

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 5, 2019

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

Staff Present: Mike Johnson, Ken Ondich, Jim Gareis, Glen Sticha and Barb Ulschmid

Others Present: Chris Cavett, SEH; Mike Horn, SEH; Scott Riggs, Kennedy & Graven

It was moved by Nickolay, seconded by Seiler to approve the Agenda. All voted in favor, motion carried. (5-0)

Planning/Community Development Director Ken Ondich presented to the Council a request for approval of Registered Land Survey No. 28 consisting of two tracts as proposed by applicant, Marvin Sticha. Mr. Sticha owns two properties on Main Street with the intention of selling one of the properties that contains a single family home and retaining the one with the apartment building. For the sale of the single family home, he intended to adjust the lot line between the properties so that the detached garage would be included on the parcel with the single family home. The property is "torrens" rather than "abstract" property and Le Sueur County requires a Registered Land Survey for the lot line adjustment. No new lots would be created with the registered land survey.

Director Ondich explained the process of reviewing the Registered Land Surveys by the City is typically rare with the last time an RLS was reviewed by the City was in 2014. The process for review is the same as plats. The Planning Commission held the required public hearing for the Registered Land Survey at their July 24, 2019 meeting with no public comments received from those in attendance. The Planning Commission recommended approval of the Registered Land Survey with a unanimous vote (3-0). Ryan asked if Sticha was planning on doing some landscaping to screen off his property and upgrade his lot. Ondich is going to look into this and follow up with Mr. Sticha.

After discussion, it was moved by Bass and seconded by Wolf to approve *RESOLUTION #19-08-05-01 APPROVING REGISTERED LAND SURVEY NO. 28 WITHIN THE CITY OF NEW PRAGUE AS PROPOSED BY MARVIN STICHA*. All voted in favor, motion carried. (5-0)

City Engineer Chris Cavett with SEH presented to the Council a brief overview of a draft Americans with Disabilities Act(ADA) Transition Plan for review, public comment and eventual adoption completed by the New Prague Public Works Department which is a requirement of the Americans with Disabilities Act. Mr. Cavett introduced Mike Horn, Landscape Architect and SEH Project Manager of this ADA Plan. The preparation of the transition plan included a "self-evaluation" which involved reviewing and collecting data on all public pedestrian facilities in the city's public rights-of-way and public parking facilities to determine which facilities may be creating barriers for persons with disabilities. Knowing what facilities create barriers for safe pedestrian movement will allow the City to constructively prioritize and plan for barrier removal projects. ADA standards and

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industry knowledge has evolved over the last 5-8 years. Overall, the City of New Prague has been proactive in addressing pedestrian accessibility as projects are planned and constructed. The transition plan report is a brief synopsis of the self-evaluation of the facilities in the public right of way (ROW).

Mr. Cavett explained the next step will be to post the report on the City's website and solicit public comment on the transition plan. After a period of time, any comments received by the public should be considered and made part of the report. Afterwards, the City Council should consider formally adopting the final report. Removal of barriers over time should also be a consideration of both Public Works and the City Council during future budget planning. Routine updating of the provided GIS data will keep this transition plan current and relevant in addition to providing the public the assurance that the City of New Prague continues to value its pedestrian network in the Public Right of Way.

After extensive discussion, Mayor Nickolay stated it is the consensus of the Council to move forward in soliciting the public's comments and after 30 days, provide a summary of the comments so that the Council can then consider the adoption of the ADA Transition Plan.

Planning/Community Development Director Ondich reviewed with the Council an update on a City Technology Request for Proposal(RFP)/Schedule with True North Consulting Group. At a special City Council meeting on June 20, 2019, the City Council was provided an overview of a technology assessment that our consultant, True North, had completed for all city facilities. Following the presentation, the Council voted to move forward with the development of the RFP and solicitation of bids for contractors to provide equipment and managed IT services.

Due to the need for the City Attorney's Office to review the RFP, the proposed schedule would need to be moved back one week.

Staff worked with True North to develop the RFP which will be released on August 15, 2019. The RFP notes that responses to the RFP are required by September 13th. It will then take True North and staff a couple weeks to review and bring back a recommendation to the City Council for consideration potentially in late September or early October for the technology updates and managed IT services.

The RFP will be posted on the City's website on August 15th, an ad will run in the New Prague Times on August 15th (a week later than stated in the memo), the RFP will be mailed directly to IT firms that requested a direct notification, and finally True North will post the RFP in IT firm specific locations (web, etc.) with RFP responses due by September 13th. By end of September or early October the proposals will be presented to the Council. This agenda item is proposed to be included in next year's budget.

