

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



City Council Meeting
 Tuesday, January 3, 2017

Mayor Nickolay called the meeting to order at 6:00 P.M. with the following members present: Nickolay, Bruzek, Jirik, Ryan, Tuma

Staff Present: Mike Johnson, Ken Ondich, Jim Gareis, Glen Sticha, Bruce Reimers, and Mary Jo Hruby

Mayor Nickolay amended the Agenda by adding Item 9A Contingency on *Minnesota Lawful Gambling LG215 Lease for Lawful Gambling Activity for New Prague Chamber of Commerce for conducting Bingo at the New Prague Golf Club* and Item 9B *Voluntary Rescinding of Liquor Licenses from J.T.'s Hideaway*.

It was moved by Jirik and seconded by Nickolay to approve the amended Agenda. All voted in favor of the motion. (5-0)

City Administrator Johnson administered the Oath of Office to the newly elected Mayor Chuck Nickolay and Council Members Shawn Ryan and Jenna Tuma.

City Administrator Johnson requested to have Agenda Item #8 *Resolution Approving the By-Laws of the New Prague Volunteer Fire Fighters Relief Association* moved to after Agenda Item #2.

It was moved by Nickolay and seconded by Bruzek to approve the following 2017 appointments:

- A. City Attorney - Scott J. Riggs of Kennedy & Graven
- B. City Council Members to Boards and Commissions -

Utility Commission	Amy Jirik
Park Board	Amy Jirik
Planning Commission	Jenna Tuma
Joint Powers (City/School District)	Shawn Ryan
Golf Board	Jenna Tuma
EDA (Mayor and 1 Council Member)	Chuck Nickolay/Shawn Ryan
Cedar Lake Sanitary District	Dave Bruzek
Ambulance Advisory Committee	Chuck Nickolay
New Prague Area Community Center Board	Dave Bruzek
- C. City Council Vice President - Dave Bruzek
- D. City Personnel
 - City Administrator - Michael J. Johnson
 - Police Chief/Emergency Management Director - James Gareis
 - Planning/Community Development Director - Ken Ondich
 - Public Works Director - Glen Sticha
 - Utilities General Manager - Bruce Reimers
 - Finance Director - Patty Solheid

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E. RESOLUTION #17-01-03-01 APPOINTING OFFICIAL DEPOSITORIES
 FOR CITY FUNDS FOR 2017

- Roundbank of New Prague
- State Bank of New Prague
- U S Bank of New Prague
- Wells Fargo Bank N.A. of New Prague
- Wells Fargo Advisors of New Prague

F. Designate Official Newspaper - New Prague Times

G. City Engineer - SEH (Mr. Chris Cavett)

H. City Financial Advisor - Springsted, Inc. (Ms. Terri Heuton)

I. City Bond Counsel - Kennedy & Graven, Inc. (Mr. John Utley)

J. Appointment of New Prague Volunteer Fire Department Fire Chief, Officers and Approval of 2017 Compensation Summary - Jeremy Tikalsky appointed Fire Chief for 2017-2018 and the other officers be appointed with a term of office for 2017. The Fire Chief, Fire Department Officers, and other Fire Department Compensation payments shall be as shown on the 2017 Fire Department Compensation Summary.

All voted in favor of the motion. (5-0)

City Administrator Johnson reviewed the New Prague Volunteer Fireman's Relief Association request to increase their annual pension benefit amount. The Council had appointed Mayor Nickolay and Council Member Ryan to meet with representatives of the New Prague Rural Fire Protection Association, the New Prague Fire Relief Association, New Prague Volunteer Firemen and City Staff on the proposed benefit change request. The recommendation that came out of the meetings from the City and Rural Representatives was to recommend that the annual benefit level be increased from \$3,375/year to \$3,750/year of service and to look at potential future benefit changes every other year.

It was moved by Nickolay and seconded by Ryan to approve RESOLUTION #17-07-03-02 RESOLUTION APPROVING THE BYLAWS OF THE NEW PRAGUE VOLUNTEER FIREMEN'S RELIEF ASSOCIATION. All voted in favor of the motion. (5-0)

Fire Chief Tikalsky reported there will be 4 Firemen resigning. There were 17 applications received for these positions.

