

City Council Proceedings

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



City Council Meeting
Monday, September 19, 2005

Mayor Sindelar called the meeting to order with the following members present: Sindelar, Kratochvil, Wilcox, Babione.
Absent: Jirik

Mr. Doug Parrott, S E H, reviewed with the Council the feasibility report for the proposed 2006 Street Reconstruction Project.

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

RESOLUTION #05-09-19-01

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

- Second Av. SW from Main Street to Second Street SW
- First Av. SW from First Street SW to Fifth Street SW
- Alley between Main Street and First Street SW from First Av. SW to Central Av. South
- First Street SW from Second Av. SW to Central Av. S.
- Second Street SW from Second Av. SW to Central Av. South
- Third Street SW from Second Av. SW to Central Av. South
- Fourth Street SW from Second Av. SW to Central Av. South

street reconstruction, curb and gutter, water main, sanitary sewer, storm sewer reconstruction, and sidewalks, and this report was received by the Council on September 19, 2005.

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

WHEREAS notice was given and a neighborhood meeting was held on August 2, 2005.

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

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total cost of the improvement of \$1,978,472.00.

2. A public hearing shall be held on such proposed improvement on the 17th day of October, 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>	_____
Babione	<u>X</u>	_____
Jirik	<u>Absent</u>	<u>Absent</u>
Kratochvil	<u>X</u>	_____
Wilcox	<u>X</u>	_____

Thereupon Mayor Sindelar declared said resolution adopted this 19th day of September, 2005.

Craig Sindelar, Mayor

ATTEST:

Jerry Bohnsack, City Administrator

Discussion of the Wastewater Treatment Plant Facilities Plan was held. The Facility Plan identified 3 options for expansion or replacement of the Wastewater Treatment Plant.

Options Identified:

- 1) Upgrade existing trickling filter at existing site.
- 2) Construct new facility at existing site.
 - a) Oxidation Ditch
 - b) Biostyr Process
- 3) Construct new facility at remote site.

Staff recommendation to construct Biostyr at existing site.

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

RESOLUTION #05-09-19-02

RESOLUTION APPROVING WASTEWATER TREATMENT FACILITY PLAN

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WHEREAS, the New Prague Wastewater Treatment Plant (WWTP) will reach capacity within 5 years, and

WHEREAS, the City of New Prague seeks to increase capacity and level of treatment,

WHEREAS, the City of New Prague has engaged the engineering firm of S E H to prepare a WWTP Facility Plan, and

WHEREAS, the Facility Plan has identified three options for a new or expanded WWTP,

WHEREAS, the City Staff and City Council has considered the plan and the options presented in the plan,

WHEREAS, the City Council has determined that the Biostyr is the preferred option,

WHEREAS, THE City Council wishes to construct a WWTP and bring it online by 2010.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of New Prague that Facility Plan is hereby approved with the preferred option Biostyr.

BE IT FURTHER RESOLVED that S E H and the City Administrator are hereby authorized to submit the facility plan to Minnesota Pollution Control Agency for the necessary approvals.

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>Absent</u>	<u>Absent</u>
Kratochvil	<u>X</u>	_____
Wilcox	<u>X</u>	_____

Thereupon Mayor Sindelar declared said resolution adopted this 19th day of September, 2005.

Craig Sindelar, Mayor

ATTEST:

Jerry Bohnsack, City Administrator

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Sister Jean Juenemann requested that the City consider waiving building permit fees for construction of Habitat for Humanity House.

Motion Kratochvil, Second Babione.

Waive 50% of the following fees for construction of Habitat for Humanity Home: building permit, plan review, park fee, water connection fee, and sewer connection fee.

Upon roll call the following vote was recorded.

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

Motion carried.

Motion Wilcox, Second Babione.

Authorize execution of Joint Powers Agreement with Scott County for Sentence to Serve Program.

Motion carried.

Council held a discussion with staff on long range financial projection with Capital Improvements for storm water utility and sanitary sewer utility. Forecasts included reconstruction of existing collection systems and construction of wastewater treatment plant. Forecasts indicate need to adjust storm sewer rates 7% annually and create an acreage charge for new storm sewer area, 2000/acre. Sanitary sewer projections indicate increases of 1500 to hook up charge, acreage fee of 8000/acre. User charges increase 10% each year.

No action taken pending further investigation.

Mr. Bob Barth, Bonestroo, reviewed with the Council wetland mitigation for Raven Stream Village.

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

RESOLUTION #05-09-19-03

RESOLUTION APPROVING WETLAND REPLACEMENT PLAN

WHEREAS, the proposed Raven Stream Village contains existing wetlands,

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WHEREAS, The Developers of Raven Stream Village have submitted a wetland permit application and sequencing report.

WHEREAS, said plan has been submitted to the City and appropriate government bodies, agencies and special interest groups as prescribed by law.

WHEREAS, there were no negative comments received from the reviewing agencies.

WHEREAS, the plan is consistent with all applicable laws and rules.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of New Prague that the Wetland Replacement Plan for Raven Stream Village is hereby approved.

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>Absent</u>	<u>Absent</u>
Kratochvil	<u>X</u>	_____
Wilcox	<u>X</u>	_____

Thereupon Mayor Sindelar declared said resolution adopted this 19th day of September, 2005.

