



CITY COUNCIL MEETING AGENDA

City of New Prague

Tuesday, September 02, 2025 at 6:00 PM

City Hall Council Chambers - 118 Central Ave N

OPTIONAL ONLINE CONNECTION. MEETINGS ARE IN PERSON.

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1. CALL TO ORDER

- a. Pledge of Allegiance

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. Meeting Minutes

- i. August 18, 2025 City Council Meeting Minutes - Closed
- ii. August 18, 2025 City Council Meeting Minutes - Regular
- iii. August 18, 2025 City Council Meeting Minutes - Special
- iv. August 25, 2025 City Council Meeting Minutes - Special
- v. August 25, 2025 City Council Meeting Minutes - Closed

- b. Claims for Payment: **\$240,149.59**

- c. LG220 Lawful Gambling Application for Exempt Permit - MN Deer Hunters Association

- d. City Administrator Contract

4. PUBLIC INVITED TO BE HEARD ON MATTERS NOT ON THE AGENDA

Speakers limited to 5 minutes

5. PUBLIC HEARING(S) – 6:00 PM

- a. None

6. CITY ENGINEER PROJECTS UPDATE

- a. September 2, 2025

7. ORDINANCE(S) FOR INTRODUCTION

- a. None

8. ORDINANCE(S) FOR ADOPTION

- a. None

9. RESOLUTIONS

- [a.](#) [#25-09-02-01](#) - Adopting 2025 Preliminary Property Tax Levy for Taxes Payable 2026
- [b.](#) [#25-09-02-02](#) - Variance #V8-2025 Pool Setback

10. GENERAL BUSINESS

- [a.](#) Agreement with SEH for Private Development Reviews
- [b.](#) City Administrator Annual Review Summary

11. MISCELLANEOUS

- [a.](#) Meeting Minutes
 - i. July 22, 2025 Golf Board Meeting Minutes
 - ii. July 28, 2025 Utilities Commission Meeting Minutes
 - iii. July 30, 2025 Planning Commission Meeting Minutes
- [b.](#) Discussion of Items not on the Agenda

12. ADJOURNMENT

UPCOMING MEETINGS AND NOTICES:

| | |
|--------------|-------------------------------|
| September 9 | 6:00 p.m. Park Board |
| September 10 | 7:30 a.m. EDA Board |
| September 15 | 6:00 p.m. City Council |
| September 17 | 6:30 p.m. Planning Commission |
| September 23 | 6:30 p.m. Golf Board |
| September 29 | 3:30 p.m. Utility Commission |
| October 6 | 6:00 p.m. City Council |



SPECIAL CITY COUNCIL MEETING - CLOSED MINUTES

City of New Prague

Monday, August 18, 2025 at 5:30 PM

City Hall Council Chambers - 118 Central Ave N

Mayor Nickolay called the Closed meeting to order at 5:30 p.m.

PRESENT

Mayor Charles Nickolay
Councilmember Maggie Bass
Councilmember Bruce Wolf

ABSENT

Councilmember Shawn Ryan
Councilmember Rik Seiler

Staff present: City Administrator Joshua Tetzlaff

1. **CLOSED SESSION:** Went into Closed session at 5:30 p.m. to conduct a closed meeting to review annual performance of an individual subject to the City Council's authority, Joshua M. Tetzlaff, City Administrator. Motion made by Councilmember Bass, Seconded by Mayor Nickolay, to come out of closed session at 5:58 p.m.
Voting Yea: Mayor Nickolay, Councilmember Bass and Councilmember Wolf
Motion carried (3-0)
2. **ADJOURNMENT**
Mayor Nickolay adjourned the meeting at 5:58 p.m.

ATTEST:

Charles L. Nickolay
Mayor

Joshua M. Tetzlaff
City Administrator



CITY COUNCIL MEETING MINUTES

City of New Prague

Monday, August 18, 2025 at 6:00 PM

City Hall Council Chambers - 118 Central Ave N

1. CALL TO ORDER

The meeting was called to order at 6:00 p.m.

PRESENT

Mayor Charles Nickolay
Councilmember Shawn Ryan
Councilmember Maggie Bass
Councilmember Bruce Wolf

ABSENT

Councilmember Rik Seiler

Staff Present: City Administrator Joshua Tetzlaff, Finance Director Robin Pikal, Planning/Community Development Director Ken Ondich, Police Chief Tim Applen, Public Works Director Matt Rynda and Fire Chief Steve Rynda.

a. Pledge of Allegiance

2. APPROVAL OF REGULAR AGENDA

Motion to approve the regular agenda with the following changes: the meeting minutes in the consent agenda will be its own separate item and remove item 10b under General Business, "City Administrator Annual Review Summary" since it was not completed.

Motion made by Mayor Nickolay, Seconded by Councilmember Ryan.

Voting Yea: Mayor Nickolay, Councilmember Ryan, Councilmember Bass, Councilmember Wolf

Motion carried (4-0)

3. CONSENT AGENDA

Motion to approve the consent agenda (minus the meeting minutes as they were voted on separately).

Motion made by Councilmember Bass, Seconded by Councilmember Wolf.

Voting Yea: Mayor Nickolay, Councilmember Ryan, Councilmember Bass, Councilmember Wolf

Motion carried (4-0)

a. Meeting Minutes

i. August 4, 2025 City Council Meeting Minutes

Motion to approve the August 4, 2025 City Council Meeting Minutes.

Motion made by Councilmember Ryan, Seconded by Mayor Nickolay.

Voting Yea: Mayor Nickolay, Councilmember Ryan, Councilmember Wolf

Voting Abstaining: Councilmember Bass

Motion carried (3-0-1)

b. Claims for Payment: **\$3,319,398.25**

c. Financial Summary Report

4. PUBLIC INVITED TO BE HEARD ON MATTERS NOT ON THE AGENDA

No speakers present.

5. PUBLIC HEARING(S) – 6:00 PM

Motion to re-open the public hearing at 6:07 p.m.

Motion made by Mayor Nickolay, Seconded by Councilmember Wolf.

Voting Yea: Mayor Nickolay, Councilmember Ryan, Councilmember Bass, Councilmember Wolf

Motion carried (4-0)

No speakers present for the public hearing.

Motion to close the public hearing at 6:09 p.m.

Motion made by Mayor Nickolay, Seconded by Councilmember Bass.

Voting Yea: Mayor Nickolay, Councilmember Ryan, Councilmember Bass, Councilmember Wolf

Motion carried (4-0)

Motion to approve Resolution #25-08-04-01 with the discussed amendments to Section 6.3.

Motion made by Mayor Nickolay, Seconded by Councilmember Bass.

Voting Yea: Mayor Nickolay, Councilmember Ryan, Councilmember Bass, Councilmember Wolf

Motion carried (4-0)

- a. Amending and Restating the Enabling Resolution (#25-08-04-01) Establishing an Economic Development Authority for the City of New Prague

6. CITY ENGINEER PROJECTS UPDATE

Public Works Director Matt Rynda provided an update.

- a. August 18, 2025

7. ORDINANCE(S) FOR INTRODUCTION

- a. None

8. ORDINANCE(S) FOR ADOPTION

- a. None

9. RESOLUTIONS

10. GENERAL BUSINESS

- a. Application for THC Establishment License
Police Chief Tim Applen presented the application for the THC Establishment License.
Motion to deny the application for Anna Tobacco's THC License.
Motion made by Councilmember Ryan, Seconded by Mayor Nickolay.
Voting Yea: Mayor Nickolay, Councilmember Ryan, Councilmember Bass, Councilmember Wolf
Motion carried (4-0)
- b. City Administrator Annual Review Summary
This item was removed from the agenda at the beginning of the meeting.

11. MISCELLANEOUS

- a. Meeting Minutes
 - i. July 8, 2025 Park Board Meeting Minutes
 - ii. July 9, 2025 EDA Board Meeting Minutes
 - iii. July 9, 2025 EDA Board Closed Meeting Minutes
- b. Discussion of Items not on the Agenda

12. ADJOURNMENT

Motion to adjourn the meeting at 6:25 p.m.
Motion made by Councilmember Bass, Seconded by Mayor Nickolay.
Voting Yea: Mayor Nickolay, Councilmember Ryan, Councilmember Bass, Councilmember Wolf
Motion carried (4-0)

ATTEST:

Charles L. Nickolay
Mayor

Joshua M. Tetzlaff
City Administrator



SPECIAL CITY COUNCIL MEETING MINUTES

City of New Prague

Monday, August 18, 2025 at 6:05 PM

City Hall Council Chambers - 118 Central Ave N

1. CALL TO ORDER

PRESENT

Mayor Charles Nickolay

Councilmember Shawn Ryan

Councilmember Maggie Bass

Councilmember Bruce Wolf

ABSENT

Councilmember Rik Seiler

2. APPROVAL OF REGULAR AGENDA

Motion to Approve the Regular Agenda

Motion made by Councilmember Wolf, Seconded by Councilmember Bass.

Voting Yea: Mayor Nickolay, Councilmember Ryan, Councilmember Bass, Councilmember Wolf

Motion Carried (4-0)

3. GENERAL BUSINESS

Discussion was had regarding the 2025 budget. No action was taken.

a. 2025 Budget Discussion #1

4. MISCELLANEOUS

a. Discussion of Items not on the Agenda

5. ADJOURNMENT

Motion made by Mayor Nickolay, Seconded by Councilmember Bass to adjourn the meeting at approximately 8:25 p.m.

Voting Yea: Mayor Nickolay, Councilmember Ryan, Councilmember Bass, Councilmember Wolf

Motion carried (4-0)

ATTEST:

Charles L. Nickolay
Mayor

Joshua M. Tetzlaff
City Administrator



SPECIAL CITY COUNCIL MEETING MINUTES

City of New Prague

Monday, August 25, 2025 at 4:30 PM

City Hall Council Chambers - 118 Central Ave N

1. CALL TO ORDER

PRESENT

Mayor Charles Nickolay

Councilmember Shawn Ryan

Councilmember Maggie Bass

Councilmember Bruce Wolf

Councilmember Rik Seiler

2. APPROVAL OF REGULAR AGENDA

Motion to Approve the Regular Agenda

Motion made by Councilmember Seiler, Seconded by Councilmember Wolf.

Voting Yea: Mayor Nickolay, Councilmember Ryan, Councilmember Bass, Councilmember Seiler, and Councilmember Wolf

Motion Carried (5-0)

3. GENERAL BUSINESS

Discussion was had regarding the 2025 budget. No action was taken.

a. 2025 Budget Discussion #2

4. MISCELLANEOUS

a. Discussion of Items not on the Agenda

5. ADJOURNMENT

Motion made by Mayor Nickolay, Seconded by Councilmember Bass to adjourn the meeting at approximately 6:18 p.m.

Voting Yea: Mayor Nickolay, Councilmember Ryan, Councilmember Bass, Councilmember Seiler, and Councilmember Wolf

Motion carried (5-0)

ATTEST:

Charles L. Nickolay
Mayor

Joshua M. Tetzlaff
City Administrator



SPECIAL CITY COUNCIL MEETING - CLOSED MINUTES

City of New Prague

Monday, August 25, 2025 at 4:35 PM

City Hall Council Chambers - 118 Central Ave N

Mayor Nickolay called the Closed meeting to order at approximately 6:20 p.m.

PRESENT

Mayor Charles Nickolay
Councilmember Maggie Bass
Councilmember Bruce Wolf
Councilmember Shawn Ryan
Councilmember Rik Seiler

Staff present: City Administrator Joshua Tetzlaff

1. **CLOSED SESSION:** Went into Closed session at approximately 6:20 p.m. to conduct a closed meeting to review annual performance of an individual subject to the City Council's authority, Joshua M. Tetzlaff, City Administrator.
Motion made by Councilmember Seiler, Seconded by Councilmember Bass, to come out of closed session at 7:37 p.m.
Voting Yea: Mayor Nickolay, Councilmember Ryan, Councilmember Bass, Councilmember Seiler, and Councilmember Wolf
Motion carried (5-0)
2. **ADJOURNMENT**
Mayor Nickolay adjourned the meeting at 7:37 p.m.