City Administrator Johnson presented a Resolution appointing members of the City Council to the City's Housing and Redevelopment Authority. The terms of appointment to the HRA will coincide with their terms of elected office. It is now necessary to appoint Chuck Nickolay, Shawn Ryan and Jenna Tuma to the City's HRA.

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It was moved by Jirik and seconded by Bruzek to approve RESOLUTION #17-01-03-03 RESOLUTION APPROVING THE APPOINTMENT OF COMMISSIONERS TO THE HOUSING AND REDEVELOPMENT AUTHORITY IN AND FOR THE CITY OF NEW PRAGUE. All voted in favor of the motion. (5-0)

City Administrator Johnson administered the Oath of Office for Commissioner of the Housing and Redevelopment Authority to Mayor Chuck Nickolay and Council Members Shawn Ryan and Jenna Tuma.

Planning/Community Development Director Ondich reviewed the request from Mediterranean Properties to amend Conditional Use Permit #C10-2003 to allow a resident-manager occupied apartment on the main floor at 410 W. Main Street in the B-3 Highway Commercial Zoning District. It was noted that the resident-manager would be a handyman to fix issues around the property as they arise. At the December 21, 2016 Planning Commission meeting, the request was recommended for approval with the seven findings and six conditions listed in the staff report.

It was moved by Bruzek and seconded by Tuma to approve RESOLUTION #17-01-03-04 RESOLUTION APPROVING AN AMENDMENT TO CONDITIONAL USE PERMIT #C10-2003 TO ALLOW A RESIDENT MANAGER OCCUPIED APARTMENT ON THE MAIN FLOOR, AS PROPOSED BY MEDITERRANEAN PROPERTIES, APPLICANT. All voted in favor of the motion. (5-0)

Planning/Community Development Director Ondich reviewed the 2017 Small Cities Development (SCDP) Application. The City's pre-application for an expanded Small Cities Development Program to provide rehabilitation funds for additional downtown commercial buildings and also for rehabilitation funds for rental and owner occupied homes in a new target area survived the first round of cuts. Final applications are now due on February 23, 2017. As the City works with the Southwest Minnesota Housing Partnership on the final application, a Citizen Participation Plan must be approved by the City before the application is submitted to the State. This is a document that essentially states that the City will hold a Public Hearing to provide an opportunity for citizens to be heard.

It was moved by Nickolay and seconded by Bruzek to approve RESOLUTION #17-01-03-05 RESOLUTION ADOPTING THE CITIZEN PARTICIPATION PLAN AS PART OF THE SMALL CITIES DEVELOPMENT PROGRAM PROJECT. All voted in favor of the motion. (5-0)

It was moved by Ryan and seconded by Tuma to call for a Public Hearing for the 2017 Small Cities Development Project Application on January 17, 2017 at 6:00 P.M. or shortly thereafter. All voted in favor of the motion. (5-0)

Planning/Community Development Director Ondich informed the Council that Lucas Properties - New Prague, LLC is the owner of Scott Equipment which is located at 604 4th Ave. NW. They have submitted a building permit for a small addition onto the SE corner of their existing building. This proposed addition would encroach slightly into an existing sanitary sewer easement that lies on the property. The

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City is being asked to vacate a small portion of the existing sanitary sewer easement in order to allow the addition to be constructed. A Public Hearing needs to be scheduled before the vacation can be approved to gather input from utility companies and affected properties. Staff recommends setting the Public Hearing date for Monday, February 6, 2017.

It was moved by Nickolay and seconded by Bruzek to approve RESOLUTION #17-01-03-06 RESOLUTION SETTING A PUBLIC HEARING TO VACATE A PORTION OF A SANITARY SEWER EASEMENT LOCATED IN LUCAS ADDITION. All voted in favor of the motion. (5-0)

Planning/Community Development Director Ondich presented an Ordinance approving the vacation of a portion of a sanitary sewer easement located in Lucas Addition.

