

CITY OF VERGAS PLANNING COMMISSION MINUTES

Monday, October 23, 2023

6:00 pm

Vergas Event Center

A City of Vergas Planning Commission meeting was held on Monday, October 23, 2023, with the following members present: Robert Jacoby, Alex Ohman, Judy Kvam and Rebecca Hasse. Absent: Bruce Albright. Also present: Clerk-Treasurer Julie Lammers, Utilities Superintendent Mike Dufrane and Blaine Green.

Call to Order

Acting Chair Robert Jacoby called the meeting to order at 6:00 pm.

Agenda Additions and Deletions

Approved agenda with following addition: Added Construction permits.

Gravel Pit Survey

Greene provided the 2023 Gravel Pit Survey provided with information of new ordinance even though they applied with the past ordinance and stated the items still out of compliance is the setbacks. They are making progress in getting it back into compliance. They are working towards the 4 to 1 slope, but they have the same noncompliance issues. The one thing they did not do that could have been done was plant grass and topsoil in the south corner of the lot. If grass is not growing soon, they will have an erosion issue. Lammers read comments from Jeff Hattlewick as he was unable to attend. The comments were as follows:

1. We do not dispute the fact that the mining that was done pre-ordinance was within 500 feet of the 2 residences listed on the map and pointed out as being non-compliant. We continue to mine away from that area and stockpile waste materials along the south bank to fill in the areas in question.
2. We do not dispute the fact that the mining that was done pre-ordinance was within 100 feet of the property line of the south and east edge of our property and pointed out as being non-compliant. No new mining in those areas has taken place since the ordinance and we continue to backfill these areas for future reclamation.
3. We monitor the trees monthly and have recorded 10 trees that have died during the past season and a few others that might not last the winter. We have a plan in place to replace them in the spring of 2024.

Jacoby stated that everything going on out there has been going on since he has been on this commission. Every year they plant trees and trees die. We need to have the planting verified and someone who knows what trees are going to grow in this area. Kvam stated she thinks we need to hold off until we can see the comparison and see if they are any closer to being in compliance with our ordinance. Green stated they can add to next year's report the progress that is being made. Discussed the bond for reclaiming the soil if they move out like the NorthStar's did in Minneapolis. The current bond is \$100,000 and the planning commission asked Green to look into the cost of reclaiming the property. May want to recommend to Council to raise the bond amount. Motion by Ohman, seconded by Kvam to recommend to Council approval of the Gravel Pit Survey provided by Widseth. Motion passed unanimously. Motion by Ohman to recommend to Council not to issue another permit until grass is reseeded and trees are planted with a tree plan provided to City. Motion died for lack of second. Motion by Ohman, seconded by Hasse to recommend to Council not to issue another permit until grass is reseeded and trees are planted. Motion passed unanimously.

Minutes

Motion by Ohman, seconded by Kvam to approve minutes for September 25, 2023. Motion passed unanimously.

Status of Council Recommendations

Lammers stated the Council would like the planning commission to decide on where the dispensaries are to be zoned. Discussed and stated all businesses allowed by Council should be placed in the commercial district. Would like the City Attorney to review if zoning can be changed for certain businesses in a commercial zoned area. Wait for zoning map updates until more information is provided from the city attorney. Discussed the open area on the zoning map and it may be an area for dispensary. Did not change any animal control, to proceed with the new ordinance rather than the old ordinance for 2023 gravel pit survey and approved Albright and Kvam as volunteer construction permits inspectors.

Construction Permits

Discussed holding a workshop to discuss policy and procedures on requirements when applying for a permit.

Permits Approved by City Clerk

Construction

102 Park View Drive, replace windows.

405 Frazee Ave, replace existing tar.

Grade and Fill

511 Glen Street, new home and driveway.

Permits needing approval.

1011 E Scharf, – landscaping.

Motion by Kvam, seconded by Ohman to approve landscaping plan which includes paving walkway pavers and rocked bed. Motion passed unanimously.

