

Public Notices

PUBLIC NOTICE PUBLICATION OF ORDINANCE NO. 321

CITY OF NEW PRAGUE AN ORDINANCE AMENDING SECTIONS 302, 611 AND ADDING SECTION 745 OF THE CITY OF NEW PRAGUE ZONING ORDINANCE PERTAINING TO INDOOR FIRING RANGES

The City of New Prague Ordains:

SECTION 1. Section 302 of Definitions of the City of New Prague Zoning Ordinance is hereby amended by adding the double-underlined material as follows:

Indoor Firing Range. A totally enclosed building that is equipped for the practice of shooting firearms at targets, including archery, where no activity associated with shooting is conducted outside the building and which is designed so that projectiles fired from firearms at targets are prevented, by means of backstops, berms or other barriers from going beyond the walls of the facility.

SECTION 2. Section 611 of the City of New Prague Zoning Ordinance is hereby amended by adding the double-underlined material as follows under Subd. 4 for Conditional uses:

K. Indoor Firing Ranges

SECTION 3. Section 745 of the City of New Prague Zoning Ordinance is hereby added by adding the double-underlined material as follows:

745 Indoor Firing Ranges

In every district where the use is permitted or conditional, the Indoor Firing Range:

1. Shall not be located on any lot directly adjacent to an existing Residential Zoning District or any public park property.
2. Shall not be located within one thousand (1,000) lineal feet, measured from building to building, of any church, school, or establishment licensed to dispense intoxicating or non-intoxicating beverages.
3. The use, occupancy, and construction of the building shall conform to the Minnesota State Building Code.
4. The building and method of operation shall conform with the applicable Minnesota Pollution Control Agency, Environmental Protection Agency, and OSHA standards for indoor ventilation, emissions into the atmosphere, indoor sound levels, lead containment, and outside noise standards.
5. The design and construction of the firing range shall completely confine all ammunition rounds within the building and in a controlled manner. The design and construction of the firing range shall be certified by a registered engineer in the State of Minnesota. The certified plans shall include the specifications and construction of the bullet trap(s), ceilings, exterior and interior walls, and floors. The certified plans shall state what type and caliber of ammunition the range is designed to totally confine.
6. No ammunition shall be used in the range that exceeds the certified design and construction specifications of the firing range.
7. A written log of range users shall be maintained by the range operator and available for inspection by the City at any/all times. The name and address of the user shall be verified by photo identification. The log shall, but is not limited to: a. The name, address and phone number of the range user; b. The time and date the user was in the range.
8. Firearms shall not be stored on the premises when the range is closed for business, unless they are stored in a secured vault.
9. On-site supervision shall be supplied at all times by an adult with credentials as a range operator. The range operator shall be responsible for the conduct of their place of business and the conditions of safety and order in the place of business and on the premises.
10. The applicant shall provide and maintain proof of liability insurance which shall require the insurer notify the Planning Director in writing within ten (10) business days of cancellation of the policy, a change in the limit of the policy and/or a change in policy ownership. Said policy shall be available for inspection by the Planning Director and/or his/her assigns at all times.
11. On site instruction shall be given only by Certified Firearms Instructors. Current certificates for firearms instructors shall be on display in a conspicuous location in the premises and available for public inspection at all times.
12. An outside security plan for the general grounds shall be submitted to the Planning Director or designee for review and approval.
13. The transport of firearms on the premises, to the premises and from the premises shall conform to State Law.
14. Minors shall not be allowed in the range unless accompanied by an adult at all times. This provision shall not be interpreted to prohibit minors from participating in a firearm safety class which is supervised by an adult instructor.
15. Indoor firing ranges shall not sell or dispense intoxicating or non-intoxicating liquors, nor shall they be located in a building which contains a business that sells or dispenses nonintoxicating or intoxicating liquors.
16. Hours of operation are limited to 7am to 10pm.
17. The Planning Commission and City Council reserve the authority to review or modify the performance standards for the range.

SECTION 4. This ordinance shall take effect and be in force after its passage and upon its publication, in accordance with Section 3.13 of the City Charter.

