

City Council Proceedings

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



City Council Meeting
Monday, October 3, 2005

Prior to business meeting the Council met with Attorney Bob Alsop in attorney client session. Purpose of attorney client session to discuss threatened litigation and claim of Dennis Rohloff for benefits under Section 299A.465.
No action taken.

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

Mr. Jim Morris, Interim Manager of New Prague Golf Club, reviewed with the Council Golf Board action which recommends that the Council reject all the bids received for the proposed Golf Club remodel and addition.

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

RESOLUTION #05-10-03-01

RESOLUTION REJECTING BIDS FOR PROPOSED NEW PRAGUE GOLF COURSE CLUB HOUSE ADDITION AND REMODEL PROJECT

WHEREAS, sealed bids for New Prague Golf Course addition and remodel were received and opened on September 14, 2005, and

WHEREAS, 8 bids were received for the project, and

WHEREAS, the bids were submitted as a base bid and 8 alternates and 1 volunteer alternate, and

WHEREAS, the bid documents and instructions were ambiguous, and

WHEREAS, the bid documents and instructions were susceptible to multiple interpretations as indicated by the bid numbers for Alternate #1 and #5, and

WHEREAS, the multiple interpretations raise questions as to which bid is the low responsible bid, and

WHEREAS, the plans and specifications did not include necessary items such as flooring, mold abatement, basement & locker room upgrade, fire suppression system, fire exits, and

WHEREAS, significant changes to the original plans are necessary.

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NOW THEREFORE BE IT RESOLVED, by the City Council of the City of New Prague that the bids received on September 14, 2005 for the New Prague Golf Club House addition and remodel are hereby rejected.

BE IT FURTHER RESOLVED that the New Prague Golf Board is hereby instructed to revisit the plans and specifications and make the necessary changes to correct all ambiguities.

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 3rd day of October, 2005.

Craig Sindelar, Mayor

ATTEST:

Jerry Bohnsack, City Administrator

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

RESOLUTION # 05-10-03-02

ORDINANCE #205

ORDINANCE ESTABLISHING THE ZONING FOR
253.24 ACRES OF LAND TO THE RL-90 SINGLE FAMILY ZONING DISTRICT,
RM MEDIUM DENSITY RESIDENTIAL ZONING DISTRICT, AND B-2 COMMUNITY
COMMERCIAL ZONING DISTRICT, RAVEN STREAM VILLAGE,
NEW PRAGUE, MINNESOTA

WHEREAS, Raven Stream Village Development, Inc., owner of the following real estate in the County of Scott to wit:

Raven Steam Village First Addition, according to the recorded plat thereof, Scott County, Minnesota; and,
Raven Stream Village Second Addition, according to the recorded plat thereof, Scott County, Minnesota.

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is requesting establishment of the zoning of the property; and,

WHEREAS, the property has recently been annexed into the City of New Prague and zoning districts conforming to the City of New Prague's Zoning Ordinance have not been established; and,

WHEREAS, the New Prague Planning Commission has completed a review of the application for establishment of zoning and made a report (#R2-2005) pertaining to said request for establishing zoning. A copy of said report has been presented to the City Council; and,

WHEREAS, the New Prague Planning Commission on the 21st day of September, 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; and,

WHEREAS, the New Prague City Council finds:

1. The subject property has been annexed into the City of New Prague.
2. The establishment of the land to the RL-90 Single Family Zoning District, RM Medium Density Residential District, and B-2 Community Commercial District complies with the purpose and intent of the 2005 Comprehensive plan.

NOW, THEREFORE BE IT ORDAINED, by the City Council of New Prague, Minnesota, that establishing the zoning of the property is hereby approved as follows:

PROPERTY TO BE ZONED RM - MEDIUM DENSITY RESIDENTIAL:

Lot 1, Block 1, and Outlot D, the Park, and that part of Outlot B, lying northerly of the westerly extension of the north of line of Outlot A, all in RAVEN STREAM VILLAGE FIRST ADDITION, according to the recorded plat thereof.

And Lots 1 through 25, Block 1, and Lots 1 through 11, Block 5, and Lots 1 through 7, Block 6, and Lots 1 through 10, Block 7, and Lots 1 through 6, Block 8, and Lots 1 through 3, Block 9, and that part of Outlots A, and B, all in RAVEN STREAM VILLAGE SECOND ADDITION, according to the recorded plat thereof, lying easterly of the following described line and its northerly extension:

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Commencing at the northwest corner of said Outlot B, thence South 89 degrees 13 minutes 24 seconds East, assumed bearing, along the north line of said Outlot B, a distance of 1045.69 feet; thence South 1 degree 29 minutes 51 seconds West, a distance of 373.47 feet; thence South 7 degrees 47 minutes 55 seconds West, a distance of 60.36 feet; thence South 1 degree 29 minutes 51 seconds West, a distance of 144.50 feet; thence South 9 degrees 58 minutes 03 seconds East, a distance of 136.97 feet; thence South 00 degrees 57 minutes 17 seconds West, a distance of 61.50 feet; thence South 11 degrees 19 minutes 38 seconds East, a distance of 280.01 feet; thence South 12 degrees 32 minutes 12 seconds West, a distance of 65.31 feet; thence South 9 degrees 32 minutes 04 seconds East, a distance of 202.68 feet, to the south line of said Outlot A.

PROPERTY TO BE ZONED RL-90 - LOW DENSITY RESIDENTIAL:

Lot's 1 through 5, Block 2, and Lot's 1 through 8, block 3, and Lot's 1 through 12, Block 4, and Outlots C, D and E, and that part of Outlots A and B, all in RAVEN STREAM VILLAGE SECOND ADDITION, according to the recorded thereof, lying westerly of the following described line, and its northerly extension:

Commencing at the northwest corner of said Outlot B; thence South 89 degrees 13 minutes 24 seconds East, assumed bearing, along the north line of said Outlot B, a distance of 1045.69 feet; thence South 1 degree 29 minutes 51 seconds West, a distance of 373.47 feet; thence South 7 degrees 47 minutes 55 seconds West, a distance of 60.36 feet; thence South 1 degree 29 minutes 51 seconds West, a distance of 144.50 feet; thence South 9 degrees 58 minutes 03 seconds East, a distance of 136.97 feet; thence South 00 degrees 57 minutes 17 seconds West, a distance of 61.50 feet; thence South 11 degrees 19 minutes 38 seconds East, a distance of 280.01 feet; thence South 12 degrees 32 minutes 12 seconds West, a distance of 65.31 feet; thence South 9 degrees 32 minutes 04 seconds East, a distance of 202.68 feet, to the south line of said Outlot A.

PROPERTY TO BE ZONED B-2 - COMMUNITY COMMERCIAL:

Outlots A and G, and that part of Outlot B, lying southerly of the westerly extension of the north of line of Outlot A, RAVEN STREAM VILLAGE FIRST ADDITION, according to the recorded plat thereof.

This Zoning Ordinance Amendment shall become effective 30 days after its publication.

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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 3rd day of October, 2005.

Craig Sindelar, Mayor

ATTEST:

Jerry Bohnsack, City Administrator

Motion Jirik, Second Kratochvil
Approve Developers Agreement for Raven Stream Village #3.
Motion carried.

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

RESOLUTION #05-10-03-03

RESOLUTION OF THE NEW PRAGUE CITY COUNCIL
GRANTING APPROVAL OF THE FINAL PLAT OF RAVEN STREAM VILLAGE
THIRD ADDITION CONSISTING OF TWO LOTS AND THREE OUTLOTS ON
15.125 ACRES IN THE RM MEDIUM DENSITY RESIDENTIAL ZONING
DISTRICT, NEW PRAGUE, MINNESOTA

WHEREAS, Raven Stream Village Development, Inc., owner of the following real estate in the County of Scott to wit:

All of Outlot B, platted in RAVEN STREAM VILLAGE FIRST
ADDITION, City of New Prague, Scott County, Minnesota,
according to the plat thereof.

is requesting final plat approval of Raven Stream Village Third Addition consisting of 2 lots and 3 outlots on 15.125 acres in the RM Medium Density 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

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request, a copy of said report has been presented to the City Council; and,

WHEREAS, the New Prague Planning Commission on the 21st day of September, 2005, 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 staff report and one additional condition noted at the meeting; and,

NOW, THEREFORE BE IT RESOLVED, by the City Council of New Prague, MN, that the Final Plat of Raven Stream Village Third Addition consisting of 2 lots and 3 outlots on 15.125 acres in the RM Medium Density Residential Zoning District is hereby granted contingent upon the following:

1. A title opinion must be reviewed and approved by the City Attorney.
2. Raven Stream Village Development, Inc. must enter into a Developer's Agreement with the City of New Prague.
3. Grading and Construction plans must be approved by the City Engineer, Public Works Director and City Planner.
4. The plat approval is subject to the utility extension permits from the Pollution Control Agency and the Department of Health.
5. A Wetlands Conservation Act "Certificate of No Loss or Exemption" must be filed prior to the final plat approval.
6. The Developer must place a deed notification on the plat in the form of a covenant informing future owners of the adjacent feedlots.
7. The Developer must place a recorded deed notification on the plat in the form of a restrictive covenant or homeowner's association document informing future owners that there a private street and private utilities proposed on Lot 1 Block 1 of the Subdivision, and that full and perpetual responsibility for their maintenance and repair shall be the responsibility of the property owners and not the City of New Prague
8. A temporary cul-de-sac must be added at the east end of 1st Street NW.

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

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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 3rd day of October, 2005.

Craig Sindelar, Mayor

ATTEST:

Jerry Bohnsack, City Administrator

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

RESOLUTION 05-10-03-04

RESOLUTION OF THE NEW PRAGUE CITY COUNCIL
APPROVING A CONDITIONAL USE PERMIT TO ALLOW A CHURCH IN THE RM
MEDIUM DENSITY RESIDENTIAL ZONING DISTRICT,
RAVEN STREAM VILLAGE 3RD ADDITION, NEW PRAGUE, MINNESOTA

WHEREAS, The Church of Jesus Christ of Latter-Day Saints, owner of the following real estate in the County of Scott to wit:

Lot 2, Block 1, Raven Stream Village 3rd Addition, City of New Prague, Scott County, Minnesota, according to the plat thereof.

is requesting a Conditional Use Permit to allow a church in the RM Medium Density Residential Zoning District, Raven Stream Village 3rd Addition, 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 (C6-2005), a copy of said report has been presented to the City Council; and,

WHEREAS, the New Prague Planning Commission on the 21st day of September, 2005, following proper notice held a public hearing

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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 findings contained in staff report C6-2005 and those listed during the Planning Commission Meeting; and,

WHEREAS, the New Prague City Council finds:

The proposed church will not create an excessive burden on existing or proposed parks, schools, streets and other public facilities with serve or are proposed to serve the area in that the church building will provide a permanent place of gathering for the members church that previously does not exist in New Prague. Adequate roads and utilities to service the proposed church and surrounding development are proposed and are being constructed by the subdivision developer.

The proposed use is compatible with the surrounding residential development. Landscaping has been provided around the church building and parking areas.

The proposed church site and building have been designed in an attractive manner that will not adversely affect the adjacent properties. Brick is predominantly used on the walls of the building which will also have paned windows. There are varying rooflines around the entrances and some windows. A steeple will sit atop the sanctuary.

The proposed church is being constructed due to the needs of the growing membership in the Church of Jesus Christ of Latter-Day Saints and the need for a permanent place of worship and for carrying out their daily activities and is therefore reasonably related to the overall needs of the City.

The use is consistent with the purposes of the zoning ordinance and the RM Medium Density Residential Zoning District in that "religious uses including churches and synagogues" are specifically listed as a conditional use in this RM Medium Density Residential Zoning District.

The use is consistent with the Comprehensive Plan for the City which shows the proposed area guided to medium density residential and is also consistent with the transportation plan in that it is located just north of a minor collector street known as 1st Street NW.

Roads adjacent to the proposed church have been designed to adequately handle the traffic. 1st Street NW is a minor collector street which will provide a continuous left hand turn

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lane for eastbound traffic which will provide access to the church's curb cut access on 1st Street NW. No parking is allowed on 1st Street NW adjacent to the church site.

Utilities and roads have been adequately addressed in the Construction Plans by the developer for the first two phases of the Raven Stream Village development. The third phase of the Raven Stream Development, in which the church is located, integrates the roads adjacent to the Church site and surrounding property into the two previous additions.

With the following conditions:

1. The conditional use permit 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. The Conditional Use Permit is issued in accordance with the applicant's preliminary site plan dated 10/3/05 and floor plans and building elevations dated 8/30/05 all on file with the New Prague Planning Department.
3. The conditional use permit is subject to plat approval of Raven Stream Village 3rd Addition. If the plat of Raven Stream Village 3rd Addition is not approved by the City of New Prague, the conditional use permit is void.
4. The applicant, the Church of Jesus Christ of Latter-Day Saints, must comply with all recommendations of the City Engineer and Public Works Director.
5. Prior to issuance of a building permit, the City Engineer must review and approve the proposed drainage and utility plan for the site.
6. Screening must be provided for along the east property line and north property line which meets the ordinance requirements of being between 5' to 6' in height and being at least 50% opaque.
7. The internal sidewalks adjacent to 1st Street NW must connect to the public sidewalk system.
8. The lighting plan for the parking lot must comply with Section 704 of the Zoning Ordinance.
9. 25% of the parking lot must be shaded at full tree maturity as required by Section 717(7) of the Zoning Ordinance.
10. The proposed satellite dish must be 3 meters or less in diameter and must have screening provided for along its north and west sides as shown in the site plan and west side which is not shown on the site plan.
11. If additional land on the east side of the property is obtained in the future for more parking that the satellite

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dish, trash enclosure, and shed must be moved along the east side of the property.

12. The trash enclosure must meet the requirements listed in Section 703 of the zoning ordinance.

13. Grass, plantings, or surfacing material shall be provided in all areas bordering the parking area.

And acknowledging the following variances:

1. A variance is being granted from Section 717 (2)(7)(d) allowing over 50% of the parking area to be located between the building and the street for the first phase of the site development which will become void when the second phase of parking is completed because the site will meet the ordinance requirement.

2. A variance is being granted from Section 718 to allow a nameplate sign larger than 12 sq. ft. in size.

NOW, THEREFORE BE IT RESOLVED, by the City Council of New Prague, MN, that the Conditional Use Permit to allow a church in the RM Medium Density Zoning District is hereby approved, with the above stated conditions.

This Conditional Use Permit is approved effective immediately upon its passage and without publication.

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

	<u>AYES</u>	<u>NAYES</u>
Sindelar	<u>Abstain</u>	<u>Abstain</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 3rd day of October, 2005.

Craig Sindelar, Mayor

ATTEST:

Jerry Bohnsack, City Administrator

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

RESOLUTION 05-10-03-05

RESOLUTION OF THE NEW PRAGUE CITY COUNCIL
GRANTING AN AMENDMENT TO CONDITIONAL USE PERMIT #C8-2004 TO ALLOW A COFFEE SHOP WITH DINING-IN FACILITIES AND TO AMEND THE PARKING REVIEW REQUIREMENT, LOT 1 BLOCK 1 EAST TOWN PLAZA, IN THE B-2 COMMUNITY COMMERCIAL ZONING DISTRICT, NEW PRAGUE, MINNESOTA

WHEREAS, Marvin and Kim Deutsch, owner of the following real estate in the County of LeSueur to wit:

Lot 1 Block 1, East Town Plaza, according to the recorded plat thereof, LeSueur County, Minnesota.

are requesting approval to amend Conditional Use Permit #C8-2004 to allow a coffee shop with dining-in facilities and to amend the parking review requirements removing the original condition #8; and,

WHEREAS, the New Prague Planning Commission has completed a review of the application and made a report pertaining to said request (C8-2004), a copy of said report has been presented to the City Council; and,

WHEREAS, the New Prague Planning Commission on the 21st day of September, 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 C8-2004 and those listed during the Planning Commission Meeting; and,

WHEREAS, the New Prague City Council finds:

1. The proposed coffee shop will not create an excessive burden on parks, schools, streets or other public utilities, and that existing utilities and infrastructure adequately service the proposed uses.
2. The structure in which the coffee shop is proposed to locate has been designed in an attractive manner, meeting design standards for the B2 zoning district as stated in Section 725 of the Zoning Ordinance.
3. The proposed coffee shop is reasonably related to the overall needs of the growing City of New Prague.
4. The proposed coffee shop in this location is consistent with the purposes of the B2 zoning district in which they are

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located, in that the Zoning Ordinance specifically lists fast food restaurants as a conditional use within the district.

5. The proposed use is consistent with the Comprehensive Land Use Plan.

6. The proposed coffee shop will not create an unreasonable amount of traffic, and will not cause traffic hazard or congestion.

7. Utilities, roads, and drainage have been sufficiently provided to the site in which the coffee shop is proposed to locate.

8. A berm and plantings are planned as part of the overall development plan which will help provide a buffer between the residential homes and proposed uses.

And with the following conditions on the coffee shop:

1. There shall be no large scale roasting of coffee beans (over two cups at a time) at the coffee shop.
2. Baking or cooking shall be allowed only if there is no external venting of the equipment. Any baking or cooking requiring a direct vent to the outside shall not be allowed within the coffee shop.

NOW, THEREFORE BE IT RESOLVED, by the City Council of New Prague, MN, that Conditional Use Permit #C8-2004, which allowed the following uses within a strip mall building; health care facilities, banks, professional offices, real estate offices, laundromats, public and quasi public uses, retail and service establishments, except that automobile motorcycle, boat and similar service and repair shops shall not be allowed, hereby be amended to allow a coffee shop with dining-in facilities, and allow removal of Condition #8 from the original Conditional Use Permit #C8-2004, with all other original conditions as approved on 8/2/04 to remain in effect and adding two conditions as stated above.

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

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>	_____

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Thereupon Mayor Sindelar declared said resolution adopted this 3rd day of October, 2005.

Craig Sindelar, Mayor

ATTEST:

Jerry Bohnsack, City Administrator

Mr. Joel Wallen, 716 Main St. E., requested that the Council consider a 4 way stop at the corner of 7th Av. SE and 1st St. SE. Request forwarded to engineering and police department for study.

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

RESOLUTION #05-10-03-06

DESIGNATION OF THE NATIONAL INCIDENT MANAGEMENT SYSTEM
AS THE BASIS FOR ALL INCIDENT MANAGEMENT
IN THE CITY OF NEW PRAGUE

WHEREAS, the President of the United States of America issued Homeland Security Presidential Directive 5 to enhance the ability of the United States to manage domestic incidents by establishing a single, comprehensive national incident management system; and

WHEREAS, the President, in Homeland Security Presidential Directive 5, tasked the secretary of the U.S. Department of Homeland Security to develop and administer a National Incident Management System; and

WHEREAS, the secretary of the U.S. Department of Homeland Security developed and administered the National Incident Management System (NIMS) to provide for interoperability and compatibility among federal, state, and local capabilities, the NIMS will include: a core set of concepts, principles, terminology, and technologies covering the incident command system; multi-agency coordination systems; unified command; training; identification and management of resources (including systems for classifying types of resources); qualifications and certification; and the collection, tracking, and reporting of incident information and incident resources; and

WHEREAS, Minnesota Governor Tim Pawlenty issued Executive Order 05-02: DESIGNATION OF THE NATIONAL INCIDENT MANAGEMENT SYSTEM

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(NIMS) AS THE BASIS FOR ALL INCIDENT MANAGEMENT IN THE STATE OF MINNESOTA; and

WHEREAS, the collective input and guidance from all federal, state, local, and tribal homeland security partners has been, and will continue to be, vital to the development, effective implementation, and utilization of a comprehensive NIMS; and

WHEREAS, it is necessary and desirable that all City of New Prague agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities, and resources will improve the ability of the City of New Prague to utilize federal funding to enhance local and state agency readiness, maintain first responder safety, and streamline incident management processes; and

WHEREAS, the Incident Command System components of the NIMS are already an integral part of various incident management activities throughout the City of New Prague, including current emergency management training programs; and

WHEREAS, the National Commission on Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System; and

NOW, THEREFORE, we do hereby establish the National Incident Management System (NIMS) as the City of New Prague standard for incident management.

