

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



City Council Meeting  
Tuesday, February 7, 2011

Mayor Nickolay called the meeting to order with the following members present: Nickolay, Bartusek, Bruzek, Guerrette, Ryan. Absent: None

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

The Pledge of Allegiance was recited.

City Engineer Chris Cavett, SEH reviewed the summary report for the preliminary planning for 2<sup>nd</sup> Street NW - street and utility improvements. In June 2009, SEH was authorized by the City to assist in the development of a Capital Improvement Plan. The Capital Improvement Plan identified 2nd Street NW between TH21 and 2<sup>nd</sup> Av. NW as a potential project for 2012. Anticipating three critical road blocks on this project, a summary report was prepared with the intent of addressing these three critical elements for the proposed 2<sup>nd</sup> Street NW improvements: railroad crossing/road design, box culvert design and right-of-way issues. It is strongly recommended 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 is ready to 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 bypassing costs. It is recommendation that consideration be given to designing, bidding and constructing the 2<sup>nd</sup> Street NW box culvert in 2011 prior to final project approval.

Consensus of the Council is to move forward to pursue the opportunity to bid and construct the box culvert in 2011, with possible inclusion of the box culvert construction with the 2011 Street and Utility Improvement Project.

Wade Brod, Golf Management Enterprises reviewed the following membership rate recommendations from the Golf Board:

1. Extend membership incentive from pre January 1, 2011 rates through February 28, 2011.
2. Reduce the Junior and College membership rates.
3. Contact members that paid before January 1, 2011 to thank them and provide a small token of Golf Club's appreciation for payment by January 1<sup>st</sup> and to provide value to those paid members.

It was moved by Guerrette and seconded by Bartusek to approve the Golf Board recommendations. All voted in favor of the motion. (5-0)

Public Works Director Dennis Seurer provided an overview of the City's snow removal policies and practices for streets, sidewalks and complaint processing. The City's Winter Sidewalk Maintenance Policy was adopted March 18, 2002 by the

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

} City Council Meeting  
Tuesday, February 7, 2011

City Council and the City's Snow Plowing Policy was adopted on December 3, 2001. The Policies provide the City with consistent and documented method of performing snow removal, also they provide guidance to staff and set priorities. The formal complaints are typically called in or can be filed using the online complaint form on the City's Website. Nuisance complaints are typically inspected within 1-2 business days including a letter being sent via certified mail or a door hanger being given to a person at the residence or left on the property as the formal notice. Staff can only respond to nuisance complaints if they are provided to staff. It is staff's recommendation that if the Council receives a complaint that it is forwarded to the City Administrator. Staff will continue reviewing the nuisance policy and make sure it is correct and consistent. There will be a notice in the City Newsletter asking residents to contact the City Hall if there are any snow issues.

Public Works Director Dennis Seurer asked the Council to consider the recommendation from the Utilities Commission to make property owners responsible for delinquent utility bills that are incurred by their renters. The majority of the delinquent utility accounts involve rental properties. Currently the delinquent utility bills from rental properties are not assessed to the property owner's taxes; however there is language in the City Ordinance that would allow the City to do so.

It was moved by Bruzek and seconded by Bartusek to support billing the property owners of delinquent utility bills like it is stated in the Ordinance even though it hasn't been enforced. It is recommended to start enforcing it. All voted in favor of the motion (5-0)

Police Chief Mark Vosejпка introduced Ordinance #247 AN ORDINANCE AMENDING TOBACCO AND 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".

It was moved by Bruzek and seconded by Guerrette to approve introduction of 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. (5-0)

Police Chief Mark Vosejпка reviewed the Dakota County Receiving Center Transportation Agreement. The New Prague Police Department currently is contracted and uses Brown County Detox in New Ulm. The Officer usually meets the

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



City Council Meeting  
Tuesday, February 7, 2011

transport vehicle in St. Peter or near the City of Le Sueur. This service is provided by Le Sueur County and there is not a cost to the City. The service provided by Dakota County Detox is in the event that Brown County is full and not accepting new patients. The Officer normally meets the transport vehicle at the Burnsville Police Department.

