

City Council Proceedings

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



City Council Meeting
Tuesday, September 5, 2006

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

Pursuant to due call and notification a public hearing was held to consider the vacation of walkway easement located between Lot 4 and Lot 5, Block 3, Rolling Hills Fourth Addition.

Upon motion and second the public hearing was adjourned.

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

RESOLUTION #06-09-05-01

ORDER VACATING PUBLIC WALKWAY EASEMENT

WHEREAS, a petition for vacation of a 20' public walkway easement was filed with the City Council of the City of New Prague, as required by law; and,

WHEREAS, proper publication of Notice of Hearing thereon for two weeks was duly given; and,

WHEREAS, a public hearing on said petition was duly held on the 5th day of September, 2006; and,

WHEREAS, it is determined that the location of the platted 20' walkway easement runs through a single family dwelling; and,

WHEREAS, the 20' walkway easement as it is currently located does not contain a walkway or the ability to provide for one in the future; and,

NOW THEREFORE BE IT RESOLVED, that said public 20' walkway easement described as follows:

The 20' walkway easement located between Lot 4 and Lot 5, Block 3, Rolling Hills #4, City of New Prague, according to the recorded plat thereof, LeSueur County, Minnesota.

IS HEREBY VACATED.

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Council Member Jirik 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 5th day of September, 2006.

Craig Sindelar, Mayor

ATTEST:

Jerry Bohnsack, City Administrator

Dr. Mike Wilcox, Members of the Ambulance Department, Representatives of North Memorial Hospital and the Medowakotin EMS were present to review with the Council a conceptual program to provide as needed Advance Life Support Services (ALS) to supplement Basic Life Support (BLS) services currently provided. Representatives to meet with Montgomery, Le Center, & Belle Plaine and solicit support for the program.

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

RESOLUTION #06-09-05-02

RESOLUTION OF THE NEW PRAGUE CITY COUNCIL
GRANTING APPROVAL OF THE FINAL PLAT OF CHART INC.
ADDITION CONSISTING OF ONE LOT AND TWO OUTLOTS ON 3.54
ACRES IN THE I-1 INDUSTRIAL ZONING DISTRICT,
NEW PRAGUE, MINNESOTA

WHEREAS, Chart, Inc., a Delaware Corporation, owner of the following real estate in the County of Scott to wit:
Outlot 9 in New Prague Outlots, in the Northwest Quarter of Section 34, Township 113, Range 23, excepting therefrom the following described parcel of land; conveyed to the City of New Prague in Book 166 of Deeds, Page 65 and being all that part of Lot 9, of New Prague Outlots, North of a line 52 feet North of the South line of said Lot 9, and parallel thereto and further excepting all that part taken for State Highway

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purposes. Together with the South ½ of vacated 7th Street NW. And: Commencing at the Northwest corner of the Southwest Quarter of Section 34, Township 113, Range 23, Scott County, Minnesota; thence running South 105 feet; thence East to the West line of the Minneapolis and St. Louis Railway; thence in a Northeasterly direction following the said line aforesaid to the Quarter Section line; thence 457 feet West following the Quarter Section line to the Place of Commencement. Except that portion previously deeded to the City of New Prague in Book 157 of Deeds, page 305, and in Book 104 of Deeds, page 128. And: Commencing at a point 105 feet South from the Northwest corner of the Southwest Quarter of Section 34, Township 113 North of Range 23 West, Scott County, Minnesota; thence running due south 208 feet; thence due East to the West line of Minneapolis and St. Louis Railroad; thence in a Northeasterly direction following the said line of the Minneapolis & St. Louis Railroad to a point 432 feet East from the place of beginning; thence due West 432 feet to the place of beginning. Excepting therefrom that part taken for State Highway purposes.

is requesting final plat approval of Chart Inc. Addition consisting of 1 lot and 2 outlots on 3.54 acres in the I-1 Industrial Zoning District, 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, a copy of said report has been presented to the City Council; and,

WHEREAS, the New Prague Planning Commission on the 23rd day of August, 2006, reviewed the request, and following due consideration of information, voted unanimously to forward the matter to the City Council with a recommendation for approval subject to conditions contained in the said meeting minutes; and,

WHEREAS, the New Prague City Council finds:

1. The preliminary plat complies with the purpose and intent of the New Prague Comprehensive Plan and Subdivision Ordinance.
2. The plat conforms to the requirement of the I-1 Zoning District in which it is located.
3. Approving the plat will allow the construction of a new office building on the site.

