

# 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, May 15, 2017

Prior to the regular meeting the Mayor Nickolay called the Special Meeting to order at 5:00 p.m. with the following members present: Nickolay, Ryan, Bruzek, Jirik, and Tuma

The Council interviewed 6 of 6 applicants for the Boards and Commissions.

Consensus of the Council was to adjourn at approximately 6:10 p.m.

Mayor Nickolay called the meeting to order at 6:12 p.m. with the following members present: Nickolay, Ryan, Bruzek, Jirik, and Tuma

Staff Present: Mike Johnson, Ken Ondich, Glen Sticha, Jim Gareis, and Deb Wegner

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

Mayor Nickolay presented a plaque to Dean Duban recognizing him for serving the City of New Prague in the position of Police Officer in the New Prague Police Department. Dean's honesty, integrity, dependability, compassion, and ability to communicate has enabled him to provide outstanding service to all members of the community and with the Police Department. Dean's work experience over the past 27+ years will be tremendously missed. Dean will be retiring on June 1, 2017.

It was moved by Nickolay and seconded by Jirik to approve RESOLUTION #17-05-15-01 RESOLUTION RECOGNIZING DEAN J. DUBAN. All voted in favor of the motion. (5-0)

Police Chief Gareis recommended to the City Council the appointment of Mr. Zachary Ambroz to the Police Officer position with an effective starting date of June 1, 2017.

It was moved by Ryan and seconded by Bruzek to appoint Zachary Ambroz as Police Officer at Step 1 - \$27.43/hour and a starting date of June 1, 2017. All voted in favor of the motion. (5-0)

Public Works Director Sticha reported that on March 2, 2017, City Staff advertised for a Street Maintenance Worker. After reviewing and rating all of the applicants, Staff is recommending Phillip Tisdell be appointed to the Street Maintenance Worker position with an effective date of May 30, 2017.

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It was moved by Tuma and seconded by Jirik to appoint Phillip Tisdell as Street Maintenance Worker at Step 2 - \$23.66/hour and a starting date of May 30, 2017. All voted in favor of the motion. (5-0)

Fire Chief Jeremy Tikalsky informed the Council that the Fire Department would like to apply for a "Volunteer Fire Assistance" matching grant from the DNR in the amount of \$4,930 through the DNR. The grant is a cost-share program designed to provide assistance to Minnesota Fire Departments in cities or communities with a population of under 10,000. The grants are made on 50:50 match basis. The Fire Department is looking for a 50% matching grant from the DNR with the local 50% matching share coming 25% from the Rural Fire Board (\$2,465) and 25% from the City (\$2,465). The proposed grant request is for 20 pagers (each pager is \$425, a three year warranty for \$60 and \$8 for programming) totaling \$493 each. Since the Fire Department does not have the matching funds in their 2017 Budget, the City would need to provide funding if the grant is approved. Fire Chief Tikalsky reminded Council that they would only purchase what the DNR would approve.

It was moved by Bruzek and seconded by Ryan to approve authorizing the submittal of the Minnesota DNR Fire Assistance grant application for 20 pagers. All voted in favor of the motion. (5-0)

Mayor Nickolay opened the Public Hearing at approximately 6:31 pm on the Issuance of On-Sale Intoxicating Liquor License and Sunday Liquor License for m2Food, Inc. dba Carbone's Pizza & Sports Bar.

City Administrator Johnson informed the Council that the city had received a new liquor license application from Mason Jurchisin and Mattie Sarah Schmidt Jurchisin (m2Food, Inc.) dba Carbone's Pizza & Sports Bar who are proposing that this liquor operation/business will operate in the current location of Carbone's Pizza & Sports Bar at 825 1<sup>st</sup> St SE effective May 25, 2017 under a lease but not own the property. The license period is scheduled to run from May 25, 2017 and will expire on March 31, 2018. If state approval is not received by May 24, 2017, issuance of the license would be with-held pending receipt of the actual approval by the State of Minnesota. However, staff has been unable to obtain satisfactory verification of the outdoor patio premises and coverage of the patio area by the insurance provider. Property taxes are current but the first half of the 2017 property taxes are due on May 15<sup>th</sup> and should be

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made a condition of the license approval as well as a proposed new start date beginning May 26, 2017.

Mr. Jurchisin stated that the franchise will remain the same, as well as the operation, the employees, as all they are doing is switching owners. No other public comment was provided on the license application.

It was moved by Nickolay and seconded by Bruzek to close the Public Hearing at approximately 6:39 p.m. All voted in favor of the motion. (5-0)

It was moved by Nickolay to approve Issuance of On-Sale Intoxicating Liquor License and Sunday Liquor License for m2Food, Inc. dba Carbone's Pizza & Sports Bar with the following conditions: satisfactory verification of the outdoor patio premises; coverage of the patio area by the insurance provider; check to see if the first half of the 2017 property taxes have been paid; and a new effective start date of May 26, 2017, seconded by Bruzek. All voted in favor of the motion. (5-0)

Mayor Nickolay opened the Public Hearing at approximately 6:40 pm on the Issuance of On-Sale Brewer's Taproom License and Sunday License and Brewer Off-Sale Intoxicating Liquor License for Erin Hutton dba Giesenbrau Bier Co. LLC.

