

City Council Proceedings

1534

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

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City Council Meeting
Tuesday, January 4, 2022

Mayor Duane Jirik called the meeting to order at approximately 6:00 p.m. with the following members present: Bass, Jirik, Seiler, and Wolf.

Absent: Councilmember Ryan

Staff Present at Meeting: Joshua Tetzlaff, Jim Gareis, Ken Ondich, Bruce Reimers, Matt Rynda, Steve Rynda, and Barb Ulschmid (on-line)

Others Present: City Engineer Chris Cavett (on-line)

Mayor Jirik called the meeting to order and asked if there were any additions/updates to the Revised Council Agenda, there being none, motion by Seiler, seconded by Wolf to approve the Agenda. All voted in favor. Motion carried (4-0).

Mayor Jirik asked if there were any comments on the Consent Agenda. Seiler made note of a correction within the December 20, 2021 minutes where he abstained from voting on the Memorandum of Agreement between the State of MN and Local Governments and Authorizing Participation in National Opioid Settlement. After discussion, motion by Bass, seconded by Seiler to approve the CONSENT AGENDA as follows:

- A. December 20, 2021 City Council Meeting Minutes
- B. Claims for Payment: \$97,007.57 (January 4, 2022)

All voted in favor. Motion carried (4-0).

City Engineer Chris Cavett presented on the Municipal Concurrent - Jurisdictional Transfer (Turnback) of Scott CSAH 15 (Columbus Avenue). At the December 6, 2021 City Council meeting, the Council approved the Turnback and Cooperative Construction Agreement for County State Aid Highway No. 15 with Scott County. At the County's December 14, 2021 Board meeting, the County Board adopted Resolution 2021-251 entering into a Turnback and Cooperative Construction Agreement and authorizing the execution of a Quit Claim Deed conveying CSAH 15 to the City of New Prague. The County Board also adopted Resolution 2021-250 Revoking County State Aid Highway 15 in the City of New Prague.

The 1.02 miles of roadway from TH19 to 12th Street NE will be jurisdictionally transferred from Scott County to the City of New Prague and become part of the City's Municipal State Aid System (MSAS). The executive turnback agreement outlines the scope of improvements to be done to the roadway and sets the jurisdictional transfer date for March 1, 2022. The County's fiduciary obligation will however carry through the end of construction of the 2022 project.

Motion by Bass, seconded by Wolf to approve *RESOLUTION #22-01-04-01 MUNICIPAL CONCURRENCE - JURISDICTIONAL TRANSFER FROM SCOTT CSAH 15 TO CITY OF NEW PRAGUE*. All voted in favor. Motion carried (4-0).

City Engineer Cavett provided an overview of the Municipal State Aid Street (MSAS) Program. The purpose of the state-aid program is to provide resources, from the Highway Users Tax Distribution Fund, to assist local governments with the construction and maintenance of community-interest highways and streets on the state-aid system. Highways and streets of

City Council Proceedings

1535

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

}

City Council Meeting
Tuesday, January 4, 2022

community interest are those highways and streets that function as an integrated network and provide more than only local access. State-Aid Funds are the funds collected by the state according to the constitution and law, distributed from the Highway Users Tax Distribution Fund, apportioned among the counties and cities, (over 5,000 population) and used by the counties and cities for aid in the construction, improvement and maintenance of county state-aid highways and municipal state-aid streets. Provided a summary of the MN Highway Users Tax Distribution Fund.

Planning/Community Development Director Ken Ondich shared with Council a 2022 SEH proposal for Municipal State Aid (MSA) Services as outlined in the December 14th proposal. Director Ondich explained that from 2004 through April 2009, the City contracted with Bonestroo, since then, has contracted with SEH. Contract amounts for 2020 was \$6,900, 2021 was \$6,100 (including a carry-over credit) and the 2022 proposal is \$6,800. The 2022 proposal from SEH provides State Aid services from January 1, 2022 through December 31, 2022. The 2022 budget for engineering, including the specific MSA related work is \$15,000. The City's annual allotment of State Aid Maintenance Funds (estimated at \$96,593 in 2022) covers the entire cost of the engineering services required by the state aid program, so gas tax dollars pay for the engineering services, not the City's general tax dollars.

Motion by Bass, seconded by Seiler to *APPROVE THE 2022 SEH MUNICIPAL STATE AID (MSA) SERVICES PROPOSAL*. All voted in favor. Motion carried (4-0).