Craig Sindelar, Mayor

ATTEST:

Jerry Bohnsack, City Administrator

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

RESOLUTION #05-09-19-04

RESOLUTION RELATING TO FINANCING OF CERTAIN PUBLIC IMPROVEMENTS AND ESTABLISHING COMPLIANCE WITH REIMBURSEMENT BOND REGULATIONS UNDER THE INTERNAL REVENUE CODE

BE IT RESOLVED by the City Council (the "Council") of the City of New Prague (the "City"), as follows:

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1. Recitals.

a). The Internal Revenue Service has issued Section 1.150-2 of the Income Tax Regulations (the "Regulations") dealing with the issuance of bonds, all or a portion of the proceeds of which are to be used to reimburse the City for project expenditures made by the City prior to the date of issuance of the bonds.

b). The Regulations generally require that the City, as issuer of the bonds, make a declaration of its official intent to reimburse itself for such prior expenditures out of the proceeds of a subsequently issued series of bonds within 60 days after payment of the expenditures, that the bonds be issued and the reimbursement allocation be made from the proceeds of such bonds within the reimbursement period (as defined in the Regulations), and that the expenditures reimbursed be capital expenditures or costs of issuance of the bonds.

c). City desires to comply with requirements of the Regulations with respect to certain public improvement projects to be undertaken within the City.

2. Official Intent Declaration.

a). The City expects to make original expenditures with respect to the following described projects prior to the issuance of reimbursement bonds, and the City reasonably expects to issue reimbursement bonds for such projects in the maximum principal amount shown below:

<u>Project</u>	<u>Maximum Amount of Bonds Expected to be Issued for Project</u>
2006 CIP	2,000,000
Water Tower	1,500,000
New Prague Golf Club	700,000

b). Other than (i) de minimis amounts permitted to be reimbursed pursuant to Section 1.150-2(f)(1) of the Regulations or (ii) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, the City will not seek reimbursement for any original expenditures with respect to the foregoing projects paid more than 60 days prior to the date of adoption of this resolution. All original expenditures for which reimbursement is sought will be capital expenditures or costs of issuance of the reimbursement bonds.

3. Budgetary Matters. As of the date hereof, there are no City funds reserved, pledged, allocated on a long term basis or

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otherwise set aside (or reasonably expected to be reserved, pledged, allocated on a long term basis or otherwise set aside) to provide permanent financing for the original expenditures related to the projects, other than pursuant to the issuance of the reimbursement bonds. Consequently, it is not expected that the issuance of the reimbursement bonds will result in the creation of any replacement proceeds.

4. Reimbursement Allocations. The City's financial officer shall be responsible for making the "reimbursement allocations" described in the Regulations, being generally the transfer of the appropriate amount of proceeds of the reimbursement bonds to reimburse the source of temporary financing used by the City to make payment of the original expenditures relating to the projects. Each reimbursement allocation shall be made within 30 days of the date of issuance of the reimbursement bonds, shall be evidenced by an entry on the official books and records of the City maintained for the reimbursement bonds, and shall specifically identify the original expenditures being reimbursed.

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>Absent</u>	<u>Absent</u>
Kratochvil	<u>X</u>	_____
Wilcox	<u>X</u>	_____

Thereupon Mayor Sindelar declared said resolution adopted this 19th day of September, 2005.

Craig Sindelar, Mayor

ATTEST:

Jerry Bohnsack, City Administrator

Mr. Dennis Seurer reviewed plans and specifications for Water Tower construction in NW section of Community.

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

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RESOLUTION #05-09-19-05

RESOLUTION APPROVING PLAN AND SPECIFICATIONS
AND ORDERING ADVERTISEMENT FOR BIDS

WHEREAS, pursuant to action of Utility Commission, S E H Inc. has prepared plans and specifications for the construction of 500,000 gallon elevated water storage tank and has presented such plans and specifications to the Council for approval.

WHEREAS, said water storage tank is to be located in NW Sector of New Prague, and

WHEREAS, the tank will service new development and will provide necessary storage to the water system, and

WHEREAS, water rates will be utilized to pay the cost of the tank.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of New Prague, Minnesota that such plans and specifications, a copy of which is attached hereto and made part hereof are hereby approved.

BE IT FURTHER RESOVED that the City Administrator shall prepare and cause to be inserted in official paper and Construction Bulletin an advertisement for bids upon the making of such improvement. The advertisement shall be published for 20 days, shall specify the work to be done, shall state that bids will be opened at 3:00 p.m. Friday, October 14, 2005 at the New Prague City Hall, 118 Central Av. N., New Prague, Minnesota 56071.

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>Absent</u>	<u>Absent</u>
Kratochvil	<u>X</u>	_____
Wilcox	<u>X</u>	_____

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Thereupon Mayor Sindelar declared said resolution adopted this 19th day of September, 2005.

Craig Sindelar, Mayor

ATTEST:

Jerry Bohnsack, City Administrator

Motion Babione, Second Wilcox.

Approve the following consent agenda items:

- A. Approve previous meeting minutes.
- B. Approve claims for payment.
- C. Accept resignation of Gary Meyer on the Park Board.

Motion carried.

The Council acknowledged receipt of check for \$6,853.93 for proceeds from Rick Tietz Alumni Classic Softball Tournament held in conjunction with Dozinky. The Council expressed its appreciation for the donation and thanks the volunteers for their hard work and dedication. Funds to be utilized for future field development.

There being no further business, the meeting was adjourned.

Jerry Bohnsack
City Administrator