



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: RESOLUTION ORDERING THE ABATEMENT OF A HAZARDOUS PROPERTY LOCATED AT 703 7TH STREET NE
DATE: OCTOBER 15, 2025

City staff has been actively working to correct a nuisance/hazardous property located at 703 7th Street NE (Lot 1, Block 1, Pond Third Addition) since April of 2024 where a large hole was excavated for a possible new home (of which no permit was applied for) which violated city ordinances related to signage of wetland buffers and violation of wetland buffers and setbacks. City staff proceeded with a nuisance violation letter (see attached) which ultimately led to criminal citations being issued to the property owner, Michael Weinandt. The criminal process wrapped up on August 25, 2025 with Mr. Weinandt being convicted of a misdemeanor for one of the four violations that he was cited for (see the attached Plea Agreement) and received a fine and probation. Despite the conviction, the zoning ordinance violation remained on the property.

Staff spoke with the County Attorney's Office and an option was to cite the property owner once again for the same violations, but it was noted that the citations would not lead to a correction of the violations. In light of this, staff instead spoke with the City Attorney's Office to seek a civil remedy through the hazardous property statute (463.15). The City has proceeded through this process two previous times in recent years for hazardous building corrections.

Due to the remaining hazardous conditions of the property, the City Attorney's Office drafted the attached "Resolution Ordering the Abatement of a Hazardous Property Located at 703 7th Street NE". This resolution documents the City Council deeming the property hazardous and authorizes staff to move forward with serving a lawsuit (the abatement order) in order to reach a resolution of the property concerns by either correction of the items outlined in the order by the property owner or by the owner entering into an agreement to allow the City and its contractors to correct the items and to assess the costs against the property.

Staff Recommendation

Staff recommends approval of the attached resolution "...Ordering the Abatement of a Hazardous Property Located at 703 7th Street NE".



CITY OF NEW PRAGUE
COMMUNITY DEVELOPMENT
118 CENTRAL AVE N
NEW PRAGUE, MN 56071
952-758-4401
WEBSITE: www.ci.new-prague.mn.us

Case Number: **CODE-0009-2024**

VIOLATION NOTICE

Case Type: Code Enforcement
Date Case Established: 04/30/2024

VIOLATOR: Michael Weinandt

Mailing Address

28695 Ruth Ann Lane
New Prague, MN 56071

Notice of Violation:

The parcel of property located at:

Location Address

Parcel No.

703 7th Street NE

24.132.0010

We have found that you are in violation of the following section(s) of the City of New Prague, MN, Code of Ordinances:

Violation(s)

Compliance Deadline

Miscellaneous Violation
See notes below for specific violation(s).

05/10/2024

The specific violation that has occurred is excavation within a Conservation Easement. Please fill in the excavation in the conservation easement area as noted on the map and seed with an approved native seed mix as approved by the City.

Please be aware that you are in violation of the City Code. You are required to comply with the compliance date (s) of this notice to remove the violations from the property. You may also within the compliance date of the notice request a hearing before the City Council to dispute alleged violations.

