

City Council Proceedings

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



City Council Meeting
Monday, June 5, 2006

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

Police Chief Mark Vosejпка updated the Council on police interviews and recommended the employment of Mr. Timothy Applen as police patrolman.

Motion Wilcox, Second Babione
Approve the employment of Mr. Timothy Applen as police patrol officer. Salary as per contract with LELS.
Motion carried.

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

RESOLUTION #06-06-05-01

RESOLUTION ADOPTING ASSESSMENT

WHEREAS, Public hearing to adopt assessment roll for 2006 Capital Improvement Street Reconstruction was held.

WHEREAS, representatives of Parcel #23-675-0100 submitted a written assessment appeal at the public hearing.

WHEREAS, the assessment roll less parcel #23-675-0100 was adopted on March 20, 2006.

WHEREAS, City Staff has met with representatives of Parcel #23-675-0100 to determine the validity of the appeal, and

WHEREAS, Parcel #23-675-0100 is a unique parcel with street reconstruction on 3 sides of the property, and

WHEREAS, there is no benefit for the property from the reconstruction of 2nd St. SW, and

WHEREAS, the frontage on 1st St. SW has the benefit of one commercial unit, and

WHEREAS, the frontage on 2nd Av. SW has the benefit of 4 commercial units.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of New Prague that the special assessment for Parcel #23-675-0100

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is hereby established at \$49,897.00. Terms of said assessment shall be as stipulated in Council Resolution 06-03-20-09.

BE IT FURTHER RESOLVED City Administrator shall certify said assessment to the Le Sueur County Auditor.

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 June, 2006.

Craig Sindelar, Mayor

ATTEST:

Jerry Bohnsack, City Administrator

Motion Wilcox, Second Sindelar.

Deny conditional use permit C4-2006. Rod Tietz to advertise and sell storage shed at 226 Main St. E.

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>	_____

Motion failed.

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

RESOLUTION #06-06-05-02

RESOLUTION OF THE NEW PRAGUE CITY COUNCIL
APPROVING A CONDITIONAL USE PERMIT TO ALLOW EXTERIOR STORAGE
OF SHEDS FOR DISPLAY AND SALE IN THE B-1 CENTRAL BUSINESS
ZONING DISTRICT, NEW PRAGUE, MINNESOTA

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WHEREAS, Rodney P. and Michelle Tietz, owners of the following real estate in the County of LeSueur to wit:

The Easterly 21 feet of Lot Numbered 1 in Block Numbered 10 of that part of the Village now City of New Prague, LeSueur County, Minnesota AND ALSO That part of the Northwest Quarter of the Northeast Quarter, Section 3, Township 112, Range 23, LeSueur County, Minnesota described as follows: Commencing at the Northeast corner of Lot Numbered 1 in Block Numbered 10, of that part of the Village, now City, of New Prague, LeSueur County, Minnesota; thence running East 66 feet; thence south 151.75 feet; thence West 66 feet; thence North 151.75 feet to the place of beginning.

are requesting a Conditional Use Permit to allow exterior storage of sheds for display and sale in the B-1 Central Business Zoning District, which is to be located on 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 (C4-2006), a copy of said report has been presented to the City Council; and,

WHEREAS, the New Prague Planning Commission on the 24th day of May, 2006, following proper notice held a public hearing regarding the request, and following due consideration of presented testimony and information, voted on a thee to two vote to forward the matter to the City Council with a recommendation for denial subject to findings listed during the Planning Commission Meeting and included in the meeting minutes; and,

WHEREAS, the New Prague City Council finds:

- A. The placement of one shed as a sales display on the property will not create a burden on parks, schools, streets or other public facilities which serve the area.
- B. The placement of one shed as a sales display on the property will be sufficiently compatible with the adjacent residential property to the south so as to not have a depreciating affect on its value.
- C. The shed proposed to be stored and placed on the property will be attractively designed, and include architectural features such as shutters, window boxes, or dormers, and for this reason, will not have an adverse effect upon adjacent residential properties.
- D. The exterior storage and sale of sheds will provide a product that is not currently available in the area and is therefore related to the overall needs of the City.

