

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

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City Council Meeting  
Monday, February 3, 2020

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

Staff Present: Mike Johnson, Ken Ondich, Jim Gareis, and Barb Ulschmid

Others Present:

It was moved by Ryan, seconded by Seiler to approve the Agenda. All voted in favor, motion carried. (5-0)

City Administrator Mike Johnson explained that back in December, in preparation for the January 7, 2020 City Council meeting, the Engineers had been predicting final MnDOT plan approval and needing to be ready once the final approval came from MnDOT. There was a tentative bid date set for February 21<sup>st</sup> with the understanding that if there would be a delay in receiving final MnDOT approval that the bid opening date would need to get bumped to March 6, 2020 (2 weeks later). The final plan approval did not happen when hoped. Now recommended for March 6<sup>th</sup> which will give the project 4+ weeks of advertising and avoid the mass MnDOT bidding date of February 28<sup>th</sup>, which is the day when MnDOT will be opening bids on all their projects. Final plans were approved on Monday, January 27, 2020 by MnDOT. Bids are now proposed to be opened at 10:00 a.m. on Friday, March 6, 2020 with consideration of award by the City Council at the Council meeting on March 16, 2020. The project is now clear to be advertised for bids. The resolution that was approved at the January 7<sup>th</sup> Council meeting now needs to be amended.

After discussion, it was moved by Seiler, seconded by Bass to approve *RESOLUTION #20-02-03-01 AMENDING RESOLUTION #20-01-07-04 TH19/MAIN STREET 2020 IMPROVEMENT PROJECT APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS*. All voted in favor, motion carried. (5-0)

Police Chief Gareis presented the annual Southwest Metro Drug Task Force (SWMDTF) Joint Powers Agreement for 2020. The Task Force serves the various governmental units in Hennepin, Carver, Scott and McLeod Counties Commander Matt Karins of the Task Force was present and provided the Council with an overview of their activities. The annual dues for New Prague are \$8,400 and funding comes out of the 2020 Police Budget. If the City participates in the task force, Chief Gareis will continue to serve on the Governing Board. Following a brief discussion, it was moved by Nickolay, seconded by Seiler to enter into the 2020 Joint Powers Agreement with the current members of the Southwest Metro Drug Task Force. All voted in favor. Motion carried. (5-0)

Planning/Community Development Director Ken Ondich presented to the Council a Preliminary and Final Plat of Deutschland First Addition which contains one lot and public right of way on 1.59 acres of land which was also reviewed at the January 22, 2020 Planning Commission Meeting. It was noted that 1<sup>st</sup> Street SE was previously constructed per a development agreement that required this plat to be filed by June 1, 2020 in order for the segment of 1<sup>st</sup> Street SE to be accepted by the City as a public road. Director Ondich mentioned that the applicant is considering the construction of an apartment building on the site following the platting of the property which will require future land use approvals.

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The required public hearing was held with no public comments received regarding the plat. The Planning Commission unanimously recommended (4-0) that the City Council approve the Preliminary and Final Plat of Deutschland First Addition with the one finding and 8 conditions listed in the Resolution.

It was moved by Bass, seconded by Wolf to approve RESOLUTION #20-02-03-02 GRANTING APPROVAL OF THE PRELIMINARY AND FINAL PLAT OF DEUTSCHLAND FIRST ADDITION CONSISTING OF ONE LOT AND PUBLIC RIGHT OF WAY ON 1.59 ACRES, NEW PRAGUE, MINNESOTA. All voted in favor, motion carried. (5-0).

Director Ondich presented to the Council a car wash variance request for Kwik Trip, Inc. at 1010 Chalupsky Ave., NE. The applicant is proposing that they be allowed to vary from the zoning ordinance provision that requires doors to car washes to remain closed during wash and dry cycles. It was noted during the meeting that the performance standard was put in place for noise considerations a number of years ago and that while the expected noise from the car wash with the dryer door open would not be a nuisance violation, it was not the only consideration in granting a variance. Staff noted that in order to grant a variance, all the criteria listed in the zoning ordinance must be met and that the one criteria that could not be met for the variance request was that the property did not have unique circumstances as the lot is a large undeveloped tract of land with ample area to lengthen the car wash bay by 20' to allow cars to be dried before the exit door would open or an on-board car dryer could be used within the existing carwash footprint.

