

City Council Proceedings

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

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Special City Council Meeting  
Tuesday, February 16, 2021

*Conducted via GoToMeeting due to the COVID-19 Pandemic which is preventing attendance at the regular meeting location.*

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

Staff Present Online: Mike Johnson, Jim Gareis, Ken Ondich, Bruce Reimers, Matt Rynda, Patty Solheid, Glen Sticha, City Engineer Chris Cavett and City Attorney Scott Riggs

Others Present Online: Craig Novotny, Ken Zweber, Kim Lee, Glen Sticha's Family (Amy, Adam and Megan), Michele Kotek and Patrick Fisher.

Mayor Jirik asked if there were any additions to the Council agenda? There being none, motion by Seiler, seconded by Bass to approve the Agenda as published. By roll call vote, all voted in favor. Motion carried (5-0).

City Administrator Mike Johnson presented the background information on the new On-Sale Intoxicating Liquor and Sunday Liquor License applications for DJMS Enterprises LLC dba "The Local 105" from Michele S. Kotek at 105/107 Main Street East in New Prague (includes adjacent leased outdoor patio). The applicant is proposing to open a new bar/restaurant operation at the former Prairie Pond Winery business site beginning on April 1, 2021 or thereafter. Ms. Kotek was present to answer questions.

In accordance with City Code Section 110.16 Issuance of License (Subd. C.), prior to approving an application for issuance of a license, the Council shall provide an opportunity for public comment for or against issuance of the license. Mayor Jirik proposed to open the Public Hearing on the Liquor License at 6:04 p.m. No public comment was received. Motion by Bass, seconded by Ryan to close the Public Hearing at 6:06 p.m. By roll call vote, all voted in favor. Motion carried (5-0).

Police Chief Gareis conducted a background check on the applicant and is recommending that there are no disqualifiers preventing the applicant from being granted a license(s).

After discussion, motion by Seiler, seconded by Bass to approve the On-Sale Intoxicating and Sunday Liquor licenses at 105/107 Main Street East for DJMS Enterprises LLC dba "The Local 105" with the three (3) conditions recommended by City Staff as follows:

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1. The Liquor establishment's "Licensed Premises" would include the first floor of the building at 105 Main Street East and the outdoor patio adjacent to the east side of the building at 107 Main Street East (see attached map).
2. That the Sunday Liquor License not be issued and the liquor establishment not be allowed to open on Sunday's until a copy of the business's Health License from Scott County (State of MN) is provided to the City.
3. Liquor Licensee is required to comply with the requirements of Resolution #14-04-07-03 Granting Conditional Use Permit #C2-2013 to allow for the construction of an outdoor patio for eating and drinking services, located at 107 East Main Street, in the B-1 Central Business District approved by the City on April 7, 2014.

By roll call vote, all voted in favor. Motion carried (5-0).

City Administrator Johnson presented the background information and employment history of Glen J. Sticha, Public Works Director with the City of New Prague. Mr. Sticha originally started with the City on July 27, 1980 and will be retiring on February 25, 2021, after 40+ years of service to the City. In attendance on-line was Mr. Sticha's family (wife Amy, son Adam and daughter Megan). After discussion, motion by Ryan, seconded by Bass to approve RESOLUTION #21-02-16-01 RECOGNIZING GLEN J. STICHA. By roll call vote, all voted in favor. Motion carried (5-0).

Mayor Jirik read the public Resolution of Appreciation. Mr. Sticha was thanked for all his years of service to the City!

Mr. Tom Wetschka was present on behalf of the New Prague Baseball Association to make a special presentation to Mr. Glen Sticha. The group wanted to acknowledge and thank Mr. Sticha for all of his efforts and commitment to improvements at the Memorial Park Baseball Park/Facility. The "Friends of New Prague Baseball" presented Mr. Sticha with a wooden home plate plaque as a memento of all of his efforts and contributions. No action was needed from the City Council.

City Administrator Johnson provided an overview and presentation of the memo and materials from the Department Head Team on returning to a Public meeting vs. Electronic Go-To-Meeting format and the need for the City Council Room / Conference Room(s) Audio Visual Improvements. Planning Director Ondich provided an overview of what the other cities in Scott County are doing and a summary of the two quotes from VSI (\$126,244.00) and EPA (\$77,848.00). \$70,632.00 was for the Council Chambers and the balance was for the conference rooms.

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The funding to purchase the updated technology for the Council Chambers was to come from the former Federal "CARES Act Funds" that came to the City as a grant (no local tax dollars or budget funds). Purchase of the technology audio/visual equipment would permit a hybrid of in person attendance at meetings as well as live interactive attendance by the public/staff/consultants, with a live stream.