Introduced to the City Council of the City of New Prague, Minnesota, the 15th day of March, 2021.

The required 10 days posted notice was completed on the City Website and City Hall Bulletin Board on March 16th, 2021.

Passed by the City Council of the City of New Prague, Minnesota, the 5th day of April, 2021, and to be published on the 15th day of April, 2021.

New Prague City Council

Michael J. Johnson, City Administrator

(Published in The New Prague Times, Thursday, April 15, 2021; No. T636-4-15)

p.m. All voted in favor of the motion. Motion carried (5-0).

ATTEST:

Duane J. Jirik, Mayor

Michael J. Johnson, City Administrator

(Published in The New Prague Times, Thursday, April 15, 2021; No. T637-4-15)

Official Proceedings . . .

City of New Prague

CITY COUNCIL PROCEEDINGS STATE OF MINNESOTA COUNTIES OF SCOTT AND LE SUEUR SPECIAL CITY COUNCIL MEETING MONDAY, MARCH 15, 2021

Conducted via GoToMeeting due to the COVID-19 Pandemic which is preventing attendance at the regular meeting location.

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

Staff Present Online: Mike Johnson, Ken Ondich, Jim Gareis, Matt Rynda and Barb Ulschmid

Others Present Online: City Engineer Chris Cavett and Patrick Fisher.

Mayor Jirik asked if there were any additions to the Council agenda? There being none, motion by Bass, seconded by Wolf to approve the Agenda as published. By roll call vote, all voted in favor. Motion carried (5-0).

City Engineer Chris Cavett provided an update to the City Council on the TH#19/Main Street Reconstruction Project (2020-2021 CIP). Mr. Cavett explained the need to modify the existing contract by deducting (\$43,551.79) via Change Order No. 12 and a resolution. The deduction/savings is to provide compensation for the cost of materials and labor for the attempted installation of the powerline casing which had to be abandoned after the realization during the jacking pit excavation where timber obstructions would be encountered within railroad right-of-way during installation operations. An improvised alternative to cross the tracks utilizing the void space in the storm sewer casing, resulted in net savings and proposed reduction in the contract for this work.

The planned cost to install the necessary lighting and fiberoptic conduit across the tracks was \$76,800. The obstruction under the railroad and the need to be creative, resulted in successfully installing said conduit for a reduced cost of \$33,248.21, or a net savings to the contract of (\$43,551.79). This cost and contract savings is part of the City's share of federal funding on the project.

Motion by Bass, seconded by Wolf to approve **RESOLUTION #21-03-15-01 TH#19/MAIN STREET 2020 CIP RECONSTRUCTION PROJECT DIRECTING MODIFICATION OF EXISTING CONSTRUCTION CONTRACT CHANGE ORDER NO. 12.** By roll call vote, all voted in favor. Motion carried (5-0).

Planning/Community Development Director Ondich presented an Introduction of amending Ordinance No.321 relating to the possibility of having an indoor firing range in the City. In reviewing the inquiry, staff determined that the Zoning Ordinance did not adequately address indoor firing ranges and researched the topic which resulted in a concept review and public hearing review with the Planning Commission for a potential zoning ordinance amendment.

The Staff and Planning Commission are recommending: Defining indoor firing ranges; Listing indoor firing ranges as a conditional use in the I-1 Light Industrial Zoning District; Providing for a set of modern performance standards specific to indoor firing ranges to ensure the safety and wellbeing of those in the range and those outside the range. Director Ondich explained that the Planning Commission conducted a "concept review" of the proposed amendments on January 27, 2021 which was followed by a public hearing on February 24, 2021. No public comments were received at the public hearing and the Planning Commission voted 4-0 to recommend that the City Council approve the amendments.

