

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

} City Council Meeting  
Tuesday, February 22, 2011

Mayor Nickolay called the meeting to order with the following members present: Nickolay, Bruzek, Guerrette, Ryan.

Absent: Bartusek

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

The Pledge of Allegiance was recited.

Mayor Nickolay asked for a motion to amend the agenda to add the Board and Commission Appointments as Agenda Item 10A.

It was moved by Bruzek and seconded by Guerrette to add Agenda Item 10A Appointment of Boards & Commissions. All voted in favor of the motion except Bartusek who was absent. (4-0)

City Engineer Chris Cavett, SEH reviewed the Draft Supplemental Feasibility Report for the 2011 Street and Utility Improvement Project (Middle School Bus Road). The report is complete; however with the short turnaround on the report and the School Board yet to formally review it, the report is as a draft and will be finalized after the Board meeting. The Feasibility Study outlines the scope of the project, the probable costs, the funding options and the potential assessment amounts to the benefiting property, (School). The next step in the public improvement process is for the City Council to consider accepting the report and ordering for the public hearing. The Public Hearing is proposed to be held at 7:00 P.M. on Monday, March 7, 2011.

It was moved by Guerrette and seconded by Bruzek to approve RESOLUTION #11-02-22-01 RESOLUTION RECEIVING SUPPLEMENTAL FEASIBILITY REPORT FOR THE 2011 STREET AND UTILITY IMPROVEMENT PROJECT (MIDDLE SCHOOL BUS ROAD) AND CALLING HEARING ON IMPROVEMENT. All voted in favor except Bartusek who was absent. (4-0)

City Engineer Chris Cavett, SEH presented a Resolution ordering improvement and preparation of plans for the 2<sup>nd</sup> Street NW box culvert. At the February 7<sup>th</sup> City Council meeting, the City Council accepted the engineering report. While a final Council decision to study and order the improvement of 2<sup>nd</sup> Street NW will not occur until later this year, with final design and bidding anticipated in 2012, it was recommended in the engineering summary report that the box culvert be constructed in the fall of 2011 during a period of low flow and be completed before the remainder of 2<sup>nd</sup> Street NW would begin in the spring of 2012. Waiting to bid and construct the box culvert in 2012 could result in a greater risk of costly construction delays and higher costs as a result of higher pumping and bi-passing costs. It would be proposed that the box culvert be bid with the current 2011 Street and Utility Improvement project as a bid alternate to that contract.

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It was moved by Bruzek and seconded by Ryan to approve RESOLUTION #11-02-22-02 RESOLUTION ORDERING IMPROVEMENT AND PREPARATION OF PLANS FOR 2<sup>ND</sup> STREET NW BOX CULVERT PROJECT. All voted in favor of the motion except Bartusek who was absent. (4-0)

City Engineer Chris Cavett, SEH reviewed the proposal from SEH to provide engineering services to the City for the final design, bidding, construction administration and on-site inspection for the construction of the box culvert located on Second Street NW.

It was moved by Guerrette and seconded by Bruzek to approve the engineering proposal from SEH for design and construction services for 2<sup>nd</sup> Street NW Box Culvert Project. All voted in favor except Bartusek who was absent. (4-0)

City Engineer Chris Cavett, SEH presented the City Center Stormwater Management Plan. In October of 2009, the City Council authorized SEH to conduct a "City Center Comprehensive Stormwater Plan. The area is generally bounded by Main Street on the south, Highway 21 on the west, County Rd. 37 on the north and Columbus Ave. on the east. The purpose of the plan was to outline future upgrades to the City's storm sewer and storm water treatment process as part of the ongoing street reconstruction projects planned for this area in the next five years. A proposal would be to add a conceptional pond or surge basin at 2<sup>nd</sup> Av. NW to manage high water during periods of high flow.

City Administrator Mike Johnson reviewed with the Council for their consideration the real estate purchase agreement with State Bank of New Prague at 302 2<sup>nd</sup> Street NW. The rationale for acquiring the property is to address stormwater issues laid out in the City Center Stormwater Management Plan, to address construction right-of-way issues on 2<sup>nd</sup> Street NW and to provide for expanded redevelopment opportunities on the north end of the site for some type of multi-family housing.

It was moved by Guerrette and seconded by Bruzek to approve Real Estate Purchase Agreement with State Bank of New Prague at 302 2<sup>nd</sup> Street NW. All voted in favor of the motion except Bartusek who was absent. (4-0)

Public Works Director Dennis Seurer reviewed the bids received for a 2011 1.5 ton cab and chassis and a dump box to be mounted on the chassis for the Street Department. The vehicle will replace a 1992 dump truck. It is the recommendation to purchase a 2011 Cab and Chassis from New Prague Auto Group in the amount of \$29,888.00 which is the low bid and purchase a 2011 Dump Body from Aspen Equipment in the amount of \$13,687.48 which is the low bid.

