rescue
- Hazardous materials release
- Transportation incidents
- Natural disasters
- Technological emergencies
- Energy and utilities emergencies
- Communication system emergencies



**The Emergency Operations Plan contains information pertaining to the deployment, mobilization, and tactical operations of the City of Newport in response to emergencies. It is exempt from public disclosure under Minnesota state law.*

Emergency Operations Plan



Example of supporting agencies:

- Mutual Aid Fire and EMS Departments
 - Washington County
 - Dakota County
 - St. Croix County
 - Statewide Mutual Aid
 - St. Paul Hazmat Response Team
- Washington County
 - Sherriff's Office
 - Emergency Management
 - Department of Health
 - Public Works
 - Communication Center
- Region's Hospital
- Woodwinds Hospital
- American Red Cross
- Salvation Army
- Animal Humane Society
- State of Minnesota
 - State Fire Marshal
 - Emergency Management
 - Department of Health
 - Department of Transportation
 - Department of Natural Resources
 - National Guard
 - Pollution Control Agency
 - Homeland Security
- FEMA
- Utility and Transportation Companies
 - Excel Energy
 - MN Office of Pipeline Safety
 - Canadian Pacific Railroad
 - Marathon Refinery
 - Magellan Pipeline
 - Metro Transit

**The Emergency Operations Plan contains information pertaining to the deployment, mobilization, and tactical operations of the City of Newport in response to emergencies. It is exempt from public disclosure under Minnesota state law.*

Emergency Operations Plan



Sample initial scene size-up of first arriving Fire Department units: Train derailment

- Wind direction
- Extent and number of injuries
- Number and position of locomotives and/or railcars derailed
- Identify hazards involved using DOT placard, rail car ID number or train documents
- Presence of fire, smoke or fumes
- Overall condition of each railcar (structural damage, condition of valves, and condition of the outer tank jacket)
- Evidence and source of leakage (wetness on sides of cars, vapor clouds, and odors)
- Amount and rate of leakage; pooling of material, seeping into ground, or entering waterways
- Weather conditions (precipitation, humidity, temperature, etc.)
- Topography and accessibility of the area
- Public exposure potential (businesses, residential, highways, etc.)
- Location of waterways (river, drainage ditches, culverts, sewers, etc.)
- Initial remedial action(s) conducted (dams or dikes constructed, sorbents applied, etc.).

**The Emergency Operations Plan contains information pertaining to the deployment, mobilization, and tactical operations of the City of Newport in response to emergencies. It is exempt from public disclosure under Minnesota state law.*