Director Ondich shared that the language in the proposed ordinance differs slightly from the proposed language in the staff report as the Planning Commission revised performance standard #2 by adding churches and schools and removing the distance limitation between indoor firing ranges. Councilmember Bass pointed out item 7c within the Ordinance, "A photocopy the individual's permit to carry a dangerous weapon." Bass explained a person doesn't need a Conceal and Carry permit to utilize a shooting range and "dangerous weapon" is not accurate because that refers to more than a firearm. Bass suggested deleting this line item as it's unnecessary and would limit the shooting range to only those with a permit to carry. All Councilmembers and Staff agreed. Bass also noted a word change from "are" to "at" within Section 1. Staff will take care of these updates. Other discussion involved noise concerns, sound-proofing and location of this facility. City Administrator Johnson explained that just because there are vacant industrial lots doesn't necessarily mean that's where this facility would be located.

After discussion, motion by Bass, seconded by Seiler to approve the INTRODUCTION OF ORDINANCE #321 AMENDING SECTIONS 302, 611 AND ADDING SECTION 745 OF THE CITY OF NEW PRAGUE ZONING ORDINANCE PERTAINING TO INDOOR FIRING RANGES including the removal of "are" to "at" and the removal of section 7c. By roll call vote, all voted in favor. Motion carried (5-0).

City Administrator Johnson provided updates on the City of New Prague's 2021 General Fund based on previous actions taken by the City Council to reduce various liquor licenses for 2021 due to Covid-19. At the January 5th and February 16th, 2021 City Council meetings, budget adjustments to the liquor license for 2021 were made and decreased Liquor License Revenue from \$34,100 to \$16,500. Other budget adjustments included: Money was allocated thru fund balance at the end of 2020 for Office Equipment - Mobile Field Force, \$11,000 and Squad Car Dash Camera's for the Police Department, \$18,308; also, at the February 16th meeting Council approved for Staff to move forward with the purchase of a video system for the Council/Board Commission meetings and conference room video cameras in the amount not to exceed \$77,848

Motion by Jirik, seconded by Ryan to approve **RESOLUTION #21-03-15-02 AMENDING THE CITY OF NEW PRAGUE'S 2021 GENERAL FUND.** By roll call vote, all voted in favor. Motion carried (5-0).

Mayor lead the Council through details Staff provided including a summary of four (4) qualified proposals from "Executive Search Firms" who submitted their proposal(s) to assist in the recruitment of the next City Administrator. Council agreed on the importance of this process due to how vital this position is to the City of New Prague and its residents. Councilmembers also agreed they want a Professional process that would lead the Council to a conclusion whether the candidate is internal or external.

Discussion took place on the proposals submitted by: Baker Tilly US, LLP - St. Paul, MN; DDA Human Resources Inc. - St. Bonifacius, MN; GOVHR USA - Cottage Grove, MN; and The Mercer Group, Inc. - Mendota Heights, MN. Due to the lack of MN hires, the Council decided to remove GOVHR USA from the interviewing process and focus on the remaining three. To keep the process moving along, the Council agreed to schedule the on-line interviews for Tuesday, March 23, 2021 beginning at 5:00 p.m. City Administrator Johnson to provide the Council and Recruiter (once selected) a complete listing of his benefits on what he was provided and compare to what will be asked for by the applicants.

Mayor Jirik asked if there were any questions on the Consent Agenda. There being none, motion by Seiler, seconded by Wolf to approve the Consent Agenda as follows:

A. March 1, 2021 Special City Council Meeting Minutes

B. Claims for Payment - March 15, 2021

C. MN Lawful Gambling LG220 Application for Exempt Permit (Bingo & Raffle) for New Prague Ducks Unlimited, Chapter 263 event on April 9, 2021 at the New Prague Park Ballroom, 300 Lexington Avenue, New Prague

By roll call vote, all voted in favor. Motion carried (5-0).

Miscellaneous Items:

Ryan - Asked if the streetlights on Main Street will all be replaced? Discussion took place on whether the used lights could be purchased. Council can decide whether or not they want to make those available and will revisit this topic.

Wolf - Inquired if there is clean fill left over from the Main Street project, could that be used in the Industrial Park area vs. paying for

it to be shipped away? City Engineer Cavett provided his concerns on this and said unless there is a grading site plan, he wouldn't recommend. Wolf said instead of hauling clean fill away, save the money and find a place in the City where it could be needed. Mr. Cavett said he would look into this and follow up with the Council. Also, discussion took place on a Dog Park. Asked Staff if Council could get an estimate as to what it would cost to get a Dog Park? Mr. Ondich said he would provide an update on the cost should volunteers want to get a project like this going. Previous discussion did take place on this topic and will revisit. Relying on volunteers to maintain a location like this is a concern and was why it was voted down years ago.

