

City Council Proceedings

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



City Council Meeting
Monday, February 7, 2005

Mayor Sindelar called the meeting to order with the following members present: Sindelar, Jirik, Kratochvil, Wilcox, Babione. Absent: None

Mayor Sindelar presented Fred Roberts with a plaque signifying meritorious service to the City of New Prague.

Mr. Doug Parrott, S E H, updated the Council on status of 1st Av. NW improvement project. Mr. Parrott further reviewed the feasibility report for the 2005 Capital Improvement Street Reconstruction project.

Council Member Wilcox offered the following Resolution and moved for its adoption.

RESOLUTION #05-02-07-01

RESOLUTION RECEIVING REPORT AND CALLING HEARING ON IMPROVEMENT

WHEREAS, pursuant to Order of the Council, a report has been prepared by Doug Parrott, S E H Engineering, with reference to the improvement of

- Central Av. S. from Main Street to 5th Street SE
- Alley between Main Street and 1st Street SE from Central Ave. S. to 1st Ave. SE
- 1st St. SE from Central Av. S. to 1st Av. SE
- 2nd St. SE from Central Ave. S. to 1st Av. SE
- 3rd St. SE from Central Av. S. to 1st Av. SE
- 4th St. SE from Central Av. S. to 1st Av. SE

street reconstruction, curb and gutter, water main, sanitary sewer, storm sewer reconstruction, and sidewalks, and this report was received by the Council on August 16, 2004 and was updated and received on February 7, 2005

WHEREAS, the report provides information regarding whether the proposed project is necessary, cost-effective, and feasible,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NEW PRAGUE, MINNESOTA:

1. The Council will consider the improvement of such street in accordance with the report and the assessment of abutting property for all or a portion of the cost of the improvement pursuant to Minnesota Statutes, Chapter 429 at an estimated total cost of the improvement of \$1,320,000.00.

City Council Proceedings

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



City Council Meeting
Monday, February 7, 2005

2. A public hearing shall be held on such proposed improvement on the 7th day of March, 2005 in the Council Chambers of the City Hall at 7 p.m. and the City Administrator shall give mailed and published notice of such hearing and improvement as required by law.

Council Member Babione seconded said Resolution and upon roll call the following vote was recorded.

	<u>AYES</u>	<u>NAYES</u>
Sindelar	<u>X</u>	<u> </u>
Babione	<u>X</u>	<u> </u>
Jirik	<u>X</u>	<u> </u>
Kratochvil	<u>X</u>	<u> </u>
Wilcox	<u>X</u>	<u> </u>

Thereupon Mayor Sindelar declared said resolution adopted this 7th day of February, 2005.

Craig Sindelar, Mayor

ATTEST:

Jerry Bohnsack, City Administrator

Police Chief Mark Vosjepka recommended that Mr. Brian Buesgens be employed as fulltime police patrolman.

Motion Jirik, Second Kratochvil
Authorize the employment of Mr. Brian Buesgens as Police Patrolman effective February 10, 2005
Motion carried.

Ms Joann Foust, Municipal Development Group, reviewed the comprehensive plan process and the components of the proposed comprehensive plan.

Council Member Kratochvil offered the following Resolution and moved for its adoption.

RESOLUTION 05-02-07-02

RESOLUTION APPROVING THE 2005 NEW PRAGUE COMPREHENSIVE PLAN,
A COMPILATION OF POLICY STATEMENTS, GOALS, STANDARDS
AND MAPS FOR GUIDING THE OVERALL DEVELOPMENT
AND REDEVELOPMENT OF THE MUNICIPALITY

City Council Proceedings

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

}

City Council Meeting
 Monday, February 7, 2004

WHEREAS, Pursuant to Minnesota Statute 462.355, Subd. 2; The New Prague Planning Commission may, recommend to the City Council the adoption and amendment from time to time of a comprehensive municipal plan.