A letter was read into the record from Chantel Gaaskjolen, owner of Memories and Milestones Academy noting her opposition to the variance and listed reasons for her opposition that related to noise concerns. Also Dean George, Real Estate Manager for Kwik Trip, also provided public comment that they were committed to the Kwik trip project, even if that meant not building the car wash.

The Planning Commission heard the variance request at their January 22, 2020 meeting and recommended denial of the variance request on an unanimous vote (4-0) based on the one finding listed in the staff report and resolution.

After discussion, it was moved by Ryan, seconded by Nickolay to approve RESOLUTION #20-02-03-03 DENYING VARIANCE, (#V1-2020) TO ALLOW THE EXIT DOOR TO REMAIN OPEN DURING DRY CYCLE AT A PROPOSED CAR WASH LOCATED AT 1010 CHALUPSKY AVE. NE, NEW PRAGUE, MINNESOTA. All voted in favor, motion carried. (5-0)

City Administrator Johnson explained that on January 7, 2020 the Council heard a presentation from North Memorial Health about their Company and the Ambulance Services that have been provided to the City for the past ten years (2010-2020). The Council also heard about service performance data covering ambulance operations (response times; yearly call volumes; types of calls - 911 or transfers; call request by hour of the day; 911 patient destinations; transfer patient destinations; etc.). And finally, North Memorial Health provided the Council with proposed new updates to the

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Ambulance Service Agreement and Building Lease Agreement for a five (5) year renewal period covering May 1, 2020 to April 30, 2025. A major change in the new Building Lease Agreement finds that North would be paying the City \$5,000 more a year towards utility costs on top of the current \$14,856.05 in annual building rent (which changes annually).

On January 21, 2020 the Council heard a presentation from representatives from the Mayo Clinic Health System on their proposal for Emergency Medical Services in New Prague. This presentation covered the following topics: Healthcare in New Prague, A Community Board Member's Perspective; Mayo Clinic Health System, New Prague, A Growing and Vibrant Medical Practice; Mayo Clinic Vision, Importance of an Integrated EMS System and Home Hospital Concept; Mayo Clinic Emergency Medical Services (EMS), Comprehensive Care for your Community. At the conclusion of the presentation, they were asked when they could be a position to provide EMS services to New Prague. Their initial response was six (6) months, but then said they could try to be ready by May 1<sup>st</sup> if need be.

The City is in a tremendous position where they can elect to contract with either of two very qualified Ambulance providers. There is really no reason to not renew the Ambulance Service Agreement with North Memorial being there have been no formal complaints and have provided quality services for the last ten (10) years. However, this is the first year another Ambulance Service wanted to be considered. Not every city has the luxury or opportunity to benefit from this type of relationship. After much discussion amongst the Council and City Staff, Councilmember Ryan suggested the Council provide a public forum that would allow residents to share their ambulance experiences and give the Council more time to gather input from New Prague residents. It was agreed to allow the public to speak at the next Council meeting on February 18. The Council will take public input and decide at the following City Council meeting on March 2, 2020 how they plan to proceed with the Ambulance Service Options in New Prague.

Hospital Administrator Kirby Johnson briefly spoke to the Council and invited the Council to give Mayo the opportunity to provide an Ambulance Service Contract.

At this point, North Memorial has already provided their contract. Is it fair that Mayo can now submit a contract when they have already seen North Memorial's contract?

Justin McCormick, 1214 Olivia Street SE - Concerned about a public forum and how will it be presented. This is a very specialized topic and what kind of input would be valuable from a "lay person"? How will the public forum be conducted? Councilmember Ryan asked for two more weeks to talk with the public before making a decision on such a "passionate" issue.

Much discussion took place between Councilmembers on how to conduct the public forum and what the next steps would be. It was decided to post a notice in the New Prague Times & Times Extra, or contact a Councilmember or submit in writing or provide an oral comment at the February 18th Council meeting.

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Director Ondich presented to the Council details per the last Council meeting on January 21<sup>st</sup> discussion amending Ordinance #309 relating to animal regulations. This item was tabled pending revisions relating to a question about whether "dog, or cat" could be replaced with "animal". Since that time, staff has talked with City Attorney Scott Riggs who recommended the language "or other domesticated animal" be added to the language to cover any future possible animals that may be allowed to be lawfully kept in the City.

