

# 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 18, 2019

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

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

Mayor Nickolay made a note to remove an item off the Consent Agenda, there was no November 13, 2019 Special Meeting Minutes. It was moved by Seiler, seconded by Bass to approve the amended Agenda as presented. All voted in favor. Motion carried, 5-0.

Planning/Community Development Director Ken Ondich presented the background information on the proposed adoption of an Ordinance for vacation of certain easements in the plat of Highview 10<sup>th</sup> Addition, as proposed by Kwik Trip, Inc. pending a plat approval.

Mayor Nickolay opened the Public Hearing at approximately 6:04 p.m. to consider Ordinance #307 for Vacation of Certain Easements in the Plat of Highview 10<sup>th</sup> Addition, as Proposed by Kwik Trip, Inc.

Mayor Nickolay opened the floor for public comments:  
Chantel Gaaskjolen/Sand - 1001 Phillip Parkway - Asked what the purpose is of the new easements? Ondich stated the re-plat for the two lots in Highview 10<sup>th</sup> Addition does not automatically vacate the easements that exist adjacent to the existing lot lines and therefore Kwik Trip, Inc. has made application to vacate certain easements that are no longer needed once the property is re-platted. New easements will be platted with their proposed plat which is called "Kwik Trip 1090" and will be reviewed by the Planning Commission at the November 20<sup>th</sup> meeting. One of the conditions for approval of the plat will be the need to vacate the unneeded easements.

It was moved by Nickolay, seconded by Bass to close the Public Hearing at approximately 6:06 p.m. All voted in favor of the motion. Motion carried, 5-0.

Director Ondich recommended approval of the 2nd Reading on the adoption of the ordinance. It was moved by Seiler, seconded by Nickolay to approve the 2<sup>nd</sup> Reading and Adoption of *ORDINANCE #307 VACATING CERTAIN EASEMENTS IN THE PLAT OF HIGHVIEW 10<sup>TH</sup> ADDITION*. All voted in favor. Motion carried, 5-0.

Police Chief Jim Gareis presented a "Draft" Body Worn Camera (BWC) policy and Public Comment request. The New Prague Police Department (NPPD) has been in the process of evaluating and testing body worn cameras in the last several months. The evaluation of these cameras helped the NPPD to make a decision on utilizing the Axon camera

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platform. Axon provides the City with cameras, docking stations, and an Internet Cloud base storage called evidence.com. The full-service functionality of this system allows for easy use, downloading, tagging of videos, and long-term management with designated retention periods and automatic deletion of videos.

As part of the process for putting body worn cameras in place within the department, a written policy must be utilized and followed by all department personnel. Part of the process for developing this policy includes taking public comment regarding the policy. This is mandated in MN Statute 626.8473 Portable Recording Systems.

A draft policy has been prepared and sent to the City Attorney for review. As part of the process, Chief Gareis asked the Council to add to the December 2<sup>nd</sup> City Council agenda a public comment/input opportunity on the policy.

Funds have been budgeted for the lease of BWC's along with TASER Conducted Energy Weapons (CEWs). The amount budgeted is \$13,068 annually for 5 years. Through this program, cameras are refreshed twice and tasers are refreshed at the end of the five years. This program also includes the evidence.com platform for the storage and management of the video.

Council had questions for Chief Gareis and some of those included: confidentiality, hours of operation, and more details on the policy. Council asked for Chief Gareis to bring a sample of video footage.

After discussion, the Council agreed to conduct a presentation on the policy at the next Council meeting on December 2, 2019 and allow for public comment at that time.

City Administrator Mike Johnson provided to the Council the Main Street "Temporary Easements" Condemnation information and asked for the Council's review and approval of three recommendations from the City Attorney. Recommendations included: 1. Approve Stipulation of Settlement Agreement with HZ Homes (Parcel No. 20), 2. Authorize Hiring of Appraisers for Parcel No.'s 47-52-59-95-98 and 100, 3. Authorize Issuance of Quick Take Payments and Deposits for Parcel No.'s 47-52-59-95-98-100.

It was moved by Nickolay, seconded by Ryan to Approve Stipulation of Settlement Agreement with HZ Homes for Parcel No. 20 for \$3,000. All voted in favor. Motion carried, 5-0.

It was moved by Ryan, seconded by Seiler to Authorize the hiring of the two appraisers - Patchin Messner Valuation Counselors and Ms. Kelly Lindstrom for appraisal work on Parcels No. 47-52-59-95-98-100 in the amount of \$22,500. All voted in favor. Motion carried, 5-0.

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It was moved by Bass, seconded by Wolf to Authorize Issuance of Quick Take Payments and Deposits for Parcels No. 47-52-59-95-98-100 in the amount of \$4,870. All voted in favor. Motion carried, 5-0.

It was moved by Seiler, seconded by Nickolay to approve the following consent agenda items:

- A. November 4, 2019 Regular, November 4, 2019 Special and November 13, 2019 Special Meeting Minutes
- B. Claims for Payment
- C. Approve MN Lawful Gambling LG220 Application for New Prague Clay Target Club for May 28, 2020 at the American Legion Clubroom, 300 Lexington Ave. S., New Prague
- D. Approval of Subordination Agreement for Small Cities Development Program Housing Repayment Agreement for PID #24.007.0200 at 209 1<sup>st</sup> Avenue NE
- E. Resolution Designating Polling Place for 2020 Elections
- F. Adopt City Calendar for 2020

Miscellaneous Items:

Jim Gareis - Extended an invite to Councilmembers to do a Ride Along with a Police Officer. Contact Jim to schedule.

Mike Johnson - FYI, December 2, 2019 will be a very full agenda.

Rik Seiler - Happy Thanksgiving to all. Inquired about which Councilmember writes their councilmember article for the monthly city newsletter. Ulschmid to send the Council a listing of which Councilmember writes an article for each month.

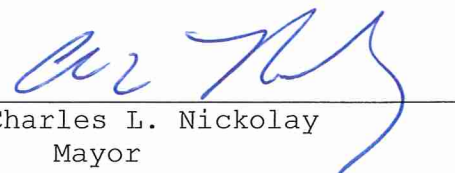
Bruce Wolf - Had some questions about addressing the public's questions on the new Kwik Trip.

Following discussion, it was moved by Nickolay, seconded by Seiler to adjourn the meeting at approximately 7:01 p.m. All voted in favor of the motion. Motion carried, 5-0.

ATTEST:



Michael J. Johnson  
City Administrator

  
Charles L. Nickolay  
Mayor