WHEREAS, The City Council of the City of New Prague with its Planning Agency, the New Prague Planning Commission, authorized the updating of its Comprehensive Plan in 2004; and,

WHEREAS, The proposed Comprehensive Plan is based on local and regional historical facts, trends, and governmental planning standards; and,

WHEREAS, The proposed City of New Prague Comprehensive Plan is a dynamic planning tool intended to guide the future growth and development of the city; and,

WHEREAS, The attached document (Exhibit A) presents the Comprehensive Plan for New Prague, Minnesota; reflective of a community planning process conducted in the years 2004 and 2005 involving elected officials, appointed officials, city staff, community organizations, the public at large, township representatives, Scott and Le Sueur County representatives and others; and,

WHEREAS, Before adopting the comprehensive municipal plan or any section or amendment of the plan, the planning agency shall hold at least one public hearing thereon; and,

WHEREAS, A notice of the time, place and purpose of a hearing on the proposed Comprehensive Plan was published once in the official newspaper of the municipality at least ten days before the day of the hearing with a copy of the notice posted for public viewing; and,

WHEREAS, A copy of the proposed Comprehensive Plan is on display at the City Offices for public review; and,

WHEREAS, A public hearing by the New Prague Planning Commission was held on January 5, 2005 and continued to February 3, 2005; and,

WHEREAS, The Planning Commission has adopted a Resolution recommending to the City Council the approval of the Comprehensive Plan;

City Council Proceedings

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



City Council Meeting
Monday, February 7, 2004

NOW THEREFORE BE IT RESOLVED the City Council of the City of New Prague, Minnesota hereby approves the 2005 Comprehensive Plan.

Council Member Wilcox seconded said Resolution and upon roll call the following vote was recorded.

	<u>AYES</u>	<u>NAYES</u>
Sindelar	<u>X</u>	<u> </u>
Babione	<u>X</u>	<u> </u>
Jirik	<u>X</u>	<u> </u>
Kratochvil	<u>X</u>	<u> </u>
Wilcox	<u>X</u>	<u> </u>

Thereupon Mayor Sindelar declared said resolution adopted this 7th day of February, 2005.

Craig Sindelar, Mayor

ATTEST:

Jerry Bohnsack, City Administrator

Motion Babione, Second Wilcox
Approve preliminary plat of Prague Estates #11.
Motion carried.

Council Member Babione offered the following Resolution and moved for its adoption.

RESOLUTION #05-02-07-03

RESOLUTION OF THE NEW PRAGUE CITY COUNCIL
GRANTING A CONDITIONAL USE PERMIT TO ALLOW AN ACCOUNTING OFFICE
USE IN THE EXISTING BUILDING LOCATED AT 207 LEXINGTON AVENUE
SOUTH IN THE RM MEDIUM DENSITY ZONING DISTRICT,
NEW PRAGUE, MINNESOTA

WHEREAS, Parkview Medical Clinic, owner of the following real estate in the County of LeSueur to wit:

Lots Numbered Ten, Eleven, Twelve and Thirteen in Block Numbered Two of Wrabek's Addition to the City of New Prague, according to the recorded Plat thereof on file and of record in the Office of the Register of Deeds, in and for the County of Le Sueur and State of Minnesota; AND ALSO the North 50 feet of the West 200 feet of vacation Second Street South, located between

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

}

City Council Meeting
Monday, February 7, 2005

Blocks 2 and 3, Wrabek's Addition; AND ALSO the South 7 ½ feet of vacated alley, lying North of Lots 10, 11, 12, and 13, Block 2, Wrabek's Addition.

is requesting a Conditional Use Permit to allow an accounting office use in the existing building on the above property at 207 Lexington Avenue South, New Prague, MN 56071, which is located in the above real estate; and,

WHEREAS, the New Prague Planning Commission has completed a review of the application and made a report pertaining to said request (C1-2005), a copy of said report has been presented to the City Council; and,

WHEREAS, the New Prague Planning Commission on the 26th day of January, 2005, following proper notice held a public hearing regarding the request, and following due consideration of presented testimony and information, voted unanimously to forward the matter to the City Council with a recommendation for approval subject to conditions contained in staff report C1-2005 and those listed during the Planning Commission Meeting; and,

WHEREAS, the New Prague City Council finds:

- A. The use will not create an excessive burden on existing parks, schools, streets and other public facilities which serve or are proposed to serve the area.
- B. The use will be sufficiently compatible or separated by distance or screened from adjacent residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land.
- C. The structure and site shall have an appearance that will not have an adverse effect upon adjacent residential properties.
- D. The use, in the opinion of the City Council, is reasonably related to the overall needs of the City and to the existing land use.
- E. The use is consistent with the purposes of the zoning ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use.
- F. The use is not in conflict with the comprehensive plan of the City.
- G. The use will not cause traffic hazard or congestion.
- H. Adequate utilities, access roads, drainage and necessary facilities have been or will be provided.

