

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



City Council Meeting
Monday, June 3, 2013

Mayor Nickolay called the 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

City Engineer Chris Cavett was also present.

The Pledge of Allegiance was recited.

Mayor Nickolay welcomed honored guests - Scouts #323.

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

City Engineer Chris Cavett reviewed the 2013 CIP - City Hall Landscaping Project. The project includes the landscaping areas around City Hall and the City Hall parking lots. The cost for the landscape work is estimated at approximately \$39,000. Bids/Quotations are proposed to be opened at 10:00 a.m. on Tuesday, July 2, 2013 with consideration of award by the City Council at the July 15, 2013 City Council meeting.

It was moved by Ryan and seconded by Bartusek to approve RESOLUTION #13-06-03-01 2013 CIP - CITY HALL LANDSCAPING IMPROVEMENTS APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS. All voted in favor of the motion. (5-0)

Chamber President Bryan Connelly presented the Chamber's request to change the 2013 Dozinky celebration by adding additional hours on Saturday evening with the addition of a band from 7:00 p.m. - 11:00 p.m. and a beer garden. Also, the Chamber would like the City to split the estimated cost of \$5,445 for the anticipated additional Police/Public Works expenses for this event expansion.

After lengthy discussion, it was moved by Bruzek and seconded by Bartusek to approve the Chamber's request to the additional hours on Saturday evening with a band and beer garden with the following conditions:

- That sufficient staffing by the Police and Public Works Departments can be achieved to safely staff the extra night.
- Band stops at 11:00 P.M.
- Streets must be cleared by midnight. No public consumption of alcohol on streets after midnight on Saturday night. (The Council is waiving the City Ordinance and allowing alcohol on streets from 5:30 P.M. - 1:00 A.M. on Friday and 10:00 A.M. - 12:00 A.M. on Saturday).
- City will not provide financial assistance for Saturday night.

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

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Public Works Manager Sticha reviewed the quotes for trail seal coating approximately 1.15 miles of trail. Seal coating of trails is a preventive maintenance practice to extend the life of the bituminous trail. The recommendation is a product offered by Bargaen Incorporated called Replay. Replay is a soy-based asphalt rejuvenator and sealant that does not contain any petroleum so it is environmentally friendly. Bargaen Incorporated has the low bid of \$14,856.00.

It was moved by Scripture and seconded by Nickolay to accept the low bid from Bargaen Incorporated to perform the 2013 Trail Seal Coating Project. All voted in favor of the motion. (5-0)

Public Works Manager Sticha reviewed the bids received for the 2-Wheel Drive ¾ Ton Pickup. The pickup is a 2013 model with an 8 foot box and standard cab. It would be replacing a 17 year old 1996 F-250 pickup which currently has 90633 miles. It is the recommendation to purchase a Ford F-150 from the low bidder New Prague Auto Group for \$17,260.31.

It was moved by Bruzek and seconded by Bartusek to approve the purchase of the Ford F-150 Pickup from the low bidder New Prague Auto Group for \$17,260.31. All voted in favor of the motion. (5-0)

Planning Director Ondich informed the Council that Staff, the City Attorney and representatives of Chart Inc. have been working over the past several months to finalize the Plat of Chart Inc Second Addition so that it can properly be filed with Scott County. The required filing date for the Plat was extended by Council action in November 2012 and March 2013. In addition to dealing with filing of the Plat, the Council has also approved early building permits which allowed Chart, Inc. to proceed with certain elements of construction prior to the filing of the Plat. While the date for filing of the Plat is closer to completion, issues still exist that are out of control of both the City and Chart Inc. that prevent the Plat from being filed at this point in time. It is once again necessary to extend the Plat filing deadline and the expiration date of Early Building Permit No. 2 by 15 days to June 18, 2013.

It was moved by Nickolay and seconded by Scripture to approve the request from Chart Inc. to extend the filing period for Chart Inc. Second Addition and approve the Second Amendment for the Issuance of an Early Building Permit - No. 2. All voted in favor of the motion. (5-0)

The Council had further discussion on free golf club membership for Golf Board members after completion of a three year term on the Golf Board, Re-Constituting the Charter Commission, and background checks for advisory boards and commissions.

Following the last Council meeting, City Administrator Johnson contacted City Attorney Riggs and solicited his general comments and advice on these topics.

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Under Ordinance #254 adopted on March 19, 2012, the Council adopted the provision 30.10 (G) Remuneration which states that "All Board and Commission members shall serve without remuneration". As such, it would not be appropriate to continue the past practice of allowing Golf Board Members to receive a free single golf membership after serving their term on the Golf Board. It was the consensus of the Council the going forward and effective June 1, 2013, a single free golf membership for outgoing golf board members would not be allowed.

City Attorney Riggs also recommended that if the City Council were to continue to receive the benefit of a single golf membership, that it should be added to the overall salaries that are paid to the Mayor and City Council Members and addressed in an Ordinance as required by State Statute. The last time City Council salaries were modified was in 1998 by Council motion with an effective date of January 1, 1999. City Administrator Johnson stated that he had received a notice that the League of Minnesota Cities is doing a salary survey. The Council will review the League of Minnesota Cities salary survey data for elected officials when it becomes available and then determine if any changes should be made.

The Council Members had discussion on the non-existing Charter Commission. City Attorney Riggs has advised that because the City is governed under the Home Rule Charter, the City is required to have a Charter Commission consisting of 7-15 individuals and that the Commission shall meet at least once during each calendar year. Consensus of the Council is to discuss the Charter Commission issue with City Attorney Riggs the next time he attends a City Council meeting.

City Attorney Riggs indicated that the decision of conducting a background check on Board and Commission members is the Council's option. If the Council wants to initiate this practice, the Staff would need to work with the Attorney to develop the legal parameters and policies that are needed to implement this decision. Consensus of the Council is to discuss background checks on Board and Commission members with City Attorney Riggs the next time he attends a City Council meeting.

Council Member Bruzek noted that the terms for the Planning Commission and the Golf Board should be altered. There are several terms ending the same year and some years there are no terms ending. City Administrator Johnson will check with Attorney Riggs on extending the terms of a Board or Commission Member in order to balance the terms.

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

- A. Approve previous meeting minutes
- B. Approve claims for payment
- C. Authorization to attend 2013 ICMA Conference

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

City Council Proceedings

458

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City of New Prague



City Council Meeting
Monday, June 3, 2013

City Administrator Johnson invited the Council to the Chart, Inc. Open House on June 28th from 2-6 P.M.

Scouts #323 asked the Council various questions to earn their Merit Badge in Citizenship in Community.

It was moved by Nickolay and seconded by Bartusek to adjourn at 9:08 p.m. All voted in favor of the motion. (5-0)

Charles L. Nickolay, Mayor

ATTEST:

Michael J. Johnson
City Administrator