

City Council Proceedings

1291

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

}

Special City Council Meeting
Monday, April 6, 2020

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

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

Staff Present Online: Mike Johnson, Ken Ondich, Jim Gareis, Bruce Reimers, Glen Sticha, and Barb Ulschmid

Others Present Online: City Engineer Chris Cavett, Jason Witt, K.A. Witt Construction

Planning/Community Development Director Ken Ondich presented to the Council the first reading of Ordinance No. 311 amending the City's Zoning Ordinance, specific to densities in the RH High Density Residential Zoning District that were initially presented at the March 16, 2020 City Council Meeting. A summary of the proposed changes included: an increase density in the RH District from 22 units per acre to 32 units per acre; decrease sq. ft. per lot, per unit from 2,000 sq. ft to 1,300 sq. ft.; decrease open space per unit from 400 sq. ft. to 300 sq. ft.; and add building design requirements for buildings with 5 or more units. Questions raised by the City Council included: possibly adding limits to efficiency units, requiring a ration for certain unit types, fire suppression and finally regarding the subjectivity of the building design requirements.

Staff has researched the questions asked during the March 16th meeting and included the research for the Council to review and discuss. Regarding the question on limiting efficiency units or requiring a minimum ration of certain types of units in an apartment building, no city surveyed has requirements. Also, staff spoke with City Attorney Scott Riggs who advised avoiding putting in place any such regulations based on the Federal Fair Housing Act and the risk of lawsuits that could be brought forth with such regulations. Regarding fire suppression, all cities follow the same building codes and require an area of refuse on each floor. Lastly, the building design regulations are interpreted by City Staff except in case of Conditional Use Permits and Planned Unit Developments that come before the Council.

Staff recommends no further changes be made to the proposed amendments as written and to hold the first reading. Minnesota Statute 415.19 requires 10 days' notice to the public before the City Council can take a final vote on this amending ordinance. This notice will be posted by April 7th at the City Hall and on the City's website.

After discussion, it was moved by Bass and seconded by Seiler to approve the *INTRODUCTION OF ORDINANCE NO. 311 AMENDING SECTIONS 607 THROUGH 608 AND ALSO ADDING SECTION 744 OF THE CITY OF NEW PRAGUE ZONING ORDINANCE RELATING TO RH HIGH DENSITY RESIDENTIAL DENSITY AND BUILDING APPEARANCE STANDARDS*. Voting aye were Nickolay, Bass, Seiler and Wolf. Voting nay was Ryan. Motion carried. (4-1)

Director Ondich shared with the Council a Planning Commission Summary and

City Council Proceedings

1292

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

}

Special City Council Meeting
Monday, April 6, 2020

for a new home construction at 600 Eastland Ave. SE. Per the March 25, 2020 Planning Commission meeting, the applicant, KA Witt Construction is proposing to construct a home for Stephen & Jennifer Yetzer, which does not fit on the lot with the existing 50' wetland setback. This lot was platted in 2007 and Section 734 of the Zoning Ordinance was adopted following its platting which provided more specific buffer requirements than the blanket 40' buffer (likely would be 35' or less today) and 50' setback from the wetland edge. It is noted that over 66% of the lot is covered by wetland or buffer area which impacts the use of the lot and would prevent a home of the same size and appearance as others in the area from being constructed. The proposed home would not encroach into the 40' wetland buffer area.

The only comments received at the Planning Meeting were from Jason Witt of K.A. Witt Construction who noted that they tried to minimize the impact to the wetland and are maintaining the full buffer width. Also, per Councilmember Shawn Ryan's question, Mr. Witt did affirm that the homeowners were aware a deck would not fit on their home.

