

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, August 21, 2017

Mayor Nickolay called the meeting to order at approximately 6:00 p.m. with the following members present: Nickolay, Ryan, Jirik, and Bass

Absent: Bruzek

Staff Present: Mike Johnson, Glen Sticha, and Deb Wegner

It was moved by Nickolay, seconded by Jirik to approve the Agenda. All voted in favor of the motion. (4-0)

City Administrator Johnson informed the Council that at the May 15, 2017 Council meeting, the Council authorized the Fire Department to apply for a "Volunteer Fire Assistance" matching grant for 20 pagers from the DNR. On August 2, 2017 the Fire Department was awarded a 50% matching grant of \$4,900 from the DNR with the local 50% matching share coming 25% from the Rural Fire Board (\$2,450) and 25% from the City (\$2,450). The proposed grant request is for 20 pagers (each pager is \$422 with two year warranty, an additional three year warranty for \$60 and \$8 for programming) totaling \$490 each. Since the Fire Department does not have the matching funds in their 2017 Budget, the City Council had agreed to fund the City's share out of the Council's 2017 Contingency Fund.

It was moved by Ryan and seconded by Jirik to approve and authorizing the City to use funds from the Council's 2017 Contingency Fund in the amount of \$2,450 to be transferred to the Fire Department as a budgetary amendment for 2017 for the purchase of 20 pagers. All voted in favor of the motion. (4-0)

City Administrator Johnson reviewed the second reading of Ordinance #299 which Amends Section 711 of the Zoning Ordinance Relating to Accessory Buildings and Structures. The Planning Commission had discussion on May 24, June 28 and July 26, 2017 concerning residential accessory structures specific to allowed accessory building height, construction methods and recent change in the State Building Code concerning structures 200 sq. ft. and under.

At the July 26, 2017 Planning Commission meeting, information was provided that the MN Residential Code does have minimum standards for roofing and siding which would provide the necessary minimums for construction if "pole type buildings" were continued to be allowed.

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City Administrator Johnson reviewed the specific changes in the proposed Zoning Ordinance as follows:

Section 711 Accessory Building and Structures

1. In Residential Districts

- A. Strick wording - Access doors or openings shall not exceed a height of 10 feet.

- C. Strick wording - No accessory building shall exceed the height of the principal building. Add wording - In no case shall an accessory building over 200 sq. ft. in floor area exceed 15' in overall height.

- D. Strick wording - 120
Add wording - 200, and under, and cannot exceed 12' in height.

Add - E. Pole buildings or post and beam constructed buildings shall be allowed as a construction method if they are able to meet State building codes.

City Administrator Johnson further added that the required 10 days' notice to the public was posted on the City Website and City Hall Bulletin Board. This notice was completed before August 11, 2017.

It was moved by Nickolay to complete the second reading and adopt the amending ORDINANCE #299 AN ORDINANCE AMENDING SECTION 711 OF THE CITY ZONING ORDINANCE RELATING TO ACCESSORY BUILDINGS AND STRUCTURES, and have in published in the New Prague Times on August 31, 2017, seconded by Bass. All voted in favor of the motion. (4-0)

Public Works Director Sticha informed Council that work for the New Prague Business Park 11th Addition Storm Sewer Improvement Project is complete and ready for final payment of \$5,269.97. Sticha stated that all work was completed fall of 2016 and final inspection of turf has been completed. He stated that he has received the Contractor's IC-134 Form, Final Lien Waivers and Consent of Surety from Heselton Construction, LLC who was awarded the project. The two year warranty period begins August 21, 2017 and ends August 21, 2019.

It was moved by Ryan to approve RESOLUTION NO. 17-08-21-01 RESOLUTION ACCEPTING WORK NEW PRAGUE BUSINESS PARK 11TH ADDITION

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STORM SEWER IMPROVEMENT PROJECT and authorize final payment with release of all retainage to Heselton Construction, LLC seconded by Jirik. All voted in favor of the motion. (4-0)

Public Works Director Sticha presented a Resolution to approve a Master Partnership Agreement with MnDOT. MnDOT and local governments are authorized by Minnesota Statutes to undertake collaborative efforts for the design, construction, maintenance and operation of state and local roads. This agreement allows for both parties to negotiate and enter into minor work order contracts. Contracts negotiated by the City Engineer shall be reviewed and approved by the City Council. The previous contract was approved by the City Council in August of 2013 and expired in June of 2017.

