

City Council Proceedings

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



City Council Meeting
Monday, June 20, 2005

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

Motion Wilcox, Second Babione
Approve the Development Agreement for Raven Stream Village First Addition.
Motion carried.

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

RESOLUTION #05-06-20-01

RESOLUTION OF THE NEW PRAGUE CITY COUNCIL
GRANTING APPROVAL OF THE FINAL PLAT OF RAVEN STREAM VILLAGE FIRST ADDITION CONSISTING OF ONE LOT AND SEVEN OUTLOTS ON 253.24 ACRES IN THE RM MEDIUM DENSITY ZONING DISTRICT, RL-90 SINGLE FAMILY ZONING DISTRICT, AND B-2 COMMUNITY COMMERCIAL ZONING DISTRICT, NEW PRAGUE, MINNESOTA

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

All that part of the West Half of Section 33 Township 113 North, Range 23 West, Scott County, Minnesota, described as follows: Commencing at the Southwest corner of said Section 33; thence North 01 degree 53 minutes 57 seconds East on an assumed bearing along the West line of the Southwest Quarter, a distance of 551.74 feet, to the north line of the South 17 acres of the West Half of the Southwest Quarter, said point being the point of beginning; thence continuing North 01 degree 53 minutes 57 seconds East on said West line, a distance of 2083.20 feet to the Northwest corner of the Southwest Quarter of said section; thence South 89 degrees 19 minutes 29 seconds East along the North line of the Southwest Quarter a distance of 264.00 feet; thence North 1 degree 42 minutes 49 seconds East a distance of 848.10 feet; thence North 89 degrees 18 minutes 29 seconds West a distance of 264.00 feet to the West line of the Northwest Quarter; thence North 1 degree 42 minutes 49 seconds East along the West line of said Northwest Quarter a distance of 10.00 feet; thence South 89 degrees 18 minutes 29 seconds East a distance of 237.04 feet; thence North 1 degree 42 minutes 49 seconds East a distance of 454.83 feet to the North line of the Southwest Quarter of the Northwest Quarter; thence South 89 degrees 13 minutes 24 seconds East a distance of 1094.66 feet to the West line of the Northeast Quarter of the Northwest Quarter; thence North 1 degree 36 minutes 20 seconds East along said West

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line a distance of 835.41 feet to a line parallel with and southerly of the North line of the Northeast Quarter of the Northwest Quarter a distance of 475.82 feet; thence South 89 degrees 08 minutes 18 seconds East along said parallel line a distance of 507.54 feet; thence North 32 degrees 09 minutes 31 seconds East a distance of 556.85 feet to the North line of said Northeast Quarter of the Northwest Quarter; thence South 89 degrees 08 minutes 18 seconds East along said North line a distance of 538.56 feet to the Northeast Corner of said Northeast Quarter of the Northwest Quarter; thence South 1 degree 29 minutes 51 seconds West along the East line of said Northwest Quarter a distance of 2618.52 feet to the Northeast Corner of said Southwest Quarter; thence South 1 degree 29 minutes 51 seconds West along the East line of said Southwest Quarter a distance of 2540.30 feet to the North Right of Way line of Minnesota Trunk Highway No. 21; thence Westerly on said North Right-of-Way line 366.15 feet on a 34451.18 foot radius curve, not tangent to previous line, having a central angle of 0 degrees 36 minutes 32 seconds and 366.15 foot chord that bears North 89 degrees 05 minutes 39 seconds West; thence North 89 degrees 23 minutes 55 seconds West on said North line and tangent to previous curve, a distance of 1525.15 feet to a found iron pipe; thence North 01 degree 44 minutes 42 seconds East, 436.01 feet to a found iron pipe; thence North 88 degrees 52 minutes 02 seconds West, 504.24 feet to a found iron pipe; thence South 01 degree 53 minutes 57 seconds West 7.99 feet to the North line of the South 17 acres of the West Half of the Southwest Quarter; thence North 89 degrees 23 minutes 55 seconds West on said North line, a distance of 289.38 feet to the point of beginning.

is requesting final plat approval of Raven Stream Village First Addition consisting of 1 lot and 7 outlots on 253.24 acres in the RM Medium Density Zoning District, RL-90 Single Family Zoning District, and B-2 Community 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 13th day of June, 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 condition added at the meeting; and,

