

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



City Council Meeting  
Monday, July 18, 2011

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

Staff Present: Mike Johnson, Ken Ondich, Dennis Seurer, Mark Vosejpka, Chad Lunder, Mary Jo Hruby

The Pledge of Allegiance was recited.

Mayor Nickolay added Item 8A to the Agenda - Paying Agreement with Wells Fargo Bank, N.A.

Mayor Nickolay opened the Public Hearing for the Amendment to the 2010-2021 Capital Improvement Plan for Street/Utility Reconstruction at 7:02 P.M.

City Engineer Chris Cavett, SEH reviewed the amendment to the Capital Improvement Plan. The scope of the work proposed in the City Center area during 2012-2015 has been reviewed by Staff and SEH and it is recommended that the projects proposed for 2012-2015 be amended in the CIP such that the streets in the City Center area are completed during the period 2012-2014.

The streets currently recommended for inclusion in 2012 include the following:

1. Second Street NW/NE from TH21 to Columbus Avenue
2. Second Avenue NW from Main Street to Second Street NW
3. First Avenue NW from Main Street to Third Street NW

Staff and SEH recommend these revisions to the CIP based on a number of factors:

- Second Street NW/NE from TH21 to Columbus Avenue and First Avenue NW from Main Street to Third Street NW are classified as a municipal state aid street and are eligible for state aid funding.
- The City of New Prague is eligible for an advancement of State Aid funds to cover the funding of these two streets.
- The condition of these streets is making it difficult to delay work on some of the other segments another two years.
- The findings of the City Center Stormwater Management report provides a basis of phasing and prioritizing work on 1<sup>st</sup> Avenue NW before moving into other areas.

Council Member Ryan arrived at 7:17 P.M.

Resident Randy Fierst asked if the scope of the project has been determined as far as sidewalks and retaining walls.

City Administrator Johnson stated the scope of the project will be reviewed at an upcoming neighborhood meeting and there will also be a Public Hearing for the Project. Residents will be notified of the neighborhood meeting and when the Public Hearing will be held.

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Kevin Burns from the Mayo Clinic Health System stated they are aware of the fact that in each of the three years of this project there is potential to impact access to their facility. In working with Mr. Johnson and the City, he believes it will minimize any inconvenience on patients and staff who need access to the facility.

It was moved by Bruzek and seconded by Ryan to close the Public Hearing at 7:21 P.M. All voted in favor of the motion except Guerrette who was absent. (4-0)

It was moved by Bruzek and seconded by Bartusek to approve RESOLUTION #11-07-18-01 AMENDMENT TO THE 2010-2021 CAPITAL IMPROVEMENTS PLAN. All voted in favor of the motion except Guerrette who was absent. (4-0)

City Planner Ondich reported that construction projects are being delayed by a lack of State provided Electrical Inspectors as related to the State shutdown. An Emergency Ordinance can be adopted to allow the City to take over electrical inspections normally done by the State. The Ordinance must be adopted by the City by calling it an "Emergency" Ordinance. This is the only process by which an Ordinance can be adopted and become effective immediately per Chapter 3 of the City Charter. Mr. Randy Edel has been the State Electrical Inspector for the City of New Prague and in light of the shutdown; he would be willing to enter into a Services Agreement with the City to provide electrical inspection.

It was moved by Bartusek and seconded by Bruzek to adopt EMERGENCY ORDINANCE #249 AN EMERGENCY ORDINANCE AMENDING CHAPTER 150 OF THE CITY OF NEW PRAGUE CITY CODE REGARDING ESTABLISHING AN ELECTRICAL INSPECTION PROGRAM and approval of Electrical Inspection Services Agreement with Mr. Randy J. Edel. All voted in favor of the motion, except Guerrette who was absent.

Planning Director Ondich reviewed the Zoning and Subdivision Ordinance Amendments concerning new variance legislation that was signed into law on May 5, 2011 by Governor Dayton. A Public Hearing was held with the Planning Commission on June 22, 2011. The City Council introduced the Ordinance Amendments at the July 5, 2011 meeting with the second reading of the proposed Ordinance Amendments at this meeting.