The Planning Commission did recommend approval of the variance with an unanimous vote of 3-0 based on the six findings and one condition listed in the staff report. It was moved by Ryan and seconded by Bass to approve *RESOLUTION #20-04-06-01 APPROVING VARIANCE (#V3-2020) FOR REDUCTION FROM THE REQUIRED 50' WETLAND SETBACK TO THE EDGE OF THE WETLAND BUFFER EASEMENT L.L. TO ALLOW FOR THE CONSTRUCTION OF A NEW HOME LOCATED AT 600 EASTLAND AVE. S.E., NEW PRAGUE, MINNESOTA.* All voted in favor, motion carried. (5-0)

City Administrator Mike Johnson asked the Council to review Ordinance No. 312 and introduce the first reading of the proposed ordinance. Ordinance No. 312 has been prepared by the City Attorney's Office which would authorize the Veteran's Memorial to be placed in Memorial Park. Ordinance No. 312 identifies that the City has been approached by the American Legion Post 45 (Legion) to use a portion of Memorial Park for a Veteran's Memorial. The Legion would be responsible for any costs or expenses related to the Veteran's Memorial.

It was moved by Nickolay and seconded by Ryan to approve the *INTRODUCTION OF ORDINANCE NO. 312 AUTHORIZING VETERAN'S MEMORIAL PURSUANT TO MINNESOTA STATUTE 416.01.* All voted in favor, motion carried. (5-0)

Public Works Director Glen Sticha explained that the copier used by the Maintenance Department is on a 60-month lease with Metro Sales Inc. which will expire on April 8, 2020. Metro Sales provided copier options and offered a similar tabletop copier (Ricoh IM C400F) on a 60-month lease through U.S. Bank for \$81.00 per month compared to the current lease of \$79.00 per month. Along with the lease would include a Guaranteed Protection Plan for an additional \$49 per quarter which includes 3000 black and white copies, toner and an unlimited number of maintenance calls if needed.

It was moved by Seiler and seconded by Bass to approve the Public Works Copier Lease with Metro Sales, Inc. and the *APPROVAL OF MACHINE SALES ORDER AND SECURITY AGREEMENT, MAINTENANCE AGREEMENT AND LEASE AGREEMENT WITH US BANK EQUIPMENT FINANCE.* All voted in favor, motion carried. (5-0)

City Council Proceedings

1293

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

}

Special City Council Meeting
Monday, April 6, 2020

Police Chief Jim Gareis explained to the Council that the New Prague Police Department has budgeted for a new squad car in the 2020 budget and asking for their approval. On August 28, 2019, a specification sheet was distributed to Jeff Belzer's New Prague Ford. On September 9, 2019 Chief Gareis received a quoted price back. Upon follow up with Jeff Belzer's New Prague Ford several weeks ago, the prices are still the same.

The two quoted prices included: Jeff Belzer's New Prague Ford at \$33,350.00 and Ford of Hibbing (State of MN Contact Price with additional options) at \$33,180.56. A difference of \$169.44.

The vehicle being replaced is a 2014 Ford Explorer Police Interceptor, with about 78,000 miles on it. This vehicle would be utilized for 3-4 months until it is replaced. Afterwards, this vehicle would be used as a vehicle for the City of New Prague.

Because the difference is less than \$170.00, Police Chief Gareis recommended purchasing the vehicle from Jeff Belzer's Ford. Ford is currently offering a demo incentive which would lower the price by up to \$1,200. Also, buying locally will allow for a vehicle inspection before final acceptance and is good to keep business local within the community we serve.

It was moved Nickolay and seconded by Seiler to approve the purchase of a 2020 Police Squad Car at Jeff Belzer's New Prague Ford for \$33,350.00. All voted in favor, motion carried. (5-0)

Emergency Management Director (EMD) Jim Gareis provided the Council with a timeline of COVID-19 closures for the state and city. Processes and procedures set up as a result. Shared safety protocols for all staff. All Department Heads provided a general overview/update on what their departments are doing to maintain a healthy workforce/safe environment so they are able to maintain the workforce and provide for the services that are necessary (cleaning procedures, shift updates). Talked about State closures until May 1st and may be extended per the Governor's direction. Police Chief and City Administrator attend various online meetings each week. Also, the EMD has daily contact with Emergency Mgmt. teams from other counties. Reminded all to follow the executive orders and stay safe.

After discussion, it was moved by Seiler, seconded by Bass to approve the Consent Agenda.