ATTEST:

Charles L. Nickolay
Mayor

Joshua M. Tetzlaff
City Administrator

CITY OF NEW PRAGUE
ACCOUNTS PAYABLE
9/02/2025

Section 3, Item b.

| VENDOR | DESCRIPTION | AMOUNT | TOTAL |
|--|--------------------------|-------------|--------------------|
| FUND 101 - GENERAL FUND | | | |
| <u>OTHER - TO BE REIMBURSED</u> | | | |
| MCMASTER-CARR SUPPLY COMPANY | U-CHANNEL - BASEBALL | \$191.82 | |
| TOTAL: | | | \$191.82 |
| <u>COUNCIL</u> | | | |
| US BANK EQUIPMENT FINANCE | COPIER LEASE | \$274.98 | |
| TOTAL: | | | \$274.98 |
| <u>ADMINISTRATION</u> | | | |
| US BANK EQUIPMENT FINANCE | COPIER LEASE | \$281.68 | |
| TOTAL: | | | \$281.68 |
| <u>PLANNING</u> | | | |
| AMAZON CAPITAL SERVICES | OFFICE SUPPLIES | \$79.00 | |
| US BANK EQUIPMENT FINANCE | COPIER LEASE | \$27.18 | |
| TOTAL: | | | \$106.18 |
| <u>GOVERNMENT BUILDING</u> | | | |
| AMAZON CAPITAL SERVICES | TOILET SEAT | \$21.69 | |
| SEH | CITY CENTER POND | \$16,280.00 | |
| TOTAL: | | | \$16,301.69 |
| <u>POLICE</u> | | | |
| OFFICE OF MN IT SERVICES | LANGUAGE LINE | \$49.35 | |
| STREICHER'S | AMMO | \$1,240.80 | |
| US BANK EQUIPMENT FINANCE | COPIER LEASE | \$279.14 | |
| TOTAL: | | | \$1,569.29 |
| <u>BUILDING INSPECTOR</u> | | | |
| SCOTT SASSE | MEAL REIMBURSEMENT | \$14.09 | |
| TOTAL: | | | \$14.09 |
| <u>STREET</u> | | | |
| ADVANCED SEEDING & EROSION | STAKES | \$125.00 | |
| AMAZON CAPITAL SERVICES | RADIO BATTERY | \$63.98 | |
| CRAFCO INC | CRACK SEAL MATERIAL | \$3,654.00 | |
| INTERSTATE CHIROPRACTIC LLC | RANDOM TESTING | \$25.00 | |
| TIM'S SMALL ENGINE SERVICE | CHAINSAW PARTS | \$29.49 | |
| TOTAL: | | | \$3,897.47 |
| <u>PARKS</u> | | | |
| ACTION OVERHEAD GARAGE DOOR | SEAL | \$15.68 | |
| ALL AMERICAN PRESSURE WASHER | PRESSURE WASHER RENTAL | \$875.00 | |
| AMAZON CAPITAL SERVICES | TOILET PARTS | \$80.69 | |
| BORDER STATES ELECTRIC SUPPLY | PARKS- TIME OF USE METER | \$49.05 | |
| BRYAN ROCK PRODUCTS INC. | AG LIME | \$568.88 | |
| CARTER TUPY | SAFETY BOOTS | \$60.00 | |
| MTI DISTRIBUTING INC | TORO WORKMAN | \$33,277.87 | |
| MTI DISTRIBUTING INC | MOWER BLADES & NOZZLES | \$430.76 | |
| TOTAL: | | | \$35,357.93 |
| <u>LIBRARY</u> | | | |
| BORDER STATES ELECTRIC SUPPLY | 4' LED BULBS | \$349.00 | |
| TOTAL: | | | \$349.00 |
| GENERAL FUND TOTAL: | | | \$58,344.13 |

CITY OF NEW PRAGUE
ACCOUNTS PAYABLE
9/02/2025

Section 3, Item b.

| VENDOR | DESCRIPTION | AMOUNT | TOTAL |
|--|-----------------------------|-------------|--------------------|
| <u>FUND 311 - DEBT SERVICE - CIP 2011</u> | | | |
| EHlers | 2011A CONTINUING DISCLOSURE | \$427.27 | |
| TOTAL: | | | <u>\$427.27</u> |
| <u>FUND 315 - DEBT SERVICE - BOND REFUNDING 2013B</u> | | | |
| EHlers | 2013B CONTINUING DISCLOSURE | \$427.27 | |
| TOTAL: | | | <u>\$427.27</u> |
| <u>FUND 316 - DEBT SERVICE - CIP 2014</u> | | | |
| EHlers | 2014A CONTINUING DISCLOSURE | \$427.27 | |
| TOTAL: | | | <u>\$427.27</u> |
| <u>FUND 317 - DEBT SERVICE - CIP 2015</u> | | | |
| EHlers | 2015A CONTINUING DISCLOSURE | \$427.27 | |
| TOTAL: | | | <u>\$427.27</u> |
| <u>FUND 319 - DEBT SERVICE - CIP 2019</u> | | | |
| EHlers | 2019A CONTINUING DISCLOSURE | \$427.27 | |
| TOTAL: | | | <u>\$427.27</u> |
| <u>FUND 320 - DEBT SERVICE - 2020A REFUNDING</u> | | | |
| EHlers | 2020A CONTINUING DISCLOSURE | \$427.30 | |
| TOTAL: | | | <u>\$427.30</u> |
| <u>FUND 321 - DEBT SERVICE - CIP 2020-2021</u> | | | |
| EHlers | 2021A CONTINUING DISCLOSURE | \$427.27 | |
| TOTAL: | | | <u>\$427.27</u> |
| <u>FUND 322 - DEBT SERVICE - CIP 2022</u> | | | |
| EHlers | 2022A CONTINUING DISCLOSURE | \$427.27 | |
| TOTAL: | | | <u>\$427.27</u> |
| <u>FUND 323 - DEBT SERVICE - CIP 2023</u> | | | |
| EHlers | 2023A CONTINUING DISCLOSURE | \$427.27 | |
| TOTAL: | | | <u>\$427.27</u> |
| <u>FUND 324 - DEBT SERVICE - CIP 2024</u> | | | |
| EHlers | 2024A CONTINUING DISCLOSURE | \$427.27 | |
| TOTAL: | | | <u>\$427.27</u> |
| <u>FUND 325 - DEBT SERVICE - CIP 2025</u> | | | |
| EHlers | 2025B CONTINUING DISCLOSURE | \$427.27 | |
| TOTAL: | | | <u>\$427.27</u> |
| <u>FUND 424 - CAPITAL PROJECTS - CIP 2025</u> | | | |
| SEH | CIP 2025 | \$61,180.40 | |
| TOTAL: | | | <u>\$61,180.40</u> |
| <u>FUND 425 - CAPITAL PROJECTS - POLICE STATION</u> | | | |
| AMERICAN ENGINEER TESTING INC | POLICE ADDITION | \$9,927.00 | |
| TOTAL: | | | <u>\$9,927.00</u> |

CITY OF NEW PRAGUE
ACCOUNTS PAYABLE
9/02/2025

Section 3, Item b.

| VENDOR | DESCRIPTION | AMOUNT | TOTAL |
|--|-------------------------------|-------------|---------------------|
| <u>FUND 602 - ENTERPRISE - SANITARY SEWER</u> | | | |
| QUALITY FLOW SYSTEMS INC. | BYPASS LIFT STATION - CABINET | \$64,595.00 | |
| AMAZON CAPITAL SERVICES | BATTERIES - LIFT STATION | \$25.38 | |
| DEPUTY REGISTRAR | PLATES & TABS | \$28.00 | |
| MESERB | MESERB MEMBERSHIP | \$2,977.00 | |
| NEON LINK | ONLINE PAYMENT FEES | \$199.02 | |
| RIVER COUNTRY COOP | DIESEL GEN #7 & #12 | \$2,246.36 | |
| SALTCO | MONTHLY SALT FEE | \$70.00 | |
| US BANK EQUIPMENT FINANCE | COPIER LEASE | \$81.00 | |
| TOTAL: | | | \$70,221.76 |
| <u>FUND 606 - ENTERPRISE - STORM UTILITY</u> | | | |
| NEON LINK | ONLINE PAYMENT FEES | \$24.04 | |
| TOTAL: | | | \$24.04 |
| TOTAL ACCOUNTS PAYABLE FOR COUNCIL APPROVAL: | | | \$204,397.33 |

| Vendor Name | Net Invoice Amount |
|-------------------------------------|-----------------------|
| ACE HARDWARE & PAINT | |
| HOSE, NOZZLE | \$55.25 |
| MISC SUPPLIES | \$3.24 |
| PROPANE EXCHANGE | \$54.17 |
| TURF PAINT | \$64.31 |
| BUG SPRAY | \$33.74 |
| DRYWALL SUPPLIES | \$64.56 |
| HOSE CLAMP, MAILBOX NUMBERS | \$8.65 |
| PROPANE EXCHANGE | \$162.50 |
| FLAGPOLE | \$45.50 |
| PROPANE EXCHANGE | \$170.28 |
| BALL VALVE | \$12.99 |
| CHAIN LOOP | \$104.01 |
| MAILBOX, BAGS, FITTINGS | \$148.51 |
| EDGING | \$81.23 |
| SPRAY PAINT | \$83.33 |
| ACUSHNET COMPANY | |
| HEADWEAR | \$116.03 |
| AMAZON CAPITAL SERVICES | |
| CHAINSAW CHAPS | \$91.98 |
| BREAKTHRU BEVERAGE MINNESOTA | |
| BEER | \$75.00 |
| KEG DEPOSIT | \$30.00 |
| CINTAS | |
| TOWELS / LINENS | \$259.91 |
| CLESENS | |
| SLIP TEE, ADAPTER | \$38.70 |
| KNOCK ON, VALVE | \$547.93 |
| BUSHING SCH40 PVC | \$35.19 |
| COLLEGE CITY BEVERAGE | |
| LIQUOR | \$525.00 |
| BEER | \$529.60 |
| BEVERAGES-NON-ALCOHOLIC | \$80.98 |
| KEG - CREDIT | \$30.00- |
| BEVERAGES-NON-ALCOHOLIC | \$15.00 |
| LIQUOR/SELTZERS | \$1,393.06 |
| BEER | \$1,485.40 |
| KEG - CREDIT | \$60.00- |
| NON-ALCOHOLIC BEVERAGES | \$195.98 |
| ECOLAB PEST ELIMINATION | |
| AIR QUALITY / PEST CONTROL | \$537.63 |
| HERMEL WHOLESALE | |
| FOOD | \$3,100.30 |
| SUNDRIES | \$773.70 |
| FOOD | \$2,932.04 |
| SUNDRIES | \$429.72 |
| FOOD | \$387.66 |
| FOOD | \$3,327.67 |
| SUNDRIES | \$1,509.34 |
| CLEANING SUPPLIES | \$307.51 |
| CLEANING SUPPLIES | \$189.34 |
| SUPPLIES | \$216.14 |
| SUPPLIES | \$49.62 |
| SUPPLIES | \$269.13 |
| SUPPLIES | \$443.47 |
| CLEANING SUPPLIES | \$1,207.27 |
| SUPPLIES | \$321.49 |

| Vendor Name | Net Invoice Amount |
|-----------------------------------|-----------------------|
| LAU'S BAKERY | |
| KAISER BUNS | \$64.35 |
| BUNS | \$58.35 |
| KAISER BUNS | \$85.80 |
| KAISER BUNS | \$128.70 |
| MTI DISTRIBUTING INC | |
| BALL JOINT, RETAINING RING | \$23.11 |
| NUTS | \$19.67 |
| ROLLER REBUILD KIT | \$338.32 |
| NEW PRAGUE UTILITIES | |
| UTILITIES | \$4,669.64 |
| UTILITIES | \$3,876.78 |
| PEPSICO BEVERAGE SALES LLC | |
| BEVERAGE - NON-ALCOHOLIC | \$2,338.05 |
| TOW DISTRIBUTING CORP | |
| BEER | \$372.80 |
| KEG CREDIT | \$30.00- |
| BEER | \$392.80 |
| KEG CREDIT | \$30.00- |
| BEER | \$500.00 |
| KEG CREDIT | \$60.00- |
| US BANK EQUIPMENT FINANCE | |
| COPIER LEASE | \$292.58 |
| VERSATILE VEHICLES INC. | |
| FUEL PUMPS | \$190.35 |
| VW GOLF | |
| REGRIPPING TAPE | \$96.90 |
| Grand Totals | \$35,752.26 |



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

MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: JOSHUA TETZLAFF, CITY ADMINISTRATOR
SUBJECT: MN DEER HUNTERS ASSOCIATION, MN RIVER VALLEY CHAPTER- MINNESOTA
LAWFUL GAMBLING LG220 APPLICATION FOR EXEMPT PERMIT
DATE: AUGUST 27, 2025

Attached is a Minnesota Lawful Gambling LG220 Application for Exempt Permit for MN Deer Hunters Association, MN River Valley Chapter, to conduct a raffle at an event on March 14, 2026, at The Park Ballroom, 300 Lexington Avenue South, New Prague.

Recommendation

Staff recommends approval of the Lawful Gambling Permit for MN Deer Hunters Association, MN River Valley Chapter and recommends requesting a waiver of the waiting period.

MINNESOTA LAWFUL GAMBLING

LG220 Application for Exempt Permit

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: MN River Valley Chapter MN Deer Hunters Association Previous Gambling Permit Number: X- 70040
Minnesota Tax ID Number, if any: 28515 Federal Employer ID Number (FEIN), if any: _____
Mailing Address: 15541 Highland Ave NW,
City: Prior Lake State: MN Zip: 55372 County: Scott
Name of Chief Executive Officer (CEO): Dale Bruce Tribby
CEO Daytime Phone: 952-737-9029 CEO Email: dbtribby@gmail.com
(permit will be emailed to this email address unless otherwise indicated below)
Email permit to (if other than the CEO): _____

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
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): Park Ballroom
Physical Address (do not use P.O. box): 300 Lexington Ave S
Check one:
☒ City: New Prague Zip: 56071 County: LeSueur
☐ Township: _____ Zip: _____ County: _____
Date(s) of activity (for raffles, indicate the date of the drawing): 3/14/26

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 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: Dale B. Tibby

(Signature must be CEO's signature; designee may not sign)

Date: 8/13/25Print Name: Dale B. Tibby**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

MINNESOTA Department of Revenue

Sales and Use Tax

Certificate of Exempt Status

ST-17

Exempt Organizations

Minnesota Deer Hunters
Association
460 Peterson Road
Grand Rapids MN 55744

Certificate number ES

Date Issued 05/12/82

Date Reissued 12/19/2002

The organization above is exempt from sales and use tax under Minnesota law on purchases, rentals, and leases of merchandise and services to be used in the performance of its charitable, religious or educational functions. For senior citizen groups, the merchandise must be used for pleasure, recreation, or other nonprofit functions of the group.

This exemption does not apply to purchases of meals, lodging, waste collection and disposal services, or to purchases or leases of motor vehicles, except motor vehicles that are used primarily to transport goods or people, other than employees, as part of the organization's charitable, religious, or educational functions are exempt. Qualifying motor vehicles include those defined in Minnesota Statutes, section 168.011 as a truck or bus, or a passenger automobile that is designed and used for carrying more than nine people. (M.S. 297A.70, subd. 4)

Commissioner of Revenue
by



P. R. Blaisdell, Supervisor
Corporate and Sales Tax Division

Questions? Call the MN Department of Revenue at (651) 296-6181 or toll-free 1-800-657-3777. TDD users, call the Minnesota Relay Service at (651) 297-5353 or 1-800-627-3529. Ask for (651) 296-6181.



Minnesota Department of Revenue — Sales and Use Tax Division
Centennial Office Building — St. Paul, Minnesota 55145
(612) 296-6181

CERTIFICATE OF EXEMPT STATUS — EXEMPT ORGANIZATION

Under the provisions of Section 297A.25, Subdivision 1 (p) of the Minnesota Sales and Use Tax Law, the organization listed below is certified to be exempt from sales and use taxes on purchases, rentals and leases of tangible personal property. The property must be used exclusively in the performance of charitable, religious or educational functions or, in the case of senior citizen groups, in the pleasure, recreation or other nonprofit functions, of the group.

Minnesota Deer Hunters Association
Post Office Box 413
Grand Rapids, Minnesota 55744

| | |
|-----------------|--------------|
| Certificate No. | 28515 |
| ES | |
| Date Issued | May 12, 1982 |

Commissioner of Revenue

This certificate is valid until revoked by the
Minnesota Department of Revenue.

By *J. J. Majerle*
J. J. MAJERLE, Director
Sales and Use Tax Division

The exemption does not apply to purchases of meals, lodging or tickets of admission.

Internal Revenue Service

Department of the Treasury

Regional
Commissioner

Midwest Region

Address any reply to Appellate Division
500 Federal Building
316 N. Robert St., St. Paul, Minn. 55101Minnesota Deer Hunters Association
460 Peterson Rd
Grand Rapids Minnesota 55744Person to Contact:
J. H. ButoracTelephone Number:
612-725-7487Refer Reply to:
AP:STP - JHB:em

Date

Employer Identification Number: 41-1390958

Accounting Period Ending: June 30

Form 990 Required: ☒ Yes ☐ No

Dear Applicant:

Based on information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code.

We have further determined that you are not a private foundation within the meaning of section 509(a) of the Code, because you are an organization described in section 509(a)(2).

If your sources of support, or your purposes, character, or method of operation change, please let us know so we can consider the effect of the change on your exempt status and foundation status. Also, you should inform us of all changes in your name or address.

Generally, you are not liable for social security (FICA) taxes unless you file a waiver of exemption certificate as provided in the Federal Insurance Contributions Act. If you have paid FICA taxes without filing the waiver, you should contact us. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Since you are not a private foundation, you are not subject to the excise taxes under Chapter 42 of the Code. However, you are not automatically exempt from other Federal excise taxes. If you have any questions about excise, employment, or other Federal taxes, please let us know.

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

The box checked in the heading of this letter shows whether you must file Form 990, Return of Organization Exempt from Income tax. If Yes is checked, you are required to file Form 990 only if your gross receipts each year are normally more than \$10,000. If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. The law imposes a penalty of \$10 a day, up to a maximum of \$5,000, when a return is filed late, unless there is reasonable cause for the delay.

-2-

You are not required to file federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T. In this letter, we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

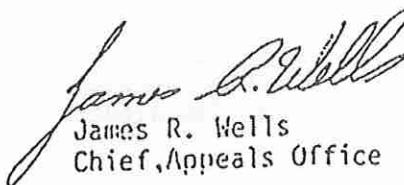
You need an employer identification number even if you have no employees.

If an employer identification number was not entered on your application, a number will be assigned to you and you will be advised of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

Because this letter could help resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,


James R. Wells
Chief, Appeals Office

Photocopy of letter to:
David R. Busch

City of New Prague, Minnesota Employment Agreement

AGREEMENT made this ____ of September 2025, by and between the CITY OF NEW PRAGUE, a Minnesota municipal corporation ("Employer"), and Joshua Tetzlaff ("Employee").

The parties agree as follows:

1. **POSITION.** Employer agrees to employ Employee as its City Administrator. The Employee shall be the chief administrative officer of the City and has been chosen by the Employer solely on the basis of training, experience, executive and administrative qualifications. The Employee shall be the City Clerk of the City. Employee agrees to serve as City Administrator in accordance with state statutes, City Charter, City ordinances and the Code of Ethics of the International and Minnesota City/County Management Associations, and to perform such other legally permissible and proper duties and functions as the City Council shall from time-to-time assign.
2. **PENSION PLAN.** Employer shall contribute to PERA as required by State law for Employee or an alternate pension plan, if selected by Employee, authorized by State law.
3. **SALARY.** Employer shall pay Employee a salary of \$155,500.80 (Step 5) per year starting August 30, 2025. Employer and Employee agree that reviews in the discretion of the City Council, will be conducted on Employee as determined by the Council but at least on an annual basis. Salary adjustments may be considered at any time, but will be considered during the annual review process. Any adjustments made to all City employees wages/salaries on a uniform basis, including but not limited to a Cost of Living Adjustment (COLA), will also affect Employee's salary.
4. **SENIORITY.** For purposes of employment benefits such as sick leave, vacation leave, and the like, Employee will be credited with having completed one year of employment with the City upon his first day of employment.
5. **SICK LEAVE.** Employee shall accrue sick leave in accordance with the City's personnel policies.
6. **VACATIONS.** Employee shall accrue vacation leave in accordance with the City's personnel policies.
7. **HOLIDAYS.** Employer shall provide Employee the same holidays as enjoyed by other non-union employees.

8. **GENERAL INSURANCE.** Employer shall provide Employee the same group hospital, medical, dental, life and disability insurance benefits as provided to all other non-union employees.
9. **DUES AND SUBSCRIPTIONS.** Employer shall budget and pay the professional dues and subscriptions for Employee which are deemed reasonable and necessary for Employee's continued participation in national, regional, state and local associations necessary and desirable for Employee's continued professional participation, growth and advancement.
10. **PROFESSIONAL DEVELOPMENT.** Employer shall budget and pay necessary and reasonable registration, travel and subsistence expenses of Employee for professional and official travel, meetings and occasions adequate to continue the professional development of Employee and to adequately pursue necessary official and other committees thereof which Employee serves as a member. Employee shall use good judgment in his outside activities so he will not neglect his primary duties to the Employer.
11. **CIVIC CLUB MEMBERSHIP.** Employer recognizes the desirability of representation in and before local civic and other organizations. Employee is authorized to become a member of such civic clubs or organizations as deemed appropriate by Employee and Employer; and at Employer's expense.
12. **AUTOMOBILE.** Employee shall be paid a monthly allowance of \$500 for use of his personal automobile for Employer business. Each calendar year, the amount of automobile allowance paid to the Employee will change by the same percentage as the federal mileage rates, as set by the IRS.
13. **CELL PHONE.** A cell phone arrangement will be agreed to that will provide Employee with a phone to use for work.
14. **GENERAL EXPENSES.** Employer shall reimburse Employee reasonable miscellaneous job-related expenses which it is anticipated Employee will incur from time to time when provided appropriate documentation.
15. **HOURS OF WORK.** It is understood the position of City Administrator requires attendance at evening meetings and occasionally at weekend meetings. It is understood by Employee that additional compensation and compensatory time shall not be allowed for such additional expenditures of time. It is further understood that Employee may absent himself from the office to a reasonable extent in consideration of extraordinary time expenditures for evening and weekend meetings at other than normal working

hours.

- 16. TERMINATION BENEFITS.** Employee will serve at the will of the Employer and this Agreement may be terminated with or without cause at any time consistent with applicable law and the City Charter. In the event Employee is terminated by the Employer during such time that Employee is willing and able to perform the duties of City Administrator, then in that event, Employer agrees to pay Employee at the time of receipt of his last paycheck a lump sum cash payment equal to three (3) months aggregate salary and to continue to provide and pay for the benefits set forth in paragraph 9 for a period of three (3) months following termination. However, in the event Employee is terminated because of his malfeasance in office, gross misconduct, conviction for a felony, or conviction for an illegal act involving personal gain to Employee, then Employer shall have no obligation to pay the termination benefits.

If Employer at any time during the employment term reduces the salary or other financial benefits of Employee in a greater percentage than across-the-board reduction for all non-union employees, or if Employer refuses, following written notice, to comply with any other provisions of this Agreement benefiting Employee or Employee resigns following a formal suggestion by Employer that he resign, then Employee may, at his option, be deemed to be "terminated" on the effective date of Employee's resignation and the Employee shall also be entitled to receive the termination benefits set forth above.

If Employee voluntarily resigns his position with Employer, Employee agrees to give the Employer thirty (30) days advance notice. If Employee voluntarily resigns his position with Employer, there shall be no termination pay due to Employee.

- 17. GENERAL CONDITIONS OF EMPLOYMENT.** Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of Employer to terminate the services of Employee at any time, for any reason, subject only to the provisions of this Agreement and statutory requirements. Furthermore, nothing in this Agreement shall prevent, limit or otherwise interfere with the right of Employee to resign at any time from his position with Employer, subject only to the provisions of this Agreement.

[Signatures on Following Page]

IN WITNESS WHEREOF, Employer has caused this Agreement to be signed and executed on its behalf by its Mayor and City Administrator, and Employee has signed this Agreement, in duplicate, the day and year first written above.

EMPLOYER:
CITY OF NEW PRAGUE

EMPLOYEE:

BY: _____
Charles Nickolay
Mayor

BY: _____
Joshua M. Tetzlaff
City Administrator

BY: _____
Bruce Wolf
Council Vice President

MEMORANDUM

TO: Mayor and City Council
Joshua Tetzlaff, City Administrator

FROM: Chris Knutson, PE (Lic. MN)

DATE: August 26, 2025

RE: Project Updates

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

2024 STREET AND UTILITY IMPROVEMENTS PROJECT

All contract work is complete on the project. We have been in contact with the Contractor regarding weed spraying and general closeout. Remaining items to address include pavement repairs outside the project area and liquidated damages.

2025 STREET AND UTILITY IMPROVEMENTS PROJECT

The project should receive final paving later this week. Remaining work will include topsoil, seeding, and final miscellaneous items to reach substantial completion for the year. This will likely be complete within 3 weeks.

SEH will provide preliminary assessment information at the September 15th council meeting with the assessment hearing scheduled for October 20th.

CITY CENTER STORM POND

An updated concept plan has been developed and a cost estimated provided to planning. Adjustments have been made from the initial layout to provide additional parking and sidewalk improvements around the proposed pond.

LEAD SERVICE LINE REPLACEMENTS

PFA is reviewing the application information. Once that is complete, it is expected that the contract will be awarded and work will proceed.

DEVELOPER PROJECT PROPOSAL

A proposal is included with the council packet from SEH to provide support for the City on developer projects. An hourly not-to-exceed fee of \$40,000 is provided to provide this service. This proposal is primarily to allow reimbursement of costs to review developer plans, attend meetings with developers, and provide construction support on developer-led projects such as new street construction. These costs are reimbursable to the City by the developers and are typically for new commercial or residential construction projects.

cdk

x:\ko\newpr\common\council meetings\090225 cc project updates.docx



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

MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: JOSHUA TETZLAFF, CITY ADMINISTRATOR
SUBJECT: SET 2025 PRELIMINARY, NOT TO EXCEED PROPERTY TAX LEVY
DATE: AUGUST 27TH, 2025

Each year, the Council is required to set its proposed property tax levy and certify that levy to the county auditor (Minn Stat. 275.065.1). To this point, the City Council has convened to discuss the proposed budget for 2025, which is directly linked to the proposed tax levy.

At the first meeting on August 18, 2025, the staff shared a first draft of the general fund budget that would require a property tax levy of \$5,684,289, which would be a 6.98% increase over the 2024 levy.

At the second meeting on August 25th, the Council asked staff to bring forward a resolution at the next City Council meeting that sets the Preliminary, Not-to-Exceed levy at a 7% increase over 2024, or \$5,685,800. As was discussed, this proposed levy will provide the Council a point from which to work as it moves towards its final levy in December.

As a reminder, this is not a final approval of the tax levy. This is a preliminary tax levy that may not be exceeded in December when the final property tax levy is set.

Recommendation

Staff recommends approval of Resolution #25-09-02-01, setting the 2025 Proposed Property Tax Levy at \$5,685,800 and scheduling the public hearing to set the 2025 Final Tax Levy for December 1, 2025.

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

}

**CITY OF NEW PRAGUE, MINNESOTA
RESOLUTION #25-09-02-01**

**RESOLUTION ADOPTING 2025 PRELIMINARY PROPERTY TAX LEVY FOR
TAXES PAYABLE IN 2026**

BE IT RESOLVED, by the City Council of the City of New Prague, Counties of Scott and Le Sueur, Minnesota that the 2025 Levy, for Taxes Payable 2026 (preliminary tax levy) be set at \$5,685,800 for Net Tax Capacity (NTC) and for a total preliminary levy amount of \$5,685,800. The levied amount includes all necessary debt service payments and any other bond payments have sufficient funds to cover debt requirements.

BE IT FURTHER RESOLVED, that the City Administrator is hereby instructed to forward copies of this resolution to the Auditors of Scott and Le Sueur Counties.

BE IT FURTHER RESOLVED, that the date for the 2025 Levy, for Taxes Payable 2026 Truth in Taxation Hearing is hereby established for December 1, 2025 at 6:00 p.m. and the continuation hearing (if necessary) is hereby established for December 15, 2025 at 6:00 p.m.

Adopted by the City Council of the City of New Prague on this 2nd day of September, 2025.

Charles Nickolay
Mayor

ATTEST:

Joshua M. Tetzlaff
City Administrator



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

MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL
CC: JOSHUA M. TETZLAFF, CITY ADMINISTRATOR
FROM: EVAN C. GARIEPY, PLANNER
SUBJECT: PLANNING COMMISSION SUMMARY - REQUEST FOR VARIANCE #V8-2025 TO ALLOW A REDUCTION IN THE SETBACK FROM A BUILDING TO AN IN-GROUND SWIMMING POOL, LOCATED AT 1109 PARK LANE SE., AS PROPOSED BY BEN AND ANNE SHEFFLER.
DATE: AUGUST 28, 2025

Planning Commission Summary

The Planning Commission heard the above variance request at their August 27th meeting. The applicants, Ben and Anne Scheffler, are requesting a variance to allow for a reduction in the setback from a building to an in-ground swimming pool from 10 feet to 4 feet. The swimming pool would be located in their back yard at 1109 Park Lane SE., which directly abuts Settler's Park and wetlands.

There were no comments received from the public regarding the request.

The Planning Commission recommended approval of the variance request on a unanimous vote (3-0) based on the six findings listed in the staff report (and the attached resolution which approves the variance).

Staff Recommendation

Staff recommends approval of the attached resolution "...Approving Variance (#V8-2025)...".

RESOLUTION #25-09-02-02

RESOLUTION OF THE NEW PRAGUE CITY COUNCIL APPROVING VARIANCE #V8-2025 TO ALLOW REDUCTION IN THE SETBACK FROM A BUILDING TO AN IN-GROUND SWIMMING POOL, LOCATED AT 1109 PARK LANE SE., AS PROPOSED BY BEN AND ANNE SCHEFFLER.

WHEREAS, Ben and Anne Scheffler, applicants and owners, of the following real estate in the County of LeSueur to wit:

Lot 5, Block 5, Prague Estates Eighth Addition, according to the plat thereof, LeSueur County, Minnesota.

is requesting a variance to allow an in-ground swimming pool at a minimum distance to their house of 4 feet, to be constructed in the back yard of 1109 Park Lane SE.; and

WHEREAS, the New Prague Planning Commission has finished a review of the application and made a report pertaining to said request (#V8-2025), a copy of said report has been presented to the City Council; and,

WHEREAS, the New Prague Planning Commission on the 27th day of August, 2025, after due consideration of presented testimony and information, voted **unanimously (3-0)** to forward the matter to the City Council with a recommendation for approval; and,

WHEREAS, the New Prague City Council finds:

- A. The requested variance is in harmony with the general purposes and intent of this Ordinance because the RL90 Single Family Residential Zoning District allows swimming pools as a permitted use.
- B. The requested variance is consistent with the comprehensive plan because the RL90 Single Family Residential Zoning District allows swimming pools as a permitted use.
- C. The applicant will use the property in a reasonable manner by reducing the setback of an in-ground swimming pool from a house and its foundation from a 10 foot minimum setback to a 4 foot minimum setback.

- NOW, THEREFORE BE IT RESOLVED**, by the City Council of New Prague, Minnesota, that the request for variance #V8-2025 to allow an in-ground swimming pool at a minimum distance from a building and its frost footings of 4 feet, to be constructed in the back yard of 1109 Park Lane SE. as proposed by Ben and Anne Scheffler, is hereby **approved** based on the above findings.

Passed this 2nd day of September, 2025.

(CORPORATE ACKNOWLEDGMENT)

Notary Public

(CORPORATE ACKNOWLEDGMENT)

County of Scott & Le Sueur)

Subscribed and sworn before me, a Notary Public this _____ day of _____, 2025.

Notary Public

THIS INSTRUMENT DRAFTED BY:
Evan C. Gariepy
City of New Prague
118 Central Ave. N.
New Prague, MN 56071
(952) 758-4401



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

MEMORANDUM

TO: PLANNING COMMISSION
FROM: EVAN GARIEPY – PLANNER
SUBJECT: REQUEST FOR VARIANCE #V8-2025 TO CONSTRUCT AN IN-GROUND SWIMMING POOL AT A MINIMUM DISTANCE OF 4’ FROM THE HOUSE AT 1109 PARK LANE SE., AS PROPOSED BY BEN AND ANNE SCHEFFLER
DATE: AUGUST 20, 2025

Background / History

The applicants, Ben and Anne Scheffler, are requesting a variance to allow for a reduction in the setback requirements for an in-ground swimming pool. The Zoning Ordinance mandates that all swimming pools, both above ground and in-ground, are a minimum of 10 feet from any principal structure, building, or frost footings. The applicants wish to construct an inground pool with a minimum distance of 4 feet from their house and its foundation.

The property 1109 Park Lane SE is zoned RL90 Single Family Residential and has an abnormally large drainage and utility easement due to Settler’s Park wetlands being located north of the property and the easement covering the required wetland buffer area. Swimming pools are not permitted to be constructed within easements or buffers. For this reason, moving the swimming pool further north in the yard and away from the house is not possible. The applicant considered applying for a re-evaluation of the wetlands north of the property instead, but this process costs \$3,000-\$4,000 and may result in no change, or an even larger required setback from the wetlands. If so, then the applicant would have to pursue a variance anyway.

This leaves the applicant with a small permissible portion of the yard for constructing a swimming pool. A pre-existing concrete patio and deck further restricts where the swimming pool may currently be built in the yard.

The International Code Council (ICC) does not mandate a minimum setback for swimming pools from any building foundation. No engineering background or reasoning was found as to why the City’s Zoning Ordinance requires a 10-foot setback from structures.

Legal Description

Lot 5, Block 5, Prague Estates Eighth Addition, according to the plat thereof, LeSueur County, Minnesota.

Neighborhood Conditions and Nearby Land Uses

North – Settler’s Park, wetlands. Further north is more residential homes in the RL90 Single Family Residential Zoning District.

South – Residential homes in the RL90 Single Family Residential Zoning District

East – Residential homes in the RL90 Single Family Residential Zoning District

West – Residential homes in the RL90 Single Family Residential Zoning District, 10th Ave. SE across which is the RM Medium Density Residential Zoning District.

Zoning

The property is located in the RL90 Single Family Residential Zoning District.

Swimming pools are permitted in RL90 Single Family Residential Zoning Districts.

Zoning Ordinance Section 735(1)(L) states that “All swimming pools shall be at minimum of 10 feet away from any principal structure, building, or frost footing.”

Building Official Comments

The City Building Official, Scott Sasse, was consulted regarding the minimum distance from a building and its foundation and a swimming pool. He looked into building code and found no minimum required distance from a building to a swimming pool. He recommended a minimum distance of 48”, or 4 feet, due to the presence of frost coverage over building footings. He also acknowledged that there still may be an increased structural risk due to this closer proximity due to the outward force the pool may exert on the building’s frost footing and foundation.

General Community Development Staff Comments

As noted earlier in this report, staff does not have specific answers as to why the ordinance requirement of 10’ exists when the building code does not require it. In researching the topic for this report, 10’ does seem to be a common setback for in-ground pools from homes in Minnesota, but the requirements do vary from 4’ to 10’. In the UDC draft, staff is recommending moving the setback from in-ground or above ground pools from 10’ to 6’.

Staff also reiterates that while building code does not require a minimum setback and that the Building Official is recommending a minimum of 4’ setback, staff makes no guarantees about

structural risk to the home and would advise the applicant to consider a structural engineer review the 4' setback for peace of mind, if nothing else.

Statement of Practical Difficulties

From Ben Sheffler on 08/2/2025;

Following the dig of the hole and painted outline of our initially planned pool we realized how small the actual pool would be. A larger size will better accommodate our large immediate and extended family. Due to the restrictions of the wetland setback and current frost footing requirement, we are not allowed to increase size and shift the pool further into our yard.

Criteria for Granting Variances - Section 507

The Zoning Ordinance defines a variance as follows: A modification or variation of the provisions of this Ordinance where it is determined that by reason of unique circumstances relating to a specific lot, that strict application of the Ordinance would cause practical difficulties. Practical difficulties is a legal standard set forth in law that cities must apply when considering applications for variances. To constitute practical difficulties, all three factors of the test must be satisfied, which are reasonableness, uniqueness and essential character. The Zoning Ordinance's criteria addresses these standards.

