



# CITY COUNCIL MEETING AGENDA

## City of New Prague

Monday, October 16, 2023 at 6:00 PM

City Hall Council Chambers - 118 Central Ave N

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#### 1. CALL TO ORDER

#### 2. APPROVAL OF REGULAR AGENDA

#### 3. CONSENT AGENDA

*(The following agenda items are considered to be non-controversial and routine in nature. They will be handled with one motion of the City Council. Council members may request that specific items be removed from the Consent Agenda and be acted upon separately.)*

- [a.](#) City Council Meeting Minutes
  - i. October 2, 2023, City Council Meeting Minutes
- [b.](#) Claims for Payment: **\$339,891.78**
- [c.](#) LG220 MN Lawful Gambling Application for Exempt Permit for Church of St. Wenceslaus on January 31, 2024, involving a raffle at 215 Main Street East, New Prague
- [d.](#) Resolution #23-10-16-01 - Approving MN Lawful Gambling Premises Permit Application LG214 for New Prague Firemens Relief Association at Corner Bar, 100 Main Street West
- [e.](#) Foundry Hill Park Improvements

#### 4. CITY ENGINEER PROJECTS UPDATE

- [a.](#) October 16, 2023

#### 5. PUBLIC HEARING(S) – 6:00 PM

- [a.](#) Adopting Assessment for the 2023 Street and Utility Improvement Project
- [b.](#) Ordering Engineering Services for the 2024 Street and Utility Improvement Project

#### 6. 2023 STREET AND UTILITY IMPROVEMENT PROJECT

- [a.](#) Resolution #23-10-16-02 - Adopting Final Assessment

#### 7. 2024 STREET AND UTILITY IMPROVEMENT PROJECT

- [a.](#) Proposal for Engineering Services

#### 8. PUBLIC INVITED TO BE HEARD ON MATTERS NOT ON THE AGENDA

*(Speakers limited to 5 minutes.)*

**9. ORDINANCE(S) FOR INTRODUCTION**

- [a.](#) Ordinance #344 - Residential Rental Dwelling Unit Inspections

**10. ORDINANCE(S) FOR ADOPTION**

**11. RESOLUTIONS**

**12. GENERAL BUSINESS**

**13. MISCELLANEOUS**

- [a.](#) Meeting Minutes  
i. Park  
**b.** Discussion of Items not on the Agenda

**14. ADJOURNMENT**

**UPCOMING MEETINGS AND NOTICES:**

October 24	5:00 p.m. Special City Council
October 24	6:30 p.m. Golf Board
October 25	6:30 p.m. Planning Commission
October 30	3:30 p.m. Utilities Commission
November 6	6:00 p.m. City Council
November 8	7:30 a.m. EDA Board
November 13	12:00 p.m. Community Center Board
November 14	6:00 p.m. Park Board
November 15	6:30 p.m. Planning Commission



# CITY COUNCIL MEETING MINUTES

## City of New Prague

Monday, October 02, 2023 at 6:00 PM

City Hall Council Chambers - 118 Central Ave N

### 1. CALL TO ORDER

Mayor Duane Jirik called the meeting to order at 6:00 p.m.

#### PRESENT

Mayor Duane Jirik  
Councilmember Shawn Ryan  
Councilmember Maggie Bass  
Councilmember Rik Seiler  
Councilmember Bruce Wolf

Staff present: City Administrator Josh Tetzlaff, Planning/Community Development Director Ken Ondich, General Manager Bruce Reimers, Police Chief Tim Applen, Fire Chief Steve Rynda, and Public Works Director Matt Rynda

a. Pledge of Allegiance

### 2. APPROVAL OF REGULAR AGENDA

Motion made by Councilmember Ryan, Seconded by Councilmember Seiler to approve the Regular Agenda. Voting Yea: Mayor Jirik, Councilmember Ryan, Councilmember Bass, Councilmember Seiler, Councilmember Wolf  
Motion carried (5-0).

### 3. CONSENT AGENDA

Motion made by Councilmember Bass, Seconded by Councilmember Wolf to approve the Consent Agenda. Voting Yea: Mayor Jirik, Councilmember Ryan, Councilmember Bass, Councilmember Seiler, Councilmember Wolf  
Motion carried (5-0).

- a. Meeting Minutes
  - i. September 18, 2023, City Council Meeting Minutes
  - ii. September 18, 2023, Special Closed City Council Meeting Minutes
- b. Claims for Payment: **\$127,185.13**
- c. Fire Department Surplus Vehicle
- d. LG220 MN Lawful Gambling Application for Exempt Permit for St. Patrick Athletic Association on January 26, 2024, involving pull-tabs and a raffle at Knights of Columbus Hall, 411 4th Avenue SW, New Prague

### 4. CITY ENGINEER PROJECTS UPDATE

- a. October 2, 2023  
City Engineer Chris Knutson provided a memo with updates from various projects taking place around the City of New Prague. No action was taken.

**5. 2024 STREET AND UTILITY IMPROVEMENT PROJECT**

- a. 2024 Street and Utility Improvement Project Memo
- b. Resolution #23-10-02-01 - Ordering Prep of Report for Sunset Avenue N  
Motion made by Mayor Jirik, Seconded by Councilmember Seiler to approve.  
Voting Yea: Mayor Jirik, Councilmember Ryan, Councilmember Bass, Councilmember Seiler, Councilmember Wolf  
Motion carried (5-0).
- c. 2024 Street and Utility Improvement Project Feasibility Report - Summary Presentation  
City Engineer Knutson provided an overview. No action was taken.
- d. Resolution #23-10-02-02 - Receiving Report and Calling Hearing  
Motion made by Councilmember Bass, Seconded by Councilmember Ryan to receive the report and call for the public hearing to be held on October 16, 2023.  
Voting Yea: Mayor Jirik, Councilmember Ryan, Councilmember Bass, Councilmember Seiler, Councilmember Wolf.  
Motion carried (5-0).

**6. PUBLIC INVITED TO BE HEARD ON MATTERS NOT ON THE AGENDA**

No members of the public spoke at this meeting.

**7. PUBLIC HEARING(S) – 6:00 PM****8. ORDINANCE(S) FOR INTRODUCTION**

- a. Ordinance #343 - Vacating Certain Easements in the Plat of Simon Acres 1st Addition and Highview 10th Addition  
Planning/Community Development Director Ondich provided an introduction. Motion made by Councilmember Ryan, Seconded by Councilmember Bass for the first reading of Ordinance #343.  
Voting Yea: Mayor Jirik, Councilmember Ryan, Councilmember Bass, Councilmember Seiler, Councilmember Wolf  
Motion carried (5-0).

**9. ORDINANCE(S) FOR ADOPTION**

- a. Ordinance #342 - Amending Chapter 93 of the Code of Ordinances to Administer and Regulate the Public Rights of Way in the Public Interest, and to Provide for the Issuance and Regulation of Right-of-Way Permits  
Motion made by Councilmember Bass for the final reading of Ordinance #342, Seconded by Mayor Jirik.  
Voting Yea: Mayor Jirik, Councilmember Ryan, Councilmember Bass, Councilmember Seiler, Councilmember Wolf  
Motion carried (5-0).

**10. RESOLUTIONS**

- a. Resolution #23-10-02-03 - Amending and Restating the Resolution Establishing the New Prague Golf Board  
Tetzlaff provided an overview. Motion made by Councilmember Seiler, Seconded by Councilmember Wolf to approve.  
Voting Yea: Mayor Jirik, Councilmember Ryan, Councilmember Bass, Councilmember Seiler, Councilmember Wolf  
Motion carried (5-0).



- b. Resolution #23-10-02-04 - Setting a Public Hearing to Vacate Certain Easements in the Plat of Simon Acres 1st Addition and Highview 10th Addition  
Motion made by Mayor Jirik to set the public hearing for November 6, 2023, Seconded by Councilmember Bass.  
Voting Yea: Mayor Jirik, Councilmember Ryan, Councilmember Bass, Councilmember Seiler, Councilmember Wolf  
Motion carried (5-0).
- c. Resolution #23-10-02-05 - Approving Certification of Mowing and Property Maintenance Charges to Property Tax Roll  
Planning/Community Development Director Ondich provided a summary. Motion made by Councilmember Bass, Seconded by Councilmember Seiler to approve.  
Voting Yea: Mayor Jirik, Councilmember Ryan, Councilmember Bass, Councilmember Seiler, Councilmember Wolf  
Motion carried (5-0).
- d. Resolution #23-10-02-06 - Approving Certification of Unpaid Service Charges Municipal Utility Billing Charges to Property Tax Roll  
Planning/Community Development Director Ondich provided a summary. Motion made by Councilmember Bass, Seconded by Councilmember Wolf to approve.  
Voting Yea: Mayor Jirik, Councilmember Ryan, Councilmember Bass, Councilmember Seiler, Councilmember Wolf  
Motion carried (5-0).
- e. Resolution #23-10-02-07 - 2023 Official Fee Schedule Amendment  
Planning/Community Development Director Ondich provided updates. Motion made by Councilmember Seiler, Seconded by Councilmember Wolf to approve the amendments to the Fee Schedule.  
Voting Yea: Mayor Jirik, Councilmember Ryan, Councilmember Bass, Councilmember Seiler, Councilmember Wolf  
Motion carried (5-0).
- f. Resolution #23-10-02-08 - Approving Publication of Ordinance #342 by Title and Summary  
Motion made by Councilmember Ryan, Seconded by Councilmember Seiler to approve the publication by title and summary.  
Voting Yea: Mayor Jirik, Councilmember Ryan, Councilmember Bass, Councilmember Seiler, Councilmember Wolf  
Motion carried (5-0).

## 11. GENERAL BUSINESS

- a. Sanitary Sewer Expansion Feasibility Study  
City Administrator Tetzlaff provided a summary. Motion made by Councilmember Seiler, Seconded by Councilmember Ryan to award the study to Bolton & Menk.  
Voting Yea: Mayor Jirik, Councilmember Ryan, Councilmember Bass, Councilmember Seiler, Councilmember Wolf  
Motion carried (5-0).
- b. Scott County Community Development Agency Economic Development Assistance Program Grant Application  
Motion made by Councilmember Ryan, Seconded by Councilmember Bass to approve the grant application.  
Voting Yea: Mayor Jirik, Councilmember Ryan, Councilmember Bass, Councilmember Seiler, Councilmember Wolf  
Motion carried (5-0).

12. MISCELLANEOUS

- a. Meeting Minutes
  - i. Utilities
- b. Rental Inspection Ordinance Update Information
- c. Discussion of Items not on the Agenda
  - i. Mayor Jirik inquired about a sawhorse on Main Street.
  - ii. Councilmember Wolf thanked staff for providing information to the public regarding the Emerald Ash Borer and inquired procedurally about the Golf Club's financials.
  - iii. Councilmember Seiler requested repairs to a few of the chairs at Council Chambers.
  - iv. Mayor Jirik thanked Fire Chief Rynda publicly for hosting the Fire Department Open House and for the great breakfast and demonstrations.
  - v. Planning/Community Development Director Ondich advised the City assisted the Golf Board with submitting for an Emerald Ash Borer grant and also submitted for a separate grant involving treatment of Oak Blight.
  - vi. City Administrator Tetzlaff reminded all that the second Budget Meeting is scheduled for Tuesday, October 3, 2023, at 5:00 p.m.

13. ADJOURNMENT

Motion made by Councilmember Bass, Seconded by Councilmember Seiler to adjourn the meeting at approximately 6:46 p.m.

Voting Yea: Mayor Jirik, Councilmember Ryan, Councilmember Bass, Councilmember Seiler, Councilmember Wolf

Motion carried (5-0).

ATTEST:

Duane J. Jirik  
Mayor

Joshua M. Tetzlaff  
City Administrator

CITY OF NEW PRAGUE  
ACCOUNTS PAYABLE  
10/16/2023

Section 3, Item b.

VENDOR	DESCRIPTION	AMOUNT	TOTAL
<b>FUND 101 - GENERAL FUND</b>			
<b><u>OTHER - TO BE REIMBURSED</u></b>			
NEW PRAGUE FIRE DEPARTMENT	KNOX BOX - BRICKS BOATWORKS	\$472.00	
<b>TOTAL:</b>			<b>\$472.00</b>
<b><u>RURAL FIRE - TO BE REIMBURSED</u></b>			
ACE HARDWARE & PAINT	SUPPLIES	\$34.47	
BEVCOMM	TELEPHONE	\$88.85	
BIG STONE LANDSCAPE LLC	LIGHT BROWN MULCH	\$280.00	
MUNICIPAL EMERGENCY SERVICE	AIR MONITOR FOR LADDER 1	\$393.92	
NEW PRAGUE UTILITIES	RURAL FIRE - UTILITES	\$1,116.98	
VERIZON WIRELESS	TABLETS	\$30.05	
ZORO TOOLS INC.	BOLT CUTTER	\$22.89	
<b>TOTAL:</b>			<b>\$1,967.16</b>
<b><u>ESCROW REFUNDS</u></b>			
KUBES REALTY	ESCROW - 1104 TIKALSKY ST SE	\$1,500.00	
KUBES REALTY	ESCROW - 1204 TIKALSKY ST SE	\$1,500.00	
KUBES REALTY	ESCROW - 1206 TIKALSKY ST SE	\$1,500.00	
SHIMOTA PROJECT MANAGEMENT	ESCROW - 1208 TIKALSKY ST SE	\$1,500.00	
SHIMOTA PROJECT MANAGEMENT	ESCROW - 1213 OLIVIA ST SE	\$1,500.00	
<b>TOTAL:</b>			<b>\$7,500.00</b>
<b><u>COUNCIL</u></b>			
QUILL CORPORATION	OFFICE SUPPLIES	\$23.33	
SUEL PRINTING	COUNCIL MINUTES / CANNABIS	\$1,584.00	
US BANK EQUIPMENT FINANCE	COPIER LEASE	\$274.98	
<b>TOTAL:</b>			<b>\$1,882.31</b>
<b><u>ADMINISTRATION</u></b>			
AMAZON CAPITAL SERVICES	OFFICE SUPPLIES	\$39.10	
BEVCOMM	TELEPHONE	\$99.21	
QUILL CORPORATION	OFFICE SUPPLIES	\$23.33	
ROTARY CLUB OF NEW PRAGUE	2ND QUARTER DUES	\$180.00	
SUEL PRINTING	ENVELOPES	\$273.60	
US BANK EQUIPMENT FINANCE	COPIER LEASE	\$428.14	
VETERAN SHREDDING	SHREDDING SERVICE	\$8.50	
<b>TOTAL:</b>			<b>\$1,051.88</b>
<b><u>TECH NETWORK</u></b>			
CIVIC SYSTEMS LLC	2023 CIVIC SYSTEM SOFTWARE	\$8,287.00	
COMPUTER TECHNOLOGY SOLUTIONS	COMPUTER SUPPORT	\$5,064.83	
COMPUTER TECHNOLOGY SOLUTIONS	OFFICE 365 / FIREWALL	\$1,412.17	
<b>TOTAL:</b>			<b>\$14,764.00</b>
<b><u>ATTORNEY</u></b>			
KENNEDY & GRAVEN CHARTERED	LEGAL SERVICES	\$2,494.45	
SCOTT COUNTY ATTORNEY'S OFFICE	JULY COURT FINES	\$1,825.37	
<b>TOTAL:</b>			<b>\$4,319.82</b>
<b><u>PLANNING</u></b>			
BEVCOMM	TELEPHONE	\$43.53	
KEN ONDICH	TRAVEL & MEAL REIMBURSEMENT	\$14.00	
KYRA CHAPMAN	MEAL REIMBURSEMENT	\$21.34	
KYRA CHAPMAN	MILEAGE REIMBURSEMENT	\$92.95	
LE SUEUR COUNTY RECORDER	RECORDING FEE - MOWING	\$46.00	
MSA PROFESSIONAL SERVICES INC	COMPREHENSIVE PLAN UPDATE	\$14,440.00	
SCOTT COUNTY RECORDER	RECORDING FEE - MOWING	\$46.00	
SUEL PRINTING	SCREENING REQUIRMENTS/WEINANDT	\$528.00	
US BANK EQUIPMENT FINANCE	COPIER LEASE	\$27.18	
<b>TOTAL:</b>			<b>\$15,259.00</b>

CITY OF NEW PRAGUE  
ACCOUNTS PAYABLE  
10/16/2023

Section 3, Item b.