Chris Cavett - Mentioned SEH will be holding two, virtual town hall meetings on the Main Street project for business and property owners on Thursday, March 18th at 2:00 p.m. and 6:00 p.m. Encouraged all to sign up for the Main Street project email and text reminders if they haven't done so already. Go to the project website on the City of New Prague website to locate this information.

Mike Johnson - With the passage of the Federal Legislation, there will be money going to the States and possibly to the Counties and Cities called the American Rescue Plan Recovery Funds. Mike will be finding more about this and will be sure to share with the Council when available.

There being no additional business, motion by Ryan, seconded by Jirik to adjourn the meeting at approximately 7:05 p.m. All voted in favor of the motion. Motion carried (5-0).

ATTEST:

Duane J. Jirik, Mayor

Michael J. Johnson, City Administrator

(Published in The New Prague Times, Thursday, April 15, 2021; No. T638-4-15)

Official Proceedings . . .

City of New Prague

CITY COUNCIL PROCEEDINGS STATE OF MINNESOTA COUNTIES OF SCOTT AND LE SUEUR SPECIAL CITY COUNCIL MEETING TUESDAY, MARCH 23 AND WEDNESDAY MARCH 24, 2021

Conducted via GoToMeeting due to the COVID-19 Pandemic which is preventing attendance at the regular meeting location.

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

Absent: Councilmember Ryan

Staff Present Online: Mike Johnson, Ken Ondich, and Matt Rynda
Others Present Online: Patty Heminover - Baker Tilly US, LLP; James Miller - The Mercer Group, Inc.; Liza Donabauer - David Drown Associates, Inc.

The City encountered technology start-up issues with the electronic Special City Council meeting and was unable to start the meeting until about 5:24 p.m.

Mayor Jirik called the meeting to order at 5:24 p.m. Motion by Councilmember Seiler, seconded by Councilmember Bass to approve the agenda. All voted in favor. Motion carried (4-0).

Mayor Jirik indicated that the purpose of the meeting was to interview three (3) firms to provide Executive Recruitment assistance in the search for the next City Administrator.

The first firm was Ms. Patty Heminover from Baker Tilly US, LLP. The interview went from approximately 5:25 p.m. to 5:59 p.m.

The second firm was Mr. James Miller from The Mercer Group, Inc. The interview went from approximately 6:00 p.m. to 6:30 p.m.

The third firm was Ms. Liza Donabauer from David Drown Associates, Inc. The interview started at 6:35 p.m.

The City again encountered technology problems with the GoToMeeting program. After several repeated tries to get the program to work, it was discussed to continue the meeting and interview to the next night. Councilmember Seiler was disconnected off the meeting link. That left Mayor Jirik and Councilmember Wolf on the virtual meeting connection and Councilmember Bass connected in by telephone.

After discussion, motion by Councilmember Wolf, second by Councilmember Bass to continue the March 23, 2021 meeting to March 24, 2021 at 5:30 p.m. Voting in favor were Jirik, Wolf and Bass. Motion carried (3-0).

Mayor Jirik reconvened the March 23, 2021 meeting on March 24, 2021 at 5:30 p.m. Those present included Mayor Jirik, Councilmembers Bass, Seiler and Wolf. Councilmember Ryan was absent. Staff present were Johnson, Ondich and Rynda. Patrick Fisher was also present.

The third firm to be interviewed again (started over) was Ms. Liza Donabauer from David Drown Associates, Inc. Her interview began at 5:30 p.m. and concluded at about 6:00 p.m.

