

City Council Proceedings

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

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City Council Meeting
Monday, November 1, 2021

Mayor Duane Jirik called the meeting to order at approximately 6:03 p.m. with the following members present: Jirik, Ryan, Seiler, and Wolf

Absent: Councilmember Bass

Staff Present at Meeting: Joshua Tetzlaff, Jim Gareis (on-line), Ken Ondich, Bruce Reimers, Matt Rynda, Patty Solheid, and Barb Ulschmid

Others Present: The Rusty Spoke Owner Pauline Baldazo,

Mayor Jirik asked if there were any additions to the Council Agenda. There being none, motion by Wolf, seconded by Seiler to approve the Agenda as published. All voted in favor. Motion carried (4-0).

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

- A. October 18, 2021 City Council Meeting Minutes, October 25, 2021 Special City Council Minutes: Assessment Meeting and Insurance & Budget Meeting) and Closed Labor Negotiations Meeting
- B. Claims for Payment - November 1, 2021
- C. Resolution #21-11-01-01 Approving Lawful Gambling Premises Permit Application LG214 for New Prague Hockey Association at Don't Be Lion LLC dba The Rusty Spoke at 329 W Main St.
- D. 25th Annual Holiday Parade of Lights

All voted in favor. Motion carried (4-0).

TH#19/MAIN STREET RECONSTRUCTION PROJECT (2020-2021) UPDATE: Public Works Director Matt Rynda provided an update on behalf of City Engineer Chris Cavett. Thanked everyone for their participation at the Ribbon Cutting ceremony last week. The Contractor made a comment that it was one of their best turn outs. Street and parking lanes all paved. Work continues on the light poles and hope to be completed within 5 days. Weather permitting, Main Street will be completed and opened to traffic by Wednesday, November 10th.

PUBLIC INVITED TO BE HEARD ON MATTERS NOT ON THE AGENDA:

Marion Nelson - 103 Main St SE (owner of Corner Bar) - Inquired about the status of the side street on the east side of her building. "If the building is so bad, why isn't the front of the building fenced off as well?" Staff explained the building was fenced off per the engineer's direction. The owner is in process of making the repairs to the building. There has been a delay to the repair work due to waiting for the cable ties. The building permit is good for 180 days and they are well within that time frame. The owner asked for the heat to be turned on when the repair works begins. Repair work should take about a month to complete.

PUBLIC HEARINGS: Mayor Jirik presented the background information on a new Liquor License application from Pauline Bardazo. An On-Sale Intoxicating Liquor License and Sunday Liquor License for Don't Be Lion LLC dba The Rusty Spoke at 329 W Main Street to be located in the former "Flipside Pub & Grill" building.

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City Administrator Joshua Tetzlaff explained that he received additional background information from Police Chief Jim Gareis after the packet had already gone out. Police Chief Gareis was present online and wanted to share his concerns prior to the public hearing. The individual applying is Pauline Baldazo. Ms. Baldazo is married to Ricardo Baldazo but is separated. Ricardo Baldazo is a business associate with Lisa Zarza where on several occasions they attempted liquor license renewals in two separate jurisdictions and were refused liquor licenses. The refusals were because of continued interest in the liquor establishments. Pauline Baldazo indicated she is separated from her husband Ricardo Baldazo and the only involvement with the business would be some construction assistance in the bar area and on the second floor where the apartments are located. Police Chief Gareis explained that without additional assurances and that neither of these people hold interest in the business, it is difficult to authorize a license that may be a violation of liquor rules and laws.

Council agreed they would like staff to seek legal guidance from the City Attorney on this matter and report back to the Council at a future meeting. City Administrator Tetzlaff explained that the Public Hearing is valid as being conducted this evening and will not need to be redone. The matter can be voted on the same day or at a later date.

Ms. Baldazo provided an update on the construction work taking place within the building and that she is working with the City Inspector on this. There were no further comments from the public. Motion by Ryan and seconded by Wolf to close the public hearing. All voted in favor. Motion carried (4-0).

Motion by Seiler, seconded by Ryan to table the approval and staff to provide an update in two weeks at the November 15th City Council meeting. At that time, the Council and Staff can discuss further and decide whether or not to approve the *ISSUANCE OF AN ON-SALE INTOXICATING LIQUOR LICENSE AND SUNDAY LIQUOR LICENSE FOR DON'T BE LION LLC DBA THE RUSTY SPOKE AT 329 W MAIN STREET, NEW PRAGUE*. All voted in favor. Motion carried (4-0).