City Council Proceedings

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



City Council Meeting
Monday, February 7, 2005

NOW, THEREFORE BE IT RESOLVED, by the City Council of New Prague, MN, that the Conditional Use Permit to allow an accounting office use in the existing building located at 207 Lexington Avenue South in the RM Medium Density Residential Zoning District is hereby granted contingent upon the following:

1. The conditional use permit allowing an accounting office is issued for a period of one year, and shall become null and void without further action from the Planning Commission unless used within one year of the date granting the permit.
2. Any lighting plans for the parking lot must comply with Section 704 of the Zoning Ordinance.
3. A minimum of 16 parking spaces shall be provided and all parking spots shall be striped with white or yellow paint with lines no less than 4 inches wide, providing spaces at a minimum size of 20' by 9' (180 sq. ft.)
4. No landscaping shall be required, but if any neighbor or housing association complains about the site, the owner must comply with the landscaping requirements of Section 707 of the New Prague Zoning Ordinance.

And noting that:

1. The lot size meets the requirements of the B-2 district where it is a listed conditional use and far exceeds the lot size requirements for the RM district.
2. The existing curb cut does not meet the ordinance requirements of Section 723 requiring a curb cut width of 30'.

This Conditional Use Permit shall become effective immediately upon its passage and without publication.

Council Member Wilcox seconded said Resolution and upon roll call the following vote was recorded.

	<u>AYES</u>	<u>NAYES</u>
Sindelar	<u>X</u>	_____
Babione	<u>X</u>	_____
Jirik	<u>X</u>	_____
Kratochvil	<u>X</u>	_____
Wilcox	<u>X</u>	_____

Thereupon Mayor Sindelar declared said resolution adopted this 7th day of February, 2005.

Craig Sindelar, Mayor

ATTEST:

Jerry Bohnsack, City Administrator

City Council Proceedings

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



City Council Meeting
Monday, February 7, 2005

Council Member Jirik offered the following Resolution and moved for its adoption.

RESOLUTION #05-02-07-04

RESOLUTION OF THE NEW PRAGUE CITY COUNCIL
AMENDING CONDITIONAL USE PERMIT C12-2004 TO ALLOW OUTDOOR
STORAGE IN CONJUNCTION WITH A CONTRACTOR EQUIPMENT RENTAL STORE
AT 510 6th STREET NW, ON LOT 2, BLOCK 1, NEW PRAGUE BUSINESS PARK
8th ADDITION IN THE I-1 LIGHT INDUSTRIAL ZONING DISTRICT,
NEW PRAGUE, MINNESOTA

WHEREAS, Neil & Joy C. Dornbusch, owners of the following real estate in the County of Scott to wit:

Lot 2 Block 1, New Prague Business Park 8th Addition,
according to the recorded plat thereof,
Scott County, Minnesota
(510 6th Street NW, New Prague, MN)

are requesting an amendment to Conditional Use Permit C12-2004 to allow outdoor storage in conjunction with a contractor equipment rental store at 510 6th Street NW, which is located in the above real estate; and,

WHEREAS, the New Prague Planning Commission has completed a review of the application and made a report pertaining to said request (Amendment C12-2004), a copy of said report has been presented to the City Council; and,

WHEREAS, the New Prague Planning Commission on the 26th day of January, 2005, following proper notice held a public hearing regarding the request, and following due consideration of presented testimony and information, voted unanimously to forward the matter to the City Council with a recommendation for approval subject to conditions contained in staff report Amending C12-2004 and those listed during the Planning Commission Meeting; and,

WHEREAS, the New Prague City Council finds:

- A. The use will not create an excessive burden on existing parks, schools, streets and other public facilities which serve or are proposed to serve the area.
- B. The use will be sufficiently compatible or separated by distance or screened from adjacent residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land.

City Council Proceedings

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



City Council Meeting
February 7, 2005

- C. The structure and site shall have an appearance that will not have an adverse effect upon adjacent residential properties.
- D. The use, in the opinion of the City Council, is reasonably related to the overall needs of the City and to the existing land use.
- E. The use is consistent with the purposes of the zoning ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use.
- F. The use is not in conflict with the comprehensive plan of the City.
- G. The use will not cause traffic hazard or congestion.
- H. Adequate utilities, access roads, drainage and necessary facilities have been or will be provided.