Director Ondich explained that recently Kwik Trip #1090, on the east side of town has completed public improvements adjacent to their location at 101 Chalupsky Ave NE. Improvements (largely completed in 2020) included: an extension of 1st St NE and George Ave NE with associated sidewalks and utilities. All development projects that include public improvements (such as roads, trails/sidewalks, utility line extensions, etc.), staff inspects/monitors the progress through to completion at the expense of the developer. At the completion of each public improvement project, staff (including City Engineer) inspect the project to ensure all the work has been satisfactorily completed and recommends the acceptance of the public improvements. Once the projects are accepted, the developer is required to warranty the improvements for a period of two years by providing a financial security (letter of credit or warranty bond).

Staff and City Engineer have completed inspections on the public improvements and recommend they be accepted. Kwik Trip has submitted the necessary financial security for the warranty period as required by the development agreement (approved 3/12/20) and the warranty period shall run for two years from the acceptance date of January 4, 2022.

Motion by Jirik, seconded by Wolf to approve *RESOLUTION #22-01-04-02 ACCEPTING PROJECT - KWIK TRIP #1090*. All voted in favor. Motion carried (4-0).

Director Ondich presented a resolution proposing the 2022 Official City Fee Schedule to the Council. The major changes included increases to:

City Council Proceedings

1536

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

}

City Council Meeting
Tuesday, January 4, 2022

Assessment/Nuisance Search Fee; Golf Cart Permit; ATV/UTV Permit; On-Sale Intoxicating Liquor; Minor Subdivision Fee; New Police Service Charge Fee for computer research or copies over 100 pages; Water Rate; Electric Rate; and Miscellaneous Utility fee increases for service installs, conduit and equipment. Wolf shared that the fee schedule increases don't reflect the 6% increase to the levy. Council suggested for next year to review the fees in November or December at the latest. After discussion, the Council agreed to approve the 2022 Fee Schedule but Staff will review the fees again and come back to the February 7th City Council meeting with amendments for the Council's review/consideration. Motion by Seiler, seconded by Bass to approve *RESOLUTION #22-01-04-03 ADOPTING AN OFFICIAL 2022 FEE SCHEDULE*. All voted in favor. Motion carried (4-0).

City Administrator Tetzlaff explained that under Minnesota State Statute 118A.02, the governing body of each government entity shall designate, as a depository of its funds, one or more financial institutions.

The following Financial Institutions are the 2022 Official City Depositories for City funds:

First Bank & Trust of New Prague
Minnwest of New Prague (formerly Roundbank)
U S Bank of New Prague
Wells Fargo Bank N.A. of New Prague
Wells Fargo Advisors of New Prague
Minnesota Municipal Money Market Fund (the 4M Fund)

Motion by Seiler, seconded by Wolf to approve *RESOLUTION #22-01-04-04 APPOINTING OFFICIAL DEPOSITORIES FOR CITY FUNDS FOR 2022*. All voted in favor. Motion carried (4-0).

Per Administrator Tetzlaff, the following 2022 Appointments were presented for approval as follows:

A proposal was received from Scott J. Riggs of Kennedy & Graven to continue as City Attorney for 2022. Mr. Riggs has been the City Attorney since April of 2003. His hourly rate for general civil matters is now \$180/hour.

Motion by Jirik, seconded by Bass to *APPROVE SCOTT RIGGS WITH KENNEDY & GRAVEN AS CITY ATTORNEY FOR 2022*. All voted in favor. Motion carried (4-0).

In accordance with City Charter Section 2.06, the Council shall choose from its members a Vice President. The Vice President shall serve as President in the Mayor's absence and as the Mayor in case of disability or absence from the City. Former Councilmember Bruce Wolf previously served as the Council's Vice President. It was moved by Wolf and seconded by Jirik to *NOMINATE COUNCILMEMBER RIK SEILER AS THE 2022 COUNCIL VICE PRESIDENT*. All voted in favor, Seiler abstained from the vote. Motion carried (3-0).

City Council Proceedings

1537

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

}

City Council Meeting
Tuesday, January 4, 2022

The City of New Prague uses various outside professional consulting firms to provide technical engineering services and financial advisory services. According to City Charter Section 3.05, the City Council shall make appointments of various positions. When positions are contract in nature and subject to change on a yearly basis, it is prudent for the City Council to review any proposed changes and re-appoint those positions.

Since May 2009, the firm of Short Elliott Hendrickson (SEH) and Chris Cavett, PE have been appointed as City Engineer and Municipal State Aid Street (MSAS) Engineer. Both of these appointments are covered under separate existing contracts with the City.