It was moved by Bartusek and seconded by Guerrette to approve the Transportation Agreement between the City of New Prague and Dakota County Receiving Center, Inc. All voted in favor of the motion. (5-0)

Police Chief Mark Vosejпка reviewed the proposed lease agreement the City has with IKON on the copiers/software contract. Staff asked IKON to look into ways that would improve operation but more importantly reduce monthly costs. IKON's recommendations will be cutting costs by 10% with getting four new multifunctional devices that will be used as the main printers as they are the lowest cost device to print to. With the new software component, there will be maximum discounts for bulk mailing and the newsletter and utility bills will be able to be printed in house. The contract would be a 5 year contract but will only be adding 3 years to the remaining 2 years of the current contract.

It was moved by Bartusek and seconded by Bruzek to approve the Lease Agreement with IKON on copier contract/software. All voted in favor of the motion. (5-0)

Planning Director Ken Ondich reviewed the Annual 2011 Commercial Building Audit. The summary included 16 new business openings by either new business start-ups or businesses moving into New Prague, and 14 business closings by either businesses closing or moving out of New Prague. There have been 7 business changes, such as changes in ownership, name changes, change in business location, changes in services, or expansions.

City Administrator Mike Johnson informed the Council that every three years the City is required to file a Pay Equity Implementation Report utilizing the State of Minnesota Management and Budget Pay Equity Software to analyze the City's wage information. Ann Antonsen from Springsted prepared the report. There are four tests for compliance with the State of Minnesota Local Government Pay Equity Act. The City passed the four tests of compliance.

It was moved by Bartusek and seconded by Bruzek to approve the Pay Equity Compliance Report. All voted in favor of the motion. (5-0)

City Administrator Mike Johnson and Administrative Services Director Patty Solheid reviewed the proposed 2011 ambulance,

*City Council Proceedings*

229

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

City Council Meeting  
Tuesday, February 7, 2011

wastewater and storm water utility budgets; and the special revenue, capital projects and debt service fund budgets.

It was moved by Bartusek and seconded by Ryan to approve the 2011 Budgets for Ambulance, Wastewater & Storm Water Utility Budgets; and the Special Revenue, Capital Projects and Debt Service Funds. All voted in favor of the motion. (5-0)

Council Member Bruzek had additions/corrections to the January 18, 2011 meeting minutes as follows:

- To state that Council Member Guerrette took over as Vice President after Mayor Nickolay left the meeting.
- To state why the purchase of the 2011 Ford Crown Victoria was purchased from New Prague Ford (It was recommended to purchase the vehicle from New Prague Ford because of the relationship with them in the past and for repairs. Also, being able to deal with New Prague Ford face to face instead of over the telephone)

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

- A. Approve previous meeting minutes with corrections
- B. Approve claims for payment
- C. Approve monthly financials
- D. Declaration of surplus property (vehicles) and authorization of sale of property - Police Department
- E. Bank owned properties in New Prague

All voted in favor of the motion. (5-0)

Mayor Nickolay called for a 5 minute recess at 9:55 P.M. before going into closed session.

It was moved by Bruzek and seconded by Bartusek at 10:00 P.M. to go into closed session pursuant to Minnesota Statutes Section 13D.03, Subd. 1.b. (Labor Negotiations Strategy) and go into closed session pursuant to Minnesota Statutes Section 13D.05, Subd. 3.C.3 to develop or consider offers for the purchase of real property located at 302 2<sup>nd</sup> Street NW.

It was moved by Guerrette and seconded by Bartusek to adjourn at 10:55 P.M.

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Charles L. Nickolay  
Mayor, City of New Prague

ATTEST:

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Michael J. Johnson  
City Administrator