

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



City Council Meeting
Monday, March 7, 2016

Mayor Nickolay called the meeting to order at 7:00 p.m. with the following members present: Nickolay, Bruzek, Jirik, Ryan, Tuma

Staff Present: Mike Johnson, Ken Ondick, Glen Sticha, Bruce Reimers, Patty Solheid, Jim Gareis

Mayor Nickolay indicated that Minnesota Senate District 20 Candidate Mark Bartusek was unable to attend the Council meeting and amended the Agenda by tabling Agenda Item #1 *Introduction of Candidate for Minnesota Senate District #20 - Mark Bartusek.*

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

Planning Director Ondich provided a brief overview of Ordinance No. 288, which was an Ordinance Amending Section 90.13 of Chapter 90 titled Animal Regulations of the New Prague City Code and also Amending Section III and IV of the New Prague Zoning Ordinance Relating to Farm Animals. The Ordinance was previously reviewed by the Council in detail on February 16, 2016 along with receiving significant public input. The Council had previously approved the introduction of the Ordinance on a 4-1 vote. Following discussion, the Council proposed to change the effective date of the Ordinance from the original language "Upon its publication" (which would have been on February 25, 2016) to "take effect on June 30, 2016" which provided for a longer compliance time frame.

It was moved by Nickolay, seconded by Ryan to adopt Ordinance No. 288 AMENDING SECTION 90.13 OF CHAPTER 90 TITLED ANIMAL REGULATIONS OF THE NEW PRAGUE CITY CODE AND ALSO AMENDING SECTIONS III AND IV OF THE NEW PRAGUE ZONING ORDINANCE RELATING TO FARM ANIMALS with an amended affective date of June 30, 2016. All voted in favor of the motion except Tuma who voted no. Motion carried (4-1)

Mayor Nickolay had Planning Director Ondich provide an overview of Resolution #16-03-07-01 Designating a Combined Polling Place for all Wards for the Primary Election and General Election in 2016 and Future Elections Until Further Notice. Mr. Ondich explained that the current City Polling Place (School District CEC Gymnasium) could not be used in 2016 due to school construction occurring at the entire CEC site. Various locations were analyzed for an alternative site, but due to State Statute requirements associated with being fully ADA accessible, free of non-election activities, free of smoking, and free of liquor, options were limited. After reviewing all of the various options, City Staff recommended the Parish Activity Center (PAC) on the north end of the St. Wenceslaus Church property at 215 E. Main Street in New Prague in order to satisfy MN Statute 204B.16.

After discussion, it was moved by Bruzek, seconded by Tuma to approve Resolution #16-03-07-01 DESIGNATING A COMBINED POLLING PLACE FOR ALL WARDS FOR THE PRIMARY ELECTION AND GENERAL ELECTION IN 2016 AND FUTURE ELECTIONS UNTIL FURTHER NOTICE.

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

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Public Works Director Sticha reviewed with the Council Resolution #16-03-07-02 Approving Plans and Specifications and Ordering Advertisement for Bids for the Replacement of the 10" Sanitary Sewer Force Main from the Main Lift Station behind the School Bus Garage to the north and connecting into the existing 10" force main behind Falcon Ridge Elementary School. The project will be advertised for bidding on March 17, 2016, with bids due to be submitted and opened at 2:00 on April 7, 2016 at City Hall. The preliminary estimated cost of the repair based on plan quantities is \$188,500. The Council will consider the award of contract on April 18, 2016.

Following discussion, it was moved by Bruzek, seconded by Jirik to approve RESOLUTION #16-03-07-02 APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS.
 All voted in favor of the motion. (5-0)

Public Works Director Sticha presented information on the purchase of a 2016 4-wheel drive 1 ton pick-up truck to be used by the Public Works and Water Departments. This proposed vehicle is scheduled to replace a 2005 F-250 crew cab pick-up truck. The two bids received on a new Ford F-350 pick-up truck were from the New Prague Auto Group at \$30,198.00 and under the State Contract from Midway Ford (Roseville, MN.) at \$30,097.00. However, after factoring trade-in of the 2005 F-250, tax and licenses, and the switch out of the utility boxes, the New Prague Auto group was the low bidder. The cost for ½ share in the Public Works Department (other ½ in water Dept.) was \$11,287.94 versus a 2016 Budget amount of \$14,000.

