




# Memorandum

To: Honorable Mayor and Members of the City Council

From: City Administrator Mike Johnson 

Date: January 12, 2017

Subject: Ordinance Creating New Chapter 94 as to Predatory Offender Residency Regulations  
A. Public Hearing  
B. Approve Introduction of Ordinance

Enclosed for your review is the "Draft" of an Ordinance Creating a New Chapter 94 as to Predatory Offender Residency Regulations.

As part of considering this "Draft" Ordinance, the City Council has called for a Public Hearing on Tuesday, January 17, 2017 @ 6:00 P.M. to receive public comment (both written and oral) on this new proposed Ordinance.

It is anticipated that representatives from the Minnesota Department of Corrections and the Jacob Wetterling Foundation may be in attendance to offer comments or provide information on the proposed Ordinance.

Additional information being provided to the City Council as part of this packet and as requested includes the following:

- A. Maps - (Predatory Offenders Setbacks from:)
  1. 1,000' Setback from Facilities Listed Incl. Licensed Daycares
  2. 1,250' Setback from Facilities Listed Incl. Licensed Daycares
  3. 1,000' Setback from Facilities Listed - No Licensed Daycares
  4. 1,500' Setback from Facilities Listed - No Licensed Daycares
- B. Scott County and Le Sueur County Home Daycare Licensing Requirements
- C. Eastland Addition Covenants
- D. Dept. of Corrections Presentation on "Residency Restrictions: Sound Public Policy?"
- E. Minnesota Association for the Treatment of Sexual Abusers - "Residency Restrictions for Sexual Offenders in Minnesota: False Perceptions for Community Safety"

Following the holding of the Public Hearing and a review of the above materials and information listed above, the Council will need to determine how to proceed. They can either:

1. Instruct the City Attorney's office to make further changes in the "Draft Ordinance".
2. Instruct City Staff and the City Attorney's Office to gather more information to evaluate further on this topic.
3. Introduce and Approve the 1<sup>st</sup> Reading of the "Draft" Ordinance.
4. Elect to take more time to study the issue and the topic before beginning to act on the "Draft" Ordinance.
5. Elect to discontinue any further action on the "Draft" Ordinance.
6. Other option(s) as determined by the City Council.

The City Council adopted the "Emergency Interim Ordinance No. 293 Regarding the Residency Location of Registered Level III Predatory Offenders Within the City; Establishing a Moratorium; and Directing that Studies of Regulations and Official Controls be Conducted" on December 5, 2016. Under this Ordinance it established a moratorium on a registered predatory offender locating a residence within the City of New Prague for a period not to exceed 120 days, with limited exceptions. This moratorium will be in effect for a period of 120 days from the date of its adoption (which was December 5, 2016), or until April 4, 2017.

The City Council will need to determine how they would like to proceed following the closing of the Public Hearing and any Public discussion.

**RECOMMENDATION:**

Mayor and Council conduct a Public Hearing on the "Draft" Ordinance and determine next step (Option) based on Council discussion and Public input.