

# City Council Proceedings

1628

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

} City Council Meeting  
Monday, October 3, 2022

Mayor Duane Jirik called the meeting to order at approximately 6:00 p.m. with the following members present: Jirik, Bass, Ryan, Seiler, and Wolf.

Staff Present at Meeting: Josh Tetzlaff, Ken Ondich, Jim Gareis, and Matt Rynda

Others: Chris Knutson, City Engineer

Mayor Jirik asked if there were any additions/updates to the Council Agenda. There being none, motion by Ryan, seconded by Seiler to approve the Agenda. All voted in favor. Motion carried (5-0).

Mayor Jirik asked if there were any comments on the Consent Agenda. There being none, motion by Wolf, seconded by Bass to approve the

CONSENT AGENDA as follows:

- A. September 19, 2022 - Regular City Council Meeting Minutes and Special City Council Meeting Minutes
- B. Claims for Payment: **\$263,343.16** (October 3, 2022)
- C. LG220 MN Lawful Gambling for Exempt Permit for Church of St. Wenceslaus Events:
  1. October 30, 2022 - raffle and tipboard at 215 East Main Street, New Prague
  2. February 1, 2023 - raffle at 215 East Main Street, New Prague
- D. 1 Day Temporary On-Sale Liquor License for Church of St. Wenceslaus at 215 Main Street East, New Prague for March 25, 2023

All voted in favor. Motion carried (5-0).

SOUTHERN VALLEY ALLIANCE (SVA) PRESENTATION - SVA Board Member Jim Gilbertson introduced himself and explained that SVA is a nonprofit organization (founded in 1982) that provides programs and services for victims of Domestic Violence serving all of Scott and Carver counties. October is Domestic Violence Awareness month and is an important time to recognize victims, survivors and raise awareness about domestic abuse and highlight the critical work that SVA is doing within our community. Mr. Gilbertson also announced that in 2023 the SVA building will be moving from Belle Plaine to Shakopee in an effort to centralize their location between the two counties they serve.

COLUMBUS AVENUE (CSAH 15) 2022 CIP - City Engineer Chris Knutson provided a project update including details on the warranty repairs of three sanitary sewer services to be completed by the end of next week.

2023 STREET & UTILITY IMPROVEMENT PROJECT (2023 CIP) - City Engineer Knutson shared the Feasibility report with the Council and provided a brief synopsis of the report which outlined the scope of the project, the probable costs, the funding options, and the potential assessment amounts to the benefiting properties. Cost estimates and preliminary layouts for future projects have also been included in this report. The next step in the public improvement process is for the City Council to consider accepting the report and calling for the public hearing. The Public Hearing is proposed to be held at 6:00 p.m. on Monday, October 17, 2022. Notices of the public hearing will be published in the New Prague Times as well as be sent in the mail to the affected property owners, all in accordance with MN Statutes 429. A neighborhood meeting was held on

# City Council Proceedings

1629

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}

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September 14, 2022, with residents representing 13 different properties in attendance. \$4,630,500, includes all project costs for the improvements proposed for 2023. Since the Council approved this report, they moved ahead to accept the resolution.

After discussion, motion by Bass, seconded by Ryan to APPROVE RESOLUTION #22-10-03-01 2023 STREET AND UTILITY IMPROVEMENT PROJECT RECEIVING REPORT AND CALLING HEARING ON IMPROVEMENT. All voted in favor. Motion carried (5-0).

PUBLIC HEARING FOR CHALK IT UP LLC - Mayor Jirik opened the Public Hearing at 6:17 p.m. regarding a Liquor License request for a new business called Chalk It Up LLC dba as Chalk It Up. City Administrator Josh Tetzlaff introduced the request for an On-Sale Intoxicating Liquor License and Sunday Liquor License. Police Chief Gareis provided background information received from the owner, Denise Lee York for Chalk It Up LLC dba Chalk It Up at 114 W Main Street (including an outdoor patio) to be located in the former "Whiskey Business" building. The applicant is proposing that their business be eligible to begin operating at the above address on or after November 1, 2022. Liquor licensing period would be from that point through March 31, 2023 in accordance with the City of New Prague's normal liquor licensing period.

In accordance with City Code Section 110.16 Issuance of License (Subd. C.), prior to approving an application for issuance of a license, the Council shall provide an opportunity for public comment for or against issuance of the licenses. The Applicant has paid all license fees and has provided proof of Financial Responsibility at both locations. Property taxes and utility bills for both locations are current at the time of this meeting. An initial background check was completed on the applicant. Additional background paperwork was sent to Ms. York last week to complete along with a request for lease details. Ms. York provided the completed paperwork and gave to Director Ondich and Police Chief Gareis upon her arrival at this evening's meeting. Being there was no time to review these details, the Police Chief asked for additional time to review the background and lease details before approving the liquor license.