Staff also asked to reappoint Ms. Terri Heuton of Baker Tilly as the City's Financial Advisor. Ms. Heuton has assisted the City annually (since 2009) in the issuance of general obligation bonds for capital improvement projects and with any special financial analysis or projects that may become necessary.

After discussion, motion by Wolf, seconded by Seiler to *APPROVE FOR 2022: MR. CHRIS CAVETT WITH SEH AS CITY ENGINEER, MS. TERRI HEUTON WITH BAKER TILLY MUNICIPAL ADVISORS, LLC AS CITY FINANCIAL ADVISOR*. All voted in favor. Motion carried (4-0).

Following are the proposed appointment recommendations from the New Prague Volunteer Fire Department as voted on by the Department in December 2021:

- 1st Assistant Chief: Curt Novotny
- 2nd Assistant Chief: Greg Pint
- Captain 1: Brad Novak
- Captain 2: Brandon Busch
- Captain 3: Mark Novak
- Lieutenant 1: Bob Connelly
- Lieutenant 2: Ryan Kubes
- Training Officer: Jake Kartak
- Secretary: Tim Dvorak

Fire Chief Steve Rynda 2-year term (2021-2022) and Officers 1-year term (2022).

Motion by Bass, seconded by Wolf to *APPROVE FIRE DEPARTMENT OFFICERS FOR 2022*. All voted in favor. Motion carried (4-0).

Administrator Tetzlaff provided an overview to the Council on a recommendation from the Golf Board to consider a proposed golf management agreement with the City for 2022 with Mr. Kurt Ruehling of Golf Professional Enterprises, LLC (GPE). The proposed effective date of the contract is January 1, 2022 to December 31, 2022. The proposed compensation for a year of management services is \$90,000, paid monthly at an amount of \$7,500. This is an increase of \$5,000 over the

City Council Proceedings

1538

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

}

City Council Meeting
Tuesday, January 4, 2022

amount agreed to in 2021. There were no other changes proposed for 2022. For budgeting purposes, the Council asked to review the 2023 contract before the new year. Also, Council recommended the Golf Board implement customer surveys to aid in the review process of Mr. Ruehling's performance.

After discussion, motion by Wolf, seconded by Bass to approve the Golf Board's recommendation and approve the *2022 GOLF COURSE CONSULTANT AGREEMENT BETWEEN THE CITY OF NEW PRAGUE AND GOLF PROFESSIONAL ENTERPRISES, LLC, KURT RUEHLING*. All voted in favor. Motion carried (4-0).

In accordance with Minnesota State Statute 412.831, the Council is required to designate a legal newspaper of general circulation in the City as its official newspaper, in which shall be published such ordinances and other matters as are required by law to be so published and such other matters as the Council may deem it advisable and in the public interest to have published in this manner. The New Prague Times is designated as the City's official newspaper for 2022.

Motion by Seiler, seconded by Bass to *APPROVE THE NEW PRAGUE TIMES AS THE CITY'S OFFICIAL NEWSPAPER FOR 2022*. All voted in favor. Motion carried (4-0).

As reviewed by the City Council during the 2022 budget workshops, the proposed 2022-2031 Capital Improvement Plan (CIP) was presented and reviewed. A plan that reflects the planned spending in 2022-2031, split into the departments who would make the proposed spending. Administrator Tetzlaff reminded Council that this plan does not formally approve the spending of any singular item. Prior to the purchase of an item(s) in the CIP, a request for purchase would be made by staff. Next year, this information will be included with the budget materials.

Motion by Wolf, seconded by Bass to *APPROVE THE 2022-2031 CAPITAL IMPROVEMENT PLAN*. All voted in favor. Motion carried (4-0).

Public Works Director Matt Rynda presented a request for the purchase and replacement of two (2) bypass lift station pumps located behind the bus garage. These 2 bypass pumps would replace the 2 existing pumps that are 25 years old. One of the pumps broke down last fall and is not repairable and only works in manual mode. It's just a matter of time before the other pump fails as well. These pumps are needed for when there are high flows of rain and snow melt in the spring and summer months. The two bids received were from Quality Flow from New Prague, total cost \$110,772 and Minnesota Pump Works from Dundas, \$59,913. Currently the Wastewater Department has \$120,000 budgeted in the 2022 Capital to replace 2 bypass pumps. Staff recommended the purchase of 2 bypass pumps from Minnesota Pump Works for the total cost of \$59,913.