The Councilmembers all weighed in with comments both pro and con to meeting in person, waiting to meet until more of the COVID-19 issues are resolved, the cost of the new technology, the need for the new technology, the expenditure of the Federal Grant Funds on this or holding for the future. After considerable discussion, motion by Seiler, seconded by Bass to approve the low quote and entering into a contract with the vendor EPA for up to \$77,848.00 for A/V upgrades to the City Council Chambers and 3 conference rooms to be funded from the former CARES Act Funding. By roll call vote, all voted in favor except Ryan who voted no. Motion carried (4-1). It was the consensus of the Council to continue the electronic online meetings utilizing GoToMeeting until the A/V upgrades are operable and the COVID-19 requirements can all be complied with.

City Administrator Johnson introduced Ms. Stacy Finlon, Marketing Coordinator; Alan Herman, Transit Supervisor and Lisa Freese, Transportation Director from Scott County to talk about a new program that Scott County is considering with SmartLink called "Hop Scott". The County is trying to possibly initiate new transportation services to residents of New Prague, Belle Plaine, Jordan and Elko New Market that is not part of the dial-a-ride program. The County would purchase and provide several vans for the more rural cities/communities that could assist the elderly/aging population. The County is in the design phase of the program at this time and will have more information at a later date. The Council had various questions for the Scott County officials. No action was needed or taken by the Council at this time.

City Administrator Johnson presented the background information on the appointment/promotion of Josh Hennen in the Public Works - Street Department to the Public Works Supervisor - Streets position. This position was to replace Matt Rynda's position where Mr. Rynda will now become the Public Work's Director on February 25, 2021. Mr. Johnson explained the internal City application process that was used by City Staff, that there were 2 internal applicants, interviews were held, and a candidate recommended. New Public Works Director Rynda was recommending that Mr. Josh Hennen be promoted internally to this supervisor position. Both Glen Sticha, current Public Works Director and City Administrator Johnson sat in on the interviews and applicant evaluations and concurred with Mr. Rynda's recommendation. Councilmember Ryan expressed concerns with the

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internal application process and the candidate being recommended as the new supervisor. There appears to be a difference of an opinion amongst various individuals and employees on the candidate being recommended at this time. Both of the applicants met the minimum qualifications for the position, but only 1 individual could be selected. Various other Councilmembers weighed in on the recommendation and discussion. After considerable discussion and opinions that some of the discussion could possibly violate the Public Personnel Statute, it was decided to end the conversation! Motion by Seiler, seconded by Wolf to approve the City Administrator's recommendation to appoint/promote Josh Hennen to the Public Works Supervisor-Streets position with the following conditions:

1. Promotion to Public Works Supervisor - Street position to be effective February 26, 2021.
2. The proposed salary for this position would be at Grade 7, Step 7 and the hourly rate of pay is \$34.19/hour or \$71,115 annually.
3. There shall be a ninety (90) probationary period for this promotion.
4. That Josh Hennen participate in and complete the MMUA First-Line Supervisor training course as soon as it becomes available and is offered by MMUA. (was COVID-19 delayed in 2020).
5. A six-month evaluation be held in September 2021.

By roll call vote, all voted in favor except Ryan who voted no. Motion carried (4-1).

Glen Sticha, Public Works Director presented the 4 quotes for the demolition of the former Armory Building located at 301 Lexington Avenue S. in New Prague.

The quotes were: Deutsch Construction - New Prague, \$24,900.00; MAAC Inc. - Montevideo, \$39,600.00; JJD Companies - Blooming Prairie, \$44,240.00; and KA Witt Construction - New Prague, \$45,500.00.

The low quote is from Deutsch Construction of New Prague in the amount of \$24,900.00. The demolition work is to be substantially complete by April 30, 2021 with final completion by May 28, 2021. Funding for this project has been previously budgeted and is to be spent from the Fund 499 account. After discussion, motion by Wolf, seconded by Bass to award the construction demolition contract/agreement to Deutsch Construction, Inc. of New Prague in the amount of \$24,900.00. By roll call vote, all voted in favor. Motion carried (5-0).

The City Council next considered possible modifications to the adopted 2021-2022 Liquor License Fees. City Administrator Johnson explained that the Council had reduced the On-Sale Intoxicating

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Liquor License Fee from \$2,700 to \$1,350 on January 5, 2021. The Council had directed Staff to take a look at other liquor license fee reductions of 50% at the February 1, 2021 Council meeting.

City Staff provided the Council a summary within the agenda packet on what those reductions would look like. Through discussion, the Council didn't believe that there should be any reductions in the Off-Sale Liquor License or the 3.2% Off Sale Off-Sale Malt Liquor License (both currently at \$100.00) or in any of the "Temporary" On-Sale Non-Intoxicating (1-4 days) or On-Sale Intoxicating (1-4 days) which are each \$100.00.