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- E. The B1 Zoning District in which the property is located is established for retail purposes and to encourage a viable downtown area. The exterior storage and sale of sheds is a retail function which is consistent with the purposes of the B1 Zoning District.
- F. The proposed exterior storage and sale of sheds is not in conflict with the Comprehensive Plan of the City which guides the area to a business zoning district.
- G. The storage of only one shed to be used for sales display purposes will not cause traffic hazard or congestion.
- H. Adequate utilities, roads and drainage are provided to the site.

NOW, THEREFORE BE IT RESOLVED, by the City Council of New Prague, MN, that the Conditional Use Permit to allow exterior storage of sheds for display and sale on the above described property in the B-1 Central Business Zoning District is hereby approved subject to 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 exterior storage of sheds shall be limited to an approximate 24' x 24' area as shown on the approved site plan dated 5/15/06. The sheds must be set back a minimum of 10' from the front property line, and a minimum of 6' from the easterly property line.
3. The exterior storage of sheds on the property shall be limited to one shed at a time.
4. Any shed placed on the property for display or sale shall be attractively designed and integrate features such as shutters, window boxes, or dormers that compliment the historical downtown.
5. Any shed placed on the property for display or sale shall not exceed 120 square feet in size, and shall not exceed 10' in height.
6. Any signs advertising the sheds for sale will need to meet the requirements of Section 718 of the Zoning Ordinance.
7. The property shall be kept neat and orderly at all times.

This Conditional Use Permit is approved 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> </u>	<u> <u>X</u> </u>
Babione	<u> <u>X</u> </u>	<u> </u>
Jirik	<u> <u>X</u> </u>	<u> </u>
Kratochvil	<u> <u>X</u> </u>	<u> </u>
Wilcox	<u> </u>	<u> <u>X</u> </u>

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

Craig Sindelar, Mayor

ATTEST:

Jerry Bohnsack, City Administrator

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

RESOLUTION # 06-06-05-03

RESOLUTION OF THE NEW PRAGUE CITY COUNCIL
APPROVING A VARIANCE TO ALLOW A 20' VARIANCE FROM THE
REQUIREMENT THAT SINGLE FAMILY RESIDENCES BE SETBACK A MINIMUM
OF 30' FROM A FRONT PROPERTY LINE TO ALLOW AN ATTACHED HOME AND
GARAGE ADDITION TO BE 10' FROM THE FRONT PROPERTY LINE ALONG 4TH
STREET NE IN THE RL-90 SINGLE FAMILY RESIDENTIAL ZONING
DISTRICT, NEW PRAGUE, MINNESOTA

WHEREAS, Donna M. Schumacher (fka Donna M. Novotny) owner of the following real estate in the County of Scott to wit:

All that part of the Northwest Quarter of the Southeast Quarter of Section 34, Township 113, Range 23, Scott County, Minnesota, described as follows: Commencing at a point 240' North of the Northwest corner of Block 4, Park Addition to New Prague, thence running North 56.7'; thence running East 167.5', thence running South 56.7', thence running West 167.5' to the point of beginning, excepting there from the East 15'.

is requesting a variance to allow a 20' variance from the requirement that single family residences be setback a minimum of 30' from a front property line to allow an attached home and garage addition to be 10' from the front property line along 4th Street NE in the RL-90 Single Family Residential Zoning District; and,

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WHEREAS, the New Prague Planning Commission has completed a review of the application and made a report pertaining to said request (V1-2006), a copy of said report has been presented to the City Council; and,

