



Janesville City Council Members: Mayor Mike Santo, Kari Grisim, Cliff Blaisdell,
John Sprengeler, Jeff Bartelt

**MINUTES OF THE CITY COUNCIL MEETING
CITY OF JANESVILLE, WASECA COUNTY, MINNESOTA
MARCH 14, 2016 CITY HALL 7:00 PM**

I. CALL TO ORDER

The Janesville City Council met in regular session pursuant to due call and notice thereof;
Mike Santo called the meeting to order at 7:00 pm.

Council present: Mike Santo, Mayor
Cliff Blaisdell, Council Member
Kari Grisim, Council Member
Jeff Bartelt, Council Member
Council Absent: John Sprengeler, Council Member
Staff Present: Clinton Rogers, City Administrator
Andrea Moen, Deputy Clerk
Brandon McCabe, City Planner
Dillon Petrowitz, Intern

II. PLEDGE OF ALLEGIANCE

City Council and everyone present stood and recited the pledge of allegiance.

**III. PUBLIC HEARING – OUTDOOR RECREATIONAL GRANT PROGRAM
A. Resolution 2016-09**

Opened 7:00 PM

Rogers stated that we want to apply for a grant for the Veteran’s Memorial Park picnic shelter/amphitheater structure. Were required to hold a public hearing for any questions. Blaisdell asked what the cost would be and Rogers replied waiting on bids right now.

Motion by Blaisdell, seconded by Bartelt to approve the grant program. Voting in favor: Blaisdell, Grisim, Bartelt, and Santo; voting against: none; absent: Sprengeler. Motion carried.

Closed 7:01 PM

IV. APPROVAL OF AGENDA

Motion by Bartelt, seconded by Blaisdell to approve the agenda. Voting in favor: Blaisdell, Grisim, Bartelt, and Santo; voting against: none; absent: Sprengeler. Motion carried

V. CONSENT AGENDA

1. Minutes of last Regular Meeting on February 8, 2016
2. Minutes of the Emergency Meeting February 11, 2016
3. Minutes of the Special Meeting February 29, 2016
4. Accept Accounts Receivable
5. Audit City Bills for Payment

Motion by Bartelt, seconded by Grisim to approve the consent agenda. Voting in favor: Blaisdell, Grisim, Bartelt, and Santo; voting against: none; absent: Sprengeler. Motion carried.

VI. PUBLIC FORUM

VII. NOTICES AND COMMUNICATIONS

VIII. COUNCIL REPORTS

IX. ADMINISTRATOR REPORTS

Rogers gave reports:

- Bank Reconciliation and PSN update
- School Board joint meeting March 28th
- