

Public Notices

Official Proceedings . . .

City of New Prague CITY COUNCIL PROCEEDINGS STATE OF MINNESOTA COUNTIES OF SCOTT AND LE SUEUR SPECIAL CITY COUNCIL MEETING MONDAY, MAY 3, 2021

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

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

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

Others Present Online: City Engineer Chris Cavett, Ebdo Eick & Meyers, LLC CPAs Brad J. Faltevesk and Erin Ensad, Leah Davis, President of AEM Workforce Solutions, and Patrick Fisher, New Prague Times

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

City Engineer Chris Cavett provided an update to the City Council on the TH#19/Main Street Reconstruction Project (2020-2021 CIP). Mr. Cavett explained that there is a lot going on. Utilities will be completed up to Columbus Avenue by the end of this week or early next week. Hope to have all Utility work complete by the end of next week. Things are moving along ahead of schedule with the weather cooperating right now. Curbing to begin as early as next week. No change orders this meeting, but several coming for the next meeting to include additional expenses from: 1. The Precondition Survey of the Consignment Lodge building with structural concerns, 2. Asbestos piping requiring additional disposal expenses, 3. Sand backfill for the building with the structural concerns.

Community & Development Director Ken Ondich provided an update on the Consignment Lodge's structural concerns and stated it is still unoccupiable and continues to be monitored. The Consignment Lodge business owner was offered some alternatives for the time-being. The building owner will need to decide how they are going to proceed as far as fixing the building or demolishing it. Will continue to monitor the situation.

The roadwork on the west side of the railroad tracks will progress to a soft closing where there will be access to the businesses once the streetlights are installed. This could occur by next week or for sure the week after.

City Auditors Brad J. Faltevesk and Erin Ensad from Abdo Eick & Meyers, LLP. (AEM), presented to the City Council the 2020 Annual Financial (Audit) Report. The audit findings were presented and reviewed as it pertains to the General Fund, Other Governmental Funds and Enterprise Funds. AEM commended the City of New Prague Staff on a job well done and extended their best wishes to City Administrator Johnson on his upcoming retirement. After discussion, it was moved by Seiler and seconded by Wolf to accept the 2020 Annual Financial (Audit) Report. By roll call vote, all voted in favor. Motion carried (5-0).

Ms. Leah Davis, President of AEM Workforce Solutions (Partner of Abdo Eick & Meyers) provided an overview of a joint meeting that took place on March 9, 2021 between the City Council and Utilities Commission where the proposed 2021 Position and Compensation Study Report was reviewed and discussed. Ms. Davis was present and provided an overview of the Report to the Council/Commission and answered questions. At the conclusion of the meeting, Ms. Davis was asked to test out various utility options related to lineman (apprentices and journeyman). She indicated that she could run options, review numbers, and determine compliance with MN Pay Equity as part of her review.

Although the review process had taken longer than anticipated due to Ms. Davis's work schedule, a Supplemental Report was developed pertaining to the changes for the Electric Lineman positions. This Supplemental Report was presented and reviewed by the New Prague Utilities Commission at their meeting on April 26, 2021. Following a review and discussion with the Commission, the Commission voted to recommend that the Council approve the proposed changes to consolidate the Apprentice and Journeyman Lineman positions into a Lineworker position. Also included within the Supplemental Report is the Final Summary of Findings and Items for consideration and approval on the overall Position Classification and Compensation Study.

Ms. Davis explained that based on the recommendation to implement this study going forward (no retroactive), the proposed implementation date is effective for all hours paid on the June 18, 2021 payroll (May 30-June 12, 2021). The estimated cost of implementing this study for the remainder of 2021 is estimated at about \$37,344 for the General Fund, Wastewater Fund, Storm Sewer Fund, Golf Fund, and Electric/Water Funds. This does not include any adjustments to the Police Union Agreement (2020-2021) as they will need to be negotiated with the Police Union.

After discussion, Council would like to implement the new standard steps but hold off on the bonus performance steps until they can get a solid evaluation in place for their review in the future. Agreed to remove the schedule for the bonus performance steps until the Council and Staff are able to work more extensively on this area.

After discussion, motion by Bass and seconded by Seiler to APPROVE THE STANDARD STEPS WITHOUT THE BONUS PERFORMANCE STEPS. By roll call vote, all voted in favor. Motion carried (5-0).