The Zoning Ordinance identifies criteria for granting variances as noted below. These items must be evaluated by the Planning Commission and City Council when considering variance requests. It is important to note that variances should only be granted in situations of practical difficulties. A variance may be granted only in the event that all of the circumstances below exist. Staff has attempted to evaluate the established criteria for this specific request. Staff's comments are highlighted in yellow below:

- A. The variance is in harmony with the general purposes and intent of this Ordinance. (The variance is in harmony with the general purposes and intent of the Ordinance because the RL90 Single Family Residential Zoning District allows swimming pools as a permitted use.)
- B. The variance is consistent with the comprehensive plan. (The proposed variance is consistent with the comprehensive plan because the RL90 Single Family Residential Zoning District allows swimming pools as a permitted use.)
- C. The applicant proposes to use the property in a reasonable manner not permitted by this Ordinance, the City Code or the City Subdivision Ordinance. (The applicant proposes to use the property in a reasonable manner by reducing the setback of an in-ground swimming pool from a house and its foundation from a 10 foot minimum setback to a 4 foot minimum setback.)
- D. Unique circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity and result from lot size or shape, topography or other circumstances over which the owner of the property since enactment of

this Ordinance has had no control. The unique circumstances do not result from the actions of the applicant. (Unique circumstances apply to this property in that the property has a very large easement/buffer in the rear yard due to wetlands located north of the property.)

- E. The variance does not alter the essential character of the neighborhood. (The variance does not alter the essential character of the neighborhood because swimming pools are a permitted use in the RL90 Single Family Residential Zoning District.)
- F. That the variance requested is the minimum variance which would alleviate the practical difficulties. Economic conditions alone do not constitute practical difficulties. (The variance requested is the minimum variance which would alleviate the practical difficulties because it would allow the applicant to construct a larger in-ground swimming pool in a yard with a larger than normal easement/buffer due to wetlands located on an adjacent property.)
- G. The Board of Adjustment may impose such conditions upon the premises benefited by a variance as may be necessary to comply with the standards established by this Ordinance, or to reduce or minimize the effect of such variance upon other properties in the neighborhood, and to better carry out the intent of the variance. The condition must be directly related to and must bear a rough proportionality to the impact created by the variance. No variance shall permit a lower degree of flood protection than the Regulatory Flood Protection Elevation for the particular area or permit standards lower than those required by federal, state or local law. (No additional conditions are imposed.)

Staff Recommendation

Staff recommend **approval** of Variance #V8-2025 to allow a variance to construct an in-ground swimming pool at a minimum distance of 4' from the house at 1109 Park Lane SE., as proposed by Ben and Anne Scheffler, for the following reasons:

- A. The variance to allow freestanding signage to exceed 100 sq. ft. is in harmony with the general purposes and intent of the Zoning Ordinance because the RL90 Single Family Residential Zoning District allows swimming pools as a permitted use.
- B. The proposed variance is in the harmony with the comprehensive plan because the RL90 Single Family Residential Zoning District allows swimming pools as a permitted use.
- C. The applicant proposes to use the property in a reasonable manner by reducing the setback of an in-ground swimming pool from a house and its foundation from a 10 foot minimum setback to a 4 foot minimum setback.

- D. Unique circumstances apply to this property in that the property has a very large easement/buffer in the rear yard due to wetlands located north of the property.
- E. The variance does not alter the essential character of the neighborhood because swimming pools are a permitted use in the RL90 Single Family Residential Zoning District.
- F. The variance requested is the minimum variance which would alleviate the practical difficulties because it would allow the applicant to construct a larger in-ground swimming pool in a yard with a larger than normal easement/buffer due to wetlands located on an adjacent property.

Attachments

1. Site Aerial Map – Dated 08/12/2025
2. Zoning map – Dated 08/12/2025
3. Plat depicting wetlands – Dated 05/2004
4. Survey of the property with permissible pool locations – Dated 08/2023
5. Proposed pool location – Dated 08/04/2025
6. Proposed pool location, overlaid with aerial map – 08/12/2025
- 7-9. Google Street Map – Dated 10/2013
10. North from back yard – Dated 08/19/2025
11. West from back yard – Dated 08/19/2025
12. East from back yard – Dated 08/19/2025



Figure 1. Reference aerial map of 1109 Park Lane SE.

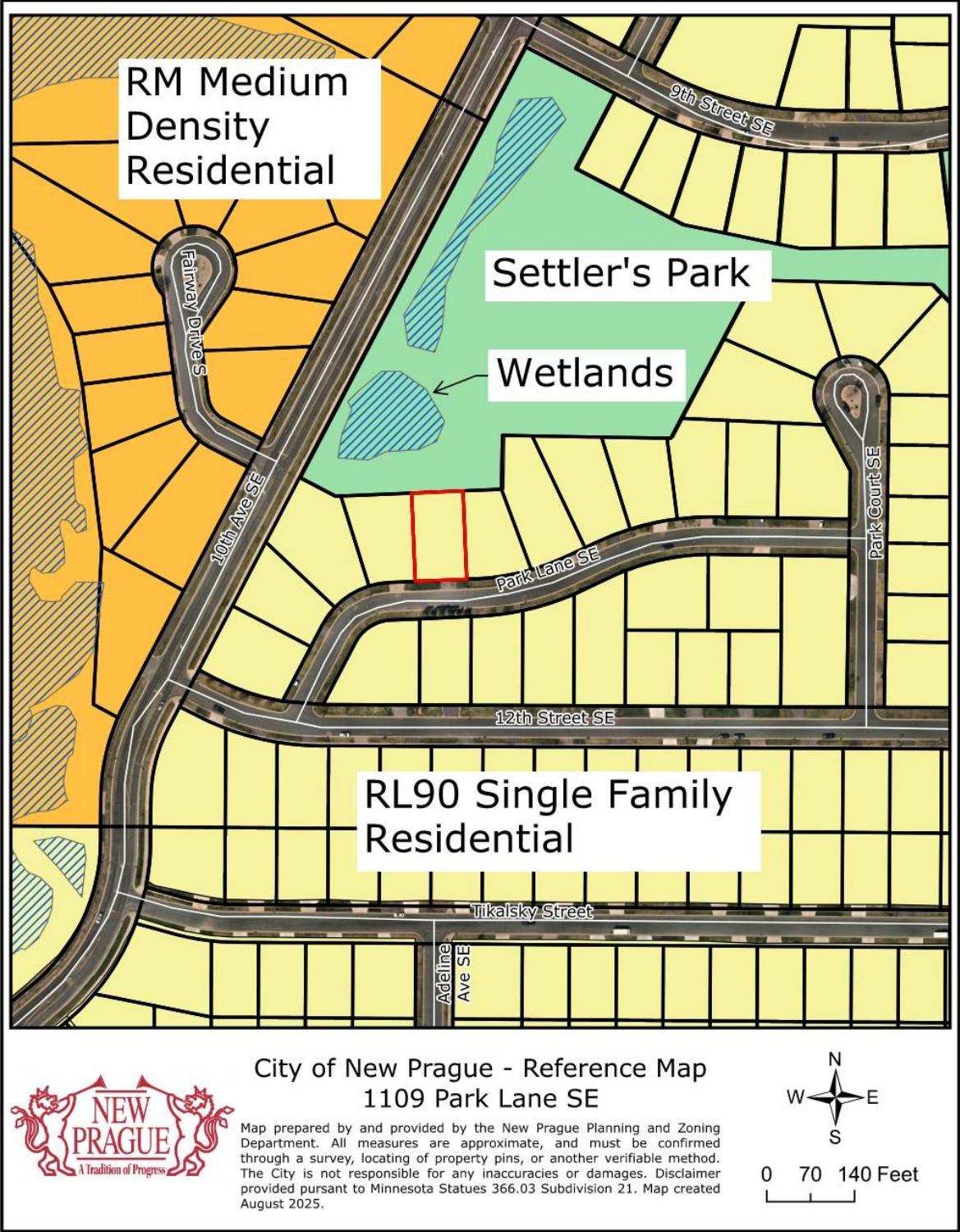


Figure 2. Zoning map of the property and surrounding area

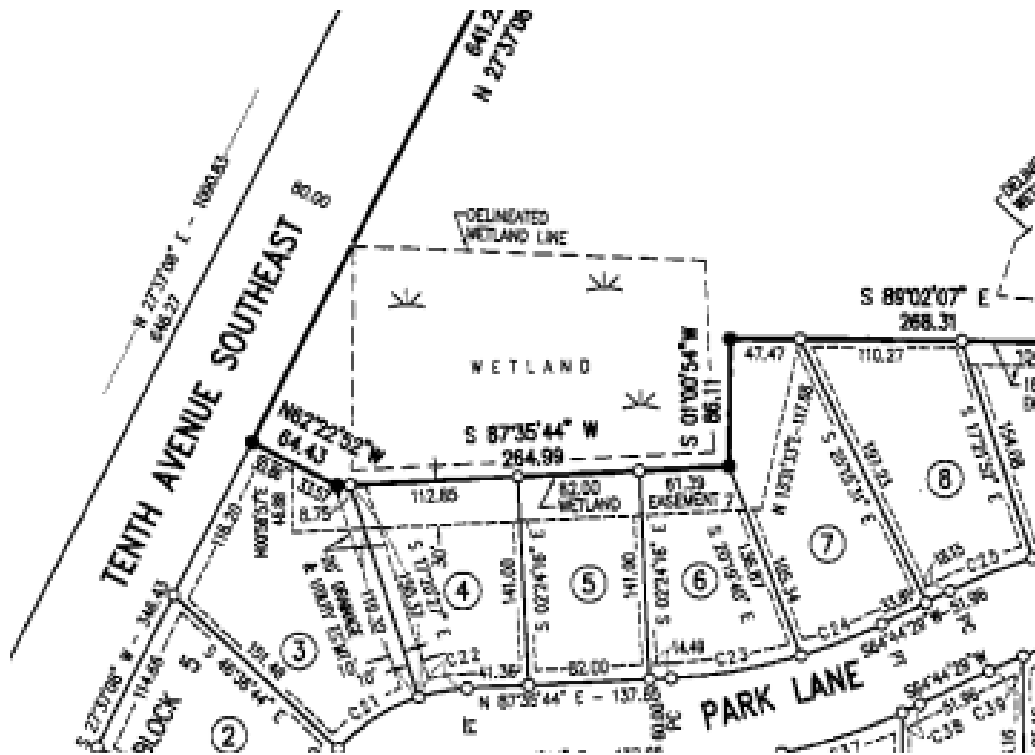
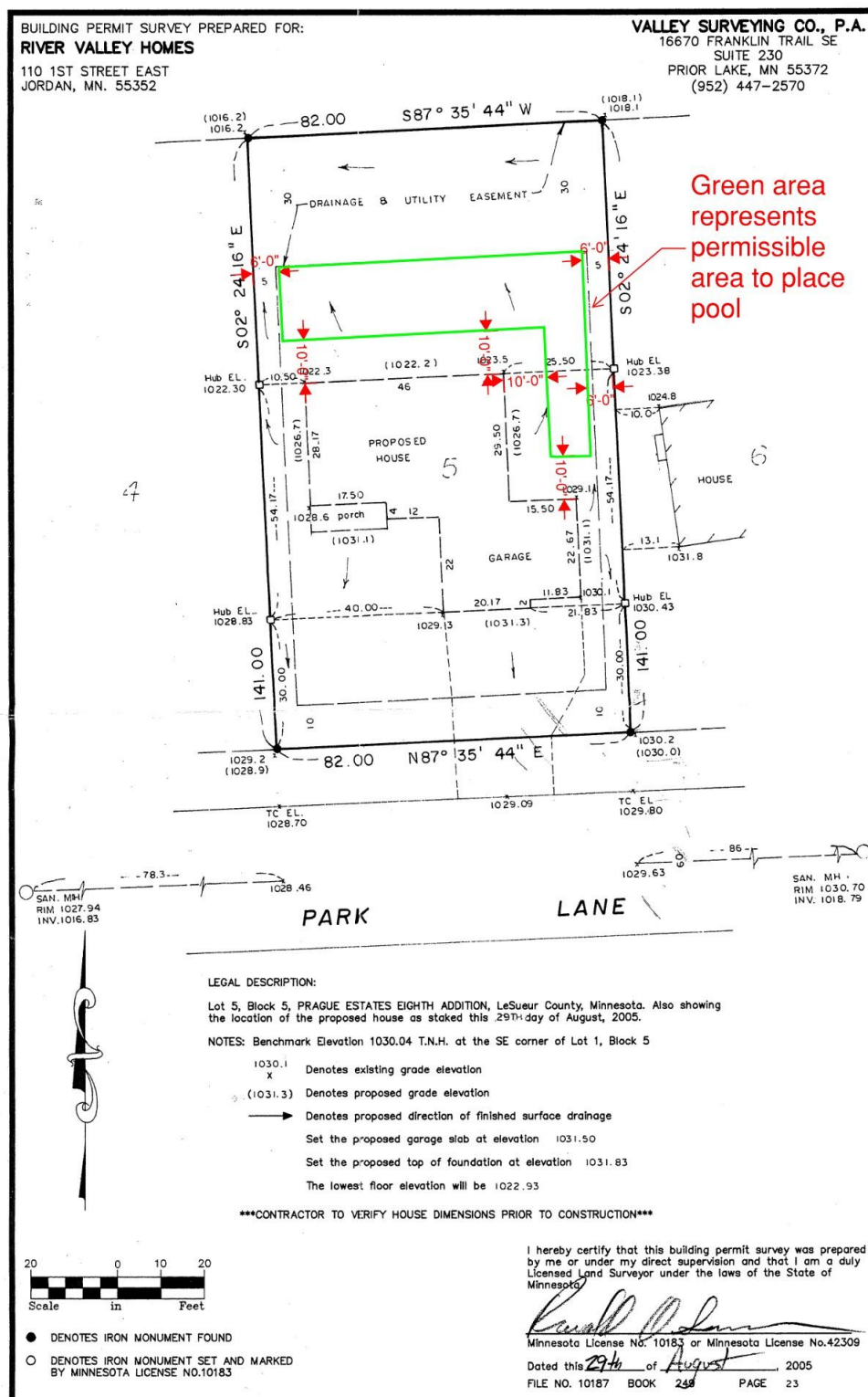


Figure 3. Clip of the plat for Prague Estates 8th Addition, depicting the delineated wetlands. 1109 Park Lane SE is Lot 5.



