

City Council Proceedings

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



City Council Meeting
Monday, October 16, 2006

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

Mr. Ralph Malz, candidate for Scott County Commissioner District 1, was present and introduced himself to the Council.

Mr. Ken Norland, Manager of New Prague Golf Club, reviewed with the Council present financial position of the New Prague Golf Course. Operation projected to incur a loss of \$90,000.00 for the 2006 year. Golf Board to work toward break even point by altering operations, marketing, reduced hours, and focusing on golf and events.

Motion Jirik, Second Kratochvil.
Approve 2nd reading of Ordinance Amending Section 110.15 of New Prague City Code. (Sunday Liquor Hours)
Motion carried.

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

RESOLUTION #06-10-16-01

RESOLUTION ADOPTING AMENDMENT TO SECTION 110.15 (G)
OF NEW PRAGUE CODE OF ORDINANCES

WHEREAS, public hearing was held on Monday October 2, 2006 to consider Sunday Liquor hours of operation, and

WHEREAS, the first reading of proposed amendment 110.15 (G) was held on October 2, 2006.

WHEREAS, the Council approved the first reading of 110.15 (G) on October 2, 2006.

WHEREAS, the 2nd reading was held on October 16, 2006.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of New Prague that Section 110.15 (G) of the New Prague Code of Ordinances is hereby amended and adopted to read as follows:

Section 110.15 (G)

Intoxicating Liquor, Sunday Sales On-Sale

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A special license authorizing sales of intoxicating liquor on Sunday in conjunction with the serving of food may be issued to any hotel, restaurant, bowling center or club which has facilities for seating at least 30 guests at one time, and which has an on-sale license.

A restaurant, club, bowling center, or hotel with a seating capacity for at least 30 persons which holds an on-sale intoxicating liquor license may sell intoxicating liquor for consumption on the premises in conjunction with the sale of food between the hours of 12:00 noon on Sundays and 1:00 A.M. on Mondays.

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

	<u>AYES</u>	<u>NAYES</u>
Sindelar	<u>Absent</u>	<u>Absent</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 Vice Chair Wilcox declared said resolution adopted this 16th day of October, 2006.

Kay Wilcox, Vice Chair

ATTEST:

Jerry Bohnsack, City Administrator

Renee Christianson briefed the Council on plans to reconstruct a segment of Le Sueur Co. Rd. 29 adjacent to Tikalsky Acres.

Motion Jirik, Second Babione.

Approve ambulance billing agreement between City of New Prague and Advantage Billing Concepts, Inc. of \$25.00 per run billed. Motion carried.

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

RESOLUTION #06-10-16-02

RESOLUTION OF THE NEW PRAGUE CITY COUNCIL INDICATING INTENT
TO PARTICIPATE IN THE COSTS OF CERTAIN IMPROVEMENTS TO
TRUNK HIGHWAY 19/13 FROM ALTON AVENUE TO 10TH AVENUE SE / SCOTT
CSAH 37, NEW PRAGUE, MINNESOTA

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WHEREAS, The Minnesota Department of Transportation (Mn\DOT) proposes to make certain improvements on a portion of T.H. 19/ located in the City of New Prague under State Project (S.P.) 4003-21; and

WHEREAS, It is the City's desire that the State include, in this project letting, certain improvements which include sanitary sewer, storm sewer, water, lighting and aesthetic improvements; and

WHEREAS, the Minnesota Department of Transportation Policy and Procedures for Cooperative Construction Projects with Local Units of Government, the City will have a participation in the cost for this work and the City share for this work is estimated to be \$385,000 not including City items such as sanitary sewer, water, lighting, or aesthetics.

WHEREAS, Mn\DOT has requested that the City formally indicate its intent to participate in the costs of certain improvements including a traffic control signal, necessary improvements to local roads located outside of their rights of ways, water, sanitary sewer, storm sewer, lighting and other improvements requested by the City and in accordance with Mn/DOT's "Policy and Procedures for Cooperative Construction Projects with Local Units of Government" dated June, 2001; and

BE IT FURTHER RESOLVED that, following approval by the Minnesota Department of Transportation of plans and specifications for the improvement of said trunk highway and, before a contract is awarded for the construction of said improvements, the City shall enter into an agreement with the State which shall provide that the City shall pay its share of the cost of the requested improvements as determined by the State in accordance with the latest "Policies and Procedures for Cooperative Construction Projects with Local Units of Government" (a copy of which has been received by the City).

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

	<u>AYES</u>	<u>NAYES</u>
Sindelar	<u>Absent</u>	<u>Absent</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>

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Thereupon Vice Chair Wilcox declared said resolution adopted this 16th day of October, 2006.

Kay Wilcox, Vice Chair

ATTEST:

Jerry Bohnsack, City Administrator

Dennis Seurer reviewed with the Council a draft water conservation plan. Draft plan proposes an odd-even address system of outside watering at all times. Water conservation plan is mandated by MN Department of Natural Resources.

Motion Babione, Second Jirik.

Approve the following consent agenda items:

- A. Approve Previous Meeting Minutes
- B. Approve Claims for Payment.

Motion carried.

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

RESOLUTION #06-10-16-03

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:

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

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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>
2007 CIP	1,500,000
Water Well #6	650,000
Wastewater Treatment Plant Planning Engineering and Construction	22,000,000
Public Safety Building	2,000,000

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 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

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

	<u>AYES</u>	<u>NAYES</u>
Sindelar	<u>Absent</u>	<u>Absent</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 Vice Chair Wilcox declared said resolution adopted this 16th day of October, 2006.

Kay Wilcox, Vice Chair

ATTEST:

Jerry Bohnsack, City Administrator

The City Administrator briefed the Council on need for policy or ordinance governing encroachments placed in boulevards.

There being no further business, the meeting was adjourned.

Jerry Bohnsack
City Administrator