VENDOR	DESCRIPTION	AMOUNT	TOTAL
<b><u>GOVERNMENT BUILDING</u></b>			
ACE HARDWARE & PAINT	SUPPLIES	\$34.97	
AMAZON CAPITAL SERVICES	CONFERENCE ROOM CHAIR	\$277.93	
AMAZON CAPITAL SERVICES	COUNCIL CHAMBER CHAIR	\$78.97	
BORDER STATES ELECTRIC SUPPLY	4' BULBS	\$103.32	
GRAINGER	BALLASTS	\$137.70	
JANI-KING OF MINNESOTA INC	CLEANING SERVICES	\$1,286.63	
MEI TOTAL ELEVATOR SOLUTIONS	ELEVATOR MAINTENANCE	\$66.30	
NEW PRAGUE UTILITIES	UTILITIES	\$1,681.19	
<b>TOTAL:</b>			<b>\$3,667.01</b>
<b><u>POLICE</u></b>			
AT&T MOBILITY	WIRELESS CELLS	\$565.42	
BEVCOMM	TELEPHONE	\$105.39	
CENTRAL FIRE PROTECTION INC	FIRE EXTINGUISHER MAINTENANCE	\$139.45	
MINNESOTA CRITTER GETTER	ANIMAL CONTROL	\$3,900.00	
MOTOROLA SOLUTIONS INC.	BATTERY	\$106.50	
SCOTT COUNTY TREASURER	DOZINKY ASSISTANCE	\$1,680.00	
US BANK EQUIPMENT FINANCE	COPIER LEASE	\$279.14	
VERIZON WIRELESS	VERIZON	\$200.11	
VETERAN SHREDDING	SHREDDING SERVICE	\$42.50	
<b>TOTAL:</b>			<b>\$7,018.51</b>
<b><u>FIRE</u></b>			
ACE HARDWARE & PAINT	SUPPLIES	\$34.49	
BEVCOMM	TELEPHONE	\$88.85	
BIG STONE LANDSCAPE LLC	LIGHT BROWN MULCH	\$280.00	
MUNICIPAL EMERGENCY SERVICE	AIR MONITOR FOR LADDER 1	\$393.92	
NEW PRAGUE UTILITIES	UTILITIES	\$1,116.99	
VERIZON WIRELESS	TABLETS	\$30.05	
ZORO TOOLS INC.	BOLT CUTTER	\$22.89	
<b>TOTAL:</b>			<b>\$1,967.19</b>
<b><u>BUILDING INSPECTOR</u></b>			
BEVCOMM	TELEPHONE	\$43.52	
BRIAN PETERSEN	RIVERBEND INSPECTION MEETING	\$12.03	
<b>TOTAL:</b>			<b>\$55.55</b>
<b><u>PUBLIC WORKS</u></b>			
AMAZON CAPITAL SERVICES	COMPOST GRANT - PADLOCKS	\$6.99	
<b>TOTAL:</b>			<b>\$6.99</b>
<b><u>STREET</u></b>			
ACE HARDWARE & PAINT	SUPPLIES	\$83.96	
AMAZON CAPITAL SERVICES	ELECTRICAL OUTLET	\$14.77	
AMAZON CAPITAL SERVICES	REFLECTIVE TAPE	\$7.99	
BEVCOMM	TELEPHONE	\$74.10	
H & L MESABI	3' CARBIDE	\$1,368.00	
MINNESOTA MUNICIPAL UTILITY	MMUA CONSORTIUM	\$227.50	
NEW PRAGUE UTILITIES	UTILITIES	\$393.45	
SUEL PRINTING	BAGS	\$15.00	
US BANK EQUIPMENT FINANCE	COPIER LEASE	\$81.00	
<b>TOTAL:</b>			<b>\$2,265.77</b>
<b><u>STREET LIGHTS</u></b>			
NEW PRAGUE UTILITIES	STREET LIGHTS	\$4,600.62	
<b>TOTAL:</b>			<b>\$4,600.62</b>

CITY OF NEW PRAGUE  
ACCOUNTS PAYABLE  
10/16/2023

Section 3, Item b.

VENDOR	DESCRIPTION	AMOUNT	TOTAL
<b><u>PARKS</u></b>			
ACE HARDWARE & PAINT	SUPPLIES	\$711.23	
BEVCOMM	TELEPHONE	\$31.72	
BIG STONE LANDSCAPE LLC	DARK BROWN MULCH	\$420.00	
BOLTON & MENK INC.	TREE SURVEY	\$1,181.00	
BRYAN ROCK PRODUCTS INC.	AG LIME	\$1,252.02	
HERITAGE LANDSCAPE SUPPLY GROUP	HERBICIDE	-\$111.28	
MINNESOTA MUNICIPAL UTILITY	MMUA CONSORTIUM	\$70.00	
NEW PRAGUE UTILITIES	UTILITIES	\$2,131.24	
O'REILLY AUTOMOTIVE INC	BATTERY	\$119.58	
O'REILLY AUTOMOTIVE INC	BUSHING	\$21.99	
O'REILLY AUTOMOTIVE INC	MINI BULB	\$8.18	
SAILER'S GREENHOUSE	HANGING BASKETS	\$240.00	
STASNEY ELECTRIC	BALLFIELD DISCONNECTS	\$2,176.00	
WASHA TRUCKING SERVICES INC	HAULING -AG LIME	\$115.00	
<b>TOTAL:</b>			<b>\$8,366.68</b>
<b><u>PARK BOARD</u></b>			
DAHL-SHETKA, KIERSTEN	GRANT - PROFESSIONAL SERVICES	\$6,150.00	
DAHL-SHETKA, KIERSTEN	GRANT - SUPPLIES	\$850.00	
<b>TOTAL:</b>			<b>\$7,000.00</b>
<b><u>LIBRARY</u></b>			
ACE HARDWARE & PAINT	SUPPLIES	\$19.99	
JANI-KING OF MINNESOTA INC	CLEANING SERVICES	\$743.27	
LAKERS NEW PRAGUE SANITARY	TRASH	\$242.37	
NEW PRAGUE UTILITIES	UTILITIES	\$932.43	
<b>TOTAL:</b>			<b>\$1,938.06</b>
<b>GENERAL FUND TOTAL:</b>			<b>\$84,102.55</b>
<b>FUND 227 - SPECIAL REVENUE - RENTAL</b>			
SCOTT COUNTY	PROPERTY TAXES	\$865.00	
<b>TOTAL:</b>			<b>\$865.00</b>
<b>FUND 395 - DEBT SERVICE - CIP 2009</b>			
COMPUTERSHARE TRUST COMPANY	PAYING AGENT FEE	\$350.00	
<b>TOTAL:</b>			<b>\$350.00</b>
<b>FUND 422 - CAPITAL PROJECTS - CIP 2023</b>			
HOLTMEIER CONSTRUCTION INC	2023 CIP PAY AP #6	\$163,127.31	
SUEL PRINTING	2023 CIP HEARING	\$416.00	
SEH	CIP 2024	\$23,316.26	
<b>TOTAL:</b>			<b>\$186,859.57</b>
<b>FUND 499 - CAPITAL PROJECTS - GENERAL</b>			
SCOTT COUNTY	PROPERTY TAXES	\$748.00	
<b>TOTAL:</b>			<b>\$748.00</b>
<b>FUND 602 - ENTERPRISE - SANITARY SEWER</b>			
ACE HARDWARE & PAINT	SUPPLIES	\$509.58	
AMAZON CAPITAL SERVICES	GARAGE DOOR SWITCH	\$91.50	
BEVCOMM	TELEPHONE	\$206.29	
COMPUTER TECHNOLOGY SOLUTIONS	COMPUTER SUPPORT	\$1,321.78	
COMPUTER TECHNOLOGY SOLUTIONS	OFFICE 365 / FIREWALL	\$218.14	
GOPHER STATE ONE CALL	LINE LOCATES	\$34.76	
HARTFIEL AUTOMATION	MAC VALVE - REPAIR KIT	\$362.84	
LE SUEUR COUNTY RECORDER	RECORDING FEE - UTILITY ASSESSMENTS	\$12.99	
MINNESOTA MUNICIPAL UTILITY	MMUA CONSORTIUM	\$140.00	
MN VALLEY TESTING LABS	TESTING ANALYSIS	\$546.71	

CITY OF NEW PRAGUE  
ACCOUNTS PAYABLE  
10/16/2023

Section 3, Item b.

VENDOR	DESCRIPTION	AMOUNT	TOTAL
NEW PRAGUE UTILITIES	UTILITIES	\$21,778.59	
POLYDYNE INC	POLYMER - CE-2469	\$3,772.00	
RS AMERICAS INC	LED BULBS	\$66.61	
SALTCO	MONTHLY SALT	\$1,182.76	
SCOTT COUNTY RECORDER	RECORDING FEE - UTILITY ASSESSMENTS	\$12.99	
STAR GROUP LLC.	OIL FILTERS	\$56.64	
STAR GROUP LLC.	V-BELT	\$9.83	
US BANK EQUIPMENT FINANCE	COPIER LEASE	\$81.00	
UTILITY CONSULTANTS INC.	SAMPLES	\$2,073.13	
VETERAN SHREDDING	SHREDDING SERVICE	\$8.50	
<b>TOTAL:</b>			<b>\$32,486.64</b>
<b>FUND 606 - ENTERPRISE - STORM UTILITY</b>			
GOPHER STATE ONE CALL	LINE LOCATES	\$34.76	
LE SUEUR COUNTY RECORDER	RECORDING FEE - UTILITY ASSESSMENTS	\$1.04	
SCOTT COUNTY RECORDER	RECORDING FEE - UTILITY ASSESSMENTS	\$1.04	
<b>TOTAL:</b>			<b>\$36.84</b>
<b>FUND 651 - ENTERPRISE - AMBULANCE</b>			
NEW PRAGUE UTILITIES	UTILITIES	\$492.65	
<b>TOTAL:</b>			<b>\$492.65</b>
<b>TOTAL ACCOUNTS PAYABLE FOR COUNCIL APPROVAL:</b>			<b>\$305,941.25</b>

Vendor Name	Net Invoice Amount
<b>ACUSHNET COMPANY</b>	
Total GOLF MERCHANDISE:	259.61
<b>CALLAWAY GOLF</b>	
Total GOLF MERCHANDISE:	261.60
<b>CARD SERVICES/COBORN</b>	
Total FOOD:	198.08
<b>CENTRAL MCGOWAN INC</b>	
Total CO2:	75.16
Total CO2 CHARGE:	71.35
Total LATE FEE:	2.00
<b>CINTAS</b>	
Total TOWELS / LINEN:	198.85
<b>CLESENS</b>	
Total 2 INCH GATE VALVES:	1,078.57
Total IRRIGATION PARTS:	1,778.27
<b>COLLEGE CITY BEVERAGE</b>	
Total BEER - CREDIT:	30.00-
Total BEER/LIQUOR:	390.10
<b>CONNELLY PLUMBING &amp; HEATING</b>	
Total TOILET REPAIR:	153.00
<b>DR. FRESH TAP</b>	
Total CLEAN TAP LINES:	75.00
<b>ECOLAB INC</b>	
Total DISHWASHER RENTAL:	216.19
<b>HERITAGE LANDSCAPE SUPPLY GROUP</b>	
Total BENT GRASS SEED:	1,314.10
<b>J&amp;M GOLF</b>	
Total GOLF MERCHANDISE:	115.34
<b>LAKERS NEW PRAGUE SANITARY</b>	
Total TRASH :	384.54
<b>MOR GOLF AND UTILITY</b>	
Total KEY SWITCH:	46.62
Total ON BOARD COMPUTER GEN2:	305.42
<b>MTI DISTRIBUTING INC</b>	
Total FILTERS:	165.36
Total SCREWS:	9.34
<b>NEW PRAGUE UTILITIES</b>	
Total UTILITIES:	23,497.33
<b>PAT'S HANDYMAN SERVICES</b>	
Total WOMAN'S SHOWER:	254.00
<b>QUILL CORPORATION</b>	
Total OFFICE SUPPLIES:	54.31
<b>SAILER'S GREENHOUSE</b>	
Total FLOWERS:	55.47
<b>SANDY EATON</b>	
Total MUMS:	308.54
<b>SHAKOPEE BREWHALL</b>	
Total ALCOHOL:	90.00
<b>TAYLOR MADE GOLF COMPANY</b>	
Total SPECIAL ORDER:	238.49
<b>TOW DISTRIBUTING CORP</b>	
Total BEER/LIQUOR:	153.00
<b>TOWN &amp; COUNTRY SEWER SERVICE</b>	
Total PORTABLE RESTROOMS:	740.89
<b>VERSATILE VEHICLES INC.</b>	
Total FLEET RENTALS:	1,260.00

Vendor Name	Net Invoice Amount
<b>WASHA TRUCKING SERVICES INC</b>	
Total HAULING OF SAND:	230.00
Grand Totals:	33,950.53





118 Central Avenue North, New Prague, MN 56071  
phone: 952-758-4401 fax: 952-758-1149

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## MEMORANDUM

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**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**FROM:** JOSHUA TETZLAFF, CITY ADMINISTRATOR  
**SUBJECT:** CHURCH OF ST. WENCESLAUS – MINNESOTA LAWFUL GAMBLING LG220  
APPLICATION FOR EXEMPT PERMIT  
**DATE:** OCTOBER 9, 2023

---

Attached is a Minnesota Lawful Gambling LG220 Application for the Church of St. Wenceslaus to conduct a raffle at an event on January 31, 2024, at 215 Main Street East, New Prague.

**Recommendation**

Staff recommends approval of the Lawful Gambling Permit for the Church of St. Wenceslaus and recommends requesting a waiver of the waiting period.

## MINNESOTA LAWFUL GAMBLING

## LG220 Application for Exempt Permit

11/17  
Page 1 of 2

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than \$50,000 in prizes during a calendar year.

If total raffle prize value for the calendar year will be \$1,500 or less, contact the Licensing Specialist assigned to your county by calling 651-539-1900.

**Application Fee (non-refundable)**

Applications are processed in the order received. If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**.

Due to the high volume of exempt applications, payment of additional fees prior to 30 days before your event will not expedite service, nor are telephone requests for expedited service accepted.