RESOLUTION: Planning/Community Development Director Ken Ondich presented to the Council the preliminary and final plat of Sindelar Addition which contains 0.89 acres of land. It was noted that the lots meet all size requirements and are located in the RL-984 Single Family Residential Zoning District. It was also noted that an existing home on the property will remain on the corner lot and the other two lots are intended for sale to Habitat for Humanity, with proposed Lot 3 needing to have private water and sewer stubs installed and routed through a private utility easement across Lot 2.

The required public hearing was held with comments only being received from the applicant, Pat Sullivan of Paddy O'Properties who noted that if the plat is approved, he would enter into a purchase agreement for Lot 3 with Habitat for Humanity and that Lot 1 is also intended for sale to Habitat for Humanity but that would be a project that is a couple years down the road. The Planning Commission unanimously

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recommended (3-0) that the City Council approve with the two findings and 15 conditions listed in the staff report.

Motion by Ryan, seconded by Seiler to approve *RESOLUTION #21-11-01-02 GRANTING APPROVAL OF THE PRELIMINARY AND FINAL PLAT OF SINDELAR ADDITION CONSISTING OF THREE LOTS ON 0.89 ACRES, NEW PRAGUE, MN.* All voted in favor. Motion carried (4-0).

GENERAL BUSINESS: A. Fire Relief Pension Plan Proposal - City Administrator Tetzlaff explained that back at the October 4th City Council meeting, Fire Chief Steve Rynda had asked that a committee be formed to hear a proposal to consider raising the annual pension benefit to eligible fire members. The Council chose to appoint Mayor Jirik, Councilmember Ryan and Administrator Tetzlaff to the committee to discuss a potential increase to the plan. The meeting was held on October 20, 2021 and Chief Rynda presented his proposal, which was to raise the annual benefit from \$3,750 to \$4,150. The amount of pension received by a volunteer is directly correlated with their years of service and may draw on the pension once they turn 50.

After discussion, motion by Ryan, seconded by Wolf to approve *THE INCREASE TO THE FIRE RELIEF PENSION PLAN ANNUAL BENEFIT AMOUNT FROM \$3,750 TO \$4,150.* All voted in favor. Motion carried (4-0).

B. City Administrator Tetzlaff was looking for feedback from the Council on their thoughts of a League of MN Cities contest called, Mayor for the Day and whether or not they would want the staff to set this up with the League. This is a contest that allows 4th, 5th & 6th graders to submit essays answering, "What would they do if they were Mayor for a day?" Each year, the League notifies cities when a local student wins the contest. This year, the League is expanding that to include cities who may want to provide additional recognition of non-winning essays. Cities who elect to provide additional recognition will be given all essays submitted by students within their city. Cities would then be able to do their own additional recognition, whether it is choosing their own local winner, honoring all essay writers or any other ideas.

Staff and Council agreed this would be a great opportunity for students to foster interest in local government. Administrator Tetzlaff will reach out to the public and private schools in New Prague to let them know of this opportunity to participate in should they so desire.

C. Planning/Community Development Director Ondich informed the Council of the City's sidewalk snow removal routes that City Staff (Park's Department) are responsible for.

Director Ondich explained that the sidewalks and trails that the City removes snow from are broken down into two priority routes. Priority Route #1 (red on the map) is basically the first route that is completed within 24 hours after a snowfall event. Priority Route #2 is completed as time allows with limited staff and equipment available. Typically Route #2 is completed within 24-48 hours after a snowfall event.

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The sidewalk snow removal route map was last amended by the City Council on 1/8/19 when the sidewalk on the east side of 10th Ave. SE from 3rd St SE to County Road 29 was added. The City recently received a request from the Reserve at Eastland Homeowners Association (townhomes south of Little Dukes Gas Station and along Autumn Ave. SE) asking the City to consider adding a small segment of the 3rd St SE sidewalk (Jillian Street to Alton Ave SE) to the City's plow route in exchange for a 201' sidewalk segment along a future city stormwater pond along Autumn Ave SE. The association argued that the route along 3rd St SE was used more by the neighborhood in general than the association's residents. Staff and Council reviewed the request and agreed with the Homeowner's Association and agreed to take over snow removal on 3rd St SE from 10th Ave SE all the way along 3rd St SE to the finishing segment of Alton Ave SE north to TH19 to complete the loop. With the Parks Dept already being stretched thin, staff suggested adding this as a Priority #2 snow removal route. This would increase the miles of sidewalk and trails the City maintains from 14.66 miles up to 15.16 miles.