WHEREAS, the New Prague Planning Commission on the 24th day of May, 2006, after 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. Exceptional circumstances apply to the property because the applicant owns a corner lot of only 56.7' in width. Once all the setbacks are accounted for it only provides for a 19.7' wide by 92.5' buildable area for additions to the home or the addition of a garage. The lot was created before current zoning ordinance was adopted.
2. The literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the zoning ordinance because the property is a narrow corner lot, the buildable area on the lot is unreasonably small compared to other lots in the area that are not located on a corner. Furthermore, all the homes located on the south side of 4th Street NE between Lincoln Ave. N. and Lyndale Ave. N. are all affected by the terms of the ordinance as none of them currently meets the 30' setback along 4th Street NE and all would require a variance in order to add onto their homes.
3. Special circumstances do not exist as a result of the actions of the applicant because the lot was created at a very narrow width for a corner lot well before the adoption of the current zoning ordinance. It is the narrow width of the lot and the only 19.7' wide buildable area that is the special condition.
4. Granting the variance would not confer a special privilege in that all other structures within the two block area along the south side of 4th Street NE between Lincoln Ave. N. and Lyndale Ave. N. all do not meet the currently required 30' front setback to 4th Street NE. None of the structures in this area on the south side of the road are more than 15' from the 4th Street NE property line.
5. The variance being requested is the minimum variance which would alleviate hardship of having a very narrow buildable area on the lot. The proposed home and garage addition is proposed to line up with the edge of the existing home and not be any closer to the north property line so that on the

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SE corner of the home an existing corner kitchen window can remain on the existing structure.

- 6. The variance being requested would not be materially detrimental to the purpose of this zoning ordinance or other property in the same area because other homes along the south side of 4th Street NE between Lincoln Ave. N. and Lyndale Ave. N are located no further than 15' from the property lines along 4th Street NE and because the proposed attached home and garage addition will not be any closer to the property line than the existing detached garage that will be removed on the property.

NOW, THEREFORE BE IT RESOLVED, by the City Council of New Prague, Minnesota, that the request for variance #V1-2006, to allow a 20' variance from the requirement that single family residences be setback a minimum of 30' from a front property line to allow an attached home and garage addition to be 10' from the front property line along 4th Street NE in the RL-90 Single Family Residential Zoning District, as proposed by Donna Novotny (Schumacher) is hereby approved based on the above findings and with the following condition.

- 1. The garage portion of the addition must be setback a minimum of 11' from the north property line along 4th Street NE to maximize the length of the driveway on the property outside of the right of way.

This Variance approval becomes 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>	_____

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

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 #06-06-05-04

RESOLUTION OF THE NEW PRAGUE CITY COUNCIL
GRANTING APPROVAL OF THE FINAL PLAT OF SAYLER SUBDIVISION
CONSISTING OF ONE LOT ON .18 ACRES IN THE B-3 HIGHWAY COMMERCIAL
ZONING DISTRICT, NEW PRAGUE, MINNESOTA

WHEREAS, Gregory A. and Jennifer O. Sayler, owners of the following real estate in the County of LeSueur to wit:

That part of the Northwest Quarter of Section 3, Township 112, Range 23, LeSueur County, Minnesota described as follows: Beginning at a point 310.00 feet West and 275.00 feet South of the Southeast corner of Block 2, Suchomel's Section Addition in said LeSueur County; thence North parallel with the Southerly extension of the east Line of said Block 2 a distance of 75.00 feet; thence East parallel with the South line of said Block 2 a distance of 193.50 feet thence South parallel with the Southerly extension of the East line of said Block 2 a distance of 75.00 feet; thence West parallel with the south line of said Block 2 a distance of 193.50 feet to the point of beginning, Except that part of the above described property which lies East of the Westerly right of way line of the Minnesota Trunk Highway Number 21 and 13.

are requesting final plat approval of Sayler Subdivision consisting of 1 lot on .18 acres in the B-3 Highway Commercial 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 24th day of May, 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 staff report; and,

NOW, THEREFORE BE IT RESOLVED, by the City Council of New Prague, MN, that the Final Plat of Sayler Subdivision consisting of 1 lot on .18 acres in the B-3 Highway Commercial Zoning District is hereby approved with the following findings:

1. The preliminary plat complies with the purpose and intent of the New Prague Comprehensive Plan and Subdivision Ordinance.