It was moved by Nickolay and seconded by Bruzek to approve the Introduction and First Reading of ORDINANCE #294 AN ORDINANCE VACATING A PORTION OF A SANITARY SEWER EASEMENT LOCATED IN LUCAS ADDITION. All voted in favor of the motion. (5-0)

City Administrator Johnson presented the "Draft" revised red-lined Ordinance creating a new Chapter 94 as to Predatory Offender (Level III) Residency Regulations. The revised draft highlights the proposed red-lined changes that the City Attorney has made to the Ordinance following discussion with the Council/Staff on December 5th and 19th, 2016.

The Council had discussion on the distance requirements, checking if there were any covenants in the Eastland Addition, the accuracy of the existence of daycare facility locations; and maybe listing distance requirements from permanent structures instead of within distance of daycare facilities.

It was moved by Bruzek and seconded by Jirik to call for a Public Hearing on "Draft" ORDINANCE #295 AN ORDINANCE CREATING A NEW CHAPTER 94 AS TO PREDATORY OFFENDER (LEVEL III) RESIDENCY REGULATIONS. All voted in favor of the motion. (5-0)

The Public Hearing will be held on January 17, 2017 at 6:00 P.M. with representatives from the MN Dept. of Corrections and the Jacob Wetterling Foundation attending to offer comments on the Draft Ordinance or answer any public comments or questions concerning the Ordinance.

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General Manager Reimers reviewed the amendment to the 2017 Official City Fee Schedule. At the December 27, 2016 New Prague Utilities Commission meeting, they recommended the following amendments to the 2017 fee schedule:

Additional fee for City street lights (LED less than 100 watt) - \$8.41

Additional fee for City street lights (LED more than 100 watt) - \$11.41

New Electric service charges:

Residential electric service connection charge (new home/service) - \$650.00

Commercial electric service connection charge - billed per policy of the New Prague Utility Commission

It was moved by Nickolay and seconded by Ryan to approve RESOLUTION #17-01-03-07 RESOLUTION ADOPTING AN AMENDED OFFICIAL 2017 FEE SCHEDULE (with changing it to LED less than 100 and LED 100 or more). All voted in favor of the motion. (5-0)

City Administrator Johnson reviewed the Minnesota Lawful Gambling LG215 Lease for Lawful Gambling Activity for New Prague Chamber of Commerce at New Prague Golf Club. A new application is needed if there is an owner change, rent amount change or activity change. It was noted that the Chamber of Commerce has Pull Tabs, Bar Bingo and Tipboards on their application which is a change with the addition of Tipboards. Mr. Johnson will check with the Chamber if this is a change and if a new application is needed.

It was moved by Nickolay and seconded by Ryan to approve the Minnesota Lawful Gambling LG215 Lease for Lawful Gambling Activity for New Prague Chamber of Commerce at the New Prague Golf Club on condition that this application is needed.

All voted in favor of the motion. (5-0)

(After checking, the application was not needed).

City Administrator Johnson informed the Council that J T's Hideaway had closed and is voluntarily rescinding their liquor licenses effective January 3, 2017.

It was moved by Bruzek and seconded by Tuma to acknowledge and accept the voluntary rescinding of the liquor licenses from J T's Hideaway. All voted in favor of the motion. (5-0)

It was moved by Nickolay and seconded by Ryan to approve the following consent agenda items:

A. Approve December 19, 2016 Meeting Minutes

B. Approve Claims for Payment

C. Approval of 2016 Pay Equity Implementation Report

All voted in favor of the motion. (5-0)

Police Chief Gareis informed the Council that there were liquor and tobacco compliance checks done in the middle of December resulting in 5 liquor license violations and 1 tobacco license violation in the City of New Prague.

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Planning/Community Development Director Ondich informed the Council that there will be a Floodplain Modernization Kick-Off Meeting on Tuesday, January 10, 2017 from 9:30 to 11:00 a.m. at Le Sueur County Environmental Services. The kick-off meeting is to learn more about plans to initiate a flood study to update the countywide Flood Insurance Rate Maps and Flood Insurance Study Report. FEMA is a Federal Emergency Management Agency program that helps communities identify, assess, and reduce their flood risk.

It was moved by Nickolay and seconded by Bruzek to adjourn the meeting at 7:52 P.M. All voted in favor of the motion. (5-0)

Charles L. Nickolay, Mayor

ATTEST:

Michael J. Johnson
City Administrator