NOW, THEREFORE BE IT RESOLVED, by the City Council of New Prague, MN, that the amendment to Conditional Use Permit C12-2004 to allow outdoor storage in conjunction with a contractor equipment rental store at 510 6th Street NW Lot 2 Block 1, New Prague Business Park 8th Addition in the I-1 Light Industrial Zoning District is hereby granted contingent upon the following:

1. Approval is granted in accordance with the site plan dated 11/16/04 and on file with the New Prague Planning Department.
2. The applicant must comply with all recommendations of the City Engineer and Public Works Director.
3. A 6' high screening fence shall be installed around the proposed outdoor storage area.
4. The curb cut as shown on the site plan dated 11/16/04 shall be used by the adjacent property owner to the west.
5. All proposed improvements within the private Xcel Energy easement (Scott County document #661604) are subject to a private approval process between the developer and Xcel Energy, as required by the easement. If Xcel Energy denies the proposed improvements within their easement, the City of New Prague must review a revised site plan to determine that City zoning requirements are being met.
6. The existing curb cut to the property to the west must be removed once the shared driveway has been completed.
7. Applicant to pay \$200.00 application fee plus related Attorney's fees.

And noting that:

1. The request meets the requirements of the New Prague Zoning Ordinance.
2. The proposed use is compatible with the I-1 Zoning District.
3. The site plan has been changed from the originally approved site plan dated 10/4/04 and must be amended to reflect site plan actually used in construction dated 11/16/04.

City Council Proceedings

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



City Council Meeting
Monday, February 7, 2005

Council Member Wilcox seconded said Resolution and upon roll call the following vote was recorded.

	<u>AYES</u>	<u>NAYES</u>
Sindelar	<u> </u>	<u> X </u>
Babione	<u> </u>	<u> X </u>
Jirik	<u> X </u>	<u> </u>
Kratochvil	<u> X </u>	<u> </u>
Wilcox	<u> X </u>	<u> </u>

Thereupon Mayor Sindelar declared said resolution adopted this 7th day of February, 2005.

Craig Sindelar, Mayor

ATTEST:

Jerry Bohnsack, City Administrator

Council Member Kratochvil offered the following Resolution and moved for its adoption.

RESOLUTION #05-02-07-05

JOINT RESOLUTION OF
THE CITY OF NEW PRAGUE, MINNESOTA
AND
TOWN BOARD OF HELENA, SCOTT COUNTY, MINNESOTA
IN THE MATTER OF ORDERLY ANNEXATION
UNDER MINNESOTA STATUTES SECTION 414.0325

WHEREAS, the Township of Helena (the "Township") and the City of New Prague (the "City") by joint resolution and agreement each dated June 19, 1978 have established an orderly annexation area and the conditions for annexation within such area pursuant to Minnesota Statutes Section 414.0325; and

WHEREAS, all of Section 33, Township 113 North, Range 23 West is within the orderly annexation area; and

WHEREAS, the area proposed for annexation is now or is about to become urban or suburban in character, and proposed to be zoned for commercial and residential expansion that will require municipal services,

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



City Council Meeting
Monday, February 7, 2005

NOW THEREFORE IT IS JOINTLY RESOLVED by the City of New Prague, Minnesota and the Town of Helena, County of Scott, State of Minnesota:

1. That the following lands be annexed to the City of New Prague:

That part of the Southwest Quarter of Section 33, Township 113 North, Range 23 West, Scott County, Minnesota, described as follows: Commencing at the Southwest Corner of said Section 33; thence North 01 degrees 09 minutes 53 seconds East (assumed bearing) on the West line of the Southwest Quarter, 551.73 feet to the North line of the South 17 acres of the West Half of said Southwest Quarter, said point being the point of beginning; thence continuing North 01 degrees 09 minutes 53 seconds East on said West line, 612.27 feet; thence North 89 degrees 51 minutes 59 seconds East, 368.0 feet; thence North 01 degrees 09 minutes 53 seconds East, 153.08 feet to the North line of the Southwest Quarter of the Southwest Quarter; thence North 89 degrees 54 minutes 44 seconds East on said North line, 177.81 feet to the East line of the West 16.5 acres of the Northwest Quarter of the Southwest Quarter; thence North 01 degrees 09 minutes 53 seconds East on said East line, 1316.93 feet to the North line of said Southwest Quarter; thence North 89 degrees 57 minutes 30 seconds East on said North line, 2122.48 feet to the Northeast Corner of said Southwest Quarter; thence South 00 degrees 45 minutes 33 seconds West on the East line of said Southwest Quarter, 2539.91 feet to the North right of way line of Minnesota State Highway 19; thence Westerly 365.94 feet on said right of way line on a 36816.39 foot nontangent curve to the left having a central angle of 00 degrees 34 minutes 10 seconds and a 365.93 foot chord which bears North 89 degrees 50 minutes 56 seconds West; thence South 89 degrees 51 minutes 59 seconds West on said right of way line tangent to said curve, 1525.43 feet to a found iron pipe survey marker; thence North 01 degrees 00 minutes 38 seconds East, 462.99 feet to a found iron pipe survey marker; thence North 89 degrees 36 minutes 06 seconds West, 504.24 feet to a found iron pipe survey marker; thence South 01 degrees 09 minutes 53 seconds West; 7.99 feet to the North line of the South 17 acres of the West Half of the Southwest Quarter of said Section 33, thence South 89 degrees 51 minutes 59 seconds West on said North line, 289.38 feet to the point of beginning. Said parcel contains 129.85 acres of land being subject to and together with any and all easements of record.