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2. The plat proposes only to re-establish the existing lot line of the existing property currently described by metes and bounds. This is required because the Zoning Ordinance Section 401 does not allow building permits for new developments to be issued on land described by metes and bounds.

And with the following conditions:

1. Approval is granted in accordance with the preliminary plat drawing dated 5/2/06 and final plat drawing dated 4/28/06 on file with the New Prague Planning Department.
2. A title opinion must be approved by the City Attorney before final plat approval.
3. The final plat must be recorded within 90 days of the date of the City Council granting approval.
4. The 40' creek buffer area must be shown on the Final Plat as a part of the drainage and utility easement on the property.

And noting the following variances:

1. A variance is being noted from the minimum lot width of 80' in order to allow the existing lot dimension of 75' width to be re-established with the plat because the applicant does not own the adjacent land to meet the minimum lot width requirement.
2. A variance is being noted from the minimum lot size requirement of 20,000 sq. ft. (.459 acres) in order to allow the existing lot size of .18 acres to be re-established with the plat because the applicant does not own the adjacent land to meet the minimum lot size requirement.
3. Park land dedication is not being required because the lot lines are simply being platted in the same location because the property was previously described by metes and bounds.

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>	<u> </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 5th day of June, 2006.

Craig Sindelar, Mayor

ATTEST:

Jerry Bohnsack, City Administrator

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

RESOLUTION #06-06-05-05

RESOLUTION OF THE NEW PRAGUE CITY COUNCIL
APPROVING AN 8' VARIANCE FROM THE HEIGHT REQUIREMENT IN THE I1 ZONING DISTRICT, BY ALLOWING A 58' HIGH BUILDING WHICH IS HIGHER THAN THE MAXIMUM ALLOWED HEIGHT OF 50', LOCATED IN THE I1 INDUSTRIAL ZONING DISTRICT, NEW PRAGUE, MINNESOTA

WHEREAS, MVE, Inc, owner of the following real estate in the County of Scott to wit:

Outlots 6 - 8, New Prague Outlots, according to the recorded plat thereof, Scott County, Minnesota.

is requesting an 8' variance from the 50' maximum height requirement in the I1 Zoning District to allow a 58' high building at 407 7th Street NW; and,

WHEREAS, the New Prague Planning Commission has completed a review of the application and made a report pertaining to said request (V2-2006), a copy of said report has been presented to the City Council; and,

WHEREAS, the New Prague Planning Commission on the 24th day of May, 2006, after due consideration of presented testimony and information, voted unanimously to forward the matter to the City Council with a recommendation for approval; and,

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WHEREAS, the New Prague City Council finds:

1. The City of New Prague enacted a zoning ordinance in 2000 which limited the maximum height of a building to 50'. Prior to this there was no height limitation placed on buildings in the I1 zoning district. By 2000 the owners of the company had already made a substantial investment in buildings and equipment that required a 57'7" building height. An extenuating circumstance over which the owners of the property have had no control. Not being able to expand the building at this location would limit the owner's ability to compete in the manufacturing of large scale cryogenic tanks.
2. The literal interpretation of the Zoning Ordinance, which limits building heights in the I1 zoning district to a maximum height of 50', would deprive the applicant of the ability remain competitive in manufacturing large scale cryogenic tanks.
3. A special circumstance exists over which the owners of the property have had no control. The owners of Chart Industries constructed a 57'7" high building in 1980 that met the requirements of the New Prague Zoning Ordinance, and thus, made substantial economic investments in the building used to manufacture large cryogenic tanks. Chart Industries has determined that, in order to remain competitive in the manufacturing of these large cryogenic tanks, it is necessary to expand the 58' high manufacturing facility. The enactment of New Prague's zoning controls which limit the maximum height of a building to 50' is a circumstance over which the applicant has had no control.
4. The height variance being requested is the minimum variance that would accommodate the two existing 45 ton bridge cranes that are already within the adjacent building and that must be used in the building addition, thereby alleviating the hardship.
5. The variance being requested would not be materially detrimental to the purpose of this zoning ordinance or other property in the same area because a structure that is 57' 7" high exists on the site today and has not caused an adverse affect to the neighborhood.

