

City Council Proceedings

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



City Council Meeting
Monday, December 17, 2007

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

Mr. Doug Parrott, SEH, reviewed with the Council the Feasibility Report for the proposed 2008 Street Reconstruction Project - Highland Drive and Eclipse Parkway.

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

RESOLUTION #07-12-17-01

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

Highland Drive NE
Eclipse Parkway

street reconstruction, curb and gutter, water main, sanitary sewer, storm sewer reconstruction, and sidewalks, and this report was received by the Council on December 17, 2007.

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 November 15, 2007.

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 1,006,078.00.
2. A public hearing shall be held on such proposed improvement on the 22nd day of January, 2008 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.

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

	<u>AYES</u>	<u>NAYES</u>
Bender	<u>X</u>	_____
Flicek	<u>X</u>	_____
Jirik	<u>X</u>	_____
Kratochvil	<u>X</u>	_____
Wilcox	<u>X</u>	_____

Thereupon Mayor W. A. Bender declared said resolution adopted this 17th day of December, 2007.

W. A. Bender, Mayor

ATTEST:

Jerry Bohnsack, City Administrator

Pursuant to due call and notification a Public Hearing was held to consider petition to vacate Utility Easement over vacated alley located in Block 1, Bohnsack's Addition. (104 4th Av. NW)

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

RESOLUTION #07-12-17-02

ORDER VACATING UTILITY EASEMENT

WHEREAS, a petition for vacation of a utility 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 one week was duly given; and,

WHEREAS, a public hearing on said petition was duly held on the 17th day of December, 2007; and,

WHEREAS, it has been determined that the utility easement was established in 1980 when the alley located on Block 1, Bohnsack's Addition was vacated for the construction of the grocery store and parking lot on the property and the resolution for the alley vacation reserved a utility easement in it's place; and,

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WHEREAS, it is determined that the location of the utility easement is no longer needed because there are no public utilities located under the utility easement; and,

WHEREAS, it is determined that the vacation of the utility easement would be in the interest of the public; and,

NOW THEREFORE BE IT RESOLVED, that said utility easement described as follows:

The utility easement located over the formerly vacated Alley located in Block 1, Bohnsack's Addition to the City of New Prague, According to the Plat Thereof, Scott County, Minnesota.

IS HEREBY VACATED.

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

	<u>AYES</u>	<u>NAYES</u>
Bender	<u>X</u>	_____
Flicek	<u>X</u>	_____
Jirik	<u>X</u>	_____
Kratochvil	<u>X</u>	_____
Wilcox	<u>X</u>	_____

Thereupon Mayor Bender declared said resolution adopted this 17th day of December, 2007.

W. A. Bender, Mayor

ATTEST:

Jerry Bohnsack, City Administrator

Renee Christianson reviewed the progress of the Rental Task Force Committee. Consensus of the Task Force was the number of rentals in a specific area should be regulated.

The Council discussed the merits of initiating a rental Ordinance.

Consensus of the Council is that further investigating should be done by the Task Force.

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Discussion of alley vacation in Hlinkas Addition was held. Consensus of the Council was that there was no pertinent reason to vacate at this time.

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

RESOLUTION #07-12-17-03

RESOLUTION ACCEPTING RAVEN STREAM VILLAGE FIRST ADDITION

Whereas, pursuant to development agreement dated August 18, 2005, Raven Stream Village Development, Inc has satisfactorily completed the majority of the improvements within Raven Stream Village First Addition in accordance with such development agreements; and

Whereas, City staff has inspected said improvements and found that the project is complete subject to completion of the items shown on the Raven Stream Village Work Order dated 12/11/07; and

Whereas, financial securities are in place to ensure completion of remaining work order items as identified on Raven Stream Village Work Order dated 12/11/07; and

Whereas, necessary warranties are in place in the form of maintenance bonds;

Now Therefore Be It Resolved by the City Council of the City of New Prague that the improvements constructed and completed by Raven Stream Village Development, Inc. for Raven Stream Village First Addition are hereby accepted and approved subject to completion of the remaining work order items as stated in the 12/11/07 memo, and construction of a sidewalk located on the north side of Lot 1 Block 2 Raven Stream Village Second Addition; and

Be IT Further Resolved that the remaining work order items must be completed by June 1, 2008, and the sidewalk construction must be completed when the adjacent development to the west is completed.

Be It Further Resolved that the warranty period for work completed begins this 17th day of December, 2007.

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

	<u>AYES</u>	<u>NAYES</u>
Bender	<u>X</u>	_____
Flicek	<u>X</u>	_____
Jirik	<u>X</u>	_____
Kratochvil	<u>X</u>	_____
Wilcox	<u>X</u>	_____

Thereupon Mayor W. A. Bender declared said resolution adopted this 17th day of December, 2007.

