

State of Minnesota  
Counties of Scott & Le Sueur  
City of New Prague



City Council Meeting  
Monday, May 4, 2009

Mayor Bender called the meeting to order with the following members present: Bender, Bartusek, Betterton, Guerrette, Wilcox.

Staff Present: Mike Johnson, Ken Ondich, Dennis Seurer, Mark Vosejka and Mary Jo Hruby.

The Pledge of Allegiance was recited.

City Administrator Mike Johnson requested the Council amend the agenda to add Memorial Day Parade request as item 9 to the agenda. Consensus of the Council was to approve the amendment to the Agenda.

Police Chief Mark Vosejka presented a letter from the 4<sup>th</sup> of July Fundraising Committee requesting to hold a fundraiser on Saturday June 20, 2009 from 6:00 P.M. to 12:00 P.M. on the west property of City Club Bar. There is proof of extended liquor liability insurance for the outside property west of City Club Bar.

It was moved by Bartusek and seconded by Guerrette to approve request of the 4<sup>th</sup> of July Fundraising Committee to hold a fundraiser on Saturday June 20, 2009 from 6:00 P.M. to 12:00 P.M. on the west property of City Club Bar. All voted in favor of the motion.

City Administrator Mike Johnson reviewed with the Council, engineering services agreement with Short Elliott Hendrickson (SEH). In an effort to coordinate all of the City's services under one engineering arrangement and to ensure a coordinated long term municipal plan for utility infrastructure, approval of agreement and appointment of S E H as City Engineer is recommended.

It was moved by Wilcox and seconded by Bartusek to approve Engineering Services Agreement with S E H and appointment of S E H as City Engineer. All voted in favor of the motion.

Mr. Doug Parrott, S E H Project Manager, thanked the Council. He is looking forward to working hard for the City, Staff, and the City Residents.

Chris Cavett, S E H Project Manager, gave a summary of the bids received for the 2009 Street and Utility Reconstruction Project. Out of the seven bids, the low bid is Chard Tiling & Excavating, Inc. in the amount of \$787,459.60.

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It was moved by Guerrette and seconded by Betterton to adopt Resolution #09-05-04-01 RESOLUTION ACCEPTING BID FOR 2009 STREET AND UTILITY RECONSTRUCTION PROJECT. All voted in favor of the motion.

Public Works Director Dennis Seurer reviewed the amendment to the Engineering Services Agreement with S E H for the 2009 Reconstruction Project. When the City Council awarded the bid for engineering services to S E H for the 2009 Reconstruction Project, the sanitary sewer extension and the abandonment of the lift station on 5<sup>th</sup> St. SW was not part of their scope of services, primarily due to elevation concerns. During the design phase of the project, it was discovered that the extension of the sewer line and the abandonment of the lift station was feasible and is included as part of the project. There are additional engineering fees of \$7,000 associated with the extension of the sanitary sewer and abandonment of the lift station.

It was moved by Bartusek and seconded by Wilcox to approve the amendment to the Engineering Services Agreement with S E H and approve the additional engineering fees of \$7,000. All voted in favor of the motion.

Public Works Director Dennis Seurer gave a summary of proposals received for the materials testing for the 2009 Street Reconstruction Project. The low bidder is Braun Intertec at the estimated project total of \$27,394.00.

It was moved by Bartusek and seconded by Guerrette to award the engineering observation and testing services for the 2009 street reconstruction project to the low bidder which is Braun Intertec at the estimated project total of \$27,394.00. All voted in favor of the motion.

Planning Director Ken Ondich reviewed the proposal from S E H for engineering services for TH19/11<sup>th</sup> Av. intersection improvements. The engineering services have been proposed in an amount not to exceed \$94,500. The engineering costs can be funded through the City's Municipal State Aid Construction Account.

It was moved by Wilcox and seconded by Guerrette to authorize the Supplemental Agreement for engineering services for project development, project management, project feasibility study, bidding, construction engineering, and assessments for the proposed TH19/11<sup>th</sup> Avenue intersection improvements, in an amount not to exceed \$94,500. All voted in favor of the motion.

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Planning Director Ken Ondich presented the Council a Resolution for ordering preparation of a feasibility study for TH19/11<sup>th</sup> Avenue intersection improvements. It is the first step in MN Statute 429 public improvement process.

It was moved by Guerrette and seconded by Bartusek to adopt RESOLUTION #09-05-04-02 RESOLUTION OF THE NEW PRAGUE CITY COUNCIL ORDERING PREPARATION OF A FEASIBILITY REPORT FOR IMPROVEMENTS TO TRUNK HIGHWAY 19 AT THE 11<sup>TH</sup> AVENUE NORTHWEST INTERSECTION, NEW PRAGUE, MINNESOTA. All voted in favor of the motion.