Planning/Community Development Director Ken Ondich requested approval of a resolution covering a variance request presented at the March 24, 2021 Planning Commission meeting which was continued to their April 28, 2021 meeting in order to develop some conditions for the variance approval consideration. The applicant, Ivy Brook Parking, LLC is requesting approval for a variance to allow reduced access spacing from TH21 (4th Ave. NW) from 500' to 80' to allow for the use of an existing curb cut on 12th Street NW for an exterior storage business. The variance would allow the existing curb cut to be utilized which would not be allowed by the current ordinance requirements, while also noting that MnDOT will not allow access to area of the site directly from TH21. MnDOT, the City Engineer and Public Works all did not have any concerns about the utilization of the proposed curb cut based on the very low traffic expected at the site. The applicant was previously approved for Conditional Use Permit#C1-2021 which allowed exterior storage on the subject site but noted specifically that the north end of the site was restricted to items smaller than semi-trucks and trailers and that an access must also be approved to enter the site.

Based on discussion at the March Planning Commission Meeting, three conditions for approval were developed and considered at the April Planning Commission meeting to further mitigate potential impacts to the area specific to traffic. The Planning Commission recommended approval of the variance request on an unanimous vote (5-0) based on the seven findings and three conditions listed in the staff report (and attached resolution which approves the variance).

Motion by Jirik, seconded by Bass to approve *RESOLUTION #21-05-03-01 APPROVING VARIANCE (#V2-2021) TO ALLOW REDUCED ACCESS SPACING FROM TH21 (4TH AVENUE NW) FROM 500' TO 80' TO ALLOW FOR THE USE OF AN EXISTING CURB CUT ON 12TH STREET NW, NEW PRAGUE, MN.* By roll call vote, all voted in favor. Motion carried (5-0).

Planning/Community Development Director Ken Ondich also re-

quested approval to a resolution amending Conditional Use Permit #C3-2016 to allow expansion of the outdoor seating area at 1306 1st Street NE (Giesenbräu Bier Co.) which was reviewed and recommended for approval by a vote of (5-0). The expanded patio would extend directly to the west of the existing patio and be enclosed by the same 4' tall lattice fencing and have the required emergency only exits, two additional trees planted and contain up to 12 high top tables, each holding up to four people.

Motion by Seiler, seconded by Ryan to approve *RESOLUTION #21-05-03-02 APPROVING AMENDING CONDITIONAL USE PERMIT #C3-2016 TO ALLOW AN EXPANSION OF THE OUTDOOR SEATING AREA AT 1306 1ST STREET NE, IN THE B-2 COMMUNITY COMMERCIAL DISTRICT, NEW PRAGUE, MN.* By roll call, all voted in favor. Motion carried (5-0).

Police Chief Jim Gareis presented the Police Department's Strategic Transition Plan for his retirement within the upcoming 12-15 months. Chief Gareis explained that this transition for the department would likely take on three different phases. Those phases being - an appointment of a Detective, an appointment of a Road Sergeant, and backfilling a position so an individual is available to take a road position prior to his departure. Chief Gareis explained that with those positions in place, the transition for the Police department would be seamless as they continue to serve the community. This process would help in that transition along with having little impact financially on the 2021 budget and allow time to prepare for the 2022 budget.

Discussion on internal replacements took place. Council recommended more use of County Officers being the City of New Prague taxpayers help fund the Scott and Le Sueur County officers. Mayor & Councilmembers requested to see stats from Police Chief Gareis (per capita and where it aligns with others cites.) Mayor Jirik asked that the approval of this item be tabled until the next meeting when they will be able to review more stats.

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

A. April 19, 2021 Special City Council Meeting Minutes

B. Claims for Payment - May 3, 2021

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

Miscellaneous Items:

Bruce Wolf - Asked who will be contacting Liza Donabauer with David Drown Associates Co. be with the new compensation range for the City Administrator. City Administrator Johnson to follow up with Liza.

Shawn Ryan - Brought up the topic of the Pioneer Saloon outside wall and how it encroaches 18" into the vacant space. The owner would like the title cleaned up and purchase those 18" from the City. Would also help for resale someday. City Administrator Johnson had provided information to the Business Owner a while back and is up to the Council to decide to proceed and decide to sell that encroachment area to the Pioneer Saloon owner. Mr. Johnson will bring back information to the Council for consideration.