W. A. Bender, Mayor

ATTEST:

Jerry Bohnsack, City Administrator

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

RESOLUTION #07-12-17-04

RESOLUTION ACCEPTING RAVEN STREAM VILLAGE SECOND ADDITION

WHEREAS, pursuant to development agreement dated October 4, 2005, Raven Stream Village Development, Inc. has satisfactory completed the improvements to Raven Stream Village Second Addition in accordance with such development agreements.

WHEREAS, City Staff has inspected said improvements and recommends acceptance.

WHEREAS, necessary warranties are in place.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of New Prague that the improvements constructed and completed by Raven Stream Village Development, Inc., Raven Stream Village Second Addition are hereby accepted and approved.

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

	<u>AYES</u>	<u>NAYES</u>
Bender	<u>X</u>	_____
Flicek	<u>X</u>	_____
Jirik	<u>X</u>	_____
Kratochvil	<u>X</u>	_____
Wilcox	<u>X</u>	_____

Thereupon Mayor W. A. Bender declared said resolution adopted this 17th day of December, 2007.

W. A. Bender, Mayor

ATTEST:

Jerry Bohnsack, City Administrator

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

RESOLUTION #07-12-17-05

RESOLUTION ACCEPTING RAVEN STREAM VILLAGE THIRD ADDITION

WHEREAS, pursuant to development agreement dated October 10, 2005, Raven Stream Village Development, Inc. has satisfactory completed the improvements to Raven Stream Village Third Addition in accordance with such development agreements.

WHEREAS, City Staff has inspected said improvements and recommends acceptance.

WHEREAS, necessary warranties are in place.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of New Prague that the improvements constructed and completed by Raven Stream Village Development, Inc., Raven Stream Village Third Addition are hereby accepted and approved.

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

	<u>AYES</u>	<u>NAYES</u>
Bender	<u>X</u>	_____
Flicek	<u>X</u>	_____
Jirik	<u>X</u>	_____
Kratochvil	<u>X</u>	_____
Wilcox	<u>X</u>	_____

Thereupon Mayor W. A. Bender declared said resolution adopted this 17th day of December, 2007.

W. A. Bender, Mayor

ATTEST:

Jerry Bohnsack, City Administrator

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

RESOLUTION #07-12-17-06

RESOLUTION ADOPTING 2007 PAYABLE 2008 TAX LEVY

WHEREAS, Truth in Taxation Hearing was held on Monday, December 10, 2007.

WHEREAS, 2008 general operation budget was presented and considered at the City Council meeting on Monday, December 10, 2007.

WHEREAS, a net 2007 payable 2008 levy is necessary to support the proposed budget for 2008.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of New Prague that the 2007 payable 2008 Net Tax Capacity Levy for the City of New Prague is hereby set at \$3,265,000.00 and the Market Value Based Levy is set at \$57,000.00.

BE IT RESOLVED that the City Administrator is hereby authorized to certify copies of this resolution to the County Auditors of Scott and Le Sueur Counties, Minnesota.

BE IT RESOLVED that the 2008 general operation budget is approved.

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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>
Bender	<u>X</u>	_____
Fliccek	<u>X</u>	_____
Jirik	<u>X</u>	_____
Kratochvil	<u>X</u>	_____
Wilcox	<u>X</u>	_____

Thereupon Mayor Bender declared said resolution adopted this 17th day of December, 2007.

W. A. Bender, Mayor

ATTEST:

Jerry Bohnsack, City Administrator

Discussion of the Economic Impact Study Request for the Proposal was held.

Motion Wilcox, Second Jirik
Approve Economic Impact Study Request for Proposals for proposed annexation in Lanesburgh Township.
Motion carried.

Motion Wilcox, Second Fliccek
Approve the following consent agenda items:

- A. Approve previous meeting minutes.
- B. Approve claims for payment.
- C. Approve MN Lawful Gambling Application for Exempt Permit for St. Patrick Athletic Association at the K C Hall on January 25, 2008.
- D. Approve MN Lawful Gambling Application for Exempt Permit for Le Sueur County Pheasants Forever at the Park Ballroom on April 5, 2008.
- E. Approve MN Lawful Gambling Application to conduct Off-Site Gambling for the New Prague Firemens Relief Association at the Knights of Columbus Hall on February 1, 2008.

Motion carried.

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Motion Jirik, Second Flicek.

Appoint Scott County Joint Prosecution as Criminal Attorney for City of New Prague.

Motion carried.

Motion Wilcox, Second Flicek

Authorize payment of balloon payment for Contract for Deed with Arnie Tupy.

Motion carried.

Prior to adjournment, the Council met in executive session to review 2007 City Administrator evaluation.

No action taken.

There being no further business, the meeting was adjourned.

Jerry Bohnsack
City Administrator