After discussion, motion by Bruzek, seconded by Ryan to authorize the purchase of the new pick-up by the Public Works Dept. (1/2 to be split with the Water Dept.) from the New Prague Auto Group for \$11,287.94.
 All voted in favor of the motion. (5-0)

Public Works Director Sticha presented information of the purchase of a new asphalt milling machine (Cold Planer) by the Street Department to be used in making repairs in asphalt roads around manholes, catch basins and curb lines. Staff evaluated two different suppliers of milling machines and two different manufacturers that met the required specifications. The bids submitted included:

Titan Machinery (Shakopee, MN)	
Paladin HP400 16" Cold Planer	\$17,445.12
Titan Machinery (Shakopee, MN)	
Woods CP16ATD 16" Cold Planer	\$17,372.36
RDO Equipment (Burnsville, MN)	
Paladin HP400 16" cold Planer	\$15,560.00

There was \$19,000 included in the 2016 Street Department Budget for this piece of equipment.

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Following discussion, it was moved by Tuma, seconded by Nickolay to purchase the Paladin HP400 16" Cold Planer from RDO Equipment for \$15,560.00. All voted in favor of the motion. (5-0)

City Administrator Johnson presented the City Council with the Introduction of Ordinance No. 289 which Amends Chapter 52, Title V of the New Prague City Code of Ordinances Relating to Sanitary Sewer Charge Calculations. As explained by Mr. Johnson, the Ordinance was primarily intended to reduce to writing in the City Code the historical and current practices relating to how the City calculates sanitary sewer rates and charges. The Ordinance identifies that there is a monthly base rate plus a rate per 1,000 gallons of metered water as determined by Council Resolution on an annual basis. It addresses how residential rates are calculated using water usage for the months of November, December and January; it addresses those customers who have a "zero" water consumption usage in at least one month during the calculation period; it addresses in multiple residential dwellings that there shall be a sanitary sewer base rate multiplied by the number of residential units being served; and it provides for secondary water meter at personal expense for purposes of irrigation that will not be subject to any sanitary sewer charges.

Following discussion on the Ordinance and a recommendation to consider modifying paragraphs D-E-F-G into a revised paragraph, it was moved by Ryan and seconded by Bruzek to approve the Introduction of Ordinance #289 as presented. All voted in favor of the motion except Jirik who voted no and thought that sanitary sewer billing for all residential-commercial-industrial users should be based on metered water usage. Motion carried (4-1)

Mayor Nickolay indicated that the Council had decided at the February 16, 2016 Council meeting to continue discussion on the process to review future needs of the outdoor swimming pool and the future needs for community athletic facilities that was started at the January 19, 2016 Council meeting. After general discussion amongst the Council on these topics, it was decided to have City Staff develop various alternative planning dates where the Council could only concentrate on these topics. They also wanted to make sure everyone had the same background planning materials, especially the newly elected members. City Staff was instructed to develop various meeting date options and to bring back at the next Council meeting.

It was moved by Jirik and seconded by Ryan to approve the following consent agenda items:

- A. Approve the February 16, 2016 meeting minutes
 - B. Approve claims for payment
 - C. Satisfaction of SCDP Housing Repayment Agreement
 - D. New Prague Area Schools Community Education request for approval and assistance for a Color Craze 5K Run
 - E. Approval of 2016-2017 Liquor, Beer, Wine and Miscellaneous Licenses
- All voted in favor of the motion. (5-0)

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Police Chief Gareis informed the Council that the Police Department is holding alcohol server training at City Hall on March 8 and 16, 2016.

Public Works Director Sticha gave an update on the electrical lighting replacement project at the Memorial Park Baseball Stadium.

Utilities General Manager Reimers invited the Council to attend the Spring SMMPA Annual Meeting.

Council Member Ryan brought up the issue of compensatory time as he had talked to various Street Department Employees. Concerns seemed to be related to calculation and application of overtime issues versus schedule adjustments to avoid overtime. It was discussed that the City used to have a compensatory time policy, but it was eliminated based on cost to City and difficulty in providing time off versus earning overtime/schedule adjustments. There are regulatory issues from the Federal Fair Labor Standards that control what the City can do in this arena. Various Council members provided their thoughts and input on the topic but did not want to micro-manage current policies/practices and would leave it up to the Department Heads/Administrator to bring forth policy changes if it was felt that they were needed. Clarification on how overtime, holidays, compensatory time and schedule adjustments are made were all discussed.

Council Member Tuma asked that the topic of a "Golf Pass" or "Golf Discount" for City Employees, etc. be place on the March 21st Council Agenda. Wants to know the history or reason for cancelling the previous policy by the Council and what options exist to re-instate. How is this handled at other public courses?

It was moved by Nickolay and seconded by Ryan to adjourn the meeting at 9:15 p.m. All voted in favor of the motion. (5-0)

Charles L. Nickolay, Mayor

ATTEST:

Michael J. Johnson
City Administrator