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>	_____

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Thereupon Mayor Sindelar declared said resolution adopted this 3rd day of October, 2005.

Craig Sindelar, Mayor

ATTEST:

Jerry Bohnsack, City Administrator

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

RESOLUTION #05-10-03-07

RESOLUTION BY THE CITY OF NEW PRAGUE
PROMOTING THE USE OF INTRASTATE MUTUAL-AID AGREEMENTS

WHEREAS, Chapter 12, Section 12.331 allows for Intrastate Mutual Aid, and direct, timely assistance between jurisdictions is critical; and

WHEREAS, the possibility of the occurrence of natural and other disasters of major size and destructiveness exists and is increasing; and

WHEREAS, there is a need to ensure that preparations of the City of New Prague will be adequate to deal with disasters; generally protect the public peace, health, and safety; and preserve the lives and property of the people of the state; and

WHEREAS, it is necessary to provide for the rendering of mutual aid among the political subdivisions of the state and to cooperate with the federal government with respect to carrying out emergency management functions; and

WHEREAS, it is the policy of Minnesota that all emergency response functions of this state be coordinated to the maximum extent with the comparable functions of the state government, including its various departments and agencies, of other states and localities, and of private agencies of every type, to the end that the most effective preparations and uses may be made of the state's labor supply, resources, and facilities for dealing with any disaster that may occur; and

WHEREAS, the director of each local organization for emergency management may, in collaboration with other public and private agencies within this state, develop or cause to be developed mutual-aid arrangements for reciprocal emergency management aid

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and assistance in an emergency or disaster too great to be dealt with unassisted. These arrangements must be consistent with the local emergency operations plan and, in time of emergency, each local organization for emergency management and its members shall render assistance in accordance with the provisions of the mutual-aid arrangements; and

NOW, THEREFORE, be it resolved that the City of New Prague promotes the efficiency and effectiveness of intrastate mutual aid by designating a [City of New Prague administrator, manager, public safety director, police chief, sheriff (if applicable), fire chief, public works director, or other officer] who, exercising discretion and considering the needs of the political subdivision and its inhabitants, to dispatch equipment and personnel as considered necessary if a danger of fire, hazard, casualty, or another similar occurrence exists outside the political subdivision and by its suddenness it would be impractical for the governing body of the City of New Prague itself to authorize the dispatch of equipment and personnel to combat that emergency or disaster.

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 3rd day of October, 2005.

Craig Sindelar, Mayor

ATTEST:

Jerry Bohnsack, City Administrator

Motion Kratochvil, Second Jirik.
Approve month to month contract with 4-Paws for animal control services at \$760/month.
Motion carried.

Motion Babione, Second Wilcox.
Mr. Joel Wallen representing the Ballroom Board presented the Council with a copy of letter from Ballroom insurance carrier

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which stipulated that the Ballroom should repair the parking lot.

Mr. Wollin was directed to start a dialog with the Golf Club Board to address the parking issue and other issues of mutual concern.

Motion Jirik, Second Kratochvil.

Accept petition to vacate partial utility easement on the South 3.00 feet of the North 10.00 feet of Lot 1, Block 3, Homefield Second Addition and call for a public hearing.

Motion carried.

Motion Babione, Second Wilcox.

Approve the following consent agenda items:

- A. Approve previous meeting minutes.
- B. Approve claims for payment.

Motion carried.

Back yard drainage issues in area between Block 2 Heritage Estates #5, Block 2, Heritage Estates #6 and Block 1, Heritage Estates #2 was discussed. The Council determined that the local tile lines were the responsibility of the adjacent property owners.

There being no further business, the meeting was adjourned.

Jerry Bohnsack
City Administrator