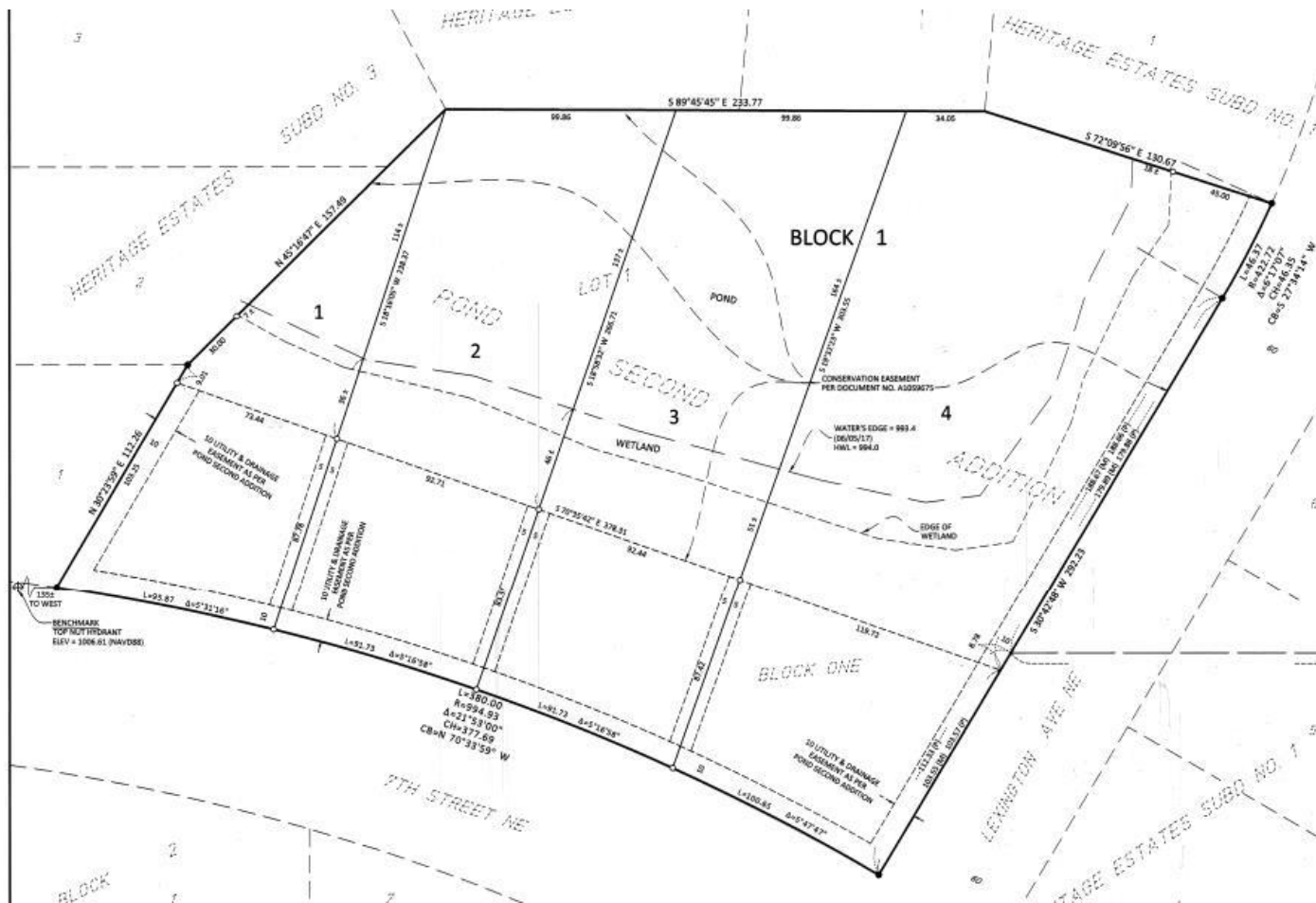
If the violation is not abated by the compliance date of the notice and no hearing has been requested the city will abate the nuisance for you and will continue to do so until we are contacted with details on your plans to maintain the property. You will be billed for all abatement costs, including an administrative service fee. If the bill remains unpaid it will be certified to the county for collection with your property taxes.

Your attention in this matter is greatly appreciated. Please call 952-758-4401 if you should have any questions or comments.

No further notices will be issued.

Sincerely,

City of New Prague
Ken Ondich



Conservation Easement of the nature and character and to the extent hereinafter set forth, in, upon, and over the Easement Area, for the purposes set forth herein.