AND

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



City Council Meeting
Monday, February 7, 2005

The West 16 ½ acres of the Northwest Quarter of the Southwest Quarter of Section 33, Township 113 North, Range 23 West, Scott County, Minnesota.

AND

Beginning 1320 feet north of the southwest corner of Section 33, Township 113 North, Range 23 West; thence East 368.0 feet; thence South 156.0 feet; thence West 368.0 feet; thence North 156.0 feet to the point of beginning. Said parcel contains 1.32 acres of land.

AND

The South ½ of the South ½ of the Northwest ¼, Section 33, Township 113 North, Range 23, Scott County, Minnesota; EXCEPT the West 264 feet thereof described as follows: All that part of the West Half (W ½) of the Northwest Quarter (NW ¼) Section Thirty-three (33), Township One Hundred Thirteen (113), Range Twenty-three (23) West, described as follows: Commencing at the Southwest corner of the Northwest Quarter (NW ¼) of Section Thirty Three (33), Township One hundred Thirteen (113), Range Twenty-three (23) West, thence East along the South line of said Northwest Quarter (NW ¼), a distance of 4.0 chains; thence North parallel to the West line of said Northwest Quarter (NW ¼), a distance of 12.85 chains; thence West parallel to the South line of said Northwest Quarter, a distance of 4.0 chains; thence South along the West line of said Northwest Quarter (NW ¼), a distance of 12.85 chains to the place of beginning. Subject to township roadway easements in use or on record. ALSO EXCEPTING That part of the Southwest Quarter of the Northwest Quarter of Section 33, Township 113, Range 23, Scott County, Minnesota, and that part of the Southeast Quarter of the Northeast Quarter of Section 32, Township 113, Range 23 in said Scott County described as follows: Commencing at the southwest corner of the Northwest Quarter of said Section 33, thence on an assumed bearing of North 0 degrees 58 minutes 47 seconds East along the west line of said Northwest Quarter a distance of 858.10 feet to the point of beginning of the land to be described; thence South 89 degrees 49 minutes 10 seconds West and parallel with the south line of the Northeast Quarter of said Section 32 a distance of 152.46 feet; thence North 19 degrees 05 minutes 29 seconds West a distance of 487.71 feet; thence South 89 degrees 57 minutes 33 seconds East and parallel with the north line of said Southwest Quarter of the Northwest Quarter a distance of 556.88 feet; thence South 0 degrees 58 minutes 47 seconds West a distance of 459.90 feet to an intersection with a line which



City Council Proceedings

City Council Meeting
 Monday, February 7, 2005

passes through the point of beginning bearing North 89 degrees 57 minutes 30 seconds East and parallel with the south line of the Northwest Quarter of said Section 33; thence South 89 degrees 57 minutes 30 seconds West a distance of 237.04 feet to the point of beginning. Subject to an easement for road and utility purposes over, under and across that part of said Southeast Quarter of the Northeast Quarter which lies within the right of way of Naylor Avenue.

AND

The South 6 acres of the North $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, Section 33, Township 113, North, Range 23.