**ORGANIZATION INFORMATION**

Organization Name: Church of St Wenceslaus

Previous Gambling Permit Number: X-70005-22-047

Minnesota Tax ID Number, if any: 8348249

Federal Employer ID Number (FEIN), if any: 41-0695519

Mailing Address: 215 Main Street East

City: New Prague State: MN Zip: 56071 County: Scott

Name of Chief Executive Officer (CEO): Fr Eugene Theisen

CEO Daytime Phone: 952-758-3225 CEO Email: Eugene.Theisen@npcatholic.org

(permit will be emailed to this email address unless otherwise indicated below)

Email permit to (if other than the CEO): ruth.weinandt@npcatholic.org

**NONPROFIT STATUS**

Type of Nonprofit Organization (check one):

☐ Fraternal ☒ Religious ☐ Veterans ☐ Other Nonprofit Organization

**Attach a copy of one of the following showing proof of nonprofit status:**

(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit status.)

☐ **A current calendar year Certificate of Good Standing**

Don't have a copy? Obtain this certificate from:

MN Secretary of State, Business Services Division  
60 Empire Drive, Suite 100  
St. Paul, MN 55103

Secretary of State website, phone numbers:

[www.sos.state.mn.us](http://www.sos.state.mn.us)

651-296-2803, or toll free 1-877-551-6767

☐ **IRS income tax exemption (501(c)) letter in your organization's name**

Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS toll free at 1-877-829-5500.

☒ **IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)**

If your organization falls under a parent organization, attach copies of both of the following:

1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling; and
2. the charter or letter from your parent organization recognizing your organization as a subordinate.

**GAMBLING PREMISES INFORMATION**

Name of premises where the gambling event will be conducted (for raffles, list the site where the drawing will take place): Church of St Wenceslaus

Physical Address (do not use P.O. box): 215 Main Street East, New Prague MN 56071

Check one:

☒ City: New Prague Zip: 56071 County: Scott

☐ Township: \_\_\_\_\_ Zip: \_\_\_\_\_ County: \_\_\_\_\_

Date(s) of activity (for raffles, indicate the date of the drawing): January 31, 2024

Check each type of gambling activity that your organization will conduct:

☐ Bingo ☐ Paddlewheels ☐ Pull-Tabs ☐ Tipboards ☒ Raffle

**Gambling equipment** for bingo paper, bingo boards, raffle boards, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo ball selection devices may be borrowed from another organization authorized to conduct bingo. To find a licensed distributor, go to [www.mn.gov/gcb](http://www.mn.gov/gcb) and click on **Distributors** under the **List of Licensees** tab, or call 651-539-1900.

**LG220 Application for Exempt Permit****LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT (required before submitting application to the Minnesota Gambling Control Board)****CITY APPROVAL  
for a gambling premises  
located within city limits**

The application is acknowledged with no waiting period.



The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).



The application is denied.

Print City Name: City of New Prague

Signature of City Personnel: \_\_\_\_\_

Title: City Administrator Date: \_\_\_\_\_

**The city or county must sign before  
submitting application to the  
Gambling Control Board.**

**COUNTY APPROVAL  
for a gambling premises  
located in a township**

The application is acknowledged with no waiting period.



The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days.



The application is denied.

Print County Name: \_\_\_\_\_

Signature of County Personnel: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

**TOWNSHIP (if required by the county)**

On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minn. Statutes, section 349.213.)

Print Township Name: \_\_\_\_\_

Signature of Township Officer: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

**CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)**

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the event date.

Chief Executive Officer's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
(Signature must be CEO's signature; designee may not sign)

Print Name: Fr Eugene Theisen**REQUIREMENTS****Complete a separate application for:**

- all gambling conducted on two or more consecutive days; or
- all gambling conducted on one day.

Only one application is required if one or more raffle drawings are conducted on the same day.

**Financial report to be completed within 30 days after the gambling activity is done:**

A financial report form will be mailed with your permit. Complete and return the financial report form to the Gambling Control Board.

Your organization must keep all exempt records and reports for 3-1/2 years (Minn. Statutes, section 349.166, subd. 2(f)).

**MAIL APPLICATION AND ATTACHMENTS****Mail application with:**

- \_\_\_\_\_ a copy of your proof of nonprofit status; and
- \_\_\_\_\_ application fee (non-refundable). If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**. Make check payable to **State of Minnesota**.

**To:** Minnesota Gambling Control Board  
1711 West County Road B, Suite 300 South  
Roseville, MN 55113

**Questions?**

Call the Licensing Section of the Gambling Control Board at 651-539-1900.

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the

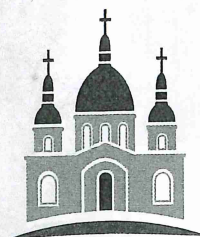
application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board members, Board staff whose work requires access to the information; Minnesota's Depart-

ment of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

This form will be made available in alternative format (i.e. large print, braille) upon request.

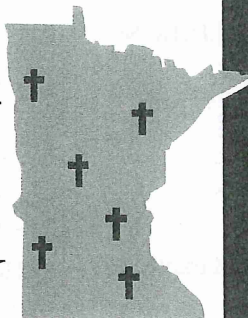
An equal opportunity employer



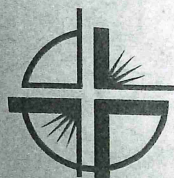


# FFICIAL 2020

## MINNESOTA CATHOLIC DIRECTORY



Published by the Office of Communications, Archdiocese of St. Paul and Minneapolis



**Catholic Finance**  
CORPORATION  
*Financial Advisor to Catholic Institutions*

CROOKSTON • DULUTH • NEW ULM • SAINT CLOUD • SAINT PAUL & MINNEAPOLIS • WINONA / ROCHESTER

Archdiocese of  
Saint Paul and Minneapolis



## St. Paul &amp; Minneapolis

53

## Catholic Directory

8701 36th Ave. N, New Hope  
55427-1769  
(763) 544-3352, Fax 544-3435

Little Church:  
13015 Rockford Rd., Plymouth  
trasmussen@stjosephparish.com  
www.stjosephparish.com

- Rev. Terry Rassmussen  
(763) 559-0318  
trasmussen@stjosephparish.com
- Deacon Robert Bramwell

## MASSES:

Parish Center-New Hope

- Sat, 4:30 p.m.
- Sun: 10 a.m., 6 p.m.
- Weekday: Tue, 5:30 p.m.; Wed, Thu, 8:30 a.m.

Little Church-Plymouth

- Sun: 8, 9:30 a.m.

## SACRAMENT OF RECONCILIATION:

Parish Center-New Hope

- 1st Sat of Month, 3:30-4:30 p.m.

NEW MARKET  
Scott Co.

## ST. NICHOLAS



51 Church St., Elko New Market 55054  
(952) 461-2403  
www.stncc.net  
www.facebook.com/stncc.net

- Rev. Patrick Barnes

## MASSES:

- Sat, 5 p.m.
- Sun: 8, 10 a.m.
- Weekday: Tue-Sat, 8 a.m.

## SACRAMENT OF RECONCILIATION:

- Tue-Fri, 7:35-7:50 a.m.; Wed, 4:45-5:30 p.m.; Sat, 8:35 a.m., 3:30-4:40 p.m.

SCHOOL: Holy Cross

See SCHOOLS section

NEW PRAGUE  
Scott Co.

ST. BENEDICT, *see St. Benedict*

## ST. WENCESLAUS



St. Wenceslaus campus:  
215 Main St. E, New Prague  
56071-1837  
(952) 758-3225, Fax 758-2960  
www.npcatholic.org  
St. Scholastica campus  
31525 181st Ave., Heidelberg 56071  
(952) 758-4292

Parish records available at St. Wenceslaus

St. John the Evangelist campus:  
20087 Hub Dr., Union Hill 56071  
(952) 758-4642

- Rev. Eugene Theisen, Parochial Administrator, (952) 758-0469  
eugene.theisen@npcatholic.org

## MASSES:

St. Wenceslaus campus:

- Sat, 5 p.m. (4 p.m. DST)
- Sun: 8:30, 10:30 a.m.

## SACRAMENT OF RECONCILIATION:

- Sat, 4-4:30 p.m. (3-3:30 p.m. DST)

St. Scholastica Campus:

- Sat, 8:15 p.m. (Nov-Apr)
- Sun, 10 a.m., 7:30 p.m. (Nov-Apr)

SCHOOL: St. Wenceslaus

See SCHOOLS section

NEW TRIER  
Dakota Co.

## ST. MARY

St. Mary's Church  
23315 Northfield Blvd.  
Hampton 55031  
parishoffice@stmthias.com

- Rhonda Rother  
Parish Business Administrator
- Rev. Cole Kracke

## MASSES:

- Sun, 8 a.m.
- Weekday: Fri, 7:30 a.m.; 1st Sat, 8:30 a.m.

PARISHES

Diocese of New Ulm

Diocese of Crookston

Diocese of Duluth

**Internal Revenue Service**  
**P.O. Box 2508**  
**Cincinnati, OH 45201**

**Department of the Treasury**

**Date: June 2, 2017**

**Person to Contact:**

R. Meyer ID# 0110429

**Toll Free Telephone Number:**

877-829-5500

United States Conference of Catholic  
Bishops  
3211 4<sup>th</sup> Street, NE  
Washington, DC 20017-1194

**Group Exemption Number:**

0928

Dear Sir/Madam:

This responds to your June 2, 2017, request for information regarding the status of your group tax exemption.

Our records indicate that you were issued a determination letter in March 1946, that you are currently exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, and are not a private foundation within the meaning of section 509(a) of the Code because you are described in sections 509(a)(1) and 170(b)(1)(A)(i).

With your request, you provided a copy of the *Official Catholic Directory for 2017*, which includes the names and addresses of the agencies and instrumentalities and the educational, charitable, and religious institutions operated by the Roman Catholic Church in the United States, its territories, and possessions that are subordinate organizations under your group tax exemption. Your request indicated that each subordinate organization is a non-profit organization, that no part of the net earnings thereof inures to the benefit of any individual, and that no substantial part of their activities is for promotion of legislation. You have further represented that none of your subordinate organizations is a private foundation under section 509(a), although all subordinates do not all share the same sub-classification under section 509(a). Based on your representations, the subordinate organizations in the *Official Catholic Directory for 2017* are recognized as exempt under section 501(c)(3) of the Code under GEN 0928.

Donors may deduct contributions to you and your subordinate organizations as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to them or for their use are deductible for federal estate and gifts tax purposes if they meet the applicable provisions of section 2055, 2106, and 2522 of the Code.

Subordinate organizations under a group exemption do not receive individual exemption letters. Most subordinate organizations are not separately listed in Publication 78 or the EO Business Master File. Donors may verify that a subordinate organization is included



in your group exemption by consulting the *Official Catholic Directory*, the official subordinate listing approved by you, or by contacting you directly. IRS does not verify the inclusion of subordinate organizations under your group exemption. See IRS Publication 4573, *Group Exemption*, for additional information about group exemptions.

Each subordinate organization covered in a group exemption should have its own EIN. Each subordinate organization must use its own EIN, not the EIN of the central organization, in all filings with IRS.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely,

A handwritten signature in cursive script that reads "Stephen A. Martin".

Stephen A. Martin  
Director, Exempt Organizations  
Rulings and Agreements



118 Central Avenue North, New Prague, MN 56071  
phone: 952-758-4401 fax: 952-758-1149

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## MEMORANDUM

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**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**FROM:** JOSHUA TETZLAFF, CITY ADMINISTRATOR  
**SUBJECT:** NEW PRAGUE FIREMENS RELIEF ASSOCIATION – LG214 PREMISES PERMIT APPLICATION & LG215 LEASE FOR LAWFUL GAMBLING ACTIVITY  
**DATE:** OCTOBER 9, 2023

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Attached is an application request from New Prague Firemens Relief Association for a Premises Permit and Lease for Lawful Gambling Activity to conduct paper and electronic pull-tabs, tipboards, and electronic linked bingo at Corner Bar, 100 Main Street West, New Prague, beginning October 16, 2023.

### **Recommendation**

Staff recommends approval of the Premises Permit Application and Lease for Lawful Gambling Activity for New Prague Firemens Relief Association.



**LG214 Premises Permit Application****Annual Fee \$150 (NON-REFUNDABLE)****REQUIRED ATTACHMENTS TO LG214**

1. If the premises is leased, attach a copy of your lease. Use **LG215 Lease for Lawful Gambling Activity**.
2. \$150 annual premises permit fee, for each permit (non-refundable). Make check payable to "**State of Minnesota**."

**Mail the application and required attachments to:**

Minnesota Gambling Control Board  
1711 West County Road B, Suite 300 South  
Roseville, MN 55113

**Questions?** Call 651-539-1900 and ask for Licensing.**ORGANIZATION INFORMATION**Organization Name: New Prague Firemens Relief associationLicense Number: 02426Chief Executive Officer (CEO) Brad NovakDaytime Phone: 952-292-1523Gambling Manager: Phil WernerDaytime Phone: 952-994-4694**GAMBLING PREMISES INFORMATION**Current name of site where gambling will be conducted: The Corner Bar LLC

List any previous names for this location:

Street address where premises is located: 100 Main Street West

(Do not use a P.O. box number or mailing address.)

City: **OR** Township:

County:

Zip Code:

New PragueLeSueur56071

Does your organization own the building where the gambling will be conducted?

☐

Yes

☒

No

If no, attach LG215 Lease for Lawful Gambling Activity.

A lease is not required if only a raffle will be conducted.

Is any other organization conducting gambling at this site?

☐

Yes

☒

No

☐

Don't know

Note: Bar bingo can only be conducted at a site where another form of lawful gambling is being conducted by the applying organization or another permitted organization. Electronic games can only be conducted at a site where paper pull-tabs are played.

Has your organization previously conducted gambling at this site?

☐

Yes

☒

No

☐

Don't know

**GAMBLING BANK ACCOUNT INFORMATION; MUST BE IN MINNESOTA**Bank Name: First Bank And Trust

Bank Account Number: \_\_\_\_\_

Bank Street Address: 1101 First Street SECity: New PragueState: **MN**Zip Code: 56071**ALL TEMPORARY AND PERMANENT OFF-SITE STORAGE SPACES**

Address (Do not use a P.O. box number):

City:

State: Zip Code:

505 5Th AVE, NWNew Prague**MN** 56071**MN****MN**

**ACKNOWLEDGMENT BY LOCAL UNIT OF GOVERNMENT: APPROVAL BY RESOLUTION**

<b>CITY APPROVAL</b> <b>for a gambling premises</b> <b>located within city limits</b>	<b>COUNTY APPROVAL</b> <b>for a gambling premises</b> <b>located in a township</b>
City Name: <u>New Prague</u>	County Name: _____
Date Approved by City Council: _____	Date Approved by County Board: _____
Resolution Number: _____ (If none, attach meeting minutes.)	Resolution Number: _____ (If none, attach meeting minutes.)
Signature of City Personnel: _____	Signature of County Personnel: _____
Title: <u>City Administrator</u> Date Signed: _____	Title: _____ Date Signed: _____
<div style="border: 1px solid black; padding: 10px; width: fit-content; margin: 0 auto;"> <b>Local unit of government must sign.</b> </div>	TOWNSHIP NAME: _____
	<b>Complete below only if required by the county.</b> On behalf of the township, I acknowledge that the organization is applying to conduct gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minnesota Statutes 349.213, Subd. 2.)
	Print Township Name: _____
	Signature of Township Officer: _____
	Title: _____ Date Signed: _____

**ACKNOWLEDGMENT AND OATH**

- |  |   |
|--|---|
| <ol style="list-style-type: none"> <li>1. I hereby consent that local law enforcement officers, the Board or its agents, and the commissioners of revenue or public safety and their agents may enter and inspect the premises.</li> <li>2. The Board and its agents, and the commissioners of revenue and public safety and their agents, are authorized to inspect the bank records of the gambling account whenever necessary to fulfill requirements of current gambling rules and law.</li> <li>3. I have read this application and all information submitted to the Board is true, accurate, and complete.</li> <li>4. All required information has been fully disclosed.</li> <li>5. I am the chief executive officer of the organization.</li> </ol> | <ol style="list-style-type: none"> <li>6. I assume full responsibility for the fair and lawful operation of all activities to be conducted.</li> <li>7. I will familiarize myself with the laws of Minnesota governing lawful gambling and rules of the Board and agree, if licensed, to abide by those laws and rules, including amendments to them.</li> <li>8. Any changes in application information will be submitted to the Board no later than ten days after the change has taken effect.</li> <li>9. I understand that failure to provide required information or providing false or misleading information may result in the denial or revocation of the license.</li> <li>10. I understand the fee is non-refundable regardless of license approval/denial.</li> </ol> |
|--|---|

<b>Signature of Chief Executive Officer (designee may not sign)</b>	<u>10/2/2023</u> <b>Date</b>
---	---------------------------------

<p>Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process your organization's application. Your organization's name and address will be public</p>	<p>information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to: Board members, Board staff whose work requires access to the information;</p>	<p>Minnesota's Department of Public Safety, Attorney General, Commissioners of Administration, Minnesota Management &amp; Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.</p>
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This form will be made available in alternative format, i.e. large print, braille, upon request.