City Administrator Mike Johnson and City Attorney Scott Riggs presented details to the Council regarding a request for direction on a Liquor "Premises Extension" for an October 5th event at 'Czech'ers Sports Bar. Mr. Rich Novak, owner of 'Czech'ers Sport Bar had requested to hold an event on

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Saturday, October 5, 2019 (Octoberfest) from 10:00 a.m. to 11:00 p.m., in a fenced in area on the north side of the building. Theresa McDaniel with German Days was also present at the meeting. At this point Councilmember Ryan removed himself from this agenda item due to a conflict of interest being he could potentially supply the beer for this event. At the July 15, 2019 Council Meeting, the City Council had an extensive conversation on the "Premises Extension" request with City Attorney Scott Riggs and City Staff. One of the key areas of discussion at that meeting related to what is the "licensed premises" according to the liquor licensee's original license application. Additionally, there are other City Zoning regulations that come into play for outdoor seating for restaurants and drinking establishments and the MN Statute 340A.404 subd.4(b) which addresses holding of a retail on-sale intoxicating liquor license to dispense liquor off premises at a community festival held within the city. Although the Council held significant discussion on this topic, no final resolution, policy direction or frequency of holding events was determined on July 15th.

As a result, the August 5th meeting was set up to review and discuss the liquor "premises extension" request in greater detail and approve per the 11 conditions discussed at this evening's meeting.

After extensive discussion, it was moved by Bass and seconded by Seiler to approve the "Premises Extension" for 'Czech'ers Sports Bar for October 5, 2019 with the 11 Conditions provided with the understanding that Condition #7 Band/Music/Stage(music would end at 10:00 p.m.) and that Condition #8 Free Beer and Wine Tasting (would not be allowed per the City Attorney). All voted in favor of proceeding with the "Premises Extension", except Ryan abstained. Motion carried (4-0) with one abstention.

Public Works Director Glen Sticha reviewed an item from the July 1, 2019 Council meeting where the Council asked to add the population number changes to the MnDOT entrance signs to the City. Director Sticha contacted MnDOT to let them know the City was only interested in the population numbers being updated. The replacement cost of the population number (30" x 6" plaque) would be \$236.32 per sign, or a total of \$948.28 for four signs. The price reflects MnDOT staff's installation of the sign as that is a MnDOT policy and City Staff is not allowed to install the signs. Because of the 2020 census, the population numbers on the MnDOT signs will change and will likely be reinstalled in 2022. As a result, City Staff recommended not spending the nearly \$1,000 to change the signs.

The Council agreed to postpone the replacement of the population numbers on the MnDOT entrance city signs until after the 2020 Census numbers come out in 2021 and not spend the nearly \$1,000.

City Administrator Johnson introduced Ms. Jeanette Monyok, 100 2nd Street SE who had requested an opportunity to appear before the City Council to brief the Council on some of her personal tenant concerns and challenges that she has encountered and faced as a renter in New Prague. The Mayor, Council and Staff listened to Ms. Monyok's concerns and thanked her for presenting to the Council.

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It was moved by Nickolay, seconded by Wolf to approve the following consent agenda items including the addition to the Meeting Minutes:

- A. July 15, 2019 Regular Meeting Minutes
- B. Claims for Payment
- C. Release of Deferred Assessment for PID #24.113.0030
- D. Quarterly Financial Report for Period Ending June 30, 2019
- E. Agreement Relating Paying Agency, Registrar and Transfer Agency with US Bank National Association. All voted in favor, motion carried.
(5-0)

Miscellaneous Items:

Jim Gareis - Giesenbräu will be hosting their annual Oktoberfest event on October 5, 2019. Items for approval of this event will be completed for the upcoming Council meeting on August 19, 2019.

Glen Sticha - Provided updates on the 2019 road construction noting the intersection of 12th and Columbus (roundabout by the high school) will be open by Monday, August 12th and the intersection of CR37 and Columbus (roundabout by the middle school) will be closed.

Ken Ondich - Mentioned there have been some complaints from residents regarding Mr. Weinandt's property at the corner of Lexington and CR37. Ondich stated Mr. Weinandt has been notified that he has until August 15th to clean up his property and reseed disturbed areas. If not fixed by August 15th, he will be cited.

Maggie Bass - A reminder to follow up with Brett Wagner who inquired about when the Athletic Facility assessment will begin? Administrator Johnson will email Mr. Wagner and include a list of the 2019 City Council priorities.

Shawn Ryan - 1. Inquired when was the last time Columbus Ave. (next to the Golf Course) had road construction done? Glen Sticha mentioned in 1996, storm and sewer work was completed along with a mill and overlay, no utilities were replaced. 2. Overnight parking issues were discussed involving a resident ticketed \$138 for parking overnight by the park. Police Chief Gareis stated it's a Council Ordinance. 3. Also, discussed some issues regarding a resident parking incorrectly in their cul-de-sac even after being warned, continues to park incorrectly, next step?

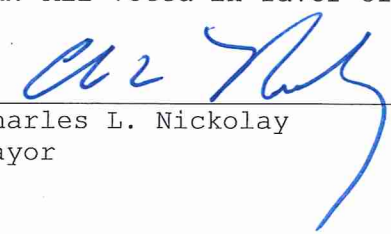
Rik Seiler - 1. Reported on his first Transit Committee meeting. Next meeting in New Prague at the City Hall. 2. Community Center - Ways to save money for lighting. All lighting is already converted to LED lights.

Following discussion, it was moved by Nickolay and seconded by Seiler to adjourn the meeting at approximately 8:40 p.m. All voted in favor of the motion. Motion passed. (5-0)

ATTEST:



Michael J. Johnson
City Administrator



Charles L. Nickolay
Mayor