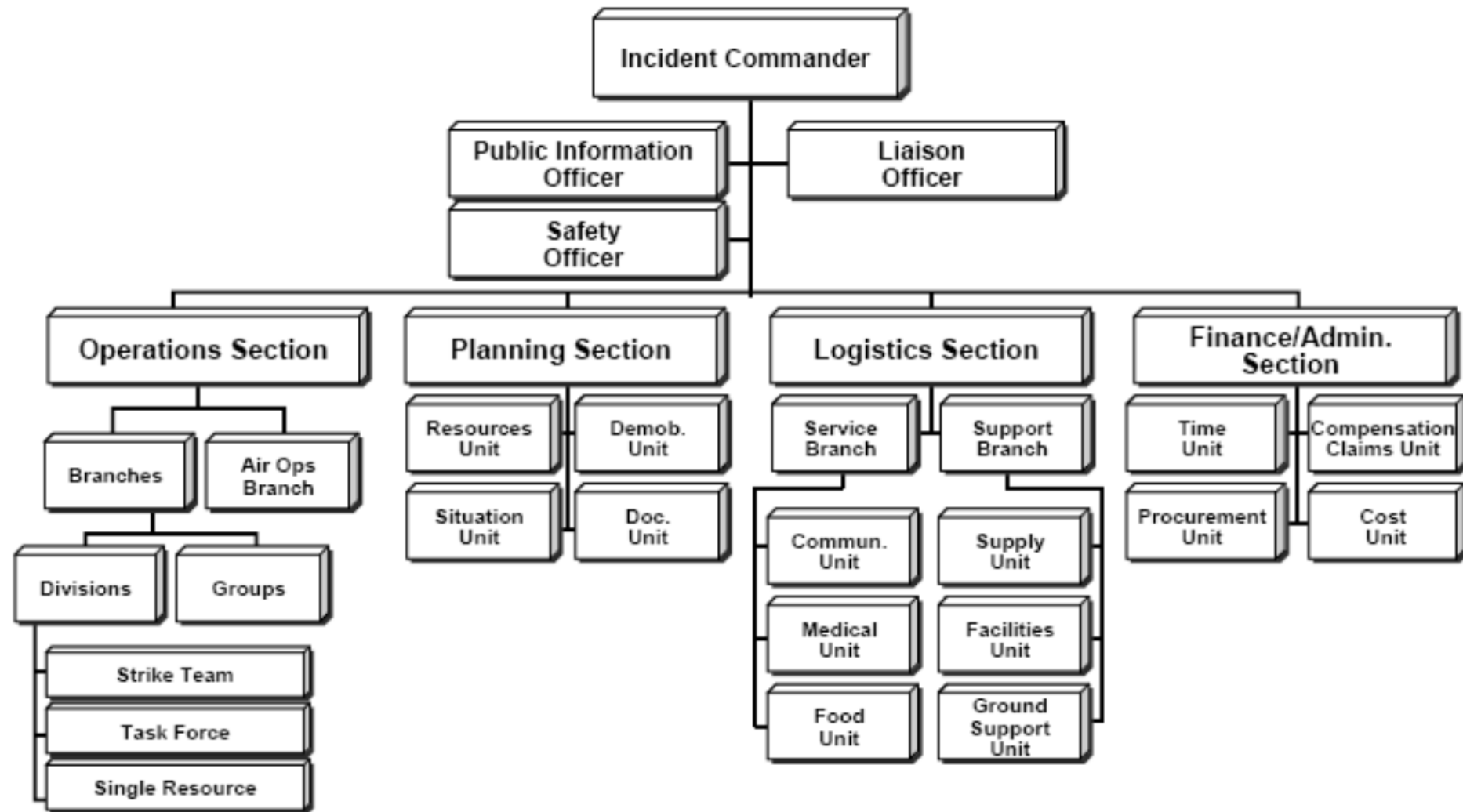
Questions?



Appendix

Emergency Operations Plan

Expanded Incident Command Structure for Large Scale Incidents



**The Emergency Operations Plan contains information pertaining to the deployment, mobilization, and tactical operations of the City of Newport in response to emergencies. It is exempt from public disclosure under Minnesota state law.*

City of Newport, MN
Ordinance No. 2023-05

An Interim Ordinance Pursuant to Minnesota Statutes Section 342.13(e),
Establishing a Study Period and Moratorium on Cannabis Businesses in
the City of Newport Until January 1, 2025

THE CITY COUNCIL OF THE CITY OF NEWPORT DOES ORDAIN THAT:

Section 1. Preamble and Findings.

1. The Minnesota Legislature has enacted 2023 Session Laws, Chapter 63, including Minnesota Statutes, Chapter 342, entitled “Regulation of Adult-Use Cannabis” and generally effective July 1, 2023, (hereinafter the “Cannabis Law”), thereby, among many other provisions, regulating the retail sale of cannabis, cannabis products, and certain hemp products, and establishing the Office of Cannabis Management, which will provide licensing and regulation of cannabis businesses, including cannabis businesses engaged in the retail sale of the aforementioned products.
2. The Cannabis Law provides that local units of government: (1) must register certain cannabis businesses making retail sales to customers or patients; (2) may adopt reasonable restrictions on the time, place, and manner of the operation of cannabis businesses; (3) may prohibit the operation of a cannabis business within 1,000 feet of a school, or 500 feet of a day care, residential treatment facility, or an attraction within a public park that is regularly used by minors, including a playground or athletic field; and (4) may limit the number of certain licensed cannabis businesses based on population.
3. The Cannabis Law directs the Office of Cannabis Management to work with local units of government to: (1) develop model ordinances for reasonable restrictions on the time, place, and manner of the operation of a cannabis business; (2) develop standardized forms and procedures for the issuance of a retail registration; and (3) develop model policies and procedures for the performance of compliance checks local units of government are required to conduct.
4. The Cannabis Law authorizes a local unit of government to adopt an interim ordinance which may regulate, restrict, or prohibit the operation of a cannabis business within its jurisdiction until January 1, 2025, if the local unit of government is conducting studies or has authorized a study or has held or has scheduled a hearing for the purpose of considering adoption or amendment of reasonable restrictions on the time, place, and manner of the operation of a cannabis business.
5. The City Council of the City of Newport (the “City”) finds there is a need to study the adoption of reasonable restrictions on the time, place, and manner of the operation of cannabis businesses in the City, including through zoning ordinances.
6. The City Council further finds that the City must consider future recommendations of the Office of Cannabis Management regarding licensing, registration, and reasonable