Mike Johnson - Provided an update on the installation of the audio visual equipment in the Council Chambers so City Council meetings can return to in person meetings. Director Ondich provided more detail and said the installation of the equipment is complete including the configuration of the YouTube link. Mitch Peterson will continue to record the Council meetings and operate the cameras and livestream. Training is set up for May 4th and will do an internal test of the meeting next week to make sure all is ready to go for the May 17th City Council meeting using the proper Covid procedures.

Bruce Reimers - Appreciated the Council and Commission's support with the negotiations on the Compensation Study.

Duane Jirik - Asked if residents can purchase bricks left from the Main Street demo. City Administrator Johnson said that question would need to be proposed to the Contractor on what they are planning to do with them. PWD Rynda explained that the bricks are combined with the crushed asphalt and it would be costly to separate from the other materials.

There being no additional business, motion by Bass, seconded by Seiler to adjourn the meeting at approximately 9:00 p.m. All voted in favor. Motion carried (5-0).

Duane J. Jirik, Mayor

ATTEST:

Michael J. Johnson, City Administrator

(Published in The New Prague Times, Thursday, May 27, 2021; No. T662-5-27)

Official Proceedings . . .

City of New Prague

CITY COUNCIL PROCEEDINGS STATE OF MINNESOTA COUNTIES OF SCOTT AND LE SUEUR SPECIAL CITY COUNCIL MEETING THURSDAY, MAY 6, 2021

Mayor Jirik called the meeting to order at 5:32 p.m. with the following Councilmembers present: Duane Jirik, Shawn Ryan, Maggie Bass, Rik Seiler, and Bruce Wolf.

The City Council interviewed six (6) candidates for fourteen (14) vacancies on the various City Boards and Commissions. Today being day one of two days of interviews.

Following the interviews and discussion, the Council indicated that they would approve the appointments at the regular meeting on Monday, May 17, 2021.

Motion by Seiler, seconded by Bass to adjourn at 7:10 p.m. All voted in favor. Motion carried, (5-0).

Duane J. Jirik, Mayor

ATTEST:

Michael J. Johnson, City Administrator

(Published in The New Prague Times, Thursday, May 27, 2021; No. T663-5-27)

Official Proceedings . . .

City of New Prague

CITY COUNCIL PROCEEDINGS STATE OF MINNESOTA COUNTIES OF SCOTT AND LE SUEUR SPECIAL CITY COUNCIL MEETING WEDNESDAY, MAY 12, 2021

Mayor Jirik called the meeting to order at 5:45 p.m. with the following Councilmembers present: Duane Jirik, Shawn Ryan, Maggie Bass, Rik Seiler, and Bruce Wolf.

Today being day two of two days of interviews. The City Council interviewed six (6) candidates for fourteen (14) vacancies on the various City Boards and Commissions. 6 candidates were also interviewed on Thursday, May 6, 2021.

Following the interviews and discussion, the Council indicated that they would approve the appointments at the regular meeting on Monday, May 17, 2021.

Motion by Ryan, seconded by Seiler to adjourn at 7:36 p.m. All voted in favor, motion carried. (5-0)

Duane J. Jirik, Mayor

ATTEST:

Michael J. Johnson, City Administrator

(Published in The New Prague Times, Thursday, May 27, 2021; No. T664-5-27)

CERTIFICATE OF

ASSUMED NAME

MINNESOTA
SECRETARY OF STATE
Minnesota Statutes
Chapter 333

The filing of an assumed name does not provide a user with exclusive rights to that name. The filing is required for consumer protection in order to enable customers to be able to identify the true owner of a business.

ASSUMED NAME: Four Harts Games

PRINCIPAL PLACE OF BUSINESS: 460 Lucy St., New Prague, MN 56071 USA

NAMEHOLDER(S): North Country Mechatronics LLC, 460 Lucy St., New Prague, MN 56071 USA

By typing my name, I, the undersigned, certify that I am signing this document as the person whose signature is required, or as agent of the person(s) whose signature would be required who has authorized me to sign this document on his/her behalf, or in both capacities. I further certify that I have completed all required fields, and that the information in this document is true and correct and in compliance with the applicable chapter of Minnesota Statutes. I understand that by signing this document, I am subject to the penalties of perjury as set forth in Section 609.48 as if I had signed this document under oath.