Also, Staff has been increasingly experiencing confusion and questions about the City's current dog license ordinance relating to the time period in which the license is valid which currently states that all dog licenses are due "annually" on the 15<sup>th</sup> day of April. The confusion is that licenses are not valid for a calendar year time period and the April 15<sup>th</sup> due date is not an easily identifiable date for renewal. City staff suggested that the renewal period should run concurrent with the calendar year instead.

It was agreed by the Council to make the registration date change to January 1<sup>st</sup> to December 31<sup>st</sup> and also expand the ordinance amendment regarding feces control to include all domesticated animals, not just dogs and cats. It was moved by Nickolay, seconded by Seiler to approve introduce ORDINANCE #309 AMENDING CHAPTER 90 OF THE NEW PRAGUE CITY CODE RELATING TO ANIMAL REGULATIONS. All voted in favor, motion carried. (5-0)

Planning/Community Development Director Ondich provided an informational presentation to the Councilmembers on the annual Commercial, Industrial and Residential vacant lot inventory for 2020. Director Ondich summarized the inventory of all vacant lots within the city limits and identified only those lots that have municipal utilities available to them and are ready to be built on.

No action was needed, and was provided for review and informational purposes only.

Planning/Community Development Director Ondich also presented details on the Annual Commercial Building Audit for 2020 on commercial and industrial properties in New Prague and some properties adjoining the City and provided a detailed listing of ownership, occupancy, and changes dating back to 2015. He also provided an overview of the 2019 Growth Statistics for the City.

No action was needed on these reports as they were provided for informational purposes. All copies of the three reports will be posted on the Planning Department website.

After discussion, it was moved by Ryan, seconded by Seiler to approve the Consent Agenda including a correction already made within the January 21, 2020 City Council minutes that included the approval of Agenda item #1 regarding approval of an Incentive Clause "All voted in favor except Seiler who voted no." "Motion carried 4-1.":

City Council Proceedings

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CONSENT AGENDA:

- A. January 21, 2020 Regular City Council Meeting Minutes
  - B. Claims for Payment - February 3, 2020
  - C. Resolution Declaring the Official Intent of City of New Prague to Reimburse Certain Expenditures from the Proceeds of Tax-Exempt Bonds or other Obligations and Establishing Procedures for Additional Declarations of Official Intent
  - D. Resolution Authorizing Transfer and Closure of Capital Improvement Project Fund
- All voted in favor. Motion carried (5-0).

Miscellaneous Items:

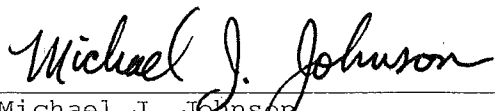
Ken Ondich - Provided a Tech Update and the progress with CTS. Plans to have everything done by the end of March.

Bruce Wolf - 1. Asked Police Chief Gareis if they are implementing the software. Chief indicated it is in process. 2. Asked Mayor Nickolay about the Golf Course Management transition and how that is going? Mayor assured all is going well with Kurt Ruehling as the General Manager and is very engaged. Excited that the New Prague Golf Course is now a part of the Private Country Club of Twin Cities program which will bring in new customers. Chamber Bingo beginning this week, menus set up. Feels good about what's going on and hoping Mother Nature will cooperate/dry summer.

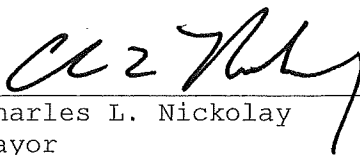
Chuck Nickolay - Shared that an individual contacted him and her husband worked for Miller Milling for many years. She is working with Dennis Dvorak & the New Prague Area Historical Society on gathering details on those that worked there. Talked about applying for some grant money to purchase a bench that would be dedicated to the Mill (longest standing business in town) and possibly be placed within the to be created Central Plaza area. Ken Ondich to communicate with Kay Wilcox and the Central Plaza Committee on this.

Following discussion, it was moved by Seiler, seconded Ryan to adjourn the meeting at approximately 8:23 p.m. All voted in favor of the motion. Motion carried, 5-0.

ATTEST:



Michael J. Johnson  
City Administrator

  
Charles L. Nickolay  
Mayor

