

# City Council Proceedings

957

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

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City Council Meeting  
Monday, December 18, 2017

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

Absent: Jirik

Staff Present: Ken Ondich, Bruce Reimers, Glen Sticha, and Barb Ulschmid.

It was moved by Bruzek, seconded by Ryan to approve the Agenda. All voted in favor. Motion carried. (4-0)

Planning/Community Development Director Ondich reviewed with the Council the proposal for Municipal State Aid Street (MSAS) Engineering Services for 2018 from SEH. The City has been participating in the Municipal State Aid Street (MSAS) funding program since 2004 when the City's population exceeded 5,000. The purpose of the funding is to provide the community with financial resources from the Highway Users Tax Distribution Fund for construction and maintenance of highways and streets of interest within the community. The City is required to contract with a qualified engineering firm to complete the necessary services to benefit from the State Aid System dollars.

The new proposal from SEH provides State Aid services from January 1, 2018 through December 31, 2018 in the amount of \$6,600 for routine services which is about a 5.6% increase from the previous contract (\$350 increase). Also, noted is an amount to be determined for non-routine services related to turnbacks of County Road 37 to the City. These services would be provided for on an hourly basis as they are identified (expected to be around \$5,000).

The 2018 budget for engineering, including the specific MSA related work is \$14,000 which was based on the assumption that the MSAS contract would be around \$6,500. It should also be noted that the City's annual allotment of State Aid Maintenance Funds (\$73,238 in 2017) covers the entire cost of the engineering services required by the state aid program, so gas tax dollars pay for the engineering services, not the City's general tax dollars.

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It was moved by Nickolay and seconded by Bruzek to approve the proposal for Municipal State Aid Street Engineering Services for 2018 from SEH. All voted in favor of the motion.  
Motion carried. (4-0)

Public Works Director Glen Sticha introduced to the Council City Engineer Chris Cavett to explain the details requesting to adopt a resolution for municipal concurrence of the revocation (redesignation) of County State Aid Highway (CSAH) status on CSAH 37 from TH19 to TH21 within the City of New Prague. Scott County has an immediate need to designate CSAH status on a more significant roadway with greater need. For that reason, the roadway would be redesignated as a County Road (CR) with the intention that it will be turned back to the City to become part of the City's local street system and be designated a Municipal State Aid Street. This segment of CSAH 37 is 1.6 miles.

City Engineer Chris Cavett informed the Council as the Municipal State Aid Street (MSAS) System provide the City of New Prague with financial resources from the Highway Users Tax Distribution Fund (State Gas Tax) for construction and maintenance of "highways and streets of interest" within the community, a similar system is in place through the state aid system for Counties. Those routes of regional significance are designated as County State Aid Highways (CSAH).

The County is limited to the number of miles that it can have designated as County State Aid Highways. The balance of a county's roadway system is classified as "local" county roads (CR). Those county roads are funded with local county dollars and not from the Highway Users Tax Distribution Fund (State Gas Tax). In order to add new roadway miles to the system, the County must undesignate a portion of its existing system to free up mileage.

Currently the City and County staffs are working on the terms of a turnback agreement to be considered by the City Council and county Commission at a future date. It has been mutually agreed that the revocation of the County State Aid Highway (CSAH) designation can occur in advance of a turnback. County Road 37 will continue to remain under Scott County's jurisdiction and fiduciary responsibility until a turnback agreement is approved and the roadway has been improved to the City's satisfaction. Once this segment of CR 37 is improved and turned back, the City will be able to add this segment of roadway to the City's Municipal State Aid Street (MSAS) system.

# City Council Proceedings

959

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

}

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Monday, December 18, 2017

A future turnback agreement will include the County's improvement of County Road 37. At this time, the County is proposing roadway improvements to CSAH 37 in 2018 or 2019 such that the roadway improvements would be completed before construction takes place on Main Street in 2020. More information regarding improvements to CR 37 will follow as details are worked out between City and County staffs.

City Engineer Cavett indicated that based on State Aid rules, the City of New Prague must pass a resolution concurring with Scott County's proposed revocation of CSAH status with the city limits. Once the County and City have taken action on the revocation, MnDOT will review and issue a Commissioner's Order to approve the change.

After discussion, it was moved by Bruzek and seconded by Bass to approve RESOLUTION #17-12-18-01 MUNICIPAL CONCURRENCE - REVOKING CSAH DESIGNATION SCOTT COUNTY STATE AID HIGHWAY 37. All voted in favor. Motion carried. (4-0)

In the absence of City Administrator Johnson and Finance Director Solheid, Planning/Community Development Director Ondich presented the Resolution Adopting the 2018 City Budgets and 2018-2028 Capital Improvement Plan. This budget includes summaries of the General Fund, the Proprietary Fund's (Water, Wastewater, and Electric), the Non-Major Proprietary Funds (Ambulance, EDA, EDA Industrial Park, Golf and Storm Water), the Special Revenue, Capital Project and Debt Service Funds. This reflects everything talked about in the budget workshops. Mayor Nickolay commended City Administrator Johnson and his Department Heads on putting together a cost-effective budget. With the growth of the City and to keeping the numbers as tight as they are is worth congratulating!

After discussion, it was moved by Mayor Nickolay and seconded by Bass to approve RESOLUTION #17-12-18-02 ADOPTING THE 2018 CITY BUDGETS AND 2018-2027 CAPITAL IMPROVEMENT PLAN (CIP). All voted in favor. Motion carried. (4-0)

Planning/Community Development Director Ondich reviewed the Resolution Adopting 2017 Property Tax Levy Payable in 2018. The City's total property tax levy for 2018 for all purposes is \$4,089,000, an increase of \$92,000 or (2.3%) over the 2017 property tax levy.