*An equal opportunity employer*



**LG215 Lease for Lawful Gambling Activity**

6/15 Page 1 of 2

**LEASE INFORMATION**

Organization:	License/Site Number:	Daytime Phone:
Nre Prague Firemens Relief Association	02426/001	952-994-4694
Address:	City:	State: Zip:
505 5th Ave NW	new Prague	Mn 56071
Name of Leased Premises:	Street Address:	
The Corner Bar LLC	100 Main Street West	
City:	State: Zip:	Daytime Phone:
New Prague	MN 56071	952-495-4225
Name of Legal Owner:	Business/Street Address:	
Ireland Hurley	100 Main Street West	
City:	State: Zip:	Daytime Phone:
New Prague	Mn 56071	952-495-4225
Name of Lessor (if same as legal owner, write "SAME"):	Address:	
SAME		
City:	State: Zip:	Daytime Phone:

Check applicable item:

- ☒ **New or amended lease.** Effective date: 10/16/23. Submit changes at least ten days **before** the effective date of the change.
- ☐ **New owner.** Effective date: \_\_\_\_\_. Submit new lease **within** ten days after new lessor assumes ownership.

**CHECK ALL ACTIVITY THAT WILL BE CONDUCTED (no lease required for raffles)**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Pull-Tabs (paper)                                | <input checked="" type="checkbox"/> Electronic Pull-Tabs  |
| <input checked="" type="checkbox"/> Pull-Tabs (paper) with dispensing device         | <input checked="" type="checkbox"/> Electronic Linked Bingo   |
| <input type="checkbox"/> Bar Bingo <input type="checkbox"/> Bingo                    | Electronic games may only be conducted:   |
| <input checked="" type="checkbox"/> Tipboards  | 1. at a premises licensed for the on-sale of intoxicating liquor or the on-sale of 3.2% malt beverages; or    |
| <input type="checkbox"/> Paddlewheel <input type="checkbox"/> Paddlewheel with table | 2. at a premises where bingo is conducted as the primary business and has a seating capacity of at least 100. |

**PULL-TAB, TIPBOARD, AND PADDLEWHEEL RENT (separate rent for booth and bar ops)**

**BOOTH OPERATION:** Some or all sales of gambling equipment are conducted by an employee/volunteer of a licensed organization at the leased premises.

**ALL GAMES, including electronic games:** Monthly rent to be paid: \_\_\_\_%, not to exceed **10%** of gross profits for that month.

- Total rent paid from all organizations for only booth operations at the leased premises **may not exceed \$1,750**.
- The rent cap does not include BAR OPERATION rent for electronic games conducted by the lessor.

**BAR OPERATION:** All sales of gambling equipment conducted by the lessor or lessor's employee.

**ELECTRONIC GAMES:** Monthly rent to be paid: 15%, not to exceed **15%** of the gross profits for that month from electronic pull-tab games and electronic linked bingo games.

**ALL OTHER GAMES:** Monthly rent to be paid: 20%, not to exceed **20%** of gross profits from all other forms of lawful gambling.

- If any booth sales conducted by a licensed organization at the premises, rent may not exceed **10%** of gross profits for that month and is subject to booth operation **\$1,750** cap.

**BINGO RENT (for leased premises where bingo is the primary business conducted, such as bingo hall)**

Bingo rent is limited to one of the following:

- Rent to be paid: \_\_\_\_%, not to exceed **10%** of the monthly gross profit from all lawful gambling activities held during bingo occasions, excluding bar bingo.
- OR -
- Rate to be paid: \$ \_\_\_\_\_ per square foot, not to exceed 110% of a comparable cost per square foot for leased space, as approved by the director of the Gambling Control Board. The lessor must attach documentation, verified by the organization, to confirm the comparable rate and all applicable costs to be paid by the organization to the lessor.
  - ⇒ **Rent may not be paid for bar bingo.**
  - ⇒ Bar bingo does not include bingo games linked to other permitted premises.

**LEASE TERMINATION CLAUSE (must be completed)**

The lease may be terminated by either party with a written 30 day notice. Other terms:



# LG215 Lease for Lawful Gambling Activity

**Lease Term:** The term of this agreement will be concurrent with the premises permit issued by the Gambling Control Board (Board).

**Management:** The owner of the premises or the lessor will not manage the conduct of lawful gambling at the premises. The organization may not conduct any activity on behalf of the lessor on the leased premises.

**Participation as Players Prohibited:** The lessor will not participate directly or indirectly as a player in any lawful gambling conducted on the premises. The lessor's immediate family and any agents or gambling employees of the lessor will not participate as players in the conduct of lawful gambling on the premises, except as authorized by Minnesota Statutes, Section 349.181.

**Illegal Gambling:** The lessor is aware of the prohibition against illegal gambling in Minnesota Statutes 609.75, and the penalties for illegal gambling violations in Minnesota Rules 7865.0220, Subpart 3. In addition, the Board may authorize the organization to withhold rent for a period of up to 90 days if the Board determines that illegal gambling occurred on the premises or that the lessor or its employees participated in the illegal gambling or knew of the gambling and did not take prompt action to stop the gambling. Continued tenancy of the organization is authorized without payment of rent during the time period determined by the Board for violations of this provision, as authorized by Minnesota Statutes, Section 349.18, Subd. 1(a).

To the best of the lessor's knowledge, the lessor affirms that any and all games or devices located on the premises are not being used, and are not capable of being used, in a manner that violates the prohibitions against illegal gambling in Minnesota Statutes, Section 609.75.

Notwithstanding Minnesota Rules 7865.0220, Subpart 3, an organization must continue making rent payments under the terms of this lease, if the organization or its agents are found to be solely responsible for any illegal gambling, conducted at this site, that is prohibited by Minnesota Rules 7861.0260, Subpart 1, item H, or Minnesota Statutes, Section 609.75, unless the organization's agents responsible for the illegal gambling activity are also agents or employees of the lessor.

The lessor must not modify or terminate the lease in whole or in part because the organization reported, to a state or local law enforcement authority or to the Board, the conduct of illegal gambling activity at this site in which the organization did not participate.

**Other Prohibitions:** The lessor will not impose restrictions on the organization with respect to providers (distributor or linked bingo game provider) of gambling-related equipment and services or in the use of net profits for lawful purposes.

The lessor, the lessor's immediate family, any person residing in the same residence as the lessor, and any agents or employees of the lessor will not require the organization to perform any action that would violate statute or rule. The lessor must not modify or terminate this lease in whole or in part due to the lessor's violation of this provision. If there is a dispute as to whether a violation occurred, the lease will remain in effect pending a final determination by the Compliance Review Group (CRG) of the Board. The lessor agrees to arbitration when a violation of this provision is alleged. The arbitrator shall be the CRG.

**Access to Permitted Premises:** Consent is given to the Board and its agents, the commissioners of revenue and public safety and their agents, and law enforcement personnel to enter and inspect the permitted premises at any reasonable time during the business hours of the lessor. The organization has access to the premises during any time reasonable and when necessary for the conduct of lawful gambling.

**Lessor Records:** The lessor must maintain a record of all money received from the organization, and make the record available to the Board and its agents, and the commissioners of revenue and public safety and their agents upon demand. The record must be maintained for 3-1/2 years.

**Rent All-Inclusive:** Amounts paid as rent by the organization to the lessor are all-inclusive. No other services or expenses provided or contracted by the lessor may be paid by the organization, including but not limited to:

- trash removal
- electricity, heat
- snow removal
- storage
- janitorial and cleaning services
- other utilities or services
- lawn services
- security, security monitoring
- cost of any communication network or service required to conduct electronic pull-tabs games or electronic bingo
- in the case of bar operations, cash shortages.

Any other expenditures made by an organization that is related to a leased premises must be approved by the director of the Board. Rent payments may not be made to an individual.

## ACKNOWLEDGMENT OF LEASE TERMS

I affirm that this lease is the total and only agreement between the lessor and the organization, and that all obligations and agreements are contained in or attached to this lease and are subject to the approval of the director of the Gambling Control Board.

**Other terms of the lease:**

Signature of Lessor:

Date:

Signature of Organization Official (Lessee):

Date:

Print Name and Title of Lessor:

Print Name and Title of Lessee:

**Questions?** Contact the Licensing Section, Gambling Control Board, at 651-539-1900. This publication will be made available in alternative format (i.e. large print, braille) upon request. **Data privacy notice:** The information requested on this form and any attachments will become public information when received by the Board, and will be used to determine your compliance with Minnesota statutes and rules governing lawful gambling activities.

**Mail or fax lease to:**

Minnesota Gambling Control Board  
1711 W. County Road B, Suite 300 South  
Roseville, MN 55113

Fax: 651-639-4032

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

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**CITY OF NEW PRAGUE**  
**RESOLUTION #23-10-16-01**  
**RESOLUTION APPROVING LAWFUL GAMBLING PREMISES PERMIT APPLICATION**  
**FOR NEW PRAGUE FIREMENS RELIEF ASSOCIATION**

**WHEREAS**, New Prague Firemens Relief Association has applied to the Gambling Control Board of the State of Minnesota for a PREMISES PERMIT to conduct lawful gambling as described therein at Corner Bar, 100 Main Street West, New Prague, Minnesota 56071.

**WHEREAS**, the provisions of Minn. Stat. 349.213, subd. 2 require that the City Council of the City of New Prague notify the Gambling Control Board of the State of Minnesota of its approval of said application before a PREMISES PERMIT is APPROVED.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of New Prague, that the City Council APPROVES of the application previously described herein, and directs that the City Administrator notify the Gambling Control Board of the State of Minnesota of its approval by submitting a copy of this resolution of approval thereto.

Adopted by the City Council of the City of New Prague on this 16th day of October, 2023.

\_\_\_\_\_  
Duane J. Jirik, Mayor

ATTEST:

\_\_\_\_\_  
Joshua M. Tetzlaff,  
City Administrator



118 Central Avenue North, New Prague, MN 56071  
phone: 952-758-4401 fax: 952-758-1149

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## MEMORANDUM

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**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**CC:** JOSHUA M. TETZLAFF, CITY ADMINISTRATOR  
**FROM:** KEN ONDICH, PLANNING /COMMUNITY DEVELOPMENT DIRECTOR  
**SUBJECT:** FOUNDRY HILL PARK IMPROVEMENTS – PARK BOARD BUDGET AMENDMENT FOR ADA ROUTE FROM PARKING LOT TO BALLFIELD  
**DATE:** OCTOBER 11, 2023

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At the July 17<sup>th</sup> City Council meeting, the City Council accepted a donation of covered dugouts and fence modifications at the Foundry Hill Park Baseball Field from the New Prague Baseball Booster Club. At this meeting it was noted that the Park Board would be discussing a required ADA accessible route to the field area from the parking lot that did not exist, and which was not included in the 2023 budget. This discussion was intended to take place at the August/September Park Board meetings, but there was not a quorum at either scheduled Park Board meetings, so the Park Board was not able to discuss the ADA route until their meeting on October 10, 2023. The following motion was finally approved:

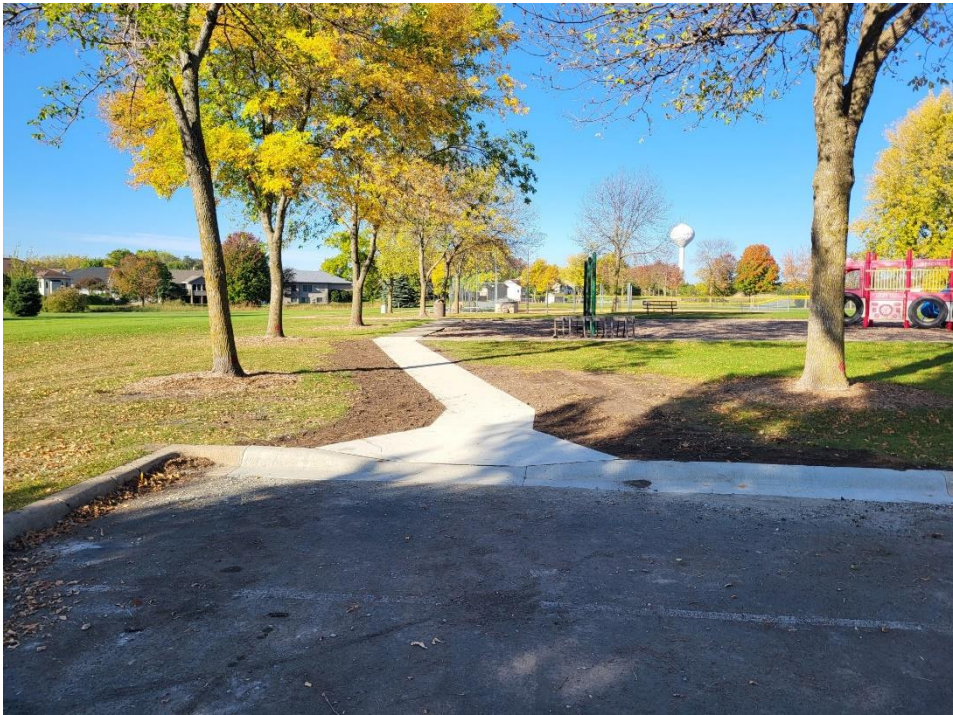
*A motion was made by Dohm, seconded by Bass, to recommend that the City Council amend the 2023 Park Board Budget to pay up to \$1,500 from the Park Equipment Fund for ADA route improvements at Foundry Hill Park from the parking lot to the ballfield. Motion carried (5-0).*

The Park Board has over \$85,000 available in the Park Equipment Fund which are dedicated funds available for park improvement projects such as this one.

### **Staff Recommendation**

Staff recommends that the City Council amend the Park Board Budget – Park Equipment Fund (230) be amended to cover up to \$1,500 for ADA route improvements at Foundry Hill Park from the parking lot to the ballfield.





Picture of Completed ADA Route to Parking Lot by City Staff



Picture of Dugout Progress at Foundry Hill Park Baseball Field

## MEMORANDUM

TO: Mayor and City Council  
Joshua Tetzlaff, City Administrator

FROM: Chris Knutson, PE (Lic. MN)

DATE: October 11, 2023

RE: Project Updates

See below for updates on current SEH Projects for the City of New Prague.