Mockup from 8/28/2023

Figure 4. Permissible area for a swimming pool at 1109 Park Lane SE.

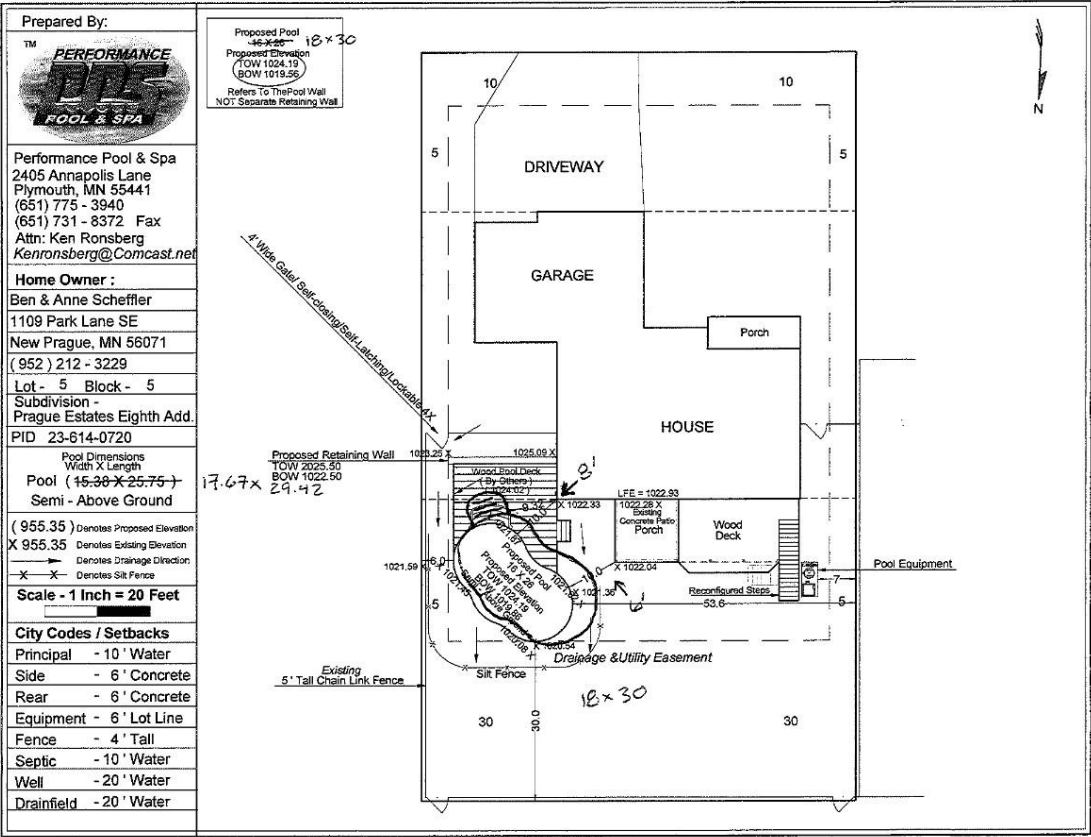


Figure 5. Proposed pool location and expansion.

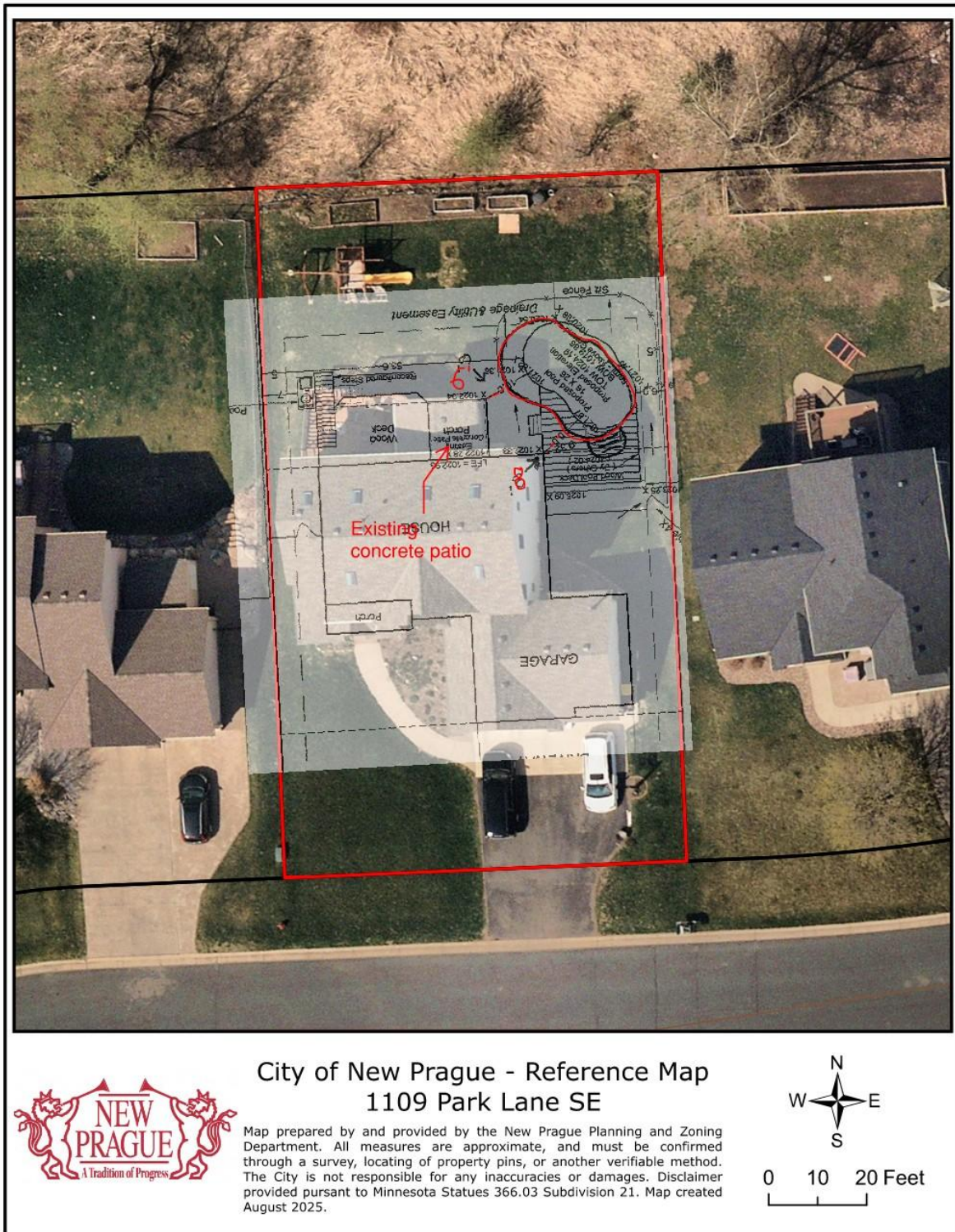


Figure 6. Proposed pool area overlaid aerial reference map. Existing concrete patio is a deck, limiting possible pool space.



Figure 7. 1109 Park Lane SE, as seen from Park Lane SE



Figure 8. Looking west from the property



Figure 9. Looking east from the property



Figure 10. Looking north from deck in back yard



Figure 11. Looking west from deck



Figure 12. Looking east from deck. Note the current excavated area is larger than the actual pool itself, as well as the slope on the side of the house.



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

MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL
CC: JOSHUA M. TETZLAFF, CITY ADMINISTRATOR
FROM: KEN ONDICH, PLANNING / COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: ENGINEERING SERVICES RELATED TO DEVELOPER PROJECTS –
SUPPLEMENTAL LETTER AGREEMENT - SEH
DATE: AUGUST 12, 2025

As the City Council is aware, the City and SEH have had a Master Agreement for Professional Services that has been in effect since May 8, 2009 to cover general engineering work the City needs completed. In addition to this agreement, annually the City enters into a Supplemental Letter Agreement with SEH for MSA (Municipal State Aid Services). As the City ramps up into larger development review projects, particularly with those projects which require oversight of developer installed public improvements (i.e.. public streets and utilities), SEH is proposing to enter into a Supplemental Letter Agreement for the developer projects which are then invoiced out directly to be paid by the developers completing the projects.

The proposed Supplemental Letter Agreement from SEH, dated 8/18/25, provides engineering services related to developer projects in a \$40,000 not to exceed amount. It is notable that typical review of developer reviews (such as for a new commercial building) might range from \$200 to \$1,000 which are then invoiced out to the developer, but Holy Trinity Lutheran Church is proposing to install a segment of 1st Street SE just east of Praha Village and adjacent to their south property line which will require construction observation, typical of what is required for street reconstructions. It is expected that this work will use up approximately one half of the \$40,000 initial not to exceed amount. When we approach the authorized agreement amount, we will simply bring forth a new supplemental agreement and re-adjust the amount based on expected work. Again, all the work covered by the agreement is invoiced and reimbursed by the private developers.

Staff Recommendation

Staff recommends that the City Council approve the supplemental letter agreement for developer projects with SEH as outlined in the August 18, 2025 proposal as attached.

Supplemental Letter Agreement

In accordance with the Master Agreement for Professional Services between City of New Prague ("Client"), and Short Elliott Hendrickson Inc. ("Consultant"), effective May 8, 2009, this Supplemental Letter Agreement dated August 18, 2025 authorizes and describes the scope, schedule, and payment conditions for Consultant's work on the Project described as: Developer Projects.

Client's Authorized Representative: Ken Ondich

Address: 118 Central Ave N, New Prague, Minnesota 56071, United States

Telephone: 9527584401 **email:** kondich@ci.new-prague.mn.us

Project Manager: Chris Knutson

Address: 11 Civic Center Plaza, Suite 200, Mankato, Minnesota 56001

Telephone: 5072378383 **email:** cknutson@sehinc.com

Scope: The Services to be provided by Consultant:

This project is to include engineering services related to developer projects within the City of New Prague. These projects may include engineering reviews or meetings related to commercial, residential, or others within the City. It may also include construction support for projects that are completed within the city right of way such as new street construction, ADA and sidewalk improvements, utility connections, or other miscellaneous items as requested.

The fee as proposed is for work to occur in the future, likely over the next 2-3 years. A task will be created for each of these developer reviews so invoicing is clear on where the cost is incurred such that it can be reimbursed by the developer/applicants. Typical costs for developer reviews are between \$200 and \$1,000 for each, though larger developments or those requiring multiple review iterations may be higher costs. Construction costs may be higher, especially those requiring full-time construction observation. The fee as proposed (\$40,000 not-to-exceed) will not be exceeded without approval by the City.

Resident Project Representative Services

RPR services will be provided in accordance with attached Exhibit B.

Schedule: Work will start immediately.

Payment:

The estimated fee is subject to a not-to-exceed amount of \$40,000 including expenses and equipment.

The payment method, basis, frequency and other special conditions are set forth in attached Exhibit A-1.

Other Terms and Conditions: Other or additional terms contrary to the Master Agreement for Professional Services that apply solely to this project as specifically agreed to by signature of the Parties and set forth herein: None.

