

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



City Council Meeting
Monday, March 18, 2013

A Workshop on Special Assessments was held at 5:30 p.m. with the following members present: Nickolay, Bartusek, Bruzek, Ryan and Scripture.

Staff Present: Mike Johnson, Bruce Reimers and Glen Sticha

Also present were City Attorney Scott Riggs, City Engineer Chris Cavett and Appraiser Jason Messner from Patchin Messner & Dodd, Inc.

City Administrator Johnson introduced the City Attorney, City Engineer and Appraiser who would act as a panel to explain and provide overviews of the various facets of the special assessment process for constructing public street/utility improvements.

The panel provided an overview of the Minnesota Statutes Chapter 429, the League of MN Cities Special Assessment Guide, the process and procedures used by the City of New Prague, the "Presumption Created By Following the Process", identified what other cities are doing and provided a comparison of assessments in some other communities.

The constitutional issues and discussion on "Special Benefit" and "Increase in Market Value for Property" were also addressed and discussed.

Various options and issues pertaining to how special assessments are assessed, market value appraisals, consultation of special benefit studies were reviewed and discussed.

There was significant interaction and discussion between the elected officials and the panel members over various topics. In closing of the workshop, City Attorney Scott Riggs informed the Council that the Council is doing and has done things procedurally correct under the special assessment process.

Mayor Nickolay thanked all three panel members for their assistance with the educational workshop.

The special meeting adjourned at 6:52 p.m.

Mayor Nickolay called the regular meeting to order at 7:00 p.m. with the following members present: Nickolay, Bartusek, Bruzek, Ryan and Scripture,

Staff Present: Mike Johnson, Ken Ondich, Mark Vosejпка, Glen Sticha and Mary Jo Hruby

The Pledge of Allegiance was recited.

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

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Mayor Nickolay opened the Public Hearing at 7:03 p.m. on the Issuance of On-Sale Wine License and On-Sale Beer License for Ulrich and Christina Ettlín (C and U Investments, LLC) dba The Ettlín's Café.

City Administrator Johnson reviewed the new liquor license application. There is an ownership change to the legal entity that will be holding the liquor license at this location. The current liquor license at this location is held by Ettlíns Ranchero Supper Club Inc. dba Ettlín's Café.

With no public comments, it was moved by Scripture and seconded by Ryan to close the Public Hearing at 7:04 p.m. All voted in favor of the motion. (5-0)

It was moved by Bruzek and seconded by Scripture to approve the issuance of an On-Sale Wine License and On-Sale Beer License to Ulrich and Christina Ettlín (C and U Investments, LLC) dba The Ettlín's Café. Effective April 1, 2013. All voted in favor of the motion. (5-0)

City Administrator Johnson reviewed the 2013 Street and Utility Improvement Project - 1st Street NE. Following the Open House on March 7, 2013 with City residents, questions had been raised by the residents on the need to reverse the one-way segment of 1st Street NE between Central Avenue N. and 1st Avenue NE. Following the Public Hearing on November 19, 2012, the City Council evaluated the issue with the City Engineer of keeping 1st Street NE (1 block) as a one-way headed west vs. changing the direction of the street to a one-way headed east. The Council voted 5-0 to change the directional course of 1st Street NE to a one-way street headed east as part of the 2013 Street Project.

David McCollister, 112 1st St. NE stated opposition for changing the direction of the one-way and concern for the safety of people living on the street with the narrow street and increased traffic.

Susie McCollister, 112 1st St. NE, Elizabeth Ransom, 111 1st St. NE, Liz Musil, 109 1st St. NE and Barb Walbridge, 201 1st Ave. NE also stated opposition and concerns with the following comments: not enough room for their vehicles to back out of driveways, not enough room at intersection, lights shining in their house, and forget the sidewalks because there is no reason to have sidewalks.

City Administrator Johnson reviewed the memo from City Engineer Chris Cavett on rationale and justification for the roadway directional change. Changing the direction of the one-way is for public safety and the Communities best interest. They took a look at the movement of traffic to get people to the lights on Main Street. The alley is not designed to be a street for traffic to get to the lights.

After lengthy discussion, it was moved by Nickolay and seconded by Ryan to table the issue until the April 1st City Council meeting to review the issue and alternative options and discuss with City Engineer Chris Cavett. All voted in favor of the motion. (5-0)

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Public Works Supervisor Sticha reviewed the two estimates from local contractors for the swimming pool chemical room addition. Staff recommends the lower bid of \$11,580.00 from K.A. Witt Construction. The addition would be 24' wide by 7' deep located on the south side of the existing building.

It was moved by Bartusek and seconded Bruzek to approve the construction of the chemical room addition by K. A. Witt Construction for \$11,580.00. All voted in favor of the motion. (5-0)

Wade Brod, Golf Management Enterprises presented the Golf Board's requested capital equipment golf purchases for 2013. The Capital Equipment priorities include skid loader, sprayer, pump house, sod cutter, utility vehicle, greens brush, fertilizer spreader, wood chipper, and under counter cooler & prep table. Mr. Brod stated they are working together with other City departments to share assets. City Staff is proposing that G.O. Capital Equipment Certificates be used as the preferred financing conduit for this equipment as it will result in the least expensive financing option for the City.

Council Member Scripture stated concerns about increased annual debt looking over the preliminary financing information and new debt schedule if the golf equipment was authorized to be purchased.

It was moved by Ryan and seconded by Bartusek to approve recommendation by the Golf Board of proposed 2013 Capital Equipment purchase requests. All voted in favor except Scripture voted against. (4-1)

City Administrator Johnson reviewed the two liquor, beer, wine and dance licenses for the period April 1, 2013 to March 31, 2014.

It was moved by Nickolay and seconded by Ryan to approve the following liquor, beer, wine and dance licenses for the period April 1, 2013 to March 31, 2014. All voted in favor of the motion. (5-0)

Classic Grille & Bar, Inc. On-sale liquor, Sunday liquor,
d/b/a Classic Grille & Bar

Desperate Measures Karaoke, Inc. On-sale liquor, Off-sale liquor,
d/b/a J.T's Hideaway Sunday liquor, dance permit

Council Member Scripture noted a correction in the previous meeting minutes (page 434) to be corrected to read: *After discussion, it was moved by Nickolay and seconded by Bartusek to write a letter in support of the Regional Sales Tax for Transit and the proposal to increase the sales tax for transit purposes by ¼ cent in the Seven County Metropolitan Area. Nickolay and Bartusek voted in favor, Ryan and Scripture voted against, Bruzek was absent (2-2) Motion failed.*

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It was moved by Bartusek and seconded by Scripture to approve the following consent agenda items subject to the previous meeting minute's correction:

- A. Approve previous meeting minutes
- B. Approve claims for payment
- C. Approve monthly financials
- D. Approve Minnesota Lawful Gambling LG220 Application for Exempt Permit for Huntington's Disease Society of America on April 27, 2013 at the Knights of Columbus Hall at 411 4th Ave. SW
- E. Approve Minnesota Lawful Gambling LG220 Application for Exempt Permit for New Prague Orioles on June 2, 2013 at the DRS Field at 401 Lexington Ave. S.

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

It was moved by Ryan and seconded by Bartusek to adjourn at 9:04 p.m.
All voted in favor of the motion. (5-0)

Charles L. Nickolay, Mayor

ATTEST:

Michael J. Johnson
City Administrator