restrictions to be imposed on cannabis businesses in the City, and the model ordinances and policies to be developed by the Office of Cannabis Management.

7. This interim ordinance prohibiting the operation of cannabis businesses in the City will ensure that any ordinance changes and adoption of reasonable restrictions on the time, place, and manner of the operation of cannabis businesses will be carefully considered and evaluated while protecting the public health, safety and welfare during the moratorium period defined and established herein.
8. The City, as a local unit of government, may adopt this interim ordinance after holding a public hearing prior to final adoption. The City held a public hearing on _____, 2023, after at least ten days published notice. The Cannabis Law specifically authorizes this interim ordinance to continue until January 1, 2025.

Section 2. Definitions. For purposes of this Ordinance, the following terms having the meaning given to them in this section:

Cannabis Businesses means any of the businesses as provided under Minn. Stat. § 342.01, subd. 14, and shall not mean any business engaged only in the sale of edible cannabinoid products as defined by Minn. Stat. § 151.72.

Cannabis Law means 2023 Session Laws, Chapter 63, Article 1, enacting Minnesota Statutes, Chapter 342, entitled “Regulation of Adult-Use Cannabis.”

City means the City of Newport.

Edible cannabinoid product means any product as defined under Minn. Stat. § 151.72, subd. 1(f), and which conforms to all other requirements for retail and consumption of such products under Minn. Stat. § 151.72.

Ordinance means this interim ordinance, which is adopted pursuant to Minn. Stat. § 342.13(e).

Section 3. Purpose and Intent. The purpose and intent of this Ordinance is to prohibit the registration and operation of Cannabis Businesses within the City for the purpose of researching, studying, and considering the impacts and potential impacts of the above-referenced Cannabis Businesses in order to determine the necessary or appropriate reasonable restrictions and/or regulations in City Code on the time, place, and manner of the operation of Cannabis Businesses in the City, as well as to consult with the newly established Office of Cannabis Management on a model ordinance, policies, and standardized forms for the registration of Cannabis Businesses.

Section 4. Moratorium Declaration. For the duration stated herein and until the City has studied and adopted any reasonable restrictions and/or regulations in City Code on the time, place, and manner of the operation of Cannabis Businesses related to the aforementioned purpose, intent and findings of this Ordinance, the City shall not register any Cannabis

Businesses in the City and no business, person, or entity may operate a Cannabis Business within the City. The City shall not accept, process, or act on any license application or registration request, site plan, building permit, zoning request, or other approval, including any requested confirmation, certification, approval, or other request from the Office of Cannabis Management or other governmental entity requesting City review of any application or proposal for a Cannabis Business.

Section 5. Study Authorized. During the period of this moratorium, the Council hereby authorizes and directs City staff to conduct a study to help determine the need for reasonable restrictions and/or regulations in City Code on the time, place, and manner of the operation of Cannabis Businesses that may need to be adopted as authorized under Minn. Stat. § 342.13(e) to protect the public's health, safety and welfare related to the aforementioned purpose, intent and findings. The Council hereby directs City staff to study the impacts and effects of the operation of Cannabis Businesses within the City for the purpose of determining the adequacy and effectiveness of current regulations and to study and consider the model ordinances and policies promulgated by the Office of Cannabis Management for possible inclusion in City Code. Upon completion of the study, the Council, together with such boards and commissions as the Council deems appropriate, or as may be required by law or City Code, will consider the advisability of adopting new ordinances or amending its current ordinances.

Section 6. Duration. This Ordinance shall expire, without further City Council action, on January 1, 2025; or it may be repealed earlier if the Council determines that no further study is necessary, that no further action is necessary, and/or any reasonable restrictions and/or regulations in City Code on the time, place, and manner of the operation of Cannabis Businesses within the City have been adopted by the City Council and are effective.