City Council Proceedings

1539

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

}

City Council Meeting
Tuesday, January 4, 2022

After discussion, motion by Seiler, seconded by Bass to APPROVE THE PURCHASE OF TWO (2) BYPASS LIFT STATION PUMPS FROM MINNESOTA PUMP WORKS FOR A TOTAL COST OF \$59,913. All voted in favor. Motion carried (4-0).

Police Chief Gareis recommended to the City Council the appointment of Mr. Nickolas Orrie to the Police Officer position with an effective start date upon successful completion of all elements of the conditional offer. Chief Gareis provided an overview of Mr. Orrie's background and education and will be replacing Police Officer Andy Sirek.

After discussion, it was moved by Seiler and seconded by Jirik to APPOINT NICKOLAS ORRIE AS A POLICE OFFICER AT STEP 1 OF SCHEDULE "A" IN THE 2022 LELS LABOR AGREEMENT - \$33.29/HOUR, VACATION AT 40 HOURS UPON HIRE AND ACCRUAL OF 3.077 HOURS PER PAY PERIOD. All voted in favor. Motion carried (4-0).

Administrator Tetzlaff requested the purchase of a new vehicle for the Fire Chief. In the 2022 budget, the Fire Department budgeted for \$7,500 for a new Chief's vehicle. The vehicle would allow one of the current Chief's vehicles to cycle back into the fleet to use for training and fire calls. The Fire Department has raised the funds to purchase the vehicle. The budgeted expense is for the truck's topper, sirens, lighting, decals, and radio. The estimated \$7,500 would be the City's portion of the expense. The rural fire district would contribute up to \$7,500 as well, with the final accessory bill being split between the two agencies.

Motion by Bass, seconded by Wolf on the APPROVAL OF THE \$7,500 TO BE USED FOR ACCESSORIES FOR THE NEW FIRE CHIEF'S VEHICLE. All voted in favor. Motion carried (4-0).

City Administrator Tetzlaff recommended to the City Council the appointment of Ms. Robin Pikal to the Finance Director position. Administrator Tetzlaff provided an overview of Ms. Pikal's background and education and will be replacing Finance Director Patty Solheid who will be retiring at the end of this month.

It was moved by Bass, seconded by Seiler to APPROVE THE HIRE OF ROBIN PIKAL AS THE FINANCE DIRECTOR AT STEP 6 OF SALARY SCHEDULE, \$122,054.40. All voted in favor. Motion carried (4-0).

MISCELLANEOUS:

1. Meeting Minutes approved - (Golf)
2. Jirik - Discussion took place on the three Park Board applicants. One candidate isn't available to interview on January 18th. Agreed to set up interviews before the January 18th City Council meeting beginning at 5:15 p.m.

City Council Proceedings

1540

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

}

City Council Meeting
Tuesday, January 4, 2022

3. Seiler - Shared Dennis Dvorak's concerns about the following: crosswalk across from the Post Office and its lack of visibility, concerned about pedestrian's safety at this location; the condition of the Post Office; and the lack of handicap parking nearby. Discussion took place on this topic and how this needs to be handled at the Federal level.

4. Wolf - 1. Asked for an update on the abated home at 703 2nd St NE. Director Ondich provided an update on the progress being made. 2. Noted he was involved in the interviewing process for the Finance Director position and sees Robin Pikal as a great fit for the position. 3. Congratulated Matt Rynda for participating in and completing the Leadership Academy program through MMUA.

5. Ondich - Announced the resignation of Chad Lunder, Building Official for the City of New Prague for 14 years. Will need to go through the process of finding a new Building Official and will begin with internal candidates.

6. Reimers - 1. Announced the retirement of Lineman, Jeff Smith. His last week is this week. Haven't been able to find any candidates with experience, so starting with an apprentice and hope to hire someone else in the spring. Short on journeyman and lineman. 2. Talked about Falcon Ridge's water main break.

7. Gareis - Provided an update regarding Sergeant Andy Sirek resignation. Will do an internal post for a Sergeant position on Friday and start that process.

8. M. Rynda - Provided an update on the oil leak in the sanitary sewer system and that they found out exactly where that leak was coming from. Talked to the business owners and will continue to monitor.


9. S. Rynda - Announced there will be three retirements within the Fire Department (K.Rynda, N.Smith, J.Tikalsky). Looking to bring on three firefighters and are currently advertising for these openings.

There being no additional business, motion by Seiler, seconded by Bass to adjourn the meeting at approximately 7:31 p.m. All voted in favor. Motion carried (4-0).

ATTEST:



Duane J. Jirik
Mayor



Joshua M. Tetzlaff
City Administrator