At the conclusion of the interview, each of the Councilmembers and Mayor Jirik shared their personal thoughts and opinions of the three (3) firms. After discussion, motion by Seiler, second by Wolf to hire the David Drown Associates, Inc. firm (Liza Donabauer) to provide the Executive Search assistance for the City Administrator position in accordance with the DDA proposal submitted to the City Council dated March 4, 2021. All voted in favor. Motion carried (4-0). The Council asked that the proposed "Timeline" be updated and indicated a willingness to hold additional Special City Council meetings if that would help speed up any part of the search and hiring timeline.

It was moved by Bass, seconded by Seiler to adjourn at approximately 6:15 p.m. All voted in favor. Motion carried (4-0).

ATTEST:

Duane J. Jirik, Mayor

Michael J. Johnson, City Administrator

(Published in The New Prague Times, Thursday, April 15, 2021; No. T639-4-15)

PUBLIC NOTICE NOTICE OF PUBLIC HEARING FOR AMENDMENT TO CONDITIONAL USE PERMIT DAKOTA ACRES 2ND ADDITION

NOTICE IS HEREBY GIVEN that a Public Hearing will be held before the Elko New Market Planning Commission on Tuesday, April 27, 2021 at 7:00 p.m., or shortly thereafter in a virtual meeting conducted in accordance with Minnesota Statutes section 13D.021, to consider the following application as proposed by Black Stone Estates, LLC: Request to amend Conditional Use Permit #C1-2019 to allow additional building height.

All on the following described properties:

Outlot D, Dakota Acres, according to the recorded plat thereof, Scott County, Minnesota

AND

Outlot C, Dakota Acres, according to the recorded plat thereof, Scott County, Minnesota, EXCEPT that part lying easterly of the east line of Outlot D, said Dakota Acres, and its southerly extension.

Let written notice hereof be given to all property owners within 350' of such property not less than ten (10) days prior to the said hearing date. Anyone wishing to express an opinion about the proposed application orally or in writing will be heard at the public hearing. Members of the public may attend the meeting remotely through one of the following options:

By Computer:

Join Zoom Meeting:

https://us02web.zoom.us/j/84362125448?pwd=dzJhMGVScndvSTJlWUw0RmNjNjZDz09

Meeting ID: 843 6212 5448

Passcode: 895416

Please use full name as screen name.

By Phone Call:

Join Zoom Meeting: 312.626.6799

Meeting ID: 843 6212 5448

Passcode: 895416

Dated this 12th day of April, 2021

CITY OF ELKO NEW MARKET:

Haley Sevensing, Planner I

(Published in The New Prague Times, Thursday, April 15, 2021; No. T642-4-15)

Official Proceedings . . .

City of New Prague

CITY COUNCIL PROCEEDINGS STATE OF MINNESOTA COUNTIES OF SCOTT AND LE SUEUR SPECIAL CITY COUNCIL MEETING TUESDAY, MARCH 9, 2021

Conducted via GoToMeeting due to the COVID-19 Pandemic which is preventing attendance at the regular meeting location.

Mayor Duane Jirik called the joint Special City Council/New Prague Utilities Commission (NPUC) electronic GoToMeeting to order at 5:00 p.m. with the following Councilmembers present: Mayor Jirik, Councilmembers Bass, Ryan, Seiler and Wolf. The following Utility Commission Members were also present: Commissioners Bishop, Busch, Skok, and Wolf. Absent: Commissioner Jordan.

Staff Present: Mike Johnson, Jim Gareis, Bruce Reimers, Matt Rynda, Patty Solheid, and Ken Zwebner

Others Present Online: Leah Davis, AEM Workforce Solutions

Ms. Leah Davis, President of AEM Workforce Solutions (partner of Abdo, Eick & Meyers) presented the Position Classification & Compensation Study Report (dated February 15, 2021) for the City and took the Council and Utilities Commission through a presentation on the project. The last time the City has been through this process was 2007 and 2014. The purpose of the presentation was informational, educational with no final decision expected that evening.

Ms. Davis presented the options and information and answered questions from both the Council and Commission. City Staff was directed to work with Ms. Davis on possible alternatives/options for the Electric Lineman positions and test out the impact of those options. Ms. Davis thought it might take a couple hours of her time to develop the options, costs and impact to the model. She should be able to run the information in the next couple of weeks.