### **MAIN STREET (TH19) IMPROVEMENTS PROJECT**

A draft change order has been created for review and sent to the Contractor for comments.

### **2022 STREET AND UTILITY IMPROVEMENTS (COLUMBUS AVENUE)**

We are continuing efforts to have turf established throughout this area. The general contractor has been reworking areas, adding seed, and providing watering. It is likely that watering efforts will be stopped soon to allow grass to go dormant. Review of the project will be needed to confirm if closeout can occur.

### **2023 STREET AND UTILITY IMPROVEMENTS**

The assessment hearing will be held tonight on this project.

### **2024 STREET AND UTILITY IMPROVEMENTS PROJECT**

The public hearing will be held tonight on this project. A 2/3 vote is required by statute to order the project, so consideration of proceeding with the project will be held later.

### **HSIP 10<sup>TH</sup> AVENUE SE-1<sup>ST</sup> STREET SE RRFB**

Contracts are being assembled for execution. We hope to start the project on October 16<sup>th</sup>.

### **10<sup>TH</sup> AVENUE NE – WATERMAIN REPAIRS**

Most of the project utility improvements are complete with final restoration still to be completed.

cdk

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for All of Us®

## MEMORANDUM

TO: MAYOR AND CITY COUNCIL  
JOSHUA TETZLAFF, CITY ADMINISTRATOR

CC: MATT RYNDA, PUBLIC WORKS DIRECTOR  
BRUCE REIMERS, UTILITIES GENERAL MANAGER

FROM: CHRIS KNUTSON, PE (Lic. MN)

DATE: OCTOBER 11, 2023

RE: 2023 STREET AND UTILITY IMPROVEMENT PROJECT  
RESOLUTION ADOPTING ASSESSMENT  
SEH No. NEWPR 167774

### PROPOSED ASSESSMENTS

The public assessment hearing has been ordered to be held at 6:00 p.m. on Monday, October 16, 2023. No changes were made to the draft assessment roll presented previously.

The assessment roll has been prepared based on the City of New Prague assessment policy and the project specific assessment methodology presented in the Feasibility Study as well as at public hearings.

Notice of the public hearing has been published in the New Prague Times and sent in the mail to the affected property owners, all in accordance with Minnesota Statutes 429.

At this time of this memorandum, SEH has not been made aware of any property owners intending to contest their assessment.

Upon approval of the assessment roll, final assessment statements will be sent to all the affected property owners. Property owners may elect to pay their assessment interest free within the first 30 days. After 30 days, any unpaid assessments will be certified to Scott County.

Attached for City Council information and reference are the following:

1. Copy of the Proposed Assessment Roll to be adopted.
2. Resolution.

### STAFF/ENGINEER RECOMMENDATION

**Staff and SEH recommend that the City Council conduct the assessment hearing, receive testimony on the assessments, and consider approving the attached resolution Adopting Assessment for the 2023 Street and Utility Improvement Project.**

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Engineers | Architects | Planners | Scientists

**Short Elliott Hendrickson Inc.**, 11 Civic Center Plaza, Suite 200, Mankato, MN 56001-7710

507.388.1989 | 877.316.7636 | 888.908.8166 fax | [sehinc.com](http://sehinc.com)

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## Appeal Letter From Community Baptist Church (10/9/23)

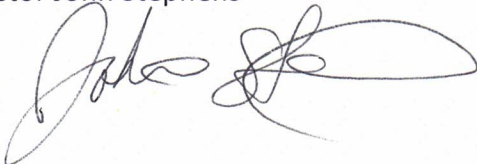
Dear City Council Members,

My name is Pastor John, and I am the head Pastor of Community Baptist Church in town. We recently received a notice of an assessment of \$60,303.02 due to the city for a recent road and sidewalk project that was completed on the street to the south of our church building. I am writing you to consider a few things when placing these assessments on our church building.

1. We are a non-profit, tax-exempt church. Our church relies on the generous hearts of its members and attendees to keep the church functioning. Lawfully we are not to be taxed. We understand that recently there have been those who feel that an assessment is not a tax. We do not agree with this, and we do believe that we are being taxed. We ask you to consider this when making your decision about the amount of money you are charging our church.
2. Recently we made the decision to help our community by building our multi-purpose sports fields. There was a need in our community for these fields, and many people are very happy with our decision to help the community in this way. By building these fields we have helped the city of New Prague tremendously to meet a need that would have cost the city hundreds of thousands of dollars in the future. We at Community Baptist Church feel it is our duty to help and serve the community of New Prague with many of their needs. If you continue to put these expenses on us, it will severely hinder our service and help to the community. We ask you to consider this when making your decision about the amount of money you are charging our church.
3. Overall, over the last few years you have given us a total of almost \$100,000 in bills to pay. How do you expect a church in the city of New Prague to continue to stand if you keep doing this to us? We ask that you reconsider the amount you are charging us and either remove it or greatly reduce the amount so we can continue to minister and serve the community of New Prague with their needs.

Thank you for considering,

Pastor John Stephens



[john@npcbc.com](mailto:john@npcbc.com)



**CITY OF NEW PRAGUE  
RESOLUTION #23-10-16-02**

**2023 STREET AND UTILITY IMPROVEMENT PROJECT  
ADOPTING ASSESSMENT**

**WHEREAS**, pursuant to proper notice duly given as required by law, the council has met and heard and passed upon all objections to the proposed assessment for the **2023 Street and Utility Improvement Project**, which includes improvements on the following streets:

- Sunrise Avenue N from Main Street (TH19) to 3rd Street NE
- Sunset Avenue N from Main Street (TH19) to 2nd Street NE
- First Street NE from Lexington Avenue N east to Greenway Park
- Second Street NE from Sunset Avenue N east to Greenway Park
- Third Street NE from Sunrise Avenue N to 10th Avenue NE
- Trail Improvements in Greenway Park

by construction of pavement replacement, partial and complete street reconstruction; sanitary sewer, water main, storm sewer, concrete curb and gutter, aggregate base, bituminous street surfacing, concrete walk, turf restoration, and miscellaneous items required to properly complete the improvements, **and has amended such proposed assessment as it deems just.**

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF NEW PRAGUE, MINNESOTA:**

1. Such proposed assessment, **as amended**, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments, including principal and interest, extending over a period of 15 years, the first of the installments to be payable on or before the first Monday in January 2024, and will bear interest at a rate of 4.47 percent per annum from the date of the adoption of this assessment resolution. To the first installment shall be added interest on the entire assessment from the date of this resolution until December 31, 2024. To each subsequent installment when due shall be added interest for one year on all unpaid installments.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the county auditor, pay the whole of the assessment on such property with interest accrued to the date of payment, to the office of the city administrator, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of the assessment. The property owner

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

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may at any time thereafter, pay to the county auditor the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year. As partial payment, the City will accept no more than 1 payment of at least \$500.00, before the City's certification deadline for the assessment. The remaining assessment balance shall be paid with interest over the term as established by the City Council.

4. The City Administrator shall forthwith transmit a certified duplicate of this assessment to the county auditor to be extended on the property tax lists of the county. Such assessment shall be collected and paid over in the same manner as other municipal taxes.
5. The city has adopted Resolution 12-10-22-01 pursuant to Minnesota Statutes Sections 435.193 to 435.195, wherein the council may, in its discretion, defer the payment of this special assessment for any homestead property owned by a person 65 years of age or older, one retired by virtue of a permanent and total disability, or a member of the National Guard or other reserves ordered to active military service for whom it would be a hardship to make the payments. As to a deferment based upon age or disability, the applicant must apply for the deferment not later than 14 days after the assessment is adopted by the City Council.

Adopted by the City Council of the City of New Prague on this 16th day of October, 2023.

\_\_\_\_\_  
Duane J. Jirik  
Mayor

ATTEST:

\_\_\_\_\_  
Joshua M. Tetzlaff  
City Administrator



118 Central Avenue North, New Prague, MN 56071  
phone: 952-758-4401 fax: 952-758-1149

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## MEMORANDUM

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**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**CC:** JOSHUA M. TETZLAFF, CITY ADMINISTRATOR  
**FROM:** KEN ONDICH, PLANNING / COMMUNITY DEVELOPMENT DIRECTOR  
**SUBJECT:** INTRODUCTION OF ORDINANCE #344 - RESIDENTIAL RENTAL DWELLING UNIT INSPECTIONS  
**DATE:** OCTOBER 9, 2023

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As requested by the City Council at the July 17, 2023 meeting, the Planning Commission held a public hearing at their meeting on August 23, 2023 regarding the drafted residential rental dwelling unit inspection ordinance.

At the public hearing, which lasted 40 minutes, comments were received from five people: Joe Lambrecht (landlord), Michele Kotek (tenant), Scott Adamek (landlord), Dan Dagestad (tenant), Kay Wilcox (former City Council member and resident at-large). A copy of the minutes is attached to this memo.

Ultimately, the Planning Commission voted (4-0) to forward the drafted residential rental dwelling unit inspection ordinance to the City Council with a suggestion for staff to develop a ladder timeline to the ordinance so that long term violation free rental units with no change in tenants could go longer than 2 years between inspections.

Staff and Dave Anderson from Kennedy & Graven did make a few minor changes to the ordinance to address questions/concerns from the public hearing which are reflected in the redline of the attached ordinance draft, including allowing up to 4 years between inspections for long term tenant/landlord situations with no violations.

At the City Council meeting on October 2, 2023, Council Member Wolf asked about the legality of an extended inspection interval limited to where a unit had no change in either the landlord/tenant situation and no violations. The City attorney's office indicated that they do not have any concerns with the language from a legal standpoint.

City Attorney Scott Riggs will be present at the meeting to answer any questions that may arise.

### **Staff Recommendation**

Staff recommends that the City Council conduct a first reading and approve the introduction of the ordinance amendment.

### **Attachments:**

1. Drafted Ordinance for Rental Dwelling Unit Inspections – Dated 10/9/23
2. Suggested Fees
3. Inspection Checklist
4. August 23, 2023 Planning Commission Public Hearing Minutes Excerpt
5. List of Dates of Formal City Council Discussions Regarding Residential Rental Inspections

**ORDINANCE NO. 344  
CITY OF NEW PRAGUE**

**AN ORDINANCE REPEALING CHAPTER 120 OF THE NEW PRAGUE CITY CODE  
AND ADDING A NEW CHAPTER 154 REGARDING RENTAL DWELLING LICENSES**

**THE CITY COUNCIL OF THE CITY OF NEW PRAGUE, SCOTT AND LE SUEUR  
COUNTIES, MINNESOTA ORDAINS:**

**SECTION 1.** Chapter 120 of the City Code of the City of New Prague is hereby repealed in its entirety.

**SECTION 2.** The City Code of the City of New Prague is hereby amended by adding a new Chapter 154 as follows:

Chapter 154 RENTAL DWELLING LICENSES

- 154.01 Purpose and Scope.
- 154.02 Definitions.
- 154.03 Licensing of Rental Units.
- 154.04 Provisional License.
- 154.05 License Requirements.
- 154.06 Enforcement and Inspections.
- 154.07 License Denial, Suspension, Nonrenewal, or Revocation.

**154.01 PURPOSE AND SCOPE.**

(A) **Purpose.** It is the purpose of this chapter to assure that rental housing in the city of New Prague is decent, safe and sanitary and is operated and maintained so as not to become an influence that fosters blight and deterioration or creates a disincentive for reinvestment in the community. The operation of residential rental properties is a business enterprise that entails certain responsibilities. Rental dwelling owners, agents, and property managers are responsible to take necessary reasonable actions to ensure that the persons who occupy such rental units live in surroundings that are safe, secure, and sanitary.

(B) **Scope.** This chapter applies to rental dwelling units described herein that are rented or leased in whole or in part, including apartment buildings, town houses, single family and multifamily housing, guest and caretaker houses, and condominiums, regardless of the duration of such rentals or leases. It also includes any accessory structures of the rental dwellings, such as garages and storage buildings, and appurtenances such as sidewalks, driveways, and retaining walls, which are on the property of the rental dwelling. This chapter does not apply to on-campus college or university housing units; Minnesota Department of Health licensed rest homes; convalescent care facilities; licensed group homes; nursing homes; hotels; motels; owner-occupied units; or any other residential facility that is subject to a regular inspection program implemented by the county, state, or federal government.

**154.02 DEFINITIONS.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (A) *Board of Appeals*. The city council of the city of New Prague.
- (B) *City*. The city of New Prague, Minnesota.
- (C) *Compliance Official*. The city administrator of the city, or its designee.
- (D) *Dwelling Unit*. Any room or rooms providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.
- (E) *Inspector*. The person or persons designated by the city administrator to inspect rental dwellings in the city.
- (F) *Let*. To permit possession or occupancy of a dwelling unit by a person who is not the legal owner of record thereof, pursuant to a written or unwritten lease, or pursuant to a recorded or unrecorded agreement whether or not a fee is required by the agreement.
- (G) *License or Rental License*. The license required by and issued pursuant to this chapter.
- (H) *Licensed Premises*. A licensed rental dwelling and all accessory structures of the rental dwelling, such as garages, storage buildings, and appurtenances such as sidewalks, driveways and retaining walls, which are on the property of the rental dwelling.
- (I) *Licensee or Owner*. Any person, agent, operator, firm or corporation having a legal or equitable interest in the property or rental dwelling; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property or rental dwelling, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court, or any person representing the actual owner or holding a valid rental license from the city.
- (J) *Official Order*. A written notice stating violation(s) of city code and corrective action to be taken.
- (K) *Operate*. To let for occupancy or to rent.
- (L) *Property Manager or Local Agent*. A person authorized by the owner to act on the owner's behalf as to the licensed premises.
- (M) *Rental Dwelling*. Any building containing one or more dwelling units that are rented.
- (N) *Rent or Rented*. To let for occupancy or to let.

(O) *Tenant*. A person who is occupying a dwelling unit in a rental dwelling under a lease or contract, whether oral or written, that requires the payment of money or exchange of services.

### **154.03 LICENSING OF RENTAL UNITS.**

(A) License Required.

(1) Beginning on January 1, 2024, no person shall operate a rental dwelling without first having obtained a license to do so from the city. A license shall be granted pursuant to the provisions of this chapter by the compliance official.

Exceptions:

- (a) An owner whose only rental dwelling is a single-family dwelling homesteaded by a relative is exempted. Compliance of this exemption may require written proof from the county.
- (b) A residential property owned by a "snowbird" where the property is rented to another person for a period of less than one hundred twenty (120) consecutive days while the owner is residing out of the State of Minnesota is exempted. The owner must occupy the property during the remainder of the year to qualify for the exception.
- (c) The following are also exempted: on-campus college or university housing units; Minnesota Department of Health licensed rest homes; convalescent care facilities; licensed group homes; nursing homes; hotels; motels; owner-occupied units; or any other residential facility that is subject to a regular inspection program implemented by the county, state, or federal government.

(2) When more than one building containing rental dwelling units exists on one property, a separate license shall be required for each building.

(3) Licenses shall be issued for a single rental dwelling unit in the case of a freestanding dwelling, a condominium, a townhouse, a dwelling in a cooperative, or a dwelling in a nonresidential structure; for a two-unit rental dwelling; or for an apartment building.

(B) License Term. Except for a provisional license as identified herein, a rental license issued by the city under this chapter will be valid for up to a two-year time period unless a renewal term otherwise qualifies for a four-year term as authorized in section 154.03(D). All licenses may be reviewed at any time by the compliance official after the commencement of the license term to determine whether the rental dwelling continues to be in compliance with this chapter.