*City Council Proceedings*

960

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Counties of Scott & Le Sueur  
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}

City Council Meeting  
Monday, December 18, 2017

It was moved by Bruzek and seconded by Ryan to approve RESOLUTION #17-12-18-03 ADOPTING 2017 PROPERTY TAX LEVY, PAYABLE IN 2018. All voted in favor. Motion carried. (4-0)

The proposed Compensation Plan for 2018 has been adjusted by 3.00% and has been included in the 2018 Budget at this recommendation. The City's 2016-2018 Labor Agreement with Law Enforcement Labor Services and the Police Union has a 3.00% wage adjustment for 2018 that has been previously approved by City Council.

Following review, it was moved by Ryan and seconded by Bass to approve the 2018 Compensation Pay plan. All voted in favor. Motion carried. (4-0)

Planning/Community Development Director Ondich presented the proposed 2018 Official City Fee Schedule to the Council. The major changes include increases in building permits (valuation based permits, planning and zoning fees, park facility rental fees, electric rate and water meter costs.

After discussion, it was moved by Bruzek and seconded by Nickolay to approve RESOLUTION #17-12-18-04 RESOLUTION ADOPTING AN OFFICIAL 2018 FEE SCHEDULE. All voted in favor of the motion. Motion carried. (4-0)

Planning/Community Development Director Ondich reviewed with the Council an Agreement with BEVCOMM for Primary Rate Interface (PRI) Telephone Services that would become effective January 1, 2018

The proposed Agreement with BEVCOMM is a five (5) year agreement (2018-2022), that replaces an expired agreement between the City and BEVCOMM for telephone services already being provided. The proposed 5-Year Agreement will provide an annual savings of \$2,966.40 or \$14,832.00 over 5 years.

It was moved Ryan and seconded by Bass to approve the 5-Year Agreement with BEVCOMM for PRI Telephone Services. All voted in favor of the motion. Motion carried. (4-0)

Planning/Community Development Director Ondich explained on behalf of the New Prague Police Department the details of the Memorandum of Understanding (MOU) with Carver Scott Humane Society which provides oversight regarding the contract with Minnesota Critter Getter (MCG).

# City Council Proceedings

961

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

}

City Council Meeting  
Monday, December 18, 2017

The joint contract with MN Critter Getter provides animal control to the cities of Belle Plaine, Elko New Market, Jordan, Le Sueur, and New Prague. The Cities have collectively asked the Carver-Scott Humane Society (CSHS) to provide oversight regarding our contract with MCG in order to improve the animal control services being provided to our residents.

Director Ondich stated in order to promote animal welfare in the Cities and further its mission, CSHS will work with MCG to meet requirements within our animal control contract, as well as meeting applicable state statues and Minnesota Board of Animal Health kennel licensing requirements.

This MOU is not a contract with CSHS and there is no financial cost to the cities for the oversight being provided. The State of MN Animal Board of Health feel this collaboration may be used in the future as a model for other cities and animal control agencies to implement and follow throughout Minnesota.

It was moved by Bruzek and seconded by Nickolay to approve the MOU with Carver Scott Humane Society to provide oversight regarding the contract with Minnesota Critter Getter . All voted in favor of the motion. Motion passed. (4-0)

Director Ondich reviewed the details of a Cooperative Agreement regarding Public Safety related to a 2018 Club Nomadic Event.

The City of Prior Lake along with its Police Department have been asked by the Shakopee Mdewakanton Sioux Community to provide public safety at events taking place around the Super Bowl. One of those main events will take place at Mystic Lake and will be the 2018 Club Nomadic event in Prior Lake.

The Prior Lake Police Department has reached out to area law enforcement departments to see how many officers would be available to assist during this event. The City of New Prague has four officers that are interested in working at this event. The City of New Prague will be reimbursed at a premium rate for the officer's time during this event.

At the conclusion of the presentation, Mayor Nickolay asked if the City of New Prague's equipment will be used for this event? Councilmember Bass wanted to know what would happen if the City of New Prague would need these officers on that day? Would this be a breach of contract?

City Council Proceedings

962

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

}

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Monday, December 18, 2017

Director Ondich indicated he would address these questions with Chief Gareis. Chief Gareis has agreed to be the contact person for any matters pertaining to this agreement with the Council's approval.


After discussion, it was moved by Nickolay and seconded by Bass to approve the Cooperative Agreement regarding Public Safety related to 2018 Club Nomadic Event at Mystic Lake, Prior Lake. All voted in favor of the motion. Motion carried. (4-0)

Following discussion, it was moved by Nickolay, seconded by Bruzek to approve the following consent agenda items:

- A. Approve December 18, 2017 Regular Meeting City Council Minutes
- B. Approve Claims for Payment
- C. 2018 Tobacco Licenses (11)
- D. 2018 Commercial Refuse Hauler/Recyclable Collector Licenses (3)
- E. Mayoral Appointments for Boards/Commissions for January 2, 2018
- F. Approve Property Rental Lease Agreement with Thomas W. Masberg at 411 5<sup>th</sup> Avenue NW
- G. Resolution #17-12-18-04 Approving City Council Recommendations for City Charter Commission Appointments

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

Following discussion, it was moved by Nickolay and seconded by Bruzek to adjourn the meeting at approximately 7:08 p.m. All voted in favor of the motion. Motion passed. (4-0)

  
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Charles L. Nickolay  
Mayor

ATTEST:

  
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Michael J. Johnson  
City Administrator