It was moved by Nickolay and seconded by Ryan to approve RESOLUTION #17-08-21-02 RESOLUTION APPROVING A MASTER PARTNERSHIP AGREEMENT WITH THE MINNESOTA DEPARTMENT OF TRANSPORTATION. All voted in favor of the motion. (4-0)

Public Works Director Sticha provided a brief overview of a proposed new Veteran's Memorial Wall in Memorial Park by Dalelyn Means, New Prague VFW, and Legion.

On the proposed site currently under discussion are issues relating to existing City utilities - 6" sanitary sewer force main; 28" clay storm sewer line; and a 12" clay storm sewer line; and a large electrical feeder line by the sidewalk on Main Street. City Staff conducted further research on the existence of underground utility lines located in the proposed area on the east side of the library and near the drinking fountain and concluded that there is not as much room as previously thought.

A power point presentation was provided that showed a site map and a possible buildable area for the new Veteran's Memorial Wall which included dimensions of a "triangle" shaped area with an area free of utilities that provides less overall area than a 50' by 60' area or even a 40' x 50' but provides a lot of Main Street frontage.

City Staff noted that work on the 2020 Main Street Reconstruction Project is still underway and it has not been determined if the 6" sanitary sewer force main might be abandoned or if the storm sewer line(s) need to be replaced and/or possible rerouting due to the 2020 Main Street Reconstruction Project. Sticha stated that it will be some time

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before those two situations may be answered because we haven't gotten into the design aspect of the Main Street Reconstruction.

The Council was generally favorable with the proposed site, but recognized concerns related to utility lines. After additional discussion, it was decided to keep this site available for the Veteran's Memorial subject to future utilities decisions.

A motion by Nickolay, seconded by Jirik to keep the proposed site available for the Veteran's Memorial Wall subject to future utilities decisions on the site could be made by the Council. All voted in favor of the motion. (4-0)

City Administrator Johnson provided an overview with discussion on funding issues for the outdoor swimming pool and summer recreation programs with School District #721 which included the following:

- This discussion included the contributions the City makes annually to the District including the 1st annual filling of the outdoor pool
- Purchase of technology equipment for tracking users
- The downward trend in the Community Ed softball and baseball programs which reduced revenues which are now going to Associations
- Staffing issues with the outdoor and indoor pool
- The transfer of swimming lesson revenue for July and August 2017 to the Indoor Aquatic Center operations
- Running and Indoor and Outdoor pool facility
- Availability of Life Guards
- District's financials for the outdoor pool do not include the City's annual swimming pool expenditures nor any City Staff labor costs.

A motion by Nickolay, seconded by Ryan to split the cost for operating losses experienced by the Summer Recreation Program and Outdoor Pool. The Council approved the City's portion of \$9,361.88 to be allocated back to the outdoor pool. All voted in favor of the motion. (4-0)

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

- A. August 7, 2017 Regular Meeting Minutes
- B. Claims for Payment
- C. Street's Department 12' Reversible Pay Loader Snow Plow

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D. Resolution #17-08-21-03 approving Lawful Gambling Premises Permit Application for the New Prague Community Sportsman's Club at Whiskey Business, 114 Main St W.

There was discussion on item C. whether this item falls under consent items based on cost. It was determined that the Pay Loader Snow Plow falls within the budget parameters and was approved during the budget process. The item was not part of the claims payment for August because Public Works Director Sticha wanted City Council approval.

All voted in favor of the motion. (4-0)

Public Works Director Sticha informed Council that the progress of the Memorial Baseball Field is going slow due to the continuing rain.

Public Works Director Sticha informed Council that he is advertising for sealed bids on the Replacement Membrane Filters for the Wastewater Treatment Plant. Evoqua is the only company that has a patent and manufactures this filter and recommended ordering now to get a better deal and would accept payment/shipment after the 1st of the year. He said that \$55,000 has been set aside in the 2013 Capital Budget and at the end of 2017 there will be approximately \$275,000 set aside. The Replacement Membrane Filters will cost approximately \$500,000 and there is sufficient cash on hand in the Wasterwater budget to cover the cost.

Mayor Nickolay asked Council to take a look at the information provided in the Council packet regarding the Coalition of Greater Minnesota. We will discuss this during the upcoming budget process and determine if the Coalition of Greater Minnesota is an option or continue working with the League of Minnesota Cities.

It was moved by Nickolay and seconded by Jirik to adjourn the meeting at 7:00 p.m. All voted in favor of the motion. (4-0)

Mayor

Charles L. Nickolay,

ATTEST:

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Michael J. Johnson
City Administrator