Construction and Grade and Fill Permit

96 Park View Drive – landscaping.

Lammers spoke with Chris LaClair, Otter Tail County Land and Resource Management Director, he is checking with others in the county regarding helping the City of Vergas with lakeshore permits. If the county helps Vergas with lakeshore management, they will need to help very small cities in Otter Tail County. Discussed denying permit due to inadequate sketch and large amount of fill for the 10 feet of base below hill. Lammers spoke with Denise Elston, MN DNR who provided a map and ordinary high water mark location. Motion by Jacoby to deny the permit for lack of information. Motion failed for lack of second. Motion by Ohman, seconded by Hasse to deny the permit and to waive the fee for reapplication in the spring and that they provide a more detailed plan in any future permits related to the project. Motion passed unanimously.

860 E Scharf Ave- 40 by 10 deck.

Motion by Kvam, seconded by Ohman to replace the 40 by 10-foot deck at 860 E Scharf Avenue. Motion passed unanimously.

411 E Lake Street – finish existing driveway with siding, garage door and chimney

Motion by Kvam, seconded by Hasse to finish garage at 411 E Lake Street. Motion passed unanimously.

Grade and fill permit and construction permit

1035 E Scharf Ave-house, garage, and driveway

Motion Ohman, seconded by Kvam to approve the permit if the driveway meets culvert ordinance (must add culvert size and location on drawing) with a new sketch provided to the city. Motion by Ohman, seconded by Hasse to amend the motion to make owners aware they only have 64 feet of impervious. Amendment was retracted. Motion passed unanimously. Jacoby stated this property is not staked, our application states area must be staked before permit is issued.

Active Construction Permits

Kvam updated the construction permit worksheet.

Old Business:

Ordinances

Streets & Sidewalks, Ordinance Culverts, Right-a-way permit, Ordinance 151.32, 85 and 93

This is a work in progress and will be discussed next month.

Shoreline Management Ordinance

This is a work in progress and will be discussed next month.

Updated Vergas Basic Code

This is a work in progress and will be discussed next month.

Nuisance Properties within Vergas

Reviewed the nuisance properties. Garbage is a health hazard. Motion by Kvam, seconded by Hasse to send certified letter to 339 E Frazee Ave. Motion passed unanimously. There are still 3 vehicles at 280 1st Avenue. Discussed getting the city attorney to follow up on this property. Motion by Kvam, seconded Hasse to recommend to Council have this property sent to the city attorney if not taken care of by Wednesday. Motion passed unanimously. All other nuisance properties have complied with city ordinance. Commissioners questioned property at 101 E Mill St. The property has large amounts of dog crap, and they are in violation of too many dogs. This prevents the neighbors from being able to enjoy their property. This needs to be added to the agenda the Wednesday before the meeting. This property needs to be on the agenda next month. Discussed property which smells from cat smell. The ordinance only applies to residential and not commercial, and we may need to change our ordinance as both cat and dog feces are a health hazard.

Vergas Zoning Map

This is work in progress and will be discussed next month after we hear from the City Attorney.

Sunset Strip

Lammers provided 3 layouts for making Sunset Strip a street. The Streets, Sidewalks and Yard Waste has met with residents on Sunset Strip, and they have discussed 3 layouts. Jacoby questioned if the streets, sidewalks and yard waste committee reviewed the ordinance that states all dead-end streets must have cul-de-sac.

W Lake Street

The Council will be reviewing a resolution for a grant paying 70% of the upgrading of W Lake Street on October 30, 2023.

New Business

Member Terms

Ohman stated that he would fill another term on the planning commission. Jacoby stated he would not be continuing on the planning commission when his term is completed in December.

Fees

Reviewed the fees of construction permits of \$30 per \$10,000.00 in value, grade and fill permit for \$75.00. Discussed a fee for lake shore property to pay for someone to review the property that is qualified. No fee change recommended.

Adjournment

The meeting adjourned at 7:50 pm.

Secretary,

Julie Lammers, Vergas City Clerk-Treasurer

Follow Up Actions:

Snow emergency routes.

Review and update Ordinance 72.

Updated Shoreline Management Ordinance (Lammers & Kvam)

Lammers, Dufrane, Engineers to review and update Ordinance 79, 85 and Ordinance 93 regarding culverts and right of ways.

Review updated ordinance materials from League of MN Cities. (Sent email with update 3/28/2023)

Dufrane to review nuisance ordinance.

Lammers to continue to work with Chris LaClair, Otter Tail County regarding them taking over our shoreline management permits.

Council recommendations:

Approve Gravel Pit Survey with the condition no permit will be authorized in 2024 until grass is reseeded and trees are planted.