Chalk It Up's Owner, Denise Lee York introduced herself and was present to answer any questions. Ms. York explained the building is still a work in progress including some ADA compliance issues that need to be taken care of prior to opening. Director Ondich explained that the City had their inspection on Friday and sent the building details to the state. No public comment was received. Motion by Bass, seconded by Seiler to close the Public Hearing 6:25 p.m.

Staff asked the Council for additional time to review the newly received background and lease paperwork details provided this evening and plan to provide an update at the October 17, 2022 City Council meeting and revisit the following conditions: 1. The Liquor establishment's "Licensed Premises" would include the first floor of the building at 114 W. Main St and associated outdoor patio on the east side of the building (per Conditional Use Permit #C3-2008); 2. That the Sunday Liquor License not be issued and the liquor establishment not be allowed to open on Sunday's until a copy of the business's Health License from Le Sueur County (State

# City Council Proceedings

1630

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of MN) is provided to the City; 3. Meets all building code requirements as communicated by the City of New Prague.

RESOLUTION: Planning/Community Development Director Ken Ondich presented the City Council with Resolutions approving the Certification of Unpaid Service Charges for Mowing and Property Maintenance Nuisance Violations on both occupied and unoccupied homes and past due Municipal Utility bills to the Property Tax Roll. The amounts being certified for collection to the two counties (Le Sueur and Scott) per state law are required to be certified to the County Auditors by October 15, 2022. These amounts collected are from September 15, 2021 to September 14, 2022.

Currently, the amount to be certified for mowing and property maintenance is \$4,593.80 (includes 4 outstanding mowing charges, plus administrative fees). After discussion, it was moved by Seiler and seconded by Wolf to approve RESOLUTION #22-10-03-02 APPROVING CERTIFICATION OF MOWING AND PROPERTY MAINTENANCE CHARGES TO PROPERTY TAX ROLL. All voted in favor. Motion carried (5-0).

The amount to be certified for unpaid delinquent municipal utility bills in Scott and Le Sueur counties is \$5,311.34 (includes 13 outstanding utility charges plus administrative fees, does not include the electric charges). Most are rental properties. Landlords have been notified in addition to letters that went out to the tenants. Mayor Jirik asked if addresses could be included in the Council packet. Director Ondich to check with the City Attorney on this. It was moved by Jirik and seconded by Bass to approve RESOLUTION #22-10-03-03 APPROVING CERTIFICATION OF MUNICIPAL UTILITY BILLING CHARGES TO PROPERTY TAX ROLL. All voted in favor. Motion carried (5-0).

## GENERAL BUSINESS:

SCHEDULE BUDGET MEETING #3 - City Administrator Tetzlaff asked the Council to check their calendars and schedule the third budget meeting. Staff and Councilmembers scheduled Budget Meeting #3 for Thursday, October 27, 2022 at 5:30 p.m.

## MISCELLANEOUS:

1. Meeting Minutes - Informational only - Utilities, Golf, and Planning
2. Gareis - The Police Record's Technician's last day was September 30, 2022. Posted internally and there was one applicant and will be interviewing in the next couple of days. Should this internal candidate get hired, the Police Record's Clerk position would get posted. The Police Dept is currently fully staff with a backfill for the Police Chief's position.
3. Tetzlaff - Reminder of Special Council Meeting following this regular Council meeting. Staff and Councilmembers are invited for a tour at the Community Center to see all the upgrades that have taken place.
4. Wolf - Asked for County clarification per the Liquor License memo and their business's health license which should be noted from Le Sueur County, not Scott County. Update noted by Staff.
5. Seiler - Commended the kids participating in the Homecoming festivities and how polite and considerate they were.

City Council Proceedings

1631

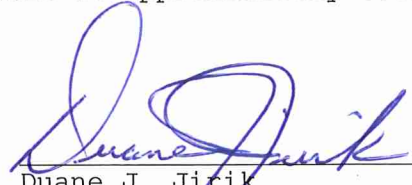
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Motion by Seiler, seconded by Bass to adjourn at approximately 6:39 p.m.  
All voted in favor. Motion carried (5-0).

ATTEST:

  
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Duane J. Jirik  
Mayor  
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Joshua M. Tetzlaff  
City Administrator