

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
Monday, October 5, 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, Bass, Ryan, Seiler, and Wolf.

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

Others Present Online: City Engineer Chris Cavett

Motion by Nickolay, seconded by Ryan to approve the Agenda.

Mayor Nickolay left the meeting unexpectedly at 6:02 p.m. due to technical difficulties and was absent during the roll call vote which was taken over by Vice President Maggie Bass. By roll call vote, all voted in favor except Nickolay who was absent. Motion carried (4-0).

City Engineer Chris Cavett provided an update to the City Council on the TH#19/Main Street Reconstruction Project (2020 CIP). Mr. Cavett explained that by the end of this week, all concrete and roadway paving work will be complete. Sidewalk flatwork will take place in the next couple of weeks. Also, getting ready for the mill and overlay section at the intersection of 21 and west of by Kwik Trip and this project will begin the end of this week and go into early next week.

Mayor Nickolay rejoined the meeting at 6:08 p.m.

City Administrator Mike Johnson explained to the Council that on September 21, 2020 the City Council adopted a Resolution providing for the Issuance and Sale of Approximately \$2,825,000 in General Obligation Refunding Bonds, Series 2020A. Within Resolution #20-09-21-01, it was the City's intent to refinance four outstanding bond issues from 2010A, 2012A, 2012B, and 2013A. The estimated refunding of these bond issues are estimated to save the City approximately \$165,683 (Net Future Value Benefit). While the Resolution initially called for the City to have proposals received on the sale of Bonds and to have the City Council consider award of the Bonds on October 19, 2020, it was understood that the date might have to change due to the back log of bond sale rating calls occurring at Standard & Poor's Global Ratings (S & P).

City Staff had learned that they won't be able to conduct the bond rating interview with S & P until October 7, 2020. Because of where that date falls, the actual bond rating by S & P on the City's upcoming bond issue would not be published in time to meet the October 19, 2020 award date. City Staff has been working with Terri Heaton, Financial Advisor for Baker Tilly and she is recommending that the City Council consider holding a Special City Council meeting on Wednesday, October 21, 2020 at 5:30 p.m. to review the results of the competitive proposal and consider the award of Bonds on that same night, prior to the November 3rd election and

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actually receive proceeds from the bond sale in November as well. The Council could also use that same night as the 2nd Budget Workshop on the Draft 2021 Budget, following the 1st Budget Workshop which will be held on October 6, 2020.

After discussion, motion by Nickolay, seconded by Seiler to approve *RESOLUTION #20-10-05-01 PROVIDING FOR THE ISSUANCE AND SALE OF APPROXIMATELY \$2,825,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2020A.* By roll call vote, all voted in favor. Motion carried (5-0).

Planning/Community Development Director Ken Ondich presented the City Council with Resolutions approving the Certification of Unpaid Service Charges for Mowing and Property Maintenance Nuisance Violations on both occupied and unoccupied homes and past due Municipal Utility bills to the Property Tax Roll.

The amounts being certified for collection to the two counties (Le Sueur and Scott) per state law are required to be certified to the County Auditors by October 15, 2020. These amounts collected are from September 15, 2019 to September 14, 2020.

Currently, the amount to be certified for mowing and property maintenance is \$2,434.16 (includes 3 outstanding mowing charges plus administrative fees). After discussion, it was moved by Seiler and seconded by Ryan to approve *RESOLUTION #20-10-05-02 APPROVING CERTIFICATION OF MOWING AND PROPERTY MAINTENANCE CHARGES TO PROPERTY TAX ROLL.* By roll call vote, all voted in favor. Motion carried (5-0).

The amount to be certified for unpaid delinquent municipal utility bills is \$36,338.72 (includes 37 outstanding utility charges plus administrative fees. Does not include the electric charges). Most are rental properties. Landlords have been notified in addition to the two letters that went out to the tenants. This year has had considerably more delinquent bills than normal due to the COVID pandemic. It was moved by Nickolay and seconded by Bass to approve *RESOLUTION #20-10-05-03 APPROVING CERTIFICATION OF MUNICIPAL UTILITY BILLING CHARGES TO PROPERTY TAX ROLL.* By roll call vote, all voted in favor. Motion carried (5-0).