Short Elliott Hendrickson Inc.

City of New Prague

By: Chris Knutson
Full Name: Chris Knutson
Title: Client Service Manager

By: _____
Full Name: _____
Title: _____

By: _____
Full Name: _____
Title: _____

Exhibit A-1**Payments to Consultant for Services and Expenses Using the Hourly Basis Option**

The Agreement for Professional Services is amended and supplemented to include the following agreement of the parties:

A. Hourly Basis Option

The Client and Consultant select the hourly basis for payment for services provided by Consultant. Consultant shall be compensated monthly. Monthly charges for services shall be based on Consultant's current billing rates for applicable employees plus charges for expenses and equipment.

Consultant will provide an estimate of the costs for services in this Agreement. It is agreed that after 90% of the estimated compensation has been earned and if it appears that completion of the services cannot be accomplished within the remaining 10% of the estimated compensation, Consultant will notify the Client and confer with representatives of the Client to determine the basis for completing the work.

Compensation to Consultant based on the rates is conditioned on completion of the work within the effective period of the rates. Should the time required to complete the work be extended beyond this period, the rates shall be appropriately adjusted.

B. Expenses

The following items involve expenditures made by Consultant employees or professional consultants on behalf of the Client. Their costs are not included in the hourly charges made for services but instead are reimbursable expenses required in addition to hourly charges for services and shall be paid for as described in this Agreement:

1. Transportation and travel expenses.
2. Long distance services, dedicated data and communication services, teleconferences, Project Web sites, and extranets.
3. Lodging and meal expense connected with the Project.
4. Fees paid, in the name of the Client, for securing approval of authorities having jurisdiction over the Project.
5. Plots, Reports, plan and specification reproduction expenses.
6. Postage, handling and delivery.
7. Expense of overtime work requiring higher than regular rates, if authorized in advance by the Client.
8. Renderings, models, mock-ups, professional photography, and presentation materials requested by the Client.
9. All taxes levied on professional services and on reimbursable expenses.
10. Other special expenses required in connection with the Project.

11. The cost of special consultants or technical services as required. The cost of subconsultant services shall include actual expenditure plus 10% markup for the cost of administration and insurance.

The Client shall pay Consultant monthly for expenses.

C. Equipment Utilization

The utilization of specialized equipment, including automation equipment, is recognized as benefiting the Client. The Client, therefore, agrees to pay the cost for the use of such specialized equipment on the project. Consultant invoices to the Client will contain detailed information regarding the use of specialized equipment on the project and charges will be based on the standard rates for the equipment published by Consultant.

The Client shall pay Consultant monthly for equipment utilization.

Exhibit B-1**A Listing of the Duties, Responsibilities and Limitations of Authority of the Resident Project Representative**

Through more extensive on site observations of the construction work in progress and field checks of materials and equipment by the Resident Project Representative (RPR), Consultant shall endeavor to provide further protection for Client against defects and deficiencies in the work of contractor (Work); but, the furnishing of such services will not make Consultant responsible for or give Consultant control over construction means, methods, techniques, sequences or procedures or for safety precautions or programs, or responsibility for contractor's failure to perform the Work in accordance with the Contract Documents. Contract Documents are the documents that govern or are pertinent to contractor's Work including but not limited to the agreement between Client and contractor, the contractor's bid, the bonds, construction plans, standard specifications, special provisions, field design changes, permits, manuals, addenda, clarifications, interpretations, change orders, and reviewed shop drawings. The duties and responsibilities of the RPR are further defined as follows:

A. General

RPR is an agent of the Consultant at the site, will act as directed by and under the supervision of Consultant, and will confer with Consultant's project engineer regarding RPR's actions. RPR's dealings in matters pertaining to the on-site work shall in general be with Consultant's project engineer and contractor assisting with keeping the Client informed as necessary. RPR's dealings with subcontractors shall only be through or with the full knowledge and approval of contractor. RPR shall generally communicate with Client with the knowledge of and under the direction of Consultant's project engineer.

B. Duties and Responsibilities of RPR

1. Schedules: Review the proposed construction schedule, schedule of shop drawing submittals and schedule of values prepared by contractor; and consult with Consultant's project engineer concerning acceptability.

2. Conferences and Meetings: Attend meetings with contractor, such as preconstruction conferences, progress meetings, project conferences and other project-related meetings, and prepare and circulate copies of minutes thereof.

3. Liaison:

(a) Serve as Consultant's liaison with contractor, working principally through contractor's superintendent, and assist with understanding / communicating the intent of the Contract Documents; and assist in serving as Client's liaison with contractor when contractor's operations affect Client's on site operations.

(b) Assist in obtaining from Client additional information, when required for proper execution of the Work.

4. Shop Drawings and Samples:

(a) Record date of receipt of shop drawings and submittals provided by the contractor and coordinate that review has been completed by appropriate team members.

(b) Receive samples furnished at the site by contractor, and notify Consultant's project engineer and Client of availability of samples to review.

(c) Notify Consultant's project engineer and contractor of the commencement of any Work requiring a shop drawing or sample if the submittal has not been reviewed for general conformance by Consultant.

5. Review of Work, Observations and Tests:

- (a) Conduct on site observations of the Work in progress to determine if the Work is in general proceeding in accordance with the Contract Documents.
- (b) Regularly update the Consultant's project engineer to keep them informed of issues and progress of the Work.
- (c) Notify the Consultant's project engineer immediately of any unanticipated project conditions, any Work believed to be unsatisfactory or defective and does not conform to the Contract Documents, any unauthorized Work, or any non-conforming materials that are subject to rejection.
- (d) Coordinate with the project materials tester and/or testing consultant to schedule testing. Confirm compliance with project requirements and the project Schedule of Materials Controls. RPR shall confirm that test report records or certificates of compliance have been received prior to the incorporation of materials in the Work.
- (e) Review and monitor the contractor's schedule for construction.
- (f) Confirm that the contractor is performing daily reviews of construction signing, detour signing, completing traffic control maintenance and is taking corrective actions in accordance with the Contract Documents.
- (g) Conduct or coordinate with others the completion of wage interviews in the field with individual contractor/subcontractor employees and properly file documentation in accordance with project requirements.
- (h) Perform reviews of temporary and permanent erosion control measures on the project and verify contractor is maintaining compliance with applicable permits and Contract Documents.
- (i) Determine if tests, equipment and systems start ups and operating and maintenance training are conducted in the presence of appropriate personnel, and that contractor maintains adequate records thereof; and observe, record and report to Consultant appropriate details relative to the test procedures and start ups.
- (j) Accompany visiting inspectors representing public or other agencies having jurisdiction over the Project, record the results of these inspections and report to Consultant's project engineer.
- (k) If unsafe conditions are observed, notify the contractor immediately, and if unresolved, notify the Consultant's project engineer and Client for determination of possible suspension of Work.

6. Interpretation of Contract Documents: Report to Consultant's project engineer when clarifications, interpretations, and requests for information regarding the Contract Documents are requested by contractor and transmit to contractor clarifications and interpretations as issued by Consultant's project engineer.

7. Modifications:

- (a) Convey contractor's suggestions for modifications in construction plans and specifications to Consultant's project engineer and assist with evaluation. Transmit to contractor decisions as issued by Consultant.
- (b) Assist with evaluation of proposed change orders and obtain change justification from contractor. Provide assistance with preparation of final documentation of change orders and field design changes.

8. Records / Reporting:

- (a) Measure and document project field quantities, maintain an up to date item record account, and enter quantities into the Project filing system in a timely manner.
- (b) Maintain orderly files of correspondence, reports of project conferences, shop drawings and samples, reproductions of original Contract Documents including all addenda, change orders, field design changes,

additional drawings issued subsequent to the execution of the construction contract, Consultant's clarifications and interpretations of the Contract Documents, progress reports, and other related documents.

(c) Keep a diary, recording contractor hours on the job site, weather conditions, data relative to questions of change orders, or changed conditions, list of job site visitors, daily activities, decisions, photos, observations in general, and specific observations in more detail as in the case of observing test procedures; and send copies to Consultant's project engineer.

(d) Document changes in the plans and field conditions for record plan preparation.

(e) Record names, addresses and telephone numbers of all contractors, subcontractors and major suppliers of materials and equipment.

(f) Furnish Consultant's project engineer periodic reports of progress of the Work and of contractor's compliance with the proposed construction schedule.

(g) Prepare appropriate lists of observed items requiring completion or correction by the contractor.

(h) Notify Consultant's project engineer and Client immediately upon the occurrence of any accident.

9. Payment Requests: Review applications for payment for compliance with the established procedure for their submission and forward with recommendations to Consultant's project engineer, noting particularly the relationship of the payment requested to the schedule of values, Work completed and specific pay requests for materials and equipment delivered to the site but not incorporated in the Work.

10. Certificates, Maintenance and Operation Manuals: During the course of the Work, verify that certificates, maintenance and operation manuals and other data required to be assembled and furnished by contractor are applicable to the items actually installed and in accordance with the Contract Documents, and have this material delivered to Consultant for review and forwarding to Client prior to final payment for the Work.

11. Completion:

(a) Prepare final documentation of construction pay items, quantities, material certification and other requirements as per the plans, specifications, and special provisions.

(b) Conduct final inspection in the company of Consultant's project engineer, Client, and contractor and assist with preparation of a final list of items to be completed or corrected.

(c) Observe that all items on final list have been completed or corrected and make recommendations to Consultant's project engineer concerning acceptance.

(d) Assist Consultant's project engineer with preparation of record plans and documentation.

C. Limitations of Authority

Resident Project Representative:

1. Shall not authorize any deviation from the Contract Documents or substitution of materials or equipment, unless authorized by Client.

2. Shall not provide direction, superintendence, or guidance to the contractor, their crews, their subcontractors, or their suppliers on means and methods to accomplish the Work.

3. Shall not suspend any portion of the Work without explicit Client authorization.
4. Shall not exceed limitations of Consultant's authority as set forth in the Agreement for Professional Services.
5. Shall not undertake any of the responsibilities of contractor, subcontractors or contractor's superintendent.
6. Shall not advise on, issue directions regarding or assume control over safety precautions and programs in connection with the Work.
7. Shall not accept shop drawing or sample submittals from anyone other than contractor.
8. Shall not authorize Client to occupy the Project in whole or in part.
9. Shall not participate in specialized tests or inspections conducted by others except as specifically authorized by Client.



MEETING MINUTES

New Prague Golf Board

On site meeting at NPGC
Tuesday, July 22nd, 2025

The meeting was called to order at 6:32pm by Board President Den Gardner. The following Board Members were present for the meeting: Den Gardner, Bob Cuniff, Graham Kuehner, Jen Berglund, and Mayor/Council Liaison Chuck Nickolay. Board Members Adam Brister and Adam Gill were unable to attend. Also present: GPE Owner/Contract Manager Kurt Ruehling.

- **Approval of June 24th, 2025 Meeting Minutes:**
 - A motion to approve was made by Kuehner, second by Cuniff. Motion carried (5-0)
- **Claims for Payment (\$95,939.51):**
 - Gardner thanked Ruehling for coordinating the \$500 payment to the Scholarship Fund from the Leagues
 - A motion to approve the Claims for Payment was made by Berglund, seconded by Nickolay. Motion carried (5-0)
- **Review Monthly Income Statement and Balance Sheet (June 2025):**
 - Nickolay questioned the "Gain on Assets", discussion ensued
 - A motion to approve the Monthly Income Statement and Balance Sheet was made by Cuniff, seconded by Kuehner. Motion carried (5-0)
- **Capital Equipment Report**
 - Stackable refrigerator/freezer in 3rd floor kitchen needs to be replaced, Ruehling pricing and working with City Hall to purchase
 - Inquiry about the arrival of all new equipment, Ruehling said a Utility Vehicle and a new Sprayer are still on their way
- **Grounds Operation Update...Jeff Pint, Grounds Superintendent:**
 - Ruehling began discussion by commenting on the great conditions! "Best he has ever seen". He stated that the little things are being taken care of and it adds to the overall product! Board agreed that the golf course looks great!
 - Everyone present was very happy that the cart path left of #11 green was smoothed out
 - Gardner would like to see a tree removal plan
- **Food & Beverage Update...Michelle Mulvihill, Food & Beverage Coordinator:**
 - Michelle Mulvihill and Jill Kes have submitted their resignation letters for review/discussion with Ruehling
 - Gardner praised the staff for their efforts during the "British Invasion II" Event!!