AND

The North $\frac{1}{2}$ of the South $\frac{1}{2}$ of the Northwest $\frac{1}{4}$, Section 33, Township 113 North, Range 23, Scott County, Minnesota EXCEPTING THEREFROM: All that part of the West Half (W $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) Section Thirty-three (33), Township One Hundred Thirteen (113), Range Twenty-three (23) West, described as follows: Commencing at the Southwest corner of the Northwest Quarter (NW $\frac{1}{4}$) of Section Thirty Three (33), Township One hundred Thirteen (113) Range Twenty-three (23) West, thence East along the South line of said Northwest Quarter (NW $\frac{1}{4}$), a distance of 4.0 chains; thence North parallel to the West line of said Northwest Quarter (NW $\frac{1}{4}$), a distance of 12.85 chains; thence West parallel to the South line of said Northwest Quarter, a distance of 4.0 chains; thence South along the West line of said Northwest Quarter (NW $\frac{1}{4}$), a distance of 12.85 chains to the place of beginning. Subject to township roadway easements in use or on record. ALSO EXCEPTING That part of the Southwest Quarter of the Northwest Quarter of Section 33, Township 113, Range 23, Scott County, Minnesota, and that part of the Southeast Quarter of the Northeast Quarter of Section 32, Township 113, Range 23 in said Scott County described as follows: Commencing at the southwest corner of the Northwest Quarter of said Section 33, thence on an assumed bearing of North 0 degrees 58 minutes 47 seconds East along the west line of said Northwest Quarter a distance of 858.10 feet to the point of beginning of the land to be described; thence South 89 degrees 49 minutes 10 seconds West and parallel with the south line of the Northeast Quarter of said Section 32 a distance of 152.46 feet; thence North 19 degrees 05 minutes 29 seconds West a distance of 487.71 feet; thence South 89 degrees 57 minutes 33 seconds East and parallel with the north line of said Southwest

Quarter of the Northwest Quarter a distance of 556.88 feet; thence South 0 degrees 58 minutes 47 seconds West a distance of 459.90 feet to an intersection with a line which passes through the point of beginning bearing North 89 degrees 57 minutes 30 seconds East and parallel with the south line of the Northwest Quarter of said Section 33; thence South 89 degrees 57 minutes 30 seconds West a distance of 237.04 feet to the point of beginning. Subject to an easement for road and utility purposes over, under and across that part of said Southeast Quarter of the Northeast Quarter which lies within the right of way of Naylor Avenue. ALSO EXCEPTING THEREFROM: The South 6 acres of the North $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, Section 33, Township 113 North, Range 23.

AND

Northeast Quarter of Northwest Quarter, Section 33, Township 113 North, Range 23, Scott County, Minnesota, ALSO EXCEPTING: All that part of the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$), Section Thirty-three (33), Township One Hundred Thirteen (113) North, Range Twenty-three (23) West, described as follows: Commencing at a point on the North Line of said Section Thirty-three (33), said point being 32.64 rods West of the Northeast Corner of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$), said point being the actual point of beginning of the parcel of land herein to be excepted; thence West along the North line of said section, a distance of 47.36 rods; thence South along the West line of said Northeast Quarter of Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$), a distance of 28.84 rods; thence East parallel with said North line of said section a distance of 30.76 rods; thence Northeasterly a distance of 32 rods to the point of beginning.

2. The area to be annexed contains approximately 253.22 acres
3. That no alterations of the above described boundary is appropriate and no consideration by the Office of Municipal Boundary Adjustments is necessary, the Board may review and comment but shall within 30 days order the annexation in accordance with the terms of the resolution.
4. That the City Administrator of the City of New Prague be authorized and directed to submit this Joint Annexation Resolution to the Minnesota Municipal Board for approval of such annexation in accordance with Minnesota Statutes Section 414.0325.

City Council Proceedings

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



City Council Meeting
Monday, February 7, 2005

Council Member Wilcox seconded said Resolution and upon roll call the following vote was recorded.

	<u>AYES</u>	<u>NAYES</u>
Sindelar	<u>X</u>	_____
Babione	<u>X</u>	_____
Jirik	<u>X</u>	_____
Kratochvil	<u>X</u>	_____
Wilcox	<u>X</u>	_____

Thereupon Mayor Sindelar declared said resolution adopted this 7th day of February, 2005.

Craig Sindelar, Mayor

ATTEST:

Jerry Bohnsack, City Administrator

Motion Jirik, Second Kratochvil
Approve one day On-Sale Wine and one day On-Sale Beer License to St. Wenceslaus School, 227 Main St. E. on April 16, 2005.
Motion carried.

Motion Babione, Second Jirik
Approve consent agenda items:
A. Approve previous meeting minutes.
B. Approve claims for payment.
C. Approve Scott Co. Hazmat Joint Powers Agreement.
D. Accept Petition to vacate Wetland Easement and call for Public Hearing.
Motion carried.

Motion Babione, Second Wilcox
Approve appointment of Dan Bishop to Utility Commission.
Term to expire December 31, 2008.
Motion carried.

Motion Wilcox, Second Babione
Approve 2005 car allowance - \$325.00/year.
Motion carried.

There being no further business, the meeting was adjourned.

Jerry Bohnsack
City Administrator