NOW, THEREFORE BE IT RESOLVED, by the City Council of New Prague, Minnesota, that the request for variance #V2-2006, to allow an 8' variance from the 50' height requirement in the I1 zoning district to allow a 58' high building at 407 7th Street NE is hereby approved based on the above findings and with the following conditions:

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1. The variance is issued for a period of one year and shall become null and void if not issued within one year.
2. The variance is issued to allow a 100' x 120' building addition as shown on the site plan dated 5/16/06.

This Variance approval becomes effective immediately upon its passage and without publication.

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 June, 2006.

Craig Sindelar, Mayor

ATTEST:

Jerry Bohnsack, City Administrator

Motion Wilcox, Second Sindelar
Approve second reading of Ordinance Amendment regulating Outdoor Wood Boilers.

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	_____	_ X _
Wilcox	<u>X</u>	_____

Motion carried.

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

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RESOLUTION #06-06-05-06

ORDINANCE AMENDING SECTION 302 OF THE
NEW PRAGUE ZONING ORDINANCE #187 BY ADDING A DEFINITION
FOR OUTDOOR WOOD-FIRED BOILERS AND ADDING SECTION 731
BANNING THE INSTALLATION OF OUTDOOR WOOD-FIRED BOILERS,
NEW PRAGUE, MINNESOTA

WHEREAS, The City of New Prague Planning Department is requesting an amendment to Section 302 of the New Prague Zoning Ordinance #187 by adding a definition for outdoor wood-fired boilers and adding Section 731 banning the installation of outdoor wood-fired boilers; 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 22nd day of March, 2006, following proper notice held a public hearing regarding the request, and following due consideration of presented testimony and information, voted 3 - 1 to forward the matter to the City Council with a recommendation for approval; and,

WHEREAS, the New Prague City Council on the 3rd day of April, 2006 and the 17th day of April, 2006 discussed an ordinance banning the outdoor wood fired boilers as well as an ordinance regulating the outdoor wood fired boilers and ultimately referred the matter back to the Planning Commission for further review; and,

WHEREAS, the New Prague Planning Commission on the 24th day of May, 2006 reiterated their previous recommendation by forwarding the matter to the City Council once again with a unanimous vote with a recommendation for approval for a ban on the installation of the outdoor wood-fired boiler units; and,

WHEREAS, the New Prague City Council finds:

1. The ordinance amendment complies with the purpose and intent of the New Prague Comprehensive Plan.
2. The ordinance amendment provides for the banning of the installation of Outdoor Wood-Fired Boilers which have been determined to be a threat to the public health, safety and welfare of the residents of the City because of the pollutants in the emissions from the units.

NOW, THEREFORE BE IT ORDAINED, by the City Council of New Prague, Minnesota, that the amendment to Section 302 and

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addition of Section 731 to the New Prague Zoning Ordinance #187 is hereby approved as written.

Add the following definition to Section 302 of the Zoning Ordinance.

Outdoor Wood-Fired Boiler - A fuel burning device designed: (1) to burn primarily wood by hand-firing; (2) not to be located inside structures ordinarily occupied by humans; and, (3) to heat spaces or water by the distribution through pipes of a fluid heated in the device, typically water. Examples of common uses of outdoor wood-fired boilers include: residential or commercial space heating, heating of domestic hot water, and heating of water for swimming pools, hot tubs or whirlpool baths.