- **Golf Operation Update...Kurt Ruehling, GM/PGA Professional:**
 - Ruehling expressed concerns with the growing problem of range ball theft...discussion ensued, Ruehling will manage situation with City Hall
 - June was great...the numbers support it!
- **Marketing Update...Kurt Ruehling, GM/PGA Professional:**
 - Ruehling to increase Facebook presence
 - Gill to increase other Social Media outlets
- **Golf Scholarship Event Summary...Den Gardner:**
 - Event is scheduled for Sunday, August 10th, 2025
 - 9 – 10 teams are already signed up, Gardner hoping for 15 or more
 - Flyers have been added around clubhouse
 - Nickolay inquired about amount of scholarships and balance in fund. Gardner indicated that \$1,000 is awarded to both a boy and a girl...and that the fund balance is around \$10,000
- **Miscellaneous:**
 - Berglund asked about electric scooters at the golf course! Ruehling has told juniors that they must have a valid driver's license to operate a motorized vehicle on the golf course. Nickolay stated the City Council is addressing the situation as well
- **Adjournment:**
 - A motion to adjourn the meeting at 7:25p was made by Berglund, second by Kuehner. Motion carried (5-0)

Next Golf Board Meeting –Tuesday, August 26th, 2025, 6:30pm

Respectfully submitted by,
Kurt Ruehling, GME...PGA General Manager



UTILITIES COMMISSION MEETING MINUTES

City of New Prague

Monday, July 28, 2025 at 3:30 PM

Power Plant - 300 East Main St

1. CALL TO ORDER

The meeting was called to order by Utilities Commission President Dan Bishop on Monday, July 28th, 2025, at 3:33 p.m.

Commissioners Present: Dan Bishop, Tom Ewert, Paul Busch and Bruce Wolf

Commissioners Absent: Chuck Nickolay

Staff Present: General Manager Bruce Reimers, OES Ken Zweber, Finance Director Robin Pikal and Water Supervisor Travis Scheffler

2. APPROVAL OF AGENDA

Motion made by Commissioner Ewert, seconded by Commissioner Busch, to approve the agenda as presented.

Motion carried (4-0)

3. APPROVAL OF MINUTES

a. June 30, 2025 Utilities Meeting Minutes

Motion by Commissioner Busch, seconded by Commissioner Wolf, to approve the June Minutes as presented.

Motion carried (4-0)

4. UTILITY AND SMMPA BILLS

a. Approval of accounts payable in the amount of **\$215,534.53** and the SMMPA billing of **\$593,241.38**.

Motion by Commissioner Ewert, seconded by Commissioner Busch, to approve the accounts payable as presented.

Motion carried (4-0)

5. FINANCIAL REPORTS

a. Investment Report

b. Financial Report

c. Water and Kilowatt Hours Sales

Motion by Commissioner Bishop, seconded by Commissioner Busch, to approve the financial reports as Presented.

Motion carried (4-0)

6. FILTER REHABILITATION PROJECT

a. Approval of Engineering and Feasibility Study for Filter Plant #3 Filter Rehabilitation

GM Reimers and Water Department supervisor Travis Scheffler went over two engineering proposals that were submitted by SEH and Bolton & Menk. After review and the recommendation by staff, the

Commission approved moving forward with the engineering and feasibility study, along with design, bidding and construction administration to be provided by SEH Engineering.

7. LEAD WATER SERVICE LINE REPLACEMENTS

- a. Resolution 25-07-28-01 - Approving Application for Grant Funding from Minnesota Public Facilities Authority (MPFA)

A motion was made by Commissioner Bishop and seconded by Commissioner Busch, to approve resolution #25-07-28-01 for the grant funding application for the lead service replacements in the amount of the as-bid cost of the project.

Motion carried (4-0)

- b. Resolution 25-07-28-02 - Approval of bids from K.A. Witt Construction, Inc. to replace Lead Services in the 2025 Street & Utility CIP Project Area's

A motion by Commissioner Bishop and seconded by Commissioner Busch, to approve resolution #25-07-28-02 accepting the bid from KA Witt Construction in the amount of \$151,036 for 17 lead service replacements according to the plans and specifications approved by the New Prague Utilities Commission.

Motion carried (4-0)

8. WEST SIDE ENERGY STATION (WSES) SITE GRADING

- a. Approval of Plans & Specifications and Request to Receive Bids for WSES Site Grading

A motion was by Commissioner Ewert and seconded by Commissioner Bishop, to approve plans and Specifications, and to receive bids for the site grading at the West Energy Station.

Motion carried (4-0)

9. SMMPA BOARD OF DIRECTORS MEETING

- a. June 12, 2025

GM Reimers reported on the following:

-SMMPA staff has been working on future bonding requirements that will be used for the Owatonna power plant and other projects.

10. GENERAL MANAGER'S REPORT

GM Reimers informed the Commission on the following:

-Tara Thielen started on Monday, July 28th as the Utility Billing Specialist

-Staff has been working at the West side Energy site installing sewer and waters services, along with moving a high voltage conduit vault on the South side of the building

11. OTHER BUSINESS

None

12. ADJOURNMENT

Motion by Commissioner Bishop, seconded by Commissioner Busch, to adjourn the meeting at 4:22 p.m.

Respectfully Submitted,



Bruce Reimers
General Manager

Meeting Minutes
New Prague Planning Commission
Wednesday, July 30th, 2025

1. Call Meeting to Order

The meeting was called to order at 6:30 p.m. by Chair Dan Meyer with the following members present: Ann Gengel, Brandon Pike, and Jason Bentson. Absent was Shawn Ryan.

City Staff Present: Ken Ondich – Planning / Community Development Director and Evan Gariepy – Planner.

2. Approval of Meeting Minutes

A. June 25th, 2025 Regular Meeting

A motion was made by Gengel, seconded by Pike, to approve the June 25th, 2025 regular meeting minutes. Motion carried (4-0).

3. Public Invited to Be Heard on Matters Not on the Agenda

No public comments were given.

4. NEW BUSINESS

A. Request for Variance #V7-2025 – Sign Variance at 102 Chalupsky Ave. SE.

Planner Gariepy presented the staff report. He stated that the applicant, Ten Nineteen Development, LLC, is seeking a variance from the 6 square foot in surface area limit and 10 foot height limit for a building sign at 102 Chalupsky Ave. SE. The proposed sign would be 33.5 square feet in area and reach a maximum height of 12 feet. The sign would be above the front door of the Bohemia Flats 54-unit apartment building being constructed. He stated that the sign would allow for the apartment building's name to be visible from the road and adjacent strip-mall. He stated that the sign would not be disproportionate due to the large size of the building. He stated that staff recommends approval of the variance with the findings listed in the staff report.

Cameron Sonju with Ebert Companies/Ten Nineteen Development, LLC stated that the sign will be “shoebox-style” and backlit, and that the sign is the same size as the canopy entry.

A motion was made by Bentson, seconded by Gengel to recommend approval of V7-2025 with the following findings:

- A. The requested variance is in harmony with the general purposes and intent of this Ordinance because building signs are a permitted use in the RH High Density Residential Zoning District.

B. The requested variance is consistent with the comprehensive plan because the RH High Density Zoning District allows building signs to be constructed as a permitted use.

C. The applicant will use the property in a reasonable manner by adding an additional 27.5 sq. ft. of building signage over the typical ordinance allowed limit and 2 ft. above the typical ordinance allowed height limit on a very large 3 story, 54 unit apartment building.

D. Unique circumstances apply to this property over which the property owners had no control and which do not generally apply to other properties in the vicinity in that the apartment building being constructed is far larger than the majority than the buildings in a Residential District, with a far larger setback, which the Ordinance typically pertains to.

E. The variance does not alter the essential character of the neighborhood because building signs are a permitted use in the RH High Density Residential Zoning District as well as the B2 Community Commercial District, which abut the property on three sides.

F. The variance requested is the minimum variance which would alleviate the practical difficulties because it would allow for advertising of the apartment building name and allow for the sign to be seen clearly from the road and adjacent Strip Mall in the B2 Community Commercial District.

And with the following condition:

1. No conditions are applied.

Motion carried (4-0).

5. OLD BUSINESS

A. Backyard Chickens Discussion - Continued

Planning / Community Development Director Ondich presented the staff report. He stated that since the June 25th Planning Commission meeting, he had provided revisions to the ordinance and completed additional research. He stated that changes to the ordinance, as directed by the Planning Commission, included mandating insulated coops and a mandatory 25’ wetlands setback. He also discussed having a renewing annual fee of \$15, with a yearly check-in from a City employee to ensure that all ordinances are met. He also discussed implementing administrative citations rather than a legal process for ordinance violations.

General discussion of the Planning Commission was held in general support of administrative citations.

A motion to forward the Backyard Chicken Ordinance to City Council with a recommendation for approval and also to recommend that the City Council discuss a process for administrative citations was made by Pike, seconded by Benson. Motion carried (3-1, Gengel).

6. Miscellaneous

A. Uniform Development Code – 2nd Draft Discussion

Jeff Matzke with Bolton & Menk presented the updated progress on the Uniform Development Code (UDC), which has been brought to the Planning Commission in the past. The UDC aims to provide more clarity and usability to the Zoning and Subdivision Ordinances, as well as assure that it is up to State Statutes.

Matzke stated that there will be a public survey available online and at Czech Out New Prague to get public feedback on topics relevant to the UDC before the final draft begins. The survey will be short to garner more responses, and will cover parking, parks, opinions on accessory dwelling units (ADUs), and demographics of the recipients.

Matzke discussed the proposed changes to lot setbacks, particularly in regards to non-conforming lots in downtown residential areas. Bolton & Menk recommends a reduction to minimum lot sizes, similar to Elko New Market and Jordan.

Matzke discussed the addition of an exceptions process. For existing non-conforming legal lots, this would provide an alternative to a variance request. He stated that other communities, such as Prior Lake, had success with exceptions. Director Ondich stated how the usage of exceptions would benefit lower income families who cannot afford a variance, make the process easier for staff, and encourage house improvements and development.

Matzke discussed the addition of tree preservation language. This will apply to all new developments and land that is being re-developed. It will mandate the size and species of new trees, as well as require the replacement of a proportion of trees removed within a development to encourage reforestation. He stated this has proven beneficial in other communities, and that there will be an exception for trees removed for public infrastructure. Pike and Director Ondich discussed how, once a house is purchased, the owner has property rights and can still remove the trees if chosen.

Matzke discussed adding clarification to exterior building regulations, as well as extending it to residential districts. Pike expressed interest in a historic downtown zoning district. Director Ondich stated that that could be discussed further in the future. The Commission discussed that the current downtown building design code is limiting and confusing, and that it needs to be amended.

Matzke stated that there are proposed changes to PUD, allowing for the City to push for incorporation of public parks, mixed-used projects, and other public benefits that developers don't typically do.

Matzke stated that there is added clarity for when conditional use permits and certificates of surveys are required. He stated that required surveys can be waived at the discretion of the Zoning Administrator in cases where it isn't needed. He also stated that most cities mandate public hearings for variances, and suggested that the City does so as well. Director Ondich recommended it, stating that the only significant change would be putting notice

of variance requests in the newspaper, which may require raising the fee. The Commission discussed how the current system of mailing letters can leave people confused and nervous.

Matzke also discussed the possibility of requiring free or low cost permits for fences and small accessory structures. Director Ondich stated that they used to be \$50, which led to people not consulting with the City. He stated that having a lower fee encourages residents to confirm plans with the City.

Matzke discussed other small changes to the UDC. Minimum parking requirements have been lowered to discourage sprawling empty parking lots. Language involving electric vehicle charging stations was added for future discussion. Accessory dwelling units (ADU) were added and simplified, classified as attached or detached. Matzke discussed that allowing ADUs to have their own utility hookups encourages splitting of plots. Matzke also brought up things that will need future discussion, such as specific definitions, diagrams and images, and implementing code and diagram from other legislating bodies to make the UDC more user-friendly.

General discussion from the Planning Commission showed support for the UDC progress thus far. Director Ondich stated that himself and Planner Gariepy are going through the entire UDC to make comments before Bolton & Menk moves onto the final draft stage.

B. Monthly Business Update

Planning/Community Development Director Ondich presented the monthly business update as information.

7. Adjournment

A motion was made by Pike, seconded by Gengel, to adjourn the meeting at 7:55 pm. Motion carried (4-0).

Respectfully submitted,



Evan C. Gariepy
Planner