(C) License Application and Renewal. The license application or renewal shall be made by the owner, property manager, or local agent. Application forms are available from the city and must be completed in full and accompanied by the appropriate license fee as established by the city council. Every licensee shall give notice in writing to the city within ten (10) business days



after any change of information on the application or if the licensed premises is sold or otherwise conveyed in any way. Depending on the nature of changes, the city may require a new inspection of the licensed premises.

(D) License Period; Renewals. The license period shall be for no longer than two years, and to maintain staggering renewals, all licenses for rental dwellings located in Le Sueur County shall expire on December 31 of odd-numbered years and all licenses for rental dwellings located in Scott County shall expire on December 31 of even-numbered years. An application for renewal of a license and the appropriate fee must be filed with the city at least thirty (30) days prior to the expiration date of an existing license. Any renewal license application and fee not received before the expiration date shall be assessed a late fee as established by the city council.

Notwithstanding the foregoing, a renewed license term for any rental dwelling that is duly requested by the existing licensee shall be effective for four years if the following two conditions are satisfied at the time of such renewal: (i) there are no documented violations associated with the respective rental dwelling during the prior license term; and (ii) there are no new adult occupants residing in the respective rental dwelling since the date the license was issued for the prior license term. Any licensee requesting such four-year renewal shall provide the city with proof of occupancy so that adherence to the above conditions can be confirmed.

(E) Inspections. Within thirty (30) days of receipt of a completed application and license fee required by this chapter, for both new applications and renewals, the inspector shall schedule an inspection. No license shall be granted or renewed until the inspector has determined that all life, health safety violations, or application inconsistencies have been corrected. In cases where a weather deferral for repairs has been granted by the inspector, the license may be granted on conditions of the repairs being completed before a specific date in the future. If the license application is incomplete, or the applicant does not meet the requirements of this section during the term of a provisional license issued under section 154.04, the application shall be denied.

(F) License and Inspection Fees. License fees, as set forth by city council resolution, shall be due thirty (30) days prior to the license expiration date; in the cases of new unlicensed units, license fees shall be due at time of application. Fees are nonrefundable. A delinquency penalty of fifteen (15) percent of the amount of the license fee may be charged to the operators of the dwelling unit when fees are not paid on time.

Fees for inspections of a rental dwelling are part of paid license fees. Reinspection fees will only be charged for subsequent inspections after failure to comply with official orders or when the owner or agent fails to keep a scheduled inspection without prior notice to the inspector. All reinspection fees are listed on the city's fee schedule. If the reinspection is being performed as part of the licensing process, fees must be paid prior to the time of license issuance or renewal.

(G) Minimum Licensing Standards. The following minimum standards and conditions must be met in order for an owner to renew or be granted a rental dwelling license under this chapter. Failure to comply with any of these standards or conditions shall be adequate grounds for denial, nonrenewal, suspension or revocation of a rental dwelling license.

- (1) The licensee or applicant must have a current, complete, and accurate rental dwelling application on file with the city.
- (2) The licensee or applicant shall have paid the required license fee and any other fees required by this chapter.
- (3) The licensee or applicant must be current on the payment of all utility fees, property taxes, assessments, fines, penalties, or other financial claims due to the city on the licensed premises and any other rental dwelling in the city owned by the licensee or the applicant. In the event a suit has been commenced under Minnesota Statutes, sections 278.01-.03 questioning the amount or validity of taxes, the city may upon request of the licensee or applicant waive strict compliance with this provision; provided, however, that no waiver may be granted for taxes or any portion thereof that remain unpaid for a period exceeding one year after becoming due.
- (4) The rental dwelling must be in compliance with all federal, state and local laws, including but not limited to all provisions of this chapter and all applicable zoning laws.

#### **154.04 PROVISIONAL LICENSE.**

The city may issue a provisional license to the owner of a rental dwelling who has submitted an application, paid the license fee and the compliance official has conducted an initial inspection resulting in written orders to correct violations that, in the sole discretion of the compliance official, do not prevent safe occupancy. A provisional license authorizes the continued occupancy of the rental dwelling unit(s) in actual existence, pending issuance of a rental license. A provisional license is valid for up to one hundred eighty (180) days until a license is issued or it is determined that license requirements have not been met and the city will not issue a license.

#### **154.05 LICENSE REQUIREMENTS.**

(A) Local Agent Required. If the owner does not reside in any of the following Minnesota counties: Blue Earth, Carver, Dakota, Hennepin, Le Sueur, Nicollet, Ramsey, Rice, Scott, Sibley, Steele, Waseca, Washington, then the owner must provide the city with a local agent that resides within one of the aforementioned counties and who is responsible for maintenance and operation of the rental dwelling and who is legally constituted and empowered to receive service and orders on behalf of the owner and to institute remedial action to effect such orders. The city shall be notified in writing of any change of agent by the owner of the rental dwelling.

(B) Owner Identification. All partnerships, corporations, limited liability companies or other recognized business associations that own a rental dwelling to be licensed under this chapter shall submit, upon request of the compliance official, the name and address of all partners, shareholders or interest holders. If requested by the compliance official, information regarding the names and addresses of all partners, shareholders or interest holders must be submitted in a sworn affidavit to the city.

(C) Responsibility for Acts of Manager, Operator, or Agent. Licensees are responsible for the acts or omissions of their managers, operators, agents, or other authorized representatives.

(D) Conformance to Laws. No rental license shall be issued, renewed or allowed to be maintained by the owner unless the rental dwelling conforms to all applicable federal, state, and local laws, rules, and regulations. This includes, but is certainly not limited to, all requirements contained in Minnesota Statutes, chapter 504B.

(E) License Inspections Required. No rental license shall be issued, renewed or allowed to be maintained unless the owner agrees in the owner's application to permit inspections pursuant to this chapter.

(F) Posting and Production of License. Every licensee of a rental dwelling with four (4) or more units, shall conspicuously post the current rental license certificate issued by the city in the main entryway or other conspicuous location on site. An owner or agent of a rental dwelling must always produce a copy of the current rental license certificate for a rental dwelling upon the request from a tenant, prospective tenant, police officer or compliance official.

(G) Occupancy Register Required. Every licensee shall keep, or cause to be kept, a current register of occupancy for each dwelling unit that provides the following information:

- (1) Dwelling unit address.
- (2) Number of bedrooms in dwelling unit and the maximum number of occupants.
- (3) Legal names and date of birth of adult occupants and number of persons under eighteen (18) years of age currently occupying the dwelling units.
- (4) Dates renters occupied and vacated dwelling units.

(H) Standards and Requirements.

(1) The maximum permissible occupancy of a rental dwelling unit must be determined by applying one of the two standards set forth in paragraphs (a) and (b) below. Whichever standard allows the greatest number of occupants for a given rental dwelling unit will be the governing standard for that unit:

- (a) Square footage standard: Every bedroom shall contain not less than 70 square feet and every bedroom occupied by more than one person shall contain not less than 50 square feet of floor area for each occupant thereof.
- (b) Headcount Standard: Total number of occupants in the rental dwelling may not exceed two times the number of legal bedrooms plus one.

- (c) A “legal bedroom” is any room or space used or intended to be used for sleeping purposes. In applying either standard (a) or (b) above, occupants under the age of two years shall not be included in the calculations.
- (2) No dwelling unit shall be rented or let to another which does not comply with the following requirements:
- (a) Condition. Unless lawfully made the express responsibility of a tenant by law, lease, or ruling, Licensees shall furnish and maintain approved devices, equipment or facilities for the prevention of insect, rodent, and pest infestation within a rental dwelling and when such infestation has taken place, shall be responsible for its abatement. For purposes of this subsection, the term “infestation” shall mean the presence within a rental dwelling of insects, rodents or other pests in a manner that materially endangers one or more persons.
  - (b) Smoke Detectors. No smoke detector installed in a rental dwelling shall be allowed to remain disabled or nonfunctional. The tenant of a rental dwelling shall notify the owner or property manager after discovering that a detector is disabled or nonfunctional.
  - (c) Carbon Monoxide Alarms. Each dwelling unit shall have an approved and operational carbon monoxide alarm installed within ten (10) feet of all sleeping rooms as required by Minnesota Statutes, sections 299F.50 and 299F.51, as amended, unless an exception provided in said statutes applies.
  - (d) Fire Extinguishers. All dwelling units shall be equipped with a fire extinguisher with a minimum rating of 2A 10BC (capacity equivalent to 2.5 gallons of water and 10 sq. ft. for a BC type fire). The extinguisher shall be located within the individual dwelling unit or in a common hallway or corridor within fifty (50) feet of the dwelling unit door.
  - (e) Fire Suppression/Alarm Systems. All fire suppression/alarm systems shall be maintained in accordance with the current Minnesota State Fire Code.
  - (f) Structural. All structural components shall be deemed acceptable so that, in the opinion of the building official, such components do not render the building hazardous as defined by Minnesota Statutes, section 463.15.
  - (g) Plumbing. All plumbing shall be maintained in a safe and sanitary condition.
  - (h) Mechanical. All mechanical equipment, venting and ducting shall be maintained in a safe condition.
  - (i) Electrical. All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe condition.

- (j) Storage of Items. Combustible items shall not be stored within one (1) foot of any fuel burning appliance. Storage of items shall be orderly and shall not block or obstruct exits or access to required safety equipment.
- (k) Means of Egress. Within the dwelling units, a minimum three (3) foot wide path shall be maintained to all points of egress (e.g. front/main door and egress windows in sleeping rooms). Common areas in multi-family structures (shared hallways, stairs and other common paths of travel) shall be clear of storage items for the full width of the means of egress system.
- (l) Refuse. Unless lawfully made the express responsibility of a tenant by law, lease, or ruling, Licensees shall equip rental dwellings with sufficient refuse collection to accommodate the amount of refuse produced on the property or as required by the city code.
- (m) Fuel Storage. LP tanks, gasoline containers and fueled equipment shall not be stored or repaired inside of a dwelling unit except for in an attached garage.
- (n) Sidewalks and Driveways. All private sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair and maintained free from hazardous conditions.
- (o) Weather Protection. The exterior of the structure that contains dwelling units shall be maintained in a manner that provides for adequate protection of the structural elements of the building from weather and other elements.

(I) License Not Transferable. The rental license issued pursuant to this chapter is for the property owner and the premises named on the approved license application. No transfer of a license is permitted from place to place or from the owner to another person or entity without complying with the requirements of an original application, except in the case in which an existing licensee is merely changing a business or corporate name or in the case in which an existing noncorporate licensee is incorporating and the incorporation does not affect the ownership or control of the property or the rental business.

#### **154.06 ENFORCEMENT AND INSPECTIONS.**

(A) Authority. The compliance official is responsible for administering and enforcing the provisions of this chapter and is hereby authorized to cause inspections on a biannual basis for all licensed rental dwellings and also when reasonable grounds exist to believe that a violation of this chapter has been or is being committed. Inspections shall be conducted during reasonable times, and the compliance official shall present evidence of official capacity to the tenant, owner, or agent at the time of inspection of the rental dwelling. Inspections shall include all common areas, utility and mechanical rooms, accessory structures, interiors of each dwelling unit, exteriors of all structures and exterior property areas.

(B) Inspection Access. Pursuant to Minnesota Statutes, section 504B.211, the owner or agent shall provide proper notification of an inspection to the tenants after receiving notice of the time and date of the inspection from the compliance official. Each tenant of a dwelling unit shall give the owner or agent access to any part of such dwelling unit at reasonable times for the purpose of effecting inspection, maintenance, repairs or alterations as are necessary to comply with the provisions of this chapter. If any owner, agent or tenant of a dwelling unit fails to provide the tenant with requisite notice of the inspection or otherwise refuses to permit entry to the dwelling unit under its control for an inspection pursuant to this section, the compliance official may seek a warrant authorizing such inspection.

(C) Official Order; Service. Whenever the compliance official determines that any rental dwelling or portion thereof, or the premises surrounding any of these, fails to meet the provisions of this chapter or the city code, an official order setting forth the violations and ordering the owner or agent to correct such violations shall be issued. This official order shall:

- (1) Be in writing;
- (2) Describe the location and nature of the violation(s);
- (3) Establish a reasonable time for the correction of such violation(s);
- (4) Indicate the right to appeal;
- (5) Identify the implications of noncompliance with the official order; and
- (6) Be provided to the owner or agent, as the case may require.

Such notice shall be deemed to be properly provided upon the owner or agent if a copy thereof is:

- (1) Served upon owner or agent personally; or
- (2) Sent by First Class mail to his/her last known address on file with the city; or
- (3) Upon failure to effect notice by personal service or First Class mail, posted at a conspicuous place in or about the rental dwelling, or portion thereof, that is affected by the notice. Communications with the owner or agent may also be by electronic mail.

Such notice shall also be provided to the tenant(s) residing in the licensed premises that is the subject of the official order. Such notice shall be deemed to be properly provided to the tenant(s) if a copy is properly posted on the dwelling unit or at a conspicuous place in or about the rental dwelling.

(D) Action Plan. The compliance official may require an action plan to be completed by the licensee or agent in a designated time frame that indicates the steps taken to correct identified violations and the measures to be taken to ensure ongoing compliance with city ordinances and all applicable codes.

(E) Unfit for Human Habitation.

(1) Any rental dwelling or portion thereof that is damaged, decayed, dilapidated, unsanitary, unsafe, vermin or rodent infested, or that lacks provision for basic illumination, ventilation or sanitary facilities to the extent that the defects create a hazard to the health, safety or welfare of the tenants or of the public may be declared unfit for human habitation. Whenever any rental dwelling or licensed premises has been declared unfit for human habitation, the compliance official shall order the same vacated within a reasonable time and shall post a placard on same indicating that it is unfit for human habitation under the Minnesota State Building Code, and any license previously issued for such rental dwelling units shall be revoked pursuant to section 154.07 herein.

(2) It shall be unlawful for such rental dwelling or portion thereof to be used for human habitation until the defective conditions have been corrected and written approval has been issued by the city. It shall be unlawful for any person to deface or remove the declaration placard from any such rental dwelling.

(F) Hazardous Building Declaration. Nothing in this chapter shall prevent the city from initiating a hazardous building action in accordance with Minnesota Statutes, chapter 463.

(G) Right of Appeal. When it is alleged by any person to whom an official order is directed that such official order is based upon erroneous interpretation of this chapter, such person may appeal the official order to the city council sitting as a board of appeals. Such appeals must be in writing, must specify the ground for the appeal, and must be filed with the city within ten (10) business days after receipt of the official order. The filing of an appeal shall stay all proceedings in furtherance of the action appealed from, unless such a stay would cause imminent peril to life, health, or property.

(H) Board of Appeals Decision. Upon at least ten (10) business days' notice to the appellant of the time and place for hearing the appeal, and within 45 calendar days after said appeal is filed, the board of appeals shall hold a hearing thereon, receive evidence, and consider any advice and recommendation from the compliance official. The board of appeals may reverse, modify, or affirm, in whole or in part, the official order.

(I) Restrictions on Transfer of Ownership. It shall be unlawful for the owner of any rental dwelling, or portion thereof, upon whom a pending official order has been served to sell, transfer, lease, or otherwise convey said rental dwelling to another person until the provisions of the order have been complied with, unless the owner first furnishes to the prospective grantee or lessee a true copy of the official order, obtains a written acknowledgment of receipt from said grantee or lessee, and files a copy of the same with the city. Anyone securing an interest in the rental dwelling, or portion thereof, who has received and acknowledged such notice of an official order shall be bound by the same without further service and shall be subject to all penalties and procedures provided by this chapter.