City Administrator Johnson informed the Council that the city had received a new Brewer's Taproom application from Erin Hutton dba Giesenbrau Bier Co. LLC who is proposing that the new Small Brewery with a Taproom will operate at the location of 1306 1<sup>st</sup> Street SE effective June 1, 2017, subject to the receipt of his State brewery license and certificate of occupancy for the building. The license period is scheduled to run from June 1, 2017 and will expire on March 31, 2018. If state approval is not received by June 1, 2017, issuance of the license would be with-held pending receipt of the actual approval by the State of Minnesota. However, staff has been unable to obtain satisfactory verification of the outdoor patio premises and coverage of the patio area by the insurance provider. Property taxes and utility bills are current.

Owner Hutton told Council that the federal license was approved in April and he was working on the state license. Construction is currently underway to convert the building to a brewery and taproom. Also the state's department of agriculture will have to inspect the building before he can begin brewing beer. Hutton is hopeful to open and serve beer early August or September depending on issuance of state license and findings of

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the Department of Agriculture. Per Hutton it takes about 3 to 6 weeks to brew beer depending on the type of beer. No other public comment was provided on the license application.

It was moved by Nickolay and seconded by Ryan to close the Public Hearing at approximately 6:50 p.m. All voted in favor of the motion. (5-0)

It was moved by Nickolay to approve On-Sale Brewer's Taproom License and Sunday License and Brewer Off-Sale Intoxicating Liquor License for Erin Hutton dba Giesenbrau Bier Co. LLC with the following conditions: receipt of state license, and that the business is licensed with the State as Giesenbrau Bier Co. LLC, seconded by Tuma. All voted in favor of the motion. (5-0)

Planning/Community Development Director Ondich reviewed the request from the New Prague Rotary Club proposing a public event in Memorial Park on Saturday, August 19, 2017 from noon to 4 pm called "Pivo Prosim" (beer, please). The event will include 20 to 30 breweries from the state and will also have food trucks, merchandise and live entertainment. It is expected that about 400 people might attend, however being this is the first time this type of event is being held, this is just a guess.

Matthew Goldade, of the Rotary Club, said the Rotary Club plans on selling discounted pre-sale tickets, utilizing discount websites such as Groupon/Living Social to attract visitors from the Twin Cities, and ticket sales that day of the event. Goldade said the event will be a fundraiser with funds going to either local projects or a global grant but nothing has been determined at this time. Also there will be two controlled access points to help regulate people traffic, tickets and wrist bands.

Planning/Community Development Director Ondich stated that at their May 9, 2017 meeting, the Park Board unanimously recommended approval of the event in Memorial Park and is asking for Council approval. The Rotary Club will have to apply for a one day temporary liquor license for the event.

It was moved by Jirik and seconded by Bruzek to approve the "Pivo Prosim" - New Prague Beer Fest Event in Memorial Park, August 19, 2017 with the Park Board's list of conditions. All voted in favor of the motion. (5-0)

Planning/Community Development Director Ondich presented and reviewed RESOLUTION #17-05-15-02 APPROVING CONDITIONAL USE PERMIT #C2-2017 TO ALLOW AN APPROXIMATELY 90 UNIT SENIOR LIVING

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APARTMENT BUILDING LOCATED AT 1100 1<sup>ST</sup> ST SE IN THE RH HIGH DENSITY RESIDENTIAL ZONING DISTRICT, AS PROPOSED BY MAKADO GROUP, LLC., APPLICANT. During the short power point presentation Ondich summarized that at the Planning Commission meeting on April 27, 2017 the request for Conditional Use Permit #C2-2017 would allow the construction of approximately a 90 unit senior living apartment complex that would include 31 independent living units, 42 assisted living units and 18 memory care units in a 4 story apartment building.

Planning/Community Development Director Ondich noted that Holy Trinity Lutheran Church has concerns about having their only connection be from 1<sup>ST</sup> St SE unless it connects all the way from 10<sup>TH</sup> Ave SE and 1<sup>ST</sup> Street SE intersection as did the Planning Commission. It was noted that the access on 10<sup>TH</sup> Ave SE will remain as is and only be used for deliveries to the senior living complex. Ondich did say that for the church to retain its access to Highway 19, it would require a discussion with MDOT.

City staff does plan to set up a meeting with property owners along 1<sup>ST</sup> St SE extension to see if a public improvement project could be possible to have 1<sup>ST</sup> St SE run through to Chalupsky Ave SE and assessed back to the adjacent property owners.

As stated the Planning Commission's unanimous (3-0) recommendation for approval followed the eight findings and 22 conditions. However, the applicant submitted amended plans that addressed the conditions specific to the design of the parking lot, underground parking and associated landscaping, turning movement for trucks, access to 10<sup>TH</sup> Ave SE and the loading door area reducing the conditions to 14.