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NOW, THEREFORE BE IT RESOLVED, by the City Council of New Prague, MN, that the Final Plat of Chart Inc. Addition consisting of 1 lot and 2 outlots on 3.54 acres in the I-1 Industrial Zoning District is hereby approved with the following conditions:

1. Approval is granted in accordance with the preliminary drawing dated 8/18/06 and the final plat drawing dated 8/28/06, both on file with the New Prague Planning Department.
2. The applicant must comply with the recommendations of the Scott County Public Works Department.
3. The width of the access to CSAH 37 must be reduced to 45' or less in width.
4. There shall be no direct access allowed onto Trunk Highway 21 from Lot 1 Block 1, Outlot A, or Outlot B of Chart Inc. Addition.
5. Approval is subject to all recommendations of the Public Works Director.
6. The applicant must remove any chain link fence that exists within a proposed road right-of-way.
7. The final plat and title opinion must be approved by the City Attorney before final plat approval.
8. The final plat must be recorded within 90 days of the date of the City Council granting approval.
9. Outlot B shall be combined with the property to the north, and for tax purposes they shall have the same parcel identification number.

And acknowledging the following variance:

1. Park land dedication is not being required because the site is already developed with an office building and the property is being platted simply as a lot line re-arrangement and to allow for the replacement of the existing office building.

This Final Plat shall become effective immediately upon its passage and without publication.

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Council Member Kratochvil 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 5th day of September, 2006.

Craig Sindelar, Mayor

ATTEST:

Jerry Bohnsack, City Administrator

City Planner Christianson reviewed with the Council realignment of intersection of 6th St. NW and TH 21 North. The Council further discussed the potential vacation of a portion of 6th St. NW after the intersection is aligned.

Motion Jirik, Second Kratochvil.

Approve assessment agreement for water and sewer hookup fees with Allen M. Jensen and Constance J. Jensen. Lot 1, Block 1, and South 20' of Lot 2, Block 2, East 19 Biway Third Addn. Motion carried.

Motion Jirik, Second Kratochvil.

- Approve the following consent agenda items:
- A. Approve Previous Meeting Minutes
 - B. Approve Claims for Payment.
 - C. Approve July - General Fund Financial.

Motion carried.

Motion Kratochvil, Second Babione

Approve Temporary On-Sale Liquor License for New Prague Chamber of Commerce on September 15 and September 16, 2006. Motion carried.

Discussion of Sunday Liquor start of sale 10:00 AM VS 12:00 noon was held.

Council to hold public hearing to consider start time.

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Discussion of additional regulations for fire pits was held. Council comfortable with existing regulations.

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

RESOLUTION #06-09-05-03

RESOLUTION APPROVING CURB CUT

WHEREAS, unimproved platted 6th St. between Block 18 and 19, Kabes Addition to City of New Prague was vacated and

WHEREAS, the vacation of street has eliminated access to a portion of Block 8, City of New Prague.

WHEREAS, alternative access to 612 1st Av. SE has been requested because of the vacation.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of New Prague that the City of New Prague will provide access to 612 1st Av. SE and will construct driveway apron on public Right of Way.

BE IT FURTHER RESOLVED that the request to relocate tree and remove trees at 612 1st Av. SE is hereby denied because the requested adenitis are located on private property.

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

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

Thereupon Mayor Sindelar declared said resolution adopted this 5th day of September, 2006.

Craig Sindelar, Mayor

ATTEST:

Jerry Bohnsack, City Administrator

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

RESOLUTION #06-09-05-04

RESOLUTION ADOPTING 2006 PAYABLE 2007 PRELIMINARY TAX LEVY

BE IT RESOLVED by the City Council of the City of New Prague, Counties of Scott and Le Sueur, Minnesota that the 2006 payable 2007 preliminary net tax levy be set at NTC - \$2,874,915 MV \$59,000.

BE IT FURTHER RESOLVED, that the City Administrator is hereby instructed to forward copies of this resolution to the Auditors of Scott and Le Sueur Counties.

BE IT FURTHER RESOLVED that the date for the 2006 payable 2007 Truth in Taxation Hearing is hereby established for December 11, 2006 at 5:00 p.m. and the continuation hearing (if necessary) is hereby established for December 18, 2006 at 5:00 p.m.

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>	_____
Babione	<u>X</u>	_____
Jirik	<u>X</u>	_____
Kratochvil	<u>X</u>	_____
Wilcox	<u>X</u>	_____

Thereupon Mayor Sindelar declared said resolution adopted this 5th day of September, 2006.

Craig Sindelar, Mayor

ATTEST:

Jerry Bohnsack, City Administrator

The Council authorized the City Administrator to issue Administrative Citations to the establishments and employees who failed Tobacco Compliance Checks.

There being no further business, the meeting was adjourned.

Jerry Bohnsack
City Administrator