(J) Failure to Correct Official Orders. Any person who fails to comply with an official order and any person who fails to comply with a modified official order within the time set therein, upon conviction thereof shall be guilty of violating this chapter. Nothing in this chapter however is deemed to limit other remedies or civil penalties available to the city under this code or state law. Each day of such failure to comply may constitute a separate punishable offense.

#### **154.07 LICENSE DENIAL, SUSPENSION, NONRENEWAL, AND REVOCATION.**

(A) Applicability. Every application for a license, renewal for a license or an existing license issued under the provisions of this chapter are subject to denial, suspension, nonrenewal, or revocation by the compliance official. In the event that a license is revoked, or not renewed by the compliance official, it shall be unlawful for the owner or agent to rent the rental dwelling.

(B) Grounds for Adverse License Action. The compliance official may revoke, suspend, decline to renew or impose reasonable conditions or restrictions upon any license issued under this chapter upon any of the following criteria:

(1) False statements, misrepresentations, or fraudulent statements on any application or other information or report required by this chapter to be given by the applicant or licensee.

(2) Failure to pay any fee, fine or penalty, special assessments, real estate taxes, or other financial claims due to the city as required by this chapter.

(3) Failure to continuously comply with any property maintenance, zoning, health, building, nuisance, or other city codes; or failure to correct deficiencies noted in an official order in the time specified in the order.

(4) The failure to eliminate imminent health and life safety hazards as determined by the city compliance official after issuance of the compliance order.

(5) The abandonment of the licensed premises by the owner as determined by the inability to make contact with the owner or his/her agent due to inaccurate contact information.

(6) Failure to operate or maintain the licensed premises in conformity with all applicable federal, state and local laws, rules, regulations, and ordinances.

(7) Any person(s) who has had an interest in two (2) or more licensed properties that have been revoked, suspended or denied pursuant to this article, shall be ineligible to hold or have any interest in a rental dwelling license or provisional license for period of two (2) years.

(C) License Action Sections. A license revocation, suspension, nonrenewal or imposition of reasonable conditions or restrictions on a license may be brought under any applicable provision of this chapter.

(D) Notification, Hearing, and Decision.



(1) Written Notice; Hearing. A recommendation to revoke, deny, suspend, not renew or impose reasonable conditions or restrictions on a license shall be preceded by written notice to the applicant or licensee of the grounds therefore and the applicant or licensee will be given an opportunity to challenge the recommendation at a hearing conducted before the city council before final action to revoke, deny, not renew or impose reasonable conditions or restrictions on a license.

(2) Decision. The city council shall give due regard to the frequency and seriousness of violations, the ease with which such violations could have been cured or avoided and good faith efforts to comply. The city council shall issue a decision to deny, suspend, not renew, revoke or impose reasonable conditions or restrictions on a license only upon written findings.

(E) Written Decision; Compliance. Written decisions to revoke, deny, not renew or impose reasonable conditions or restrictions on a license or application shall specify the part or parts of the rental dwelling to which it applies. Thereafter, and until a license is reissued or reinstated, no rental units becoming vacant in such part or parts of the rental dwelling may be re-let or occupied. Revocation or non-renewal of a license shall not excuse the owner from compliance with all terms of state laws and codes and this city Code for as long as any units in the rental dwelling are occupied. Failure to comply with all terms of this section during the term of revocation, or nonrenewal is a misdemeanor and grounds for extension of the term of such revocation, or nonrenewal and as otherwise set forth in this section. Further license action such as revoking a license may also be taken for failure to comply.

(F) Notification of Decision. The city shall cause a notice of the city council's decision of a revocation, suspension, nonrenewal or the imposition of reasonable conditions or restrictions on a rental license to be provided to the licensee or applicant either by personal delivery or by First Class mail. In addition, notice of the city council's decision calling for the revocation, suspension or nonrenewal of a rental license shall also be mailed to each tenant in the licensed premises and prominently posted on the rental dwelling. The notice provided to the tenant(s) shall indicate the date upon which the tenants must vacate the licensed premises and clearly indicate which dwelling units are impacted by the city council's decision. Tenants of an unlicensed rental unit will be provided a reasonable time to arrange for alternative housing and remove their possessions.

(G) License Actions; Reapplication.

(1) Revocation, Denial, Nonrenewal. Licenses that are revoked will not be reinstated until the owner has applied for and secured a new license. Upon a decision to revoke, deny or not renew a license, no approval of any application for a new license for the same rental dwelling is effective until after the period of time specified in the city council's written decision, which shall not exceed one year. The city council shall specify in its written decision the date when an application for a new license will be accepted. A decision not to renew a license may take the form of a revocation. A decision to deny an initial application shall state conditions of reapplication.

(2) Reinstatement Fees. All reapplications must be accompanied by a reinstatement fee, as specified by city council resolution, in addition to all other fees required by this chapter.

(H) New Licenses Prohibited. A person who has a rental license revoked may not receive a rental license for another rental dwelling within the city for a period of one year from the date of revocation. The person may continue to operate other currently licensed rental dwellings if maintained in compliance with city codes and other applicable laws, rules, and regulations.

(I) Misdemeanor. Any person who violates any part of this chapter, upon conviction thereof, shall be guilty of a misdemeanor, punishable in accordance with state law. Nothing in this chapter is deemed to limit other remedies or civil penalties available to the city under city code or state law. Each day that a violation continues is deemed a separate punishable offense.

(J) Severability. Every section, provision, or part of this chapter is declared severable from every other section, provision, or part to the extent that if any section, provision or part of the chapter shall be held invalid, it shall not invalidate any other section, provision or part thereof.

(K) No Warranty. By enacting and undertaking to enforce this chapter, the city, city council, its agents, and employees do not warrant or guaranty the safety, fitness or suitability of any rental dwelling in the city. Owners, agents, and tenants of rental dwellings should take whatever steps they deem appropriate to protect their interests, health, safety and welfare.

(L) Applicable Laws. Licenses are subject to all of the ordinances of the city and the laws, rules, and regulations of the State of Minnesota and the United States relating to rental dwellings. This article shall not be construed or interpreted to supersede or limit any other such applicable law.

**SECTION 3.** This Ordinance shall take effect and be in force upon its publication, in accordance with Section 3.13 of the New Prague City Charter.

Introduced to the city council of the city of New Prague, Minnesota, the 16th day of October, 2023.

The required 10 days posted notice was completed on the city website and city hall bulletin board on or before October 17th, 2023.

Passed by the city council of the city of New Prague, Minnesota, the \_\_\_\_ day of \_\_\_\_, 2023 and to be published on the \_\_\_\_ of \_\_\_\_, 2023.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Administrator

Published in the New Prague Times on \_\_\_\_\_, 20\_\_\_\_.

**Suggested Fees:**

- \$100 per building plus \$25 for each additional unit to cover either a 2-year or 4-year renewal period\*.
- \$50 Re-inspection fee (only for situations in which staff is following up on a previous violation being corrected and said violation has not actually been corrected, causing another inspection to be needed or when an inspection is scheduled and the owner/agent fails to keep a scheduled inspection without prior notice.)

(\*all units must start out with a 2-year initial inspection period at the start of this ordinance and then may be eligible for a 4-year renewal period thereafter per the ordinance provisions.)



City of New Prague Residential Rental Inspection Checklist

Date:_____	Inspector:_____	Time In:_____	Time Out:_____
Property Address:_____			
Property Owner Agent:_____			
Owner Agent Phone #:_____		Owner/Agent Email:_____	
	Pass	Fail	Notes
Address Posted: 150.01	<input type="checkbox"/>	<input type="checkbox"/>	_____
Weather Tight Exterior: 154.05 sub “p”	<input type="checkbox"/>	<input type="checkbox"/>	_____
Existing Deck Hand/Guardrails are Properly Functioning: 154.05 sub “k”	<input type="checkbox"/>	<input type="checkbox"/>	_____
Operational Egress Windows/Doors: 154.05 sub “k”	<input type="checkbox"/>	<input type="checkbox"/>	_____
Weeds/Vehicles: 92.37/92.18 sub “t”	<input type="checkbox"/>	<input type="checkbox"/>	_____
Existing Int. Hand/Guardrails are Properly Functioning: 154.05 sub “k”	<input type="checkbox"/>	<input type="checkbox"/>	_____
Toilet(s) Flush: 154.05 sub “g”	<input type="checkbox"/>	<input type="checkbox"/>	_____
Exposed Wires (Copper exposed, missing recpt. cover) 154.05 sub “i”	<input type="checkbox"/>	<input type="checkbox"/>	_____
Smoke Detector/CO Detector Functioning: 154.05 sub “b, c”	<input type="checkbox"/>	<input type="checkbox"/>	_____
Fire Extinguisher: 154.05 sub “d”	<input type="checkbox"/>	<input type="checkbox"/>	_____
Heat Source Present: 154.05 sub “h”	<input type="checkbox"/>	<input type="checkbox"/>	_____



City of New Prague Residential Rental Inspection Checklist

	Pass	Fail	Notes
Water Heater vent/T&P Valve In Place: <b>154.05 sub "g"</b>	<input type="checkbox"/>	<input type="checkbox"/>	
Washer/Dryer shut offs & approved venting: <b>154.05 sub "g, h"</b>	<input type="checkbox"/>	<input type="checkbox"/>	
Dishwasher Drain line (Break): <b>154.05 sub "g"</b>	<input type="checkbox"/>	<input type="checkbox"/>	
Gas range shutoff valve present: <b>154.05 sub "h"</b>	<input type="checkbox"/>	<input type="checkbox"/>	
Weekly Refuse Collection (Notify Landlord) <b>53.02 sub "b"</b>	<input type="checkbox"/>	<input type="checkbox"/>	
Self Supporting Fences/ Retaining wall: <b>92.15 sub "b"</b>	<input type="checkbox"/>	<input type="checkbox"/>	
Insect/Rodent/Pest Infestation: <b>154.05 sub "a"</b>	<input type="checkbox"/>	<input type="checkbox"/>	

Call City Hall with any questions – (952) 758-1138.

ADDITIONAL NOTES:

## **August 23, 2023 Planning Commission Public Hearing Minutes Excerpt**

### **A. Review of Ordinance Creating New Chapter 154 to the City Code Regarding Rental Dwelling Licenses**

Planning Director Ondich introduced the proposed City Code to establish a rental dwelling license. Since 2008, the City has had a rental registration program that tracks rental properties, and their associated contact information. A rental dwelling task force was established in July 2022 to discuss the proposed rental dwelling unit inspection ordinance. Although the Planning Commission hasn't been involved with these discussions, the City Attorney recommended that the Planning Commission hold a public hearing before City Council makes a final decision. The proposed ordinance would require rental dwellings to do a rental inspection every two years at a cost of \$100 per building plus \$25 for each additional unit. Inspections are intended to last between 20-30 minutes and are looking for items affecting life/safety such as operable windows, doors, guardrails, and smoke detectors. Rental inspections do not include motels/hotels, nursing homes, licensed group homes, snowbirds, and other properties inspected by county, state or federal properties such as buildings owned by HUD, CDA, and USDA.

Ryan inquired if there are Airbnb rentals in town and if they would require a rental inspection.

Planning Director replied that there are some in town and it will be required.

Meyer commented that it would be hard to regulate if someone decided to Airbnb their home for two weeks and how it was different from those defined as snowbirds renting their homes.

City Attorney Anderson remarked that making rules are different than enforcing them. It would be difficult to determine this since it would require investigating openings/availabilities on Airbnb. Staff could revise the wording in the ordinance as well as the difference between a snowbird and short-term rentals.

Pike asked how rental inspections would be scheduled.

Planning Director Ondich explained that the inspections would occur over the span of two years. Rental properties in the city located in Le Sueur County will be inspected every odd year and properties in Scott county will be inspected every even number year. There have been a few discussions on having the inspections every three years.

Pike asked who will be doing the inspections.

Planning Director Ondich clarified that Building Official and Building Inspector will conduct the inspections during the winter months when it's a slower time of year. The rental inspections aren't being proposed to fill staff time.

Pike inquired if the inspectors will be given any guidelines on how to interact with the tenants during the inspection. The tenants could potentially complain about more things that aren't on the inspection list.

Planning Director Ondich explained that under the current law, if a tenant complains about their rental to the city, the city must notify the landlord and do an inspection. Many tenants are afraid to complain out of fear of being evicted.

City Attorney Anderson explained that the proposed rental inspection would prevent the tenant from being penalized for a complaint.

Planning Director Ondich mentioned that the rental inspection ordinance will be reviewed by City staff and the City Attorney every year to make sure that it's meeting statutory changes. The fee schedule will also be reviewed annually at the end of the year.

Planning Director Ondich also added that when a landlord buys another landlord's property, they will need to do a rental inspection. Many landlords don't know they have to do a rental registration. In the past, staff had to track landlords down by checking their contact information on their utility bills.

Pike asked if staff could expand on violations.

Planning Director Ondich stated that the purpose of the rental inspection is not to nitpick but to ensure the safety of the unit. If there is an issue with the unit, the city would like to hear about it soon rather than wait for the inspection.

City Attorney Anderson said that it's very rare to revoke a rental inspection license. Most landlords want their properties to be habitable for their business. To revoke a rental inspection license, it would have to be brought to council.

A motion was made by Ryan seconded by Pike to open the public hearing at 7:07 pm.

Joe Lambrecht from 2791 Westview Dr. stated that the rental registration ordinance doesn't do anything for the landlord but acts as another tax base. Landlords and tenants can refer to the attorney general handbook or contact lawyers to learn more about their rights. Instead of doing an inspection every two years, it would be better to do it every three years because it's less taxing. The rental registration price could increase within the next 10 years.

City Attorney Anderson stated that one of the main reasons to establish this ordinance was due to the lack of education or ability for tenants to exercise their rights. Tenants have a right to inspections and compliance matters. As of right now, tenants may be scared to address this with the landlord.

Pike commented there could be a way in which the amendment could be more fair to the landlord.

Lambrecht added that the landlord's put time, repair work into their properties while taxes continue to rise each year. The inspection fee ends up being an increase in their rent.

Michele Kotek from 617 1<sup>st</sup> Ave SE said that \$100 can add up over time. Many families live paycheck to paycheck, which can make it or break it for some people. She didn't understand how weeds or junk were on the rental inspection list.

City Attorney Anderson stated that an accumulation of junk or weeds can harbor vermin, which can eventually lead to property damage to the home.

Kotek stated that the rental registration seems redundant since landlords already have to follow state statute.

City Attorney Anderson explained that a home can go 10-20 years or more without inspections without this ordinance.

Michele suggested that instead of adopting the ordinance, the state handbook should be passed out to landlords and tenants.

Scott Adamek explained that he has several long-term renters, therefore, the inspections will become redundant over time. Tenants may be unhappy having people come in their unit. In Shakopee, they offered a Phase 1 Training to teach landlords how to avoid getting problem tenants. The program was aimed at reducing crime in the City of Shakopee.

Planning Director Ondich explained that in January of 2023, Shakopee started their own rental inspection program. The Crime Free Lease Addendum helps protect the landlords and allows landlords to remove tenants before the end of their lease.

City Attorney Anderson explained that there are two reasons why the city didn't go this route. The main reason is that crime isn't really an issue but rather a way to ensure safety. Secondly, there can be lawsuits when implementing a Crime Free Lease Addendum. If it's not an issue now, the city won't require it.