Add the following as a new section 731 to the Zoning Ordinance titled "Outdoor Wood-Fired Boilers".

731 Outdoor Wood-Fired Boilers

Purpose:

It is generally recognized that the types of fuel used, and the scale and duration of burning by outdoor wood burning furnaces, creates noxious and hazardous smoke, soot, fumes, odors and air pollution, can be detrimental to citizens' health, and can deprive neighboring residents of the enjoyment of their property or premises. Therefore, with the adoption of this article, it is the intention of the City of New Prague to establish and impose restrictions upon the construction and operation of outdoor wood burning furnaces within the limits of the City for the purpose of securing and promoting the public health, comfort, convenience, safety, welfare and prosperity of the City and its inhabitants.

Prohibition:

No person shall install or allow the installation of an Outdoor Wood-Fired Boiler as defined in this Zoning Ordinance within the New Prague City Limits.

This Zoning Ordinance Amendment shall become effective upon its publication.

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

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

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

Craig Sindelar, Mayor

ATTEST:

Jerry Bohnsack, City Administrator

Mr. Bruce Lyman, Chart Industries, reviewed with the Council Chart's business and expansion plans.

Mr. Pat Rogers, Scott County Historical Society, reviewed with the Council a Smithsonian exhibit sponsored by the Society on July 1 to August 8, 2006. (Key Ingredients America by Food)

Pursuant to due call and notification a public hearing was held to consider 2007-2011 City of New Prague Capital Improvement Plan.

Administrator Bohnsack reviewed each year of the draft plan with the Council and audience.

After all comments were addressed, the public hearing was adjourned.

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

RESOLUTION #06-06-05-07

RESOLUTION ADOPTING 2007-2011
CAPITAL IMPROVEMENT PLAN

WHEREAS, the City of New Prague City Council has identified necessary Capital projects.

WHEREAS, a Capital Improvement Plan for the years 2007 to 2011 has been prepared.

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WHEREAS, a Capital Improvement Plan is a valuable tool in providing necessary maintenance and replacement of assets used in providing services to the residents of the community,

WHEREAS, the Capital Improvement plan is prepared to meet the criteria in MN State Statutes Section 475.521,

WHEREAS, pursuant to due call and notification a public hearing was held on Monday, June 5, 2006 to consider said Capital Improvement plan,

WHEREAS, after public hearing the City Council has determined that the Capital Improvement Plan is an important tool for the orderly management and development of the City of New Prague,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of New Prague that the 2007-2011 Capital Improvement Plan is hereby adopted.

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 June, 2006.

Craig Sindelar, Mayor

ATTEST:

Jerry Bohnsack, City Administrator

Mr. Gary Groan reviewed with the Council the 2005 City of New Prague Audit Report.

Motion Jirik, Second Kratochvil.
Approve 2005 City of New Prague Audit Report.
Motion carried.

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Motion Jirik, Second Babione.
Authorize the engagement of S E H as engineers to provide engineering services, design and construction engineering, for the TH 21/6th St. NW realignment project - engineering cost \$64,570.00.

Motion carried.

Motion Babione, Second Jirik.

Approve the following consent agenda items:

- A. Approve Previous Meeting Minutes
- B. Approve Claims for Payment.
- C. Approve Change Order #1 - Skate Park/Sliding Hill Park
- D. Approve Joint Powers Agreement with Scott County for Assessment.
- E. League of MN Cities Insurance Trust Liability Coverage Waiver (City of New Prague does not waive monetary limits - present practice.)
- F. Scott County Maintenance Agreement CSAH 37 & County 15 (Columbus Av. N.)
- G. March & April, 2006 General Fund Financial
- H. Award Seal Coat Bids - Pearson Bros.

Motion carried.

There being no further business, the meeting was adjourned.

Jerry Bohnsack
City Administrator