Section 7. Violation. During the term of the moratorium, it is a violation of this Ordinance for any business, person, or entity to operate a Cannabis Business within the City.

Section 8. Enforcement. Any business, person, or entity in violation of this Ordinance shall be subject to any enforcement actions authorized in City of Newport City Code, including without limitation, criminal prosecution and/or civil penalties and fines. The City may also enforce this Ordinance by mandamus, injunctive relief, or other appropriate civil remedy. A violation of this Ordinance may result in the City reporting the violation to the Office of Cannabis Management if such violation is relevant to Office of Cannabis Management licensing. The City Council hereby authorizes the City Administrator, in consultation with the City Attorney, to initiate any legal action deemed necessary to secure compliance with this Ordinance.

Section 9. Exceptions. The moratorium imposed by this Ordinance does not apply to: (1) the continued operation of a business as part of the Medical Cannabis Program administered by the Minnesota Department of Health that was lawfully operating within the City prior to July 1, 2023; (2) the lawful sale of edible cannabinoid products in compliance with Minn. Stat. § 151.72; or (3) sales of edible cannabinoid products at an exclusive liquor store in accordance with Minn. Stat. § 340A.412, subdivision 14. Nothing in this Article exempts a business, person,

or entity that is selling edible cannabinoid products from having to comply with all requirements and prohibitions of applicable laws and ordinances.

Section 10. Separability. Every section, provision, or part of this Ordinance is declared separable from every other section, provision or part; and if any section, provision, or part thereof or action taken hereunder shall be held invalid, it shall not affect any other section, provision, or part.

Section 11. Effective Date. This Ordinance shall take effect immediately upon its final adoption and publication.

Passed by the City Council of Newport, Minnesota this 7th day of September 2023.

Motion by: _____,

Seconded by: _____

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 Elliott and Newport City Council
FROM: Travis Brierley, Assistant to the City Administrator
DATE: September 7, 2023
SUBJECT: Verizon Wireless Co-Location on Washington County Monopole

Background

The City of Newport entered into a contract with Washington County to build a monopole tower for wireless communications at Public Works. The contract was approved in 2007 and allows for revenue sharing of colocation wireless providers. The City does not insure the monopole and is not responsible for the maintenance of the monopole. Currently, the only communications equipment on the monopole is for county wide emergency services.

The City was approached by Trueman Site Acquisitions to build a monopole an additional monopole at the Public Works site. It was determined after discussions with the Public Works Superintendents and with Washington County that a new monopole will cause issues with current emergency services communication signals. Since that time, Trueman has been working with the County on establishing an antenna for Verizon Wireless to be installed on the County's monopole.

Discussion

The contract agreed upon by Washington County is for a up to 20 years.

- 5-year contract with 3 automatic 5-year renewals
- \$2,500 per month
- Escalator of 2% per month on the anniversary of the Commencement Date

The contract for the monopole tower between the City and the County relies on revenue sharing.

- Years 1 through 5- 30% revenue sharing to the City (\$46,836 over 5-years)
- Years 6 through 10- 40% revenue sharing to the City (\$68,948 over 5-years)
- Years 11 and beyond- 50% revenue sharing to the City (\$200,215 over 10-years)
- Total of \$315,999 if the lease remains in effect for the full 20-years.

Recommendation

It is staff's recommendation that the City approve the attached "Consent to Enter Into Lease Agreement" allowing the County to finalize and execute a contract for a collocation on the monopole at Public Works.

CONSENT TO ENTER INTO LEASE AGREEMENT
(Macro New Build – 2023)

RE: Lease Agreement executed October, 10th 2007 between the City of Newport and the County of Washington.

Verizon Wireless Site Name: MIN Military LC 702674
Site Address: 1100 Bailey Rd. Newport, MN 55055

Per the Use Rights mentioned in the-above referenced Agreement, consent is hereby requested from the City of Newport for the County of Washington to enter into a lease agreement with Cellco Partnership d/b/a Verizon Wireless for the installation of cellular ground and tower equipment to be located at the base of and on the existing communication tower located at the above referenced address.

City of Newport:

By: _____

Date

Title