It was moved by Councilmember Seiler, seconded by Councilmember Bass to adjourn the joint meeting at approximately 7:20

PUBLIC NOTICE

New Market Township Schedule for Regular Monthly Meetings

All meetings start at 6:30 PM
- Tuesday, May 4, 2021
- Tuesday, June 1, 2021
- Tuesday, July 6, 2021
- Tuesday, August 3, 2021
- Tuesday, September 7, 2021
- Tuesday, October 5, 2021
- Tuesday, November 2, 2021
- Tuesday, December 7, 2021
- Tuesday, January, 4, 2022
- Tuesday, February 1, 2022
- Tuesday, March 1, 2022
- Tuesday, April 5, 2022
LeRoy Clausen, Clerk
New Market Township
(Published in The New
Prague Times, Thursday, April
15, 2021; No. T641-4-15)

PUBLIC NOTICE

Quotations Wanted

Notice is hereby given that the Township of Derrynane in Le Sueur County, Minnesota will receive quotations up until the hour of 7:00 pm on Monday, April 26, 2021 at which time the quotations will be opened for the following:

- Summer maintenance: road grading by the hour, ditch mowing by the mile for first pass and second pass, brush cutting and tree removal in right of way by the hour, and herbicide application to control noxious weeds by the mile.
- Winter: snowplowing by the hour
- Class 5 and crushed concrete hauled by the ton from Johnson Aggregates Pit to anywhere in the Township. Quote to be for trucking only. Hauling to be completed between June 1 and September 15.

The following criteria will be used for evaluating all quotes:

1. Reputation and/or past performance of contract.
2. Quality of material and/or equipment to be used.
3. Price and delivery of materials and/or services.

Provide proof of insurance with quotation. The town board reserves the right to reject any and all quotes.

Cindy Jirak, Clerk of Derrynane Township

(Published in The New Prague Times, Thursdays, April 8 and 15, 2021; No. T633-4-15)

PUBLIC NOTICE

NOTICE OF PUBLIC HEARING FOR CONDITIONAL USE PERMIT AMENDMENT

NOTICE IS HEREBY GIVEN that a Public Hearing will be held before the New Prague Planning Commission on Wednesday, April 28, 2021 at 6:30 P.M., or shortly thereafter via an online meeting format. You can access this meeting by logging on with the below information:

Please join this meeting from your computer, tablet or smartphone.
<https://global.gotomeeting.com/join/387086581>

You can also dial in using your phone.

United States: +1 (872) 240-3212

Access Code: 387-086-581

to consider the application to Amend **Conditional Use Permit #C3-2016 to allow an expansion of the outdoor seating area located at 1306 1st Street NE** as proposed by Erin F. Hutton (Giesenbräu Bier Co.) in the B-2 Community Commercial Zoning District, on the following described property:

Lot 1, Block 1, Simon Acres 1st Addition, according to the plat thereof, Scott County, Minnesota.

And,

That portion of Lot 2, Block 2 of East Gate Plaza described as follows:

Commencing at the Southwest corner of the Southwest Quarter of Section 35, Township 113 North, Range 23 West; thence South 89 degrees 05 minutes 45 seconds East, assumed bearings along the South line of the Southwest Quarter a distance of 1005.50 feet; thence North 00 degrees 54 minutes 15 seconds East, 67.68 feet to the northerly Right-of-Way line of Minnesota Trunk Highway No. 19, also being the point of beginning; thence South 88 degrees 49 minutes 43 seconds East along the northerly line of Minnesota Trunk Highway No. 19 a distance of 110.00 feet; thence North 00 degrees 54 minutes 15 seconds East, 66.00 feet; thence North 88 degrees 49 minutes 43 seconds West, 110 feet; thence South 00 degrees 54 minutes 15 seconds West, 66.0 feet to the point of beginning.

Let written notice hereof be given to all property owners within 350 feet of such property not less than ten (10) days prior to the said hearing date.

New Prague Planning Commission

Kenneth Ondich, Planning / Community Development Director

(Published in The New Prague Times, Thursday, April 15, 2021; No. T640-4-15)