THE TERMS, CONDITIONS, AND RESTRICTIONS OF THIS CONSERVATION EASEMENT ARE AS HEREINAFTER SET FORTH:

1. The Easement Area shall serve as a buffer to the adjacent wetland in accordance with the requirements of the Ordinance. Grantor shall have the right to access and utilize the Easement Area except as otherwise provided in Paragraph 2 hereof.
2. No alterations including building, storage, paving, mowing, plowing, introduction of noxious vegetation, cutting, dredging, filling, mining, dumping, grazing livestock, agricultural production, yard waste disposal or fertilizer application shall be permitted by Grantor within the Easement Area. Notwithstanding anything contained herein to the contrary, noxious vegetation, such as European buckthorn, purple loosestrife and reed canary grass, may be removed in the Easement Area. Permitted alterations to the Easement Area would not include plantings that enhance the natural vegetation or selective clearing or pruning of trees or vegetation that are dead, diseased or pose similar hazards, unless otherwise agreed to by Grantee.
3. The following activities shall be permitted within the Easement Area and shall not constitute a prohibited alteration as set forth in Paragraph 2 herein:

Site Map

Air Photo is dated 4/25/24.

Delineated wetland edge.

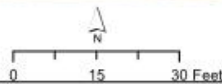
Conservation Easement Location

This excavation between the conservation easement line and the pond is not permitted and must be returned to pre-existing conditions and seeded with an appropriate native seed mix as approved by the City.

87.5'

9.1'

Prepared by:
City of New Prague
Planning Department
Date: 4/30/24
For Reference Purposes Only.



Disclaimer: This map was prepared using the City's data and is based on the City and City Board. While the City believes that the data is accurate, the City does not warrant that data is the City's own data and the City does not represent that the City data can be used for purposes such as for litigation or any other purpose excepting the stated purpose of reference and education. The accuracy of geographic features is not guaranteed. This disclaimer is subject to Minnesota Statutes and City Code. The City of New Prague acknowledges that the City does not have the right to any damages that may arise from this map or the information it contains.

Line #69

Plea Agreement

For Misdemeanor and Petty Misdemeanor Offenses

Case Name: State of Minnesota vs MICHAEL LEO WEINANDT

Court File Number: 70-CR-24-9674

Filed in District Court
State of Minnesota

AUG 25 2025

Citation Number: 70032024000812

Charges

			Stay of adjudication	Conviction	CFD - 1 year	Dismissed
1	734.4(E)(12)	Wetland Preservation - Buffer Boundaries Shall be Signed - New Prague				X
2	734.4(E)(9)	Wetland Preservation - Buffer Permit Requirements - New Prague				X
3	734.4(E)(5)	Wetland Preservation - Minimum Setback of 50 Feet - New Prague				X
4	734.4(E)(6)	Wetland Preservation - Wetland Buffer First 25 Feet - New Prague	X			

Conditions

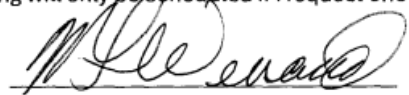
Fine \$ 200
 Surcharge/Law Library \$ 88
 Diversion Surcharge \$ _____
 Prosecution Cost \$ _____
 Court Costs \$ _____
 Restitution \$ _____
Total Amount Due: \$ _____

- ☒ I waive (give up) my right to a speedy trial.
☒ No same or similar offenses
☒ Remain Law Abiding
☐ No moving violations
☐ Other terms and Conditions 1 year unsupervised
☐ Not Guilty Plea _____ @ _____ AM / PM
☐ Next Hearing: _____ @ _____ AM / PM

*The court may refer this case for collection if you fail to make a payment, and collection costs will be added. You have the right to contest a referral for collection based on inability to pay by requesting a hearing no later than the due date. M.S. §§ 480.15, subd.10c; 609.104

Prosecutor Signature: 

I understand if I fail to meet any of the conditions of my stay of adjudication including payment of any fines and/or fees, my guilty plea will result in a conviction for the offense. A hearing will only be scheduled if I request one by my payment due date.

Date: 8/25/25Defendant Signature: 

Pictures from 9/23/25 Showing Excavation and Violations Still Exist



