

City Council Proceedings

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



City Council Meeting
Tuesday, September 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

The Pledge of Allegiance was recited.

Mayor Nickolay amended the Agenda to add to the Consent Agenda *Item D. Approve 1 Day Temporary On-Sale 3.2 Liquor License for Union Hill Baseball Association on September 14, 2013 for the Over 40 Softball Tourney.*

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

Planning Director Ondich reviewed the request from Jeffrey and Jennifer Schoenecker to vacate all of the 10' drainage and utility easement located between Lots 1 & 2, Block 10 Prague Estates 5th Addition.

Mayor Nickolay opened the Public Hearing at 7:04 p.m. for public comment on the vacation of the 10' drainage and utility easement located between Lots 1 & 2, Block 10 Prague Estates 5th Addition.

Council Member Bartusek asked if the water and sewer lines would remain on both lots or if one would be vacated. Public Works Manager Sticha stated they both would remain. The Ordinance reads if they are buildable lots the services would remain.

With no other comments, it was moved by Scripture and seconded by Ryan to close the Public Hearing at 7:06 p.m.

It was moved by Bartusek and seconded by Bruzek to adopt Ordinance #265 AN ORDINANCE VACATING ALL OF THE 10' DRAINAGE AND UTILITY EASEMENT LOCATED BETWEEN LOTS 1 & 2, BLOCK 10 PRAGUE ESTATES 5TH ADDITION. All voted in favor of the motion. (5-0)

City Administrator Johnson introduced Mr. Robert Brown, Vice Present and Mr. Jon Peterson, Engineer and Project Manager from Bolton & Menk. They were both engineers on the wastewater treatment plant construction project.

Mr. Brown informed the Council that Bolton & Menk, Inc. received several engineering awards on the New Prague wastewater construction project. Mr. Brown presented Mayor Nickolay with the City's replica of the 2013 National Award from the American Council of Engineering Companies.

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Planning Director Ondich informed the Council of the request to demo 212 E. Main Street. A fire occurred on August 25, 2013 causing significant damage to the portion of the building closest to Main Street. The owner of the building Marvin Sticha and through his representative, Craig Sindelar, has submitted a written request for demolition of the 1890 portion of the building nearest Main Street.

The building is located in the B-1 Central Business District but has existed as a residential rental property for quite a few years. Zoning Ordinance Section 726 contains a provision that states

Prior to issuing a demolition permit for any structure located in the B1 Central Business District, the City Council shall evaluate its historical significance to the community, the economic feasibility of renovating the structure versus demolition, and life safety issues associated with the structure, and determine if the demolition permit shall be issued based upon these factors.

Staff recommends that the Council approve the issuance of a demolition permit based on the requirements of the Zoning Ordinance by determining that the building located at 212 E. Main is not historically significant and is not economically feasible to renovate the structure due to a recent fire.

It was moved by Bartusek and seconded by Scripture to approve the issuance of a demolition permit for 212 E. Main Street. All voted in favor of the motion. (5-0)

Council Member Ryan suggested looking into adopting a building maintenance code and checking what other Cities do with enforcing standards on property maintenance.

Planning Director Ondich presented a petition from owners of all 12 units in the Classic Cottages Homeowners Association asking that the City take over ownership and maintenance of Jillian Street SE between Doherty Ave. SE and Chalupsky Ave. SE.

It was moved by Bartusek and seconded by Scripture to acknowledge receipt of the petition to accept the 1400 Block of Jillian Street SE as a public street and authorize staff to develop a recommendation regarding said petition. All voted in favor of the motion. (5-0)

Planning Director Ondich informed the Council that the construction contract for the West TH19 Trail Improvement Project is complete and ready for final payment to Chart Tiling and Excavating. The warranty period shall extend two years after final payment. The 2 year warranty period begins now and ends on September 3, 2015.

It was moved by Nickolay and seconded by Bruzek to approve RESOLUTION #13-09-03-01 RESOLUTION ACCEPTING WORK FOR WEST TH 19 TRAIL IMPROVEMENT PROJECT. All voted in favor of the motion. (5-0)

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Discussion was held on selecting individuals to serve on the City Charter Commission. (7 community appointees and 2 selected officials) The following were selected:

Paul Flick - 2 year term	Kay Wilcox - 4 year term
Jim Kratochvil - 2 year term	Maggie Bass - 4 year term
Mary Klimp - 2 year term	Brad Carlson - 4 year term
Ben Bartusek - 2 year term	

Alternates: Nathan Smithson, Matt Goldade, Larry Schoenecker

Elected Officials: Council Member Ryan - 2 year term
Council Member Scripture - 4 year term

The names for the Charter Commission will be submitted to the District Court Judge for approval.

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

- A. Approve Previous Meeting Minutes
- B. Approve Claims for Payment
- C. Approve 2 day Temporary On-Sale 3.2 Liquor License for Rick Tietz Alumni Classic Softball Tournament on September 21 & 22, 2013
- D. Approve 1 day Temporary On-Sale 3.2 Liquor License for Union Hill Baseball Association on September 14, 2013 for the Over 40 Softball Tourney

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

Planning Director Ondich stated as noted in the Planning Commission meeting minutes that the Planning Commission discussed a possible zoning ordinance amendment or a concept review of what could be an amendment to the outdoor patio ordinance that would allow live or recorded music until 10:00 on outdoor patios. The discussion was to have staff draft up an ordinance amendment unless the Council would like to stop and not have it go any further.

It was moved by Nickolay and seconded by Ryan to have the Planning Commission move forward with drafting an Ordinance amendment to allow some level of live or recorded music on outdoor patios. All voted in favor of the motion, except Scripture voted against. (4-1)

There will be a joint workshop special meeting with the EDA on Monday, September 16, 2013 at 5:30 p.m. concerning future Industrial Park planning.

Council Member Bruzek asked about the status of the WWTP and Cedar Lake Sewer District. City Administrator Johnson stated an SEH engineer is in the process of reviewing all the records.

Council Member Ryan asked about the status of the garbage-refuse violation with Alco. Planning Director Ondich stated he spoke with the Re-Estate Manager from Alco and was told the supplier of the fencing material got delayed.

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It was moved by Bruzek and seconded by Bartusek to adjourn at 8:39 p.m. All voted in favor of the motion. (5-0)

Charles L. Nickolay, Mayor

ATTEST:

Michael J. Johnson
City Administrator