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NOW, THEREFORE BE IT RESOLVED, by the City Council of New Prague, MN, that the Final Plat of Raven Stream Village First Addition consisting of 1 lot and 7 outlots on 253.24 acres in the RM Medium Density Residential Zoning District, RL-90 Single Family Zoning District, and B-2 Community Commercial 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. Approval is subject to a water tower being constructed to service the development.
6. A Wetlands Conservation Act "Certificate of No Loss or Exemption" must be filed prior to the final plat approval.
7. The developer must dedicate the 5.90 acres of land as park land to the City of New Prague, adjacent to Lot 1, Block 1 of this Raven Stream Village First Addition Final Plat.
8. An emergency warning siren must be installed and in working condition before the elementary school or any residential lot is occupied.
9. 4th Street NW must be shown on all pages of the final plat and construction plans instead of the previous name of Arizona Street.
10. Pavement width of 4th Street NW must be 32' in width throughout the entire Raven Stream Village Development.
11. Right of way width for 4th Street NW east of 11th Avenue NW must be changed to 50' of right of way on the construction plans to match what is shown on the final plat.
12. A 6' concrete sidewalk must be added to the south side of 4th Street NW east of 11th Avenue NW to the east edge of the property (specifically the site of the proposed water tower).
13. Full pavement width and lanes should be constructed on 11th Avenue NW to Trunk Highway 19, approved by the City Engineer.
14. The Section of 4th Avenue NW west of 11th Avenue NW having a sidewalk on the south side of the road must be 6' in width instead of the 5' width that is shown in the construction plans.
15. The Section of 6th Street NW on the west side of 11th Avenue NW having a sidewalk on the north side of the road must be

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- 6' in width instead of the 5' width that is shown in the construction plans.
16. The north side sidewalk on 1st Street NW on the east side of 11th Avenue NW must be 6' in width instead of the 5' width that is shown in the construction plans.
 17. A water main loop must be completed from the existing water main line on the north side of Highway 19 west to the proposed 11th Avenue NW connection with Highway 19 and must be of a 10" size.
 18. City staff and the developer must visit with landscaping experts skilled in the area of landscaping for odor management, and staff shall determine reasonable landscaping requirements for the subdivision.
 19. The City Attorney must approve language for notification covenant and deed restriction to be placed on the properties regarding the adjacent feedlots.
 20. Improvements to Trunk Highway 19 must be completed by the developer as recommended by MnDOT.

This Final Plat shall become 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 20th day of June, 2005.

Craig Sindelar, Mayor

ATTEST:

Jerry Bohnsack, City Administrator

Mike Zagar, S E H, reviewed with the Council the wastewater treatment facility plan and reviewed alternatives. Biostyr - Treatment Process, Trickling Filter Process, Oxidation Ditch Process.

Mr. Zagar to investigate pilot test for Biostyr & correspond with MPCA staff regarding effluent standards. Staff to check

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with other cities utilizing the biostyr treatment method.

Jerry & Jay Minar were present to question the Subordination Policy for Small City Grant Program.

Consensus of Council that Subordination Policy should remain intact.

Motion Wilcox, Second Babione
Approve the Subordination of Small City Grant for Parcel #23-420-0020.
Motion carried.

Mayor Sindelar expressed objection to the connection of granting building permits to land transfer for park.

Motion Wilcox, Second Babione
Approve First Reading of Proposed Ordinance #198.
AN ORDINANCE AUTHORIZING DISPOSAL BY SALE OF REAL PROPERTY OWNED BY CITY.

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 carried.

Motion Babione, Second Jirik
Approve First Reading of Proposed Ordinance #199.
AN ORDINANCE AMENDING SECTION 52.04 (H) BUILDINGS SEWERS & CONNECTIONS OF THE NEW PRAGUE CODE OF ORDINANCES.
Motion carried.

Mr. Jim Connelly, Classic Grille & Bar, requested authorization for outside service of food & drink on patio area (SW corner of building).

Motion Wilcox, Second Kratochvil
Authorize outside service of food & drink on confined patio area of Classic Grille & Bar. Said patio area shall be fenced and gated and conform to building and fire codes.

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Hours of operation - Sunday thru Thursday opening to 9:00 P.M., Friday and Saturday opening to 10:00 P.M. Outside operation to be reviewed annually with renewal of liquor license.

Motion carried.

Motion Wilcox, Second Babione

Authorize the engagement of Buetow and Associates to perform a City Facility Study.

Motion carried.

Motion Jirik, Second Wilcox.

Approve the following Joint Powers Agreements:

- Public Safety Communication and Information System & 2006 Assessment Agreement with Scott County.

Motion carried.

Motion Babione, Second Kratochvil.

Approve the following consent agenda items:

- A. Approve previous meeting minutes
- B. Approve claims for payment
- C. April 2005 General Fund Financial.

Motion carried.

Motion Wilcox, Second Babione

Authorize demolition of Log Cabin located at NE corner of 2nd St. NW and T.H. 21 N.

Motion carried.

Motion Babione, Second Jirik.

Authorize No Parking area on west side of 1st Av. SW from 50' N. of Alley to Alley. (alley located between Main & 1st St. SW)

Upon roll call the following vote was recorded.

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

Motion carried.

There being no further business, the meeting was adjourned.

Jerry Bohnsack
City Administrator