Present for the Applicant were Kim Beherns Architect from Cass Wilson & Owner Mark Appelbaum from Madado Group, LLC

Mark Appelbaum of Makado Group, LLC noted that on the amended plans there was an additional building that was for a "possible" future expansion area on the site plan only. The building would be approximately 75 feet by 30 feet and be one story which is not part of this approval or consideration.

Council Member Tuma would like to see gardens and sitting areas in front of the building and were there plans for landscaping? Mark Appelbaum said he would bring back more information at the June 5, 2017 meeting to address concerns and questions.

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A motion by Bruzek and second by Jirik to approve RESOLUTION #17-05-15-02 APPROVING CONDITIONAL USE PERMIT #C2-2017 TO ALLOW AN APPROXIMATELY 90 UNIT SENIOR LIVING APARTMENT BUILDING LOCATED AT 1100 1<sup>st</sup> ST SE IN THE RH HIGH DENSITY RESIDENTIAL ZONING DISTRICT, AS PROPOSED BY MAKADO GROUP, LLC., APPLICANT with the conditions in the Resolution. All voted in favor of the motion. (5-0)

The Council discussed whether it should continue to hold Council meetings at City Hall or go back to the School District Board room and to utilize their video equipment.

The City did budget \$3,700 for the purchase of video equipment to be owned by the City to continue recording Council meetings. Discussion with Mitch Peterson who has been recording the meetings at City Hall feels that the current system of one camera has been working well for the meetings. Staff agrees that one camera would be sufficient in recording City Council meetings.

The equipment to be purchased will have the same level of production that the School District has provided.

Council Member Ryan asked what channels does Bevcomm and Comast air the City Council meetings staff will check.

Council Member Bruzek asked if the City would look into fixing the Council microphones at Council table Staff will take care of.

It was moved by Nickolay and seconded by Ryan to continue to use City Hall for future City Council meetings and to purchase video equipment to be owned by the City. All voted in favor of the motion. (5-0)

The following are the recommendations from Mayor Nickolay to fill the proposed Board and Commission vacancies with an effective date of June 1, 2017 as follows:

## Planning Commission

Bob Gilman & Dan Meyer to be re-appointed to the Planning Commission Board. They will be serving 4 year terms effective June 1, 2017 - May 31, 2021.

## EDA

Pete Sletten to be re-appointed to the EDA Board. He will serve a 6 year term from June 1, 2017 - May 31, 2023.

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### Golf

Kevin Cassidy to be appointed to the Golf Board to serve a 3 year term from June 1, 2017 - May 31, 2020.

Chris Songe to be appointed to the Golf Board to serve the remaining one year term from June 1, 2017 - May 31, 2018. He is filling the remaining portion of the 3 year term from Jason Ashley who has resigned from the Golf Board.

### Utility Commission

Dan Bishop to be re-appointed to the Utility Commission Board. Dan will serve a 4 year term from June 1, 2017 - May 31, 2021.

### Park Board

Mathew Ingebrand to be appointed to the Park Board to serve a 4 year term from June 1, 2017 - May 31, 2021.

Margaret Solheid to be appointed to the Park Board to serve a one year term from June 1, 2017 - May 31, 2018. Margaret is filling the remaining portion of the 4 year term from Mike Puncochar who has resigned from the Park Board.

The Park Board youth position has not been filled and is still open.

It was moved by Jirik and seconded by Tuma to approve the Mayor's recommend actions for the Board and Commission appointments effective June 1, 2017. All voted in favor of the motion. (5-0)

It was moved by Nickolay and seconded by Bruzek to approve the following consent agenda items:

- A. May 1, 2017 meeting minutes (tabled to the next City Council meeting on June 5, 2017)
- B. Claims for Payment
- C. Minnesota Lawful Gambling LG220 Application for Exempt Permit for Church of St. Wenceslaus on December 4, 2017
- D. Tobacco License at 122 E Main St., Yasser H. Qannita
- E. Quotes for Trail Seal Coating

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

Public Works Director Sticha informed Council that an open house is scheduled for Wednesday, June 7, 2017 from 5 pm to 7 pm to hear comments from the general public regarding the Proposed 2020 Main Street Project. This is an informational meeting only. The informational meeting will be published in the New Prague Times, City Website, Radio Show, Boards at the State Bank, Round Bank and notifying business owners etc.

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Council Member Jirik asked whether there will be a City Council meeting on July 3, 2017 with the desire to have it be discussed at the next Council meeting on June 5, 2017.

Mayor Nickolay asked the Council to come up with a list of names to nominate to the Charter Commission for the next Council meeting on June 5, 2017.

It was moved by Nickolay and seconded by Bruzek to adjourn the meeting at 7:37 p.m. All voted in favor of the motion. (5-0)

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Charles L. Nickolay, Mayor

ATTEST:

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Michael J. Johnson  
City Administrator