Planning/Community Development Director Ondich requested an acceptance of a conservation easement at 1501 1st Street NE. The City has received a building permit for the expansion of Memories and Milestones Academy. The existing portion of the building was constructed in 2007 on a lot that was platted originally in 2000. Since the time the lot was platted and the building was constructed, the City has implemented a Land and Water Preservation Ordinance which was most recently amended in June 2020. The ordinance currently requires a minimum 50' setback to the delineated edge of all wetlands unless a conservation easement is on record allowing the building to be constructed to the edge of the easement. This lot did not have a conservation easement in place and the property owner hired I & S Group to complete a wetland functional assessment in July 2020 to determine what the appropriate conservation easement would be around the

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wetland, thus establishing the building setback line. The assessment was reviewed and approved by SEH and City Staff which would establish the conservation easement at 25' from the wetland edge if accepted by the Council. Since this is a new conservation easement that is being dedicated outside of a plat, the City Attorney is requiring the City Council to accept the conservation easement which will be recorded on the property.

After discussion, motion by Seiler, seconded by Ryan to approve the *CONSERVATION EASEMENT AT 1501 1ST ST NE*. By roll call vote, all voted in favor. Motion carried (5-0).

Emergency Management Director (EMD) Jim Gareis provided the Council with a COVID-19 update. City Hall reopened to the public on Monday, October 5, 2020 and went very well. Cleaning procedures, PPE and signage in place. Glass barriers in place at the front counters. Ventilation will be monitored and tested by Public Works Director Glen Sticha to assure all is operating properly. Home inspections are manageable stated Director Ondich. Schools are seeing a slight rise in cases, as a result, Hybrid learning will continue. City Administrator Johnson asked EMD Gareis about the CDC guidelines for Halloween. Mr. Gareis said there shouldn't be a local stance on this and leave that up to the parents to make their own choices on this situation. Otherwise, will continue to assure there is enough PPE and follow the COVID protocols. Staff are staying healthy.

Regarding the Consent Agenda, Director Ondich provided an update on the Hy-Vee Fast and Fresh convenience store and their tobacco license request (at the former New Prague Speedway #4799), closing on October 7th and remodeling to begin on October 8th. Also, today, received the official building permit for the Hy-Vee Grocery Store going into the former Shopko building that will include additions to that building making it a full-size store with a liquor store, pharmacy, etc. Permit value for the convenience store is about \$750,000. McDonalds will remain for the term of their lease. Fence or landscaping to screen the local neighborhoods is also another large project that will take place. Employment opportunities will be discussed at a later date.

After discussion, it was moved by Nickolay, seconded by Wolf to approve the Consent Agenda as follows:

CONSENT AGENDA:

- A. September 14, 2020 and September 21, 2020 Special City Council Meeting Minutes
- B. Claims for Payment - October 5, 2020
- C. Call for Public Hearing on the Minnesota Small Cities Development Program (SCDP) Grant
- D. Approve Tobacco License for Hy-Vee, Inc., dba Hy-Vee Fast and Fresh Express at 100 10th Avenue, S.E., New Prague

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

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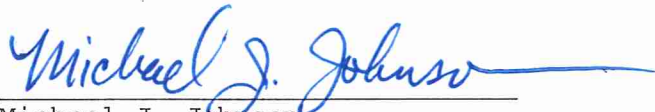
Miscellaneous Items:

Mike Johnson - The 2nd Budget Meeting will take place on Wednesday, October 21st, following the 5:30 p.m. Special City Council meeting on the bond issue. Mayor Nickolay made a motion to have the 2nd Budget workshop following the 5:30 Special Bond Meeting, second by Councilmember Ryan. By roll call vote, all voted in favor. Motion carried (5-0).

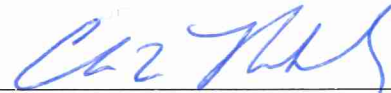
Maggie Bass - 1. The Fitness and Aquatic Facility Center Board is working on the Year-End Report. Should have that completed and available for the October 19th City Council meeting. Director of Business Services, Sandra Linn will present the financials for that meeting. 2. Inquired about the EDA Grants for the CARES money and whether any decisions have been made? City Administrator Johnson explained that they are in the process of finalizing the agreement received from NextStage which was modeled after the Scott County CDA. As soon as complete (within a couple days), will be sent out for execution.

There being no additional business, motion by Nickolay, seconded by Seiler to adjourn the meeting at approximately 6:47 p.m. All voted in favor of the motion. Motion carried (5-0).

ATTEST:



Michael J. Johnson
City Administrator



Charles L. Nickolay
Mayor