Dan Dagestad from 617 1<sup>st</sup> Ave SE advocated for a longer inspection period than two years. Landlords typically fix any issues that are occurring on the property.

Ryan proposed that if a rental property passes inspection, then they don't have to do another inspection for a while. If the rental property fails, then they may have to do an inspection sooner.

City Attorney Anderson explained that this could cause more burden on city staff in terms of labor and time which may indirectly increase the fees.

Kay Wilcox at 310 1<sup>st</sup> Ave NW explained that when inspectors come in to do the inspections, they may be able to notice social issues such as drugs or malnourished children.

City Attorney Anderson stated that the inspectors will be able to observe issues on the property and contact the police if they'd like.

A motion was made by Ryan seconded by Pike to close the public hearing at 7:47 pm. Motion carried (4-0).

A motion was made by Ryan seconded by Pike to approve the proposed ordinance to City Council with the suggestion to add the laddering inspection timespan to the ordinance. Motion carried (4-0).



**Formal City Council discussions regarding residential rental inspections to date are as follows:**

- November 18, 2013 – Presentation of Research to City Council Re: Property Maintenance and Rental Inspection Code Amendments
- 2015, 2018 and 2019 Strategic Goals of City Council Included Rental Inspection Ordinance Development
- February 19, 2019 – Set Workshop Date for Discussion of Rental Dwelling License Ordinance
- March 11, 2019 – Workshop for Rental Dwelling License Ordinance Introduction
- April 1, 2019 – Follow up discussion determined 6-month data collection was necessary for calls/complaints at rental units
- August 5, 2019 – Tenant Presentation to Council Re: Issues at Rental Property
- October 21, 2019 – Summary of Data Collection (4/1/19 to 9/30/19) related to calls/complaints at rental properties – council directed staff to set up parameters for a task force to discuss further
- November 4, 2019 – Council Approved Advertising for Rental Dwelling Unit Inspection Task Force (two at-large members, two tenants, two landlords, one council member)
- January 7, 2020 – Deadline for Task Force Applications was extended through the end of January 2020
- February 18, 2020 – Task Force Establishment was scheduled on the agenda, but meeting was cancelled
- March 2020 - Task Force Establishment was scheduled for the second meeting in March of 2020 but was delayed due to Covid and lack of in person meetings (see attached final memo that was drafted, but never included in a Council packet)
- November 15, 2021 – Council requested staff to provide a summary of past rental inspection ordinance discussions which were halted due to Covid.
- December 20, 2021 – Staff provided a summary overview of the past discussions towards adoption of a rental dwelling inspection ordinance. The discussion ended with staff noting that an update would be provided after the new year and eventually set up meetings with a rental task force (but the task force has not yet been appointed).
- July 5, 2022 - City Council Established Rental Dwelling Unit Inspection Task Force in final form which included Council Member Rik Seiler, Tenants Carl Swanson and Dan Puls, Landlords Craig Sindelar and Joe Lambrecht and at-large members Kay Wilcox and Marcia Sammons.

- July 17, 2023 – City Council voted to schedule a public hearing at the Planning Commission meeting on August 23, 2023.
- October 2, 2023 – City Council provided copy of revised ordinance in preparation for introduction of ordinance at October 16, 2023 meeting.

**Meeting Minutes  
New Prague Park Board  
Tuesday, October 10, 2023  
5:15 PM**

**1. Tour of Possible POPS Facility Locations**

The Park Board visited potential sites for the Praha Outdoor Performance Stage (POPS) at Memorial Park, Sliding Hill Skate Park and City Center.

**2. Call Meeting to Order**

The regular meeting was called to order at City Hall at 6:11 PM by Chair Joe Barten. Members present were Joe Barten, Maggie Bass, Christine Wolf, Matt Becka, and Jessica Dohm. Staff present were Ken Ondich – Planning / Community Development Director, and Kyra Chapman – Planner.

**3. Approve Previous Meeting Minutes  
July 11, 2023 Regular Meeting**

A motion was made by Dohm, seconded by Wolf, to approve the July 11, 2023, regular meeting minutes. Motion carried (5-0).

**4. Review Financial Reports**

Planning Director Ondich presented the September financial report. There were no additional funds added to the Park Equipment Fund from new residential or commercial permits.

A motion was made by Becka seconded by Barten to approve the financial reports. Motion carried (5-0).

**5. POPS Facility Location Discussion**

Planning Director Ondich introduced the POPS facility location discussion. Earlier this year, Bolton & Menk ranked Memorial Park as the number one site, followed by Sliding Hill Skate Park, and then City Center. Recently, staff has marked all ash trees in Memorial Park. The pink paint on the trees symbolizes ash trees and the green paint symbolizes priority removal of ash trees. Staff met with Arborist Jerry Flicek, and Dan Gullicson with MnDOT and who is an area resident, and they determined that the large oaks could be protected from construction work through a tree management plan. Some oak trees in Memorial Park are suffering from oak blight and twolined chestnut borer. Whether or not Memorial Park is chosen for POPS site, the ash trees will have to come down and staff has applied for a few grants to alleviate the tree removal expenses. As of right now, there is \$85,000 in Park Equipment Funds, which could be used for projects and funding.

Wolf explained that if Memorial Park was chosen as the site, there would be issues with congestion. Memorial Park is in the center of town, which would make it difficult to enter and exit the park during events. It would be different if the park was located at the edge of town.

Den Gardner, the Head of the POPS Committee, mentioned that through several conversations with other communities that have built performance stages, parking shouldn't be the main priority in selecting a site. People will find a way to get to the event whether there is parking on site or not. The mission statement of POPS is "to build a multi-purpose outdoor performance facility to celebrate the arts and other community gatherings – from music to theatre to dance to visual arts and much more." POPS doesn't favor one site over another and thanked the City for consideration of the three sites. The purpose of POPS is to create an outdoor performance stage. The site location is the city's decision but would still like to keep the momentum of the project going.

Dohm asked where donations have come from.

Gardner stated that the \$580,000 have equally come from business and individuals. One marketing strategy they've utilized is 100 for \$100K, which is where 100 individuals pledge to donate \$1,000 per year until 2025.

Dohm inquired if they have looked into grant funding.

Gardner explained that it's difficult to apply for grants until a location is selected.

Planner Chapman elaborated that grant funding is often limited to county lines. Some grants will only give grants to communities in Le Sueur or just Scott County. The proposed sites are located in different counties. Additionally, many grants require funds to be spent and grant work to be completed within 12 months of the grant approval. At this point in time, the project could not be completed within a years' time.

Barten suggested that the Park Board could motion to forward the project to city council without specifically favoring one site over another.

Becka was concerned that the project could get passed back to the Park Board if they didn't provide comments or recommendations.

Barten stated that when POPS presented Bolton & Menk's results to the public at Giesenbrau Bier Co., many residents had concerns about the trees, parking, and congestion at Memorial Park.

Bass explained that the city center is in rough shape and needs some help. Some benefits of selecting city center are that it's a blank slate, has existing utilities, walkable area of town, and proximity for seniors to visit.

Wolf remarked that there's more opportunities in city center, which is better than putting more amenities in an already congested area like Memorial Park.

Becka stated that the city center site will need considerable city action. The path of least resistance would be Sliding Hill Skate Park since it's not earmarked for anything and has existing activities. If the city wants momentum on this project, Sliding Hill Skate Park would probably be the best site.

Dohm disliked Sliding Hill Skate Park due to the noise of vehicles at the nearby intersection. She thought it felt off the road. It would have been more preferable to have the POPS located closer to the hill but it's not feasible with the flooding and drainage issues.

Planning Director Ondich said that there have been internal city staff discussions of redevelopment on the whole block of city center, which is bound by the railroad on the west side, 2<sup>nd</sup> Ave NW on the east side, 2<sup>nd</sup> St NW on the north side and Main Street on the south side.

Barten explained that the lack of a supply of parking can represent a vibrant community. People will find places to park. People may park a few blocks away, which happens frequently during Dozinky as well as the recent Calvary Church event. The Park Board could donate \$2,000 for a tree sensitive concept design, to give Memorial Park a fair ranking in this site selection discussion.

Dohm would rather pursue city center site. It's easier to imagine the layout of the site than Memorial Park.

Bass recommended that the Bolton & Menk Feasibility Study should be presented to the city council because it had some validity. The Park Board could provide their opinions to City Council to get their thoughts.

Bass liked city center the best, followed by Sliding Hill Skate Park, and then Memorial Park.

Wolf liked city center, followed by Sliding Hill Skate Park, and Memorial Park.

Barten liked Memorial Park and city center equally and then Sliding Hill Skate Park.

Becka liked city center, followed by Sliding Hill Skate Park, and Memorial Park.

Dohm liked city center, followed by Memorial Park, and Sliding Hill Skate Park.

Barten suggested that the Park Board could do a study on the revitalization of city center.

Planning Director Ondich said that it might be a good idea to add this study of city center to the Comprehensive Plan as supplemental information to support redevelopment of the area.

A motion was made by Barten, seconded by Dohm to accept the Praha Outdoor Performance Stage (POPS) Site Feasibility Study written by Bolton & Menk dated July 2023 and forward to City Council for review. Motion carried (5-0).

Dohm believed this action would encourage discussion and initial preliminary decision that the city center is viable site.

Planning Director Ondich mentioned that this will encourage the city council to think about the future of city center. It's not beneficial to keep the site vacant. Its better to either develop the site or sell the land.

Dohm stated that part of city center could be converted into a park.

Planning Director Ondich commented that in addition to Comprehensive Plans, MSA can also do conceptual studies.

Dohm stated that most public comments were against Memorial Park.

A motion was made by Barten, seconded by Dohm, to forward a general consensus of the Park Board to the City Council for consideration that the Park Board supports providing up to \$15,000 in Park Board funds, along with potential additional city funds, to develop a City Center/Central Park revitalization project master plan to accommodate the POPS facility and other potential uses such as city hall facility, commercial space and housing units. Motion carried (5-0).

## **6. Foundry Hill Park Improvements – ADA Route from Parking Lot to Ballfield**

Planning Director Ondich explained that at the July Park Board meeting, the Park Board wanted to discuss the possibility of having an ADA accessible route to the baseball field. The City Engineer proposed creating an aggregate path from the existing trail to the ballfield and a connection from the parking lot to the existing trail. The cost of the concrete sidewalk connection is \$1,500.

A motion was made by Dohm, seconded by Bass, to recommend that the City Council amend the 2023 Park Board Budget to pay up to \$1,500 from the Park Equipment Fund for ADA route improvements at Foundry Hill Park from the parking lot to the ballfield. Motion carried (5-0).

## **7. Dog Park Discussion**

Planner Chapman presented the dog park updates. Earlier this year, staff received fence estimates from Central Ag LLC and Town and Country Fence. Town and Country Fence

estimated that it would cost \$59,915 for a 47" high galvanized steel woven wire fence, 10 end posts, 10 corner posts, four 4' wide walk gates, and one 12' wide double swing gate. Central Ag LLC provided a few estimates that ranged from heights 4'-5' and whether they utilized the existing fence on site. The cheapest estimate from Central Ag LLC was \$25,905.59. This price would include the installation of a 1760ft of 4ft tall 4 by 4 woven wire, with 4 4ft mesh galvanized gates and 2 10ft gates. If the Park Board decided to go with the cheapest fence option, the first phase of the dog park project would cost approximately \$33,155.59. The first phase of the project would include the fence, parking lot, entry area concrete, trash/recycling cans, animal waste bags dispenser, and entry/rules sign.

Wolf explained that the Dog Park Group thought it would be acceptable to install a 4' fence and to utilize the existing fence except they were concerned about the existing fence's barbed wire.

Dohm wondered if there were liability issues related to the barbed wire fence.

Planning Director Ondich replied that he would contact the League of Minnesota Cities Insurance Trust to confirm.

Dohm suggested that the separation fence between the small and large dogs could be added later.

Barten proposed that the fence doesn't have to go as far east as depicted in the dog park diagram. If the fence wasn't extended as far east, it would allow the city better access to the northern part of their property.

A motion was made by Barten seconded by Bass to approve the idea of installing a 4'tall woven wire fence at the dog park, the fence shouldn't be extended as far east as shown in the diagram, and that staff should check liability issues of having a barbed wire fence. Motion carried (5-0).

Becka requested to have the dog park fees summarized at the next Park Board meeting for discussion.

## **8. T-Mobile Hometown Grants**

Planner Chapman introduced the T-Mobile Hometown grants funding opportunity. T-Mobile is offering a maximum of \$50,000 to community projects that enhance local connections such as technology upgrades, outdoor spaces, the arts, and community centers. The project would have to be completed within 12 months. More importantly, the grant could fund a new POPS facility, dog park, or pickleball courts. Applications are due on a quarterly basis and are determined 60 days after the applications have closed.

Becka asked for clarification on the timeline of the application.



Planner Chapman explained that the project work must be complete, and funding must be spent 12 months after the grant approval date. It appears that T-Mobile has this grant every year. Hypothetically we could apply later if need be.

Barten asked if the city got funding for the dog park, would it hinder POPS ability to acquire funding through the same grant.

Planning Director Ondich stated that it shouldn't be an issue. If the city wrote a grant for POPS, it would be competing against other applications.

Dohm recommended that there should be collaboration in writing the grant application to increase the likelihood of receiving the grant. The dog park group could write the grant with the city with the support of the Forward New Prague Foundation.

Barten suggested that the city could also put in matching funds to strengthen the application.

A motion was made by Barten, seconded by Wolf for the city to collaborate writing the T-Mobile grant with the dog park group to establish a dog park. Motion carried (5-0).

## **9. Arbor Day 2024 – Tree Giveaway/Tree Sale**

Planner Chapman explained that earlier this year the city did a Tree Giveaway by providing 10"-24" tall trees to residents to celebrate Arbor Day. Each year the city must observe Arbor Day to maintain its status as a Tree City USA. At the Tree Giveaway earlier this year, many residents liked the Tree Giveaway but thought the trees were too small. SWCD is now allowing customers to preorder larger trees that range in height between 3' to 4' tall. They are offering bundles of American Plum, Bur Oak, Red Oak, Hackberry, Balsam Fir, and Techny Arborvitae. If the city does not want to celebrate Arbor Day with another Tree Giveaway next year, other cities have celebrated by doing a movie screening of the "Lorax", demonstrations on pruning/how to remove pests, environmental educational booths at city events, tree planting in the park, and volunteer events to remove invasive species in parks.

Bass liked the idea of giving away larger trees especially since many ash trees in the community will have to be removed because of the Emerald Ash Borer.

Barten inquired if there were any fees for the residents to acquire the trees or if some people didn't show at the 2023 Tree Giveaway.

Planner Chapman replied that no fees were required to participate in the event. If the city were to do a Tree Sale, the city would need a tree license or individuals would have to purchase them through SWCD. There were only two to three people out of the 41 people who preordered, who did not show up. Much of the feedback regarding the event was positive but many people wished the trees were larger.

A motion was made by Wolf, seconded by Barten to offer larger trees for next year's Tree Giveaway to celebrate Arbor Day. Motion carried (5-0).

## 10. Miscellaneous

- a. **2024 Budget Project Discussion** – The update was accepted and reviewed as written.
- b. **Comprehensive Plan Update** – The update was accepted and reviewed as written.

## 11. Adjournment

The meeting was adjourned at 7:48 PM by order of Chair Barten.

Respectfully Submitted,

A handwritten signature in black ink that reads "Kyra J. Chapman". The signature is written in a cursive, flowing style.

Kyra J. Chapman  
Planner