CONSENT AGENDA:

- A. March 16, 2020 Regular City Council Meeting Minutes
- B. Claims for Payment -April 6, 2020
- C. Approve MN Lawful Gambling LG220 for Exempt Permit for Church of St. Wenceslaus Festival Event on August 9, 2020 including Bingo, Pull-Tabs and Raffle at Church of St. Wenceslaus, 215 East Main Street.

All voted in favor. Motion carried (5-0).

City Council Proceedings

1294

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

}

Special City Council Meeting
Monday, April 6, 2020

Miscellaneous Items:

City Engineer Chris Cavett, SEH - Provided an update on the TH #19/Main Street Improvement project and explained that due to feedback received during the bidding process, there was a risk for high bids had it remained a one-year project. For that reason, the Main Street Project Team postponed the bid letting from March 6, 2020 to April 2, 2020. Two (2) bids were received at the April 2nd bid opening which included: S.M. Hentges & Sons, Inc., Jordan, MN at \$12,499,000 and Geislinger & Sons, Watkins, MN at \$13,400,139. Allowing for flexibility in construction over a two-year period should provide cost savings to the City of New Prague and MnDOT and reduce some of the impacts that an intense one-year project might have had on the community. The contractor will have requirements for what work to complete in each construction season, but also have some flexibility to accelerate work as weather and schedule allow. Specifics of the project work such as phasing of the work will be available after the April 20, 2020 City Council meeting, once the contractor has been approved/selected. It's anticipated that the first year of work in 2020 could include the west and/or east ends of the project, leaving the core downtown open and accessible to traffic. The work in 2021 would focus on the core downtown segment.

Ken Ondich - Provided an update on the IT replacements/additions taking place at the City of New Prague with CTS. Finishing up with cabling. All computers have been set up for most. Server installation about three weeks out. Very happy with the work that has been done with CTS and pretty painless.

Glen Sticha - Agreed the IT project is going well at Public Works and CTS is doing a great job and doing so in a safe manner with the COVID-19 situation. Also, noted the City Compost Site is currently closed due to wet and muddy conditions within. Residents are welcome to walk their compost in if they can. Hope to reopen at the end of the week should the weather continue to be dry. Encouraged residents to not leave their compost items at the entry way of the gate. Biosolid storage room, electrical is done at the WWTF. Next Monday the floor will be painted and hope to start drying shortly there after (end of April).

Bruce Reimers - Crews setting up electrical services out to Coborn's and Belzer's area to get them on the City's electric system. Crews are also beginning to flush out fire hydrants on a limited basis with the crews being split.

Mike Johnson - The removal of the asbestos at the New Prague Golf Course kitchen began today and hope to be completed by Wednesday, April 8, 2020. Contractor will go in later in the week to replace the ceiling and should be done relatively quickly.

Jim Gareis - Been in touch with Brooke at the Chamber of Commerce about the annual Run. As of now, the traditional run will be cancelled and may have a virtual run. Any Councilmembers have questions, feel free to contact him on his cell anytime.

City Council Proceedings

1295

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

}

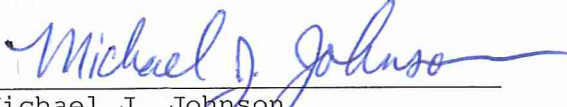
Special City Council Meeting
Monday, April 6, 2020

Bruce Wolf - Reminder to complete your Census information, if haven't done so already. Mentioned today is the 75th year of the New Prague Rotary.

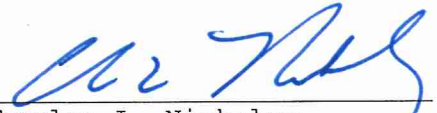
Chuck Nickolay - Regarding the COVID-19, thanked everyone for their patience and encouraged everyone to continue to be safe. Stated that he and the Councilmembers are here for all residents with any questions or concerns.

Following discussion, it was moved by Nickolay, seconded Ryan to adjourn the meeting at approximately 7:51 p.m. All voted in favor of the motion. Motion carried, 5-0.

ATTEST:



Michael J. Johnson
City Administrator



Charles L. Nickolay
Mayor