The estimated financial reductions to the 2021 budgeted liquor license revenue fees is estimated to amount to about \$18,100.

Motion by Ryan, seconded by Bass to approve the additional liquor license fee reductions of 50%, except as noted above with the understanding that these reductions are only for 2021-2022 due to the COVID-19 issues from 2020. By roll call vote, all voted in favor. Motion carried (5-0).

Planning/Community Development Director Ondich provided the Council with a brief overview on the application from the New Prague Utilities Commission (NPUC)/City of New Prague for a variance to construct an addition onto the existing building located at 200 7<sup>th</sup> Street NW to allow the construction of a building addition less than the normally required 40' front setback to both 7<sup>th</sup> Street NW and 1<sup>st</sup> Avenue NW.

While completing background work on the variance, it was noted that the property on which the building currently sits is actually two different parcels with platted public right-of-way between them. The right-of-way is 16.5' wide and was platted as part of the plat of the New Prague Outlots. The proposed building addition would encroach into the existing right-of-way and therefore it is necessary to vacate the unused right-of-way. The vacation will ultimately allow the two parcels to be combined into one parcel thereby "cleaning up" the site by having one remaining parcel. Staff does not believe there to be any utility lines (public or private) located in the right-of-way to be vacated but notices will be provided to all utility companies.

A public hearing needs to be scheduled and held before the vacation can be approved. A Resolution setting a Public Hearing to vacate certain public right-of-way in the plat of New Prague Outlots for 6:00 p.m. on March 1, 2021 or shortly thereafter via GoToMeeting due to COVID-19 Pandemic was reviewed with the Council. Motion by Bass, seconded by Wolf to approve RESOLUTION #21-02-16-02. By roll call vote, all voted in favor. Motion carried (5-0).

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Mr. Ondich also recommended that the Council also introduce Ordinance #320 Vacating Certain Public Right of Way in the Plat of New Prague Outlots. By introducing the Ordinance tonight, allows for the possible adoption of the Ordinance following the Public Hearing on March 1, 2021. After discussion, motion by Bass, seconded by Wolf to Introduce Ordinance #320 and approve the First Reading. By roll call vote, all voted in favor. Motion carried (5-0).

Mayor Jirik asked if there were any questions on the Consent Agenda. There being none, motion by Seiler, seconded by Ryan to approve the Consent Agenda as follows:

- A. February 1, 2021 Special City Council Meeting Minutes
- B. Claims for Payment - February 16, 2021
- C. Resolution #21-02-16-03 Approving Lawful Gambling Premises Permit Application LG214 for Tri Lakes Sportsmen's Club at DJMS Enterprises LLC dba The Local 105 at 105 East Main Street, New Prague, MN.
- D. MN Lawful Gambling LG220 Application for Exempt Permit (Raffle) for New Prague Ducks Unlimited, Chapter 263 event on March 5, 2021 at the New Prague Park Ballroom, 300 Lexington Avenue S., New Prague
- E. MN Lawful Gambling LG220 Application for Exempt Permit (Raffle) for New Prague Baseball Booster Club event on May 8, 2021 at the Memorial Park Baseball Stadium, 400 Lexington Avenue S., New Prague.

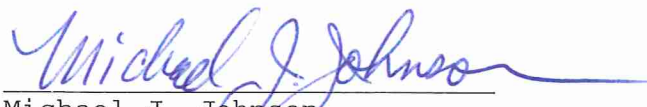
By roll call vote, all voted in favor. Motion carried (5-0).

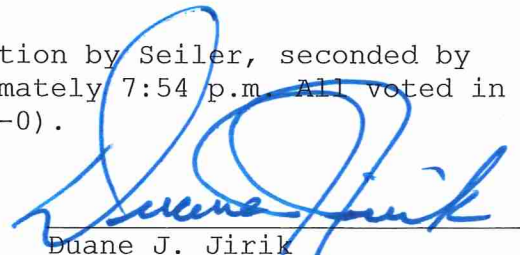
Miscellaneous Items:

Mayor Jirik - Stated to the City Councilmembers that they should all have received the February 16, 2021 Retirement/Resignation letter from City Administrator Michael J. Johnson. The Mayor suggested that this item be placed on the March 1<sup>st</sup> City Council agenda for review and discussion.

There being no additional business, motion by Seiler, seconded by Bass to adjourn the meeting at approximately 7:54 p.m. All voted in favor of the motion. Motion carried (5-0).

ATTEST:

  
Michael J. Johnson  
City Administrator

  
Duane J. Jirik  
Mayor