SIGNED BY: Teri Polson
MAILING ADDRESS: None provided

EMAIL FOR OFFICIAL NOTICES: tpolson@usfamily.net

STATE OF MINNESOTA
OFFICE OF THE
SECRETARY OF STATE

FILED 05/12/2021
Original File Number
1235199100025

(Published in The New Prague Times, Thursdays, May 20 and 27, 2021; No. T660-5-27)

NOTICE OF

MORTGAGE

FORECLOSURE

SALE

THE RIGHT TO VERIFICATION OF THE DEBT AND IDENTIFICATION OF THE ORIGINAL CREDITOR WITHIN THE TIME PERIOD PROVIDED BY LAW IS NOT AFFECTED BY THIS ACTION.

NOTICE IS HEREBY GIVEN: That default has occurred in the conditions of the mortgage dated July 26, 2004, executed by Nelson H. Ridout and Debra J. Nielsen-Ridout fka Debra J. Nielsen, husband and wife, as mortgagors, to TCF National Bank, a national banking association, as mortgagee, recorded in the office of the Registrar of Titles of Le Sueur County, Minnesota, on August 4, 2004, as Document No. 16213, which mortgage conveyed and mortgaged the following described property, which property is registered land, situated in the County of Le Sueur and State of Minnesota, which property has a street address of 600 West Cherry Street, Kasota, Minnesota 56050, and tax identification number 184400090:

Lot Nine (9), Block One (1), Quarry Springs Addition No. 2, according to the plat thereof on file and of record in the office of the County Recorder within and

for Le Sueur County, Minnesota

That the original principal amount secured by said mortgage was \$106,200.00; that there has been compliance with any condition precedent to acceleration of the debt secured by said mortgage and foreclosure of said mortgage required by said mortgage, any note secured thereby, or any statute; that no action or proceeding to recover the debt remaining secured by said mortgage is pending, or any part thereof; that there is claimed to be due upon said mortgage and is due thereon at the date of this notice, the sum of \$84,928.25 in principal and interest.

That as a result of the aforesaid default, and by virtue of the power of sale contained in said mortgage, the said mortgage will be foreclosed by the sale of the above described premises with appurtenances, which said sale will be made by the Sheriff of Le Sueur County, Minnesota, at the Le Sueur County Justice Center, 435 Derrynane Street East, Suite 1100, Le Center, Minnesota, on June 23, 2021, at 1:00 o'clock p.m., at public auction to the highest bidder, to pay the amount then due on said mortgage, together with the costs of foreclosure, including attorneys' fees as allowed by law, in accordance with the provisions of said mortgage. The time allowed by law for redemption by the mortgagors, their personal representatives or assigns, is six (6) months from the date of said sale.

MORTGAGOR(S) RELEASED FROM FINANCIAL OBLIGATION ON MORTGAGE: NONE

THE TIME ALLOWED BY LAW FOR REDEMPTION BY THE MORTGAGOR, THE MORTGAGOR'S PERSONAL REPRESENTATIVES OR ASSIGNS, MAY BE REDUCED TO FIVE WEEKS IF A JUDICIAL ORDER IS ENTERED UNDER MINNESOTA STATUTES, SECTION 582.032, DETERMINING, AMONG OTHER THINGS, THAT THE MORTGAGED PREMISES ARE IMPROVED WITH A RESIDENTIAL DWELLING OF LESS THAN FIVE UNITS, ARE NOT PROPERTY USED IN AGRICULTURAL PRODUCTION, AND ARE ABANDONED.

If the mortgage is not reinstated under Minn. Stat. §580.30 or redeemed under Minn. Stat. §580.23, the mortgagor must vacate the mortgaged property by 11:59 p.m. on December 23, 2021, unless the foreclosure is postponed pursuant to Minn. Stat. §580.07, or the redemption period is reduced to five (5) weeks under Minn. Stat. §582.032.

THIS IS AN ATTEMPT TO COLLECT A DEBT BY A DEBT COLLECTOR. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

DATED: May 6, 2021
TCF National Bank
FOLEY & MANSFIELD,
P.L.L.P.
By: Wyatt S. Partridge
Atty. No. 0391272
Attorneys for Mortgagee
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Suite 1200
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(Published in The New Prague Times, Thursdays, May 6, 13, 20, 27, June 3 and 10, 2021; No. T652-6-10)