After discussion, it was moved by Seiler and seconded by Wolf to approve the *AMENDED SIDEWALK SNOW REMOVAL ROUTE MAP AS PROPOSED TO INCLUDE 3RD ST SE FROM 10TH AVE SE TO ALTON AVE SE AS WELL AS ALTON AVE SE FROM 3RD ST SE TO TH19 WHILE NOTING THE TOWNHOME ASSOCIATION TO MAINTAIN A PORTION OF SIDEWALK ALONG ALTON AVE SE ADJACENT TO A FUTURE CITY POND*. All voted in favor of the motion. Motion carried. (4-0)

Administrator Tetzlaff announced that Finance Director Patty Solheid has submitted her intent to retire on January 28, 2022. With that date being about three months away, he suggested getting started on the process of finding a replacement soon. The job description and advertisement were provided for the Council's review. Discussion took place between Council and Staff on the role of a Finance Director and the essential functions of this position. The job posting is planned to be advertised for four weeks with an application deadline ending after the Thanksgiving weekend.

Administrator Tetzlaff suggested setting up a hiring committee for this position which would consist of a Councilmember and Staff vs hiring an outside firm. Besides Administrator Tetzlaff, Utilities Director Bruce Reimers was recommended being this position works closely with the Finance Director. Councilmember Wolf was recommended to serve on this committee as well with all his Financial background. Councilmember Wolf agreed to take on this role.

After discussion, motion by Seiler, seconded by Jirik on the *APPROVAL OF POSTING THE FINANCE DIRECTOR POSITION AND THE APPOINTMENT OF ADMINISTRATOR TETZLAFF, DIRECTOR REIMERS AND COUNCILMEMBER WOLF TO THE HIRING COMMITTEE*. All voted in favor. Motion carried (4-0).

Public Works Director Matt Rynda presented the recommendation of the appointment of Jacob Hartman to the Wastewater Treatment Facility (WWTF) Operator I position. He stated that this appointment will fill a vacancy after employee Ray Niedermayer, WWTF Operator took a different position outside the City. Mr. Hartman currently resides

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in New Prague. He had worked for the City of Prior Lake since 2014 where his main responsibilities included the maintenance of 41 lift stations. He has also completed many pump repairs/replacements, has a Collections license and works closely with SCADA which is very important skills for this position. Director Rynda recommended the appointment of Mr. Jacob Hartman to the WWTF Operator I position with an effective start date of November 16, 2021 and an initial starting wage of \$32.18 per hour, Pay Grade 10 - Step 7 on the 2021 City Wage Schedule. Mr. Hartman has successfully passed his education, criminal, employment, physical exam, drug and alcohol tests.

Motion by Ryan, seconded by Wolf to APPROVE THE APPOINTMENT OF JACOB HARTMAN TO THE WWTF OPERATOR I POSITION. All voted in favor. Motion carried (4-0).

MISCELLANEOUS:

1. Aquatic and Fitness Center Year-End Financials - Seiler asked for additional financials and suggested tabling this item until the next Council meeting.
2. Meeting Minutes approved.
3. Bruce Wolf - Inquired about the Golf Budget submitted on October 25, 2021.
4. Matt Rynda - Followed up per Councilmember Bass' request to look into posting a sign at the future Central Plaza site. After some research into signage cost estimates, it would cost around \$400. Suggested instead of a sign, more cost-effective ways of communicating could be via social media and posting on the City's website. The Council agreed.
5. Shawn Ryan - 1. Mentioned that Settlers Park Green Meadow has a large boulder by it and asked if the City could mow around this boulder because it is an area that the kids play on and around. Staff will check to see if this is on City property and follow up with Council on this topic. 2. Mentioned there are hairline cracks in the pavement by West End Liquor. Staff said they will monitor and see how these cracks look after the winter.

There being no additional business, regular meeting closed at 7:36 p.m.

Mayor Jirik called the Special Meeting to order at 7:36 p.m. with the following members present:

Mayor Jirik, Councilmembers Ryan, Seiler, and Wolf

Absent: Councilmember Bass

Staff Present: City Administrator Joshua Tetzlaff

Went into Closed Session at 7:36 p.m. pursuant to Minnesota Statutes Section 13D.03, to hold a closed meeting to consider strategy for labor negotiations, including negotiation strategies or developments, or

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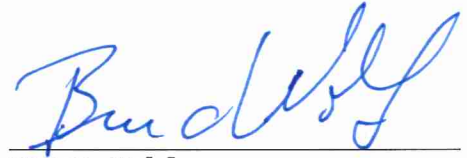
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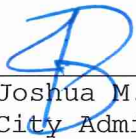
discussion and review of labor negotiation proposals, conducted pursuant to sections 179A.01 to 179A.25.

Mayor Jirik moved to come out of the Closed Session and adjourned at 8:04 p.m.



Bruce Wolf
Acting Mayor

ATTEST:



Joshua M. Tetzlaff
City Administrator