It was moved by Bruzek and seconded by Ryan to purchase a 2011 Cab and Chassis from New Prague Auto Group and a 2011

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Dump Body from Aspen Equipment with the total cost of the purchase for the dump truck being \$43,575.48. All voted in favor of the motion except Bartusek who was absent. (4-0)

Public Works Director Dennis Seurer reviewed an agreement with Scott County relating to the maintenance of County Roads within the City limits. The two County Roads are CSAH 37, from Highway 21 east to Highway 19 which has 1.16 center line miles. County Road 15 (Columbus Av. N.) from 12<sup>th</sup> Street south to Highway 19 (Main Street) which has 1.1 centerline miles. The mutual agreement states that the City will perform the basic maintenance of the roads; items such as snow plowing, salting, pot hole patching and sweeping. The City will not be responsible for extraordinary maintenance such as seal coating, signs and overlays. The City will be reimbursed by the County for actual labor, equipment and materials used for maintenance. The new agreement will run through December 31, 2014.

It was moved by Guerrette and seconded by Bruzek to approve the Standard Agreement with Scott County for maintenance of CSAH 37 and CSAH 15. All voted in favor of the motion except Bartusek who was absent. (4-0)

Planning Director Ken Ondich introduced Sarah Brainerd-Marsh of the Carver-Scott Statewide Health Improvement Program (SHIP). In 2010 the City participated in the activities related to SHIP. Ms. Brainerd-Marsh explained the main goal of the program is to make it easy for Minnesotans to incorporate healthy behaviors into their daily lives, such as through walking and other physical activity. She has been working with City Staff and the Park Board since early 2010 on activities related to the program. For the City's participation, the City received \$10,000 in funding from Carver-Scott SHIP. The main outcome of New Prague's participation in the program was the Walkable Community Workshop which was held on September 15, 2010. The workshop was nearly 4 hours and included a walk through a 1 mile section of the core residential area of New Prague which was followed by discussion. Some notable projects already completed following the workshop were the inclusion of a sidewalk along the west side of Columbus Ave. N. in the 2011 CIP project as well as a sidewalk along the north side of 4<sup>th</sup> Street NE in the 2011 CIP project. Both routes were identified during the workshop.

The second reading was held on Ordinance #247 An Ordinance Amending Tobacco & Tobacco Product Regulations in Chapter 117 of the New Prague City Code. On August 1, 2010, the definition of tobacco products in Minnesota were changed to include "any products containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part or accessory of the tobacco product".

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It was moved by Bruzek and seconded by Guerrette to adopt ORDINANCE #247 AN ORDINANCE AMENDING TOBACCO AND TOBACCO PRODUCT REGULATIONS IN CHAPTER 117 OF THE NEW PRAGUE CITY CODE. All voted in favor of the motion except Bartusek who was absent. (4-0)

It was moved by Guerrette and seconded by Ryan to table Agenda Item #9 - 2010 Annual Police Report until next meeting when Police Chief Vosejпка is present. All voted in favor of the motion except Bartusek who was absent. (4-0)

City Administrator Mike Johnson presented the 2010-2011 and 2012-2014 Labor Agreements with Law Enforcement Labor Services, Inc. (Police Union) The agreements have been reviewed and ratified by the police union employees and business agent for Law Enforcement Labor Services, Inc. and are ready for the City Council's review and approval.

It was moved by Bruzek and seconded by Guerrette to approve the 2010-2011 and 2012-2014 Labor Agreements with Law Enforcement Labor Services Inc. All voted in favor of the motion except Bartusek who was absent. (4-0)

Mayor Nickolay stated that the selection of the Boards and Commissions has been a tough decision because of all the great candidates and only one vacancy for most seats. He mentioned that the applicants should note next year there will be more vacancies. Consensus of the City Council is the following appointments to the Boards and Commissions:

- EDA - Pete Sletten
- Golf Board - Jenna Tuma
- Park Board - Mike Slavik, Maggie Bass
- Park Board Youth - John Knoer
- Planning Commission - John Roos
- Utility Commission - Paul Busch

It was moved by Guerrette and seconded by Bruzek to approve the following appointments to the Boards and Commissions:  
EDA - Pete Sletten - term to expire December 31, 2016  
Golf Board - Jenna Tuma - term expires December 31, 2013  
Park Board - Mike Slavik - term expires December 31, 2014  
Maggie Bass - term expires December 31, 2014  
Park Board Youth - John Knoer - term expires December 31, 2011  
Planning Commission - John Roos - term expires December 31, 2014  
Utility Commission - Paul Busch - term expires December 31, 2014  
All voted in favor of the motion except Bartusek who was absent. (4-0)

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

- A. Approve previous meeting minutes with corrections
- B. Approve claims for payment
- C. Approve monthly financials

All voted in favor of the motion except Bartusek who was absent. (4-0)

*City Council Proceedings*

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City Administrator Mike Johnson stated that as of today the City is now operating the new wastewater treatment plant. The old plant has been shut off and will be demolished.

It was moved by Guerrette and seconded by Bruzek to adjourn at 9:28 P.M.

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Charles L. Nickolay  
Mayor, City of New Prague

ATTEST:

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Michael J. Johnson  
City Administrator