

# City Council Proceedings

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

} Special City Council Meeting  
Monday, June 15, 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, Glen Sticha, and Barb Ulschmid

Others Present Online: City Engineer Chris Cavett, City Attorney Scott Rigg:

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

City Engineer Chris Cavett provided an update on the TH #19 / Main Street Reconstruction Project (2020 CIP) and the progress of construction activity. He provided details on the closure & detour delays. The work that needed to get started first, could not because of delays with the railroad. The work needs to start at the railroad which is the low point of the City. Everything was approved to proceed; however, the problem was that Union Pacific was on a one-week furlough due to COVID and it set back the project a week. It is more important to leave the road open until there was a clear understanding of when the major work would begin under the railroad tracks. A lot of work behind the scenes is going on at the Park and details are getting staged for construction. Mayor Nickolay was concerned with this delay and whether or not this project will get done in two years. Mr. Cavett is not concerned about completing in two years, more concerned about what they can get completed this year so they can plan out how it will all get completed within the two-year timeframe. This year's anticipated plans are to complete up to 1<sup>st</sup> Avenue NW (up to Kubes Furniture). Mr. Cavett reminded the public to see the latest road construction details by going to the project website on the City's homepage. Also on the website is a live video cam to watch what is going on and sign up for text messaging services.

Mayor Nickolay asked the Council if they had any questions or comments regarding Planning/Community Development Director Ken Ondich's request for the second reading/approval of Ordinance #315 Amending Section 734 of the City of New Prague Zoning Ordinance Pertaining to Wetland Setbacks. The ordinance will be published on June 25<sup>th</sup> and be official at that time.

It was moved by Ryan and seconded by Bass to approve the *ADOPTION OF ORDINANCE NO. 315 AMENDING SECTION 734 OF THE CITY OF NEW PRAGUE ZONING ORDINANCE PERTAINING TO WETLAND SETBACKS*. All voted in favor, motion carried. (5-0)

Director Ondich presented two Resolutions to the City Council in the appointing of the 2020 Election Judges and setting their rate of pay by resolution as required by M.S. 204B.21 Subd. 2. The hourly pay had been \$10.00/hr. for the 2018 election judges and \$10.96 for the judges at the 2020 Presidential Nomination Primary. The staff is requesting the Council to set the 2020 Election Judges pay at \$10.96/hr. The first Resolution #20-06-15-01 is for appointing judges for the State Primary Election and

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As of April 1, 2019 (over one year ago), the City's Population Estimates were:

Population: 8,248 (+192) or 2.4%  
Households: 3,067 (+60) or 2.0%

A new population estimate will be provided again in June 2021 (and will be for April 1, 2020). Some of the additional residents are from Praha Village. Pleased with the growth of the City and doing well as far as the estimates and where we wanted to be at this point especially considering the economy and the COVID situation. No action was needed on this item and provided for informational purposes only.

Police Chief Jim Gareis took direction from the Council on providing a proposed ATV Class 2 and UTV Ordinance for discussion that would allow for general use on the roadways. This evening's meeting was to review the ordinance language and possibly entertain a first reading if acceptable. Prior to enacting something like this, UTV and ATV's were considered recreation vehicles that were only allowed to take direct routes out of the city where they could be utilized lawfully. The Council's direction was to come up with an ordinance that would allow them to be utilized for general use on City Streets. An ATV/UTV owner has to by statute, obtain a permit for these vehicles if they are going to use them on our roadways. Chief Gareis put together an ordinance for review by using the Golf Cart ordinance as a guide. Would use the same permitting process as a Golf Cart. Police Chief Gareis explained the difference between recreational use and general use. If someone is using the vehicle as a "recreational" vehicle, it is used only for taking direct routes out of town, a permit is not required nor is a driver's license. To use for general purpose, which means using the cart to drive around town, a valid driver's license and a permit would be required. Definition of driver should expand to include at least 16 years old and with a driver's license. Council agreed they would also like to include that trailers are not allowed to haul people, not safe. A trailer is OK to use (with the proper lights) for hauling lawn equipment or lawn clippings to the compost site.

Also, some questions were addressed regarding the content within 76.03 Permits, 4B Community Events Permits - further clarification was needed. Correction noted that the term "Community Event" should be a capital C and a Capital E. Regarding 76.04 Occupants section, asked to add if you are 16 or under, should be wearing a helmet, especially being these vehicles can go 30 mph or more. Police Chief Gareis will include the additions discussed to the ordinance and present for introduction at the July 6, 2020 City Council meeting. July 20<sup>th</sup> would be the adoption. If no changes on the 20<sup>th</sup>, the ordinance would be published on July 23<sup>rd</sup>.

Emergency Management Director (EMD) Jim Gareis provided the Council with a COVID-19 order update. The governor did extend the emergency to mid-July. Numbers are leveling out, so more things are opening up. Keeping up the policies with cleaning of workstations/facilities in the City. City Administrator Johnson provided an update per an ordinance adopted end of May for Outdoor Service Regulations for Bars & Restaurants. Formally issued 5

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Jim Gareis - Explained the New Prague Police Department's Use of Force policies and procedures. Since 2016, it was mandated by 2018 to go through Critical Incident Training. Exercising the ability to deescalate a situation. Talked in great detail about required policies in place which are audited annually. Nothing has to do with race and all about how our officers are expected to treat the public. Health of officers both physically and emotionally is also very important to maintain control of oneself in law enforcement, staying centered between family and work. Healthy officer helps that person do their job.

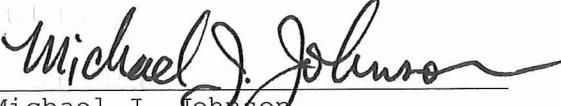
Bruce Wolf - Discussion on who approves Police policies? City Attorney Scott Riggs provided legal guidance. Would like to work with Police Chief Gareis on the reviewing of these documents.

Shawn Ryan - Asked when the two office teams begin working together again? July 6<sup>th</sup>? If so, can the July Council meeting take place in person again in the Council Chambers? City Administrator Johnson and other Councilmembers discussed and were not ready to meet in person until further procedures are in place.

Maggie Bass - Talked about the partial opening of the Fitness and Aquatic Center. Was asked about how much money was spent on COVID expenses. How is stimulus money being used?

Following discussion, it was moved by Nickolay, seconded Seiler to adjourn the meeting at approximately 8:13 p.m. All voted in favor of the motion. Motion carried, 5-0.

ATTEST:

  
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Michael J. Johnson  
City Administrator

  
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Charles L. Nickolay  
Mayor