It was moved by Bruzek and seconded by Ryan to adopt ORDINANCE #250 AN ORDINANCE AMENDING SECTIONS 302 AND 507 OF THE CITY OF NEW PRAGUE ZONING ORDINANCE AND SECTIONS 007 AND 081 OF THE CITY OF NEW PRAGUE SUBDIVISION ORDINANCE RELATING TO VARIANCES. All voted in favor of the motion, except Guerrette who was absent.

Planning Director Ondich reviewed the 2011 Bicycling Around Minnesota (BAM) event. The BAM event would include camping in Memorial Park the night of Thursday August 18, 2011 for some of the 275 riders. The Chamber requests approval of the camping Ordinance to be lifted for that evening.

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It was moved by Ryan and seconded by Bruzek to approve the 2011 BAM stop in Memorial Park on Thursday, August 18, 2011 and Friday August 19, 2011 with the listed conditions in the memo. All voted in favor of the motion except Guerrette who was absent. (4-0)

Police Chief Vosejпка reviewed with the Council the Memorandum of Understanding between Scott County on Outdoor Emergency Warning Sirens. The City has 5 outdoor emergency sirens in the community. The FCC requires that the radio unit of the siren be "re-banded" to a lower frequency signal by January 2013. Scott County Emergency Management has applied for and received a grant from the MN Homeland Security Emergency Management Agency to assist in paying for this upgrade. Scott County as a pass through agency will distribute \$840.65 per siren to the City of New Prague.

It was moved by Bruzek and seconded by Bartusek to approve the Memorandum of Understanding between the County of Scott and City of New Prague on outdoor emergency warning sirens. All voted in favor of the motion except Guerrette who was absent. (4-0)

City Administrator Johnson reviewed the proposal from Scott County to perform the annual property assessment services for 2012, 2013 and 2014. The cost to the City for 2012 is \$26,200 with no proposed changes for 2013 and 2014.

It was moved by Bartusek and seconded by Bruzek to approve the Joint Powers Agreement with Scott County for 2012, 2013 and 2014 property assessment services. All voted in favor of the motion except Guerrette who was absent. (4-0)

Police Chief Vosejпка reviewed the Alcohol Compliance Check Grant that is a federally funded program administered by the Minnesota Institute of Public Health dedicated to addressing issues of alcohol accessibility to underage drinkers. The issue is addressed by doing controlled compliance checks with liquor establishments.

Council Member Ryan stated it would be beneficial if the Police Department would meet with the liquor establishments and explain the process of the alcohol compliance checks.

Police Chief Vosejпка will contact the liquor establishments to meet with them and look into possibly providing a training session in conjunction with the meeting.

It was moved by Bartusek and seconded by Bruzek to approve the Grant Agreement with Minnesota Institute of Public Health. All voted in favor of the motion except Guerrette who was absent. (4-0)

City Administrator Johnson reported on the Paying Agent/Registrar Agreement with Wells Fargo Bank, N.A. with respect to the bonds.

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It was moved by Bruzek and seconded by Ryan to approve the Paying Agent/Registrar Agreement with Wells Fargo Bank, N.A.. All voted in favor of the motion except Guerrette who was absent. (4-0)

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

- A. Approve previous meeting minutes
- B. Approve claims for payment
- C. Approve monthly financials
- C. Approve Minnesota Lawful Gambling LG220 Application for Exempt Permit for National Wild Turkey Federation Sand Creek Grey Bears at J.T.'s Hideaway on August 20, 2011.

All voted in favor of the motion except Guerrette who was absent. (4-0)

City Administrator Johnson stated that he is working on finding alternate dates for the Council-Staff Retreat.

It was moved by Ryan and seconded by Bruzek to adjourn at 8:48 p.m.

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Charles L. Nickolay  
Mayor, City of New Prague

ATTEST:

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Michael J. Johnson  
City Administrator