Planning Director Ken Ondich reviewed the proposal for surveying services TH19/11<sup>th</sup> Avenue intersection improvements. Stonebrooke Engineering has provided a proposal for survey work needed to compose the legal descriptions and parcel sketches for the right of way acquisitions and easements needed in an amount not to \$4,500.

It was moved by Guerrette and seconded by Betterton to authorize the proposal for surveying services for TH19/11<sup>th</sup> Avenue intersection improvements to Stonebrooke Engineering in an amount not to exceed \$4,500. All voted in favor of the motion.

Planning Director Ken Ondich informed the Council of an application from Bret & Carrie Kitner requesting the vacation of the drainage and utility easement located along the east property line located at 509 7<sup>th</sup> Street NE. A public hearing needs to be scheduled before the vacation can be approved and recommends setting the public hearing date for Monday June 1, 2009.

It was moved by Wilcox and seconded by Bartusek to adopt RESOLUTION #09-05-04-03 SETTING A PUBLIC HEARING DATE ON A DRAINAGE AND UTILITY EASEMENT VACATION COMMENCED BY A PETITION OF ALL ABUTTING PROPERTY OWNERS. All voted in favor of the motion.

Planning Director Ken Ondich informed the Council of the Mutual Aid Agreement for joint and cooperative use of building inspection personnel and equipment. The Cities of Prior Lake and Savage have invited the City of New Prague to participate in a Mutual Aid Agreement for building inspection service. The agreement would benefit the City of New Prague by providing the City of Savage and Prior Lake Building Inspection Departments as back up in the case of unforeseen situations where our one employee building inspection department may be unable to perform inspection duties (emergency, illness, natural disaster, etc).

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It was moved by Wilcox and seconded by Betterton to enter into the Mutual Aid Agreement for Joint and Cooperative Use of Building Inspection Personnel and Equipment. All voted in favor of the motion except Bartusek who voted no.

The City received notice of resignations from DeAnn Puente from the EDA Board and Anthony DeLuca from the Planning Commission. After discussion it was decided to appoint remaining individuals that were interviewed earlier this year.

It was moved by Guerrette and seconded by Wilcox to appoint Pete Sletten to the EDA Board. Term to expire December 31, 2010. All voted in favor of the motion.

It was moved by Bartusek and seconded by Wilcox to appoint Ryan Peltier to the Planning Commission. Term to expire December 31, 2012. All voted in favor of the motion.

City Administrator Mike Johnson recommended the Council appoint Kennedy & Graven (Mr. John Utley) as Bond Counsel. As bond counsel, Kennedy & Graven would be responsible for issuing a legal "opinion" on any municipal bond issues that is undertaken by the City of New Prague. Kennedy & Graven (Mr. Scott Riggs) is the firm that the City is using as City Attorney. Coordination with the City Attorney's Office in the same firm would be extremely beneficial to the City of New Prague.

It was moved by Betterton and seconded by Wilcox to appoint Kennedy & Graven (Mr. John Utley) as Bond Counsel. All voted in favor of the motion.

Police Chief Mark Vosejпка informed the Council of the request for permission from the New Prague American Legion Post 45 to hold a Memorial Day Parade on Monday May 25, 2009 at 11:00 a.m. A Parade Permit Application will be forwarded to MNDOT District 7 requesting permission to hold the parade upon approval.

It was moved by Bartusek and seconded by Guerrette to approve request and grant permission for the Parade Permit Application for Memorial Day Parade on Monday, May 25, 2009. All voted in favor of the motion.

It was moved by Guerrette and seconded by Bartusek to approve the following consent agenda items:

- A. Approve previous meeting minutes
- B. Approve claims for payment.
- C. Approve Minnesota Lawful Gambling Application for Exempt Permit for St. Wenceslas Church on August 8

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& August 9, 2009.

All voted in favor of the motion.

Public Works Director Dennis Seurer reminded the Council of the Joint City Council-Utility Commission SMPA Workshop on May 18<sup>th</sup> at 6:00 P.M. prior to the City Council meeting.

Police Chief Mark Vosejпка reported he is working on coordinating information on the HINI flu.

Planning Director Ken Ondich updated the Council on the final CAPX Task Force meeting. The Task Force's formal recommendation was to support the route along I90.

City Administrator Mike Johnson informed the Council that he will be attending the City Managers Conference on May 6<sup>th</sup> through May 8<sup>th</sup>.

City Administrator Mike Johnson along with Mayor Bender, Council Members Kay Wilcox, Kristin Guerrette, & Ken Betterton attended the League of Minnesota Cities Joint Legislative Conference in St. Paul on April 29, 2009.

Council Member Ken Betterton suggested having simple instructions for roundabout use and how it works.

Mayor Bink Bender noted a number of temporary signs that have been there for over a year.

The meeting was adjourned at 8:48 P.M.

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W. A. Bender, Mayor  
City of New Prague

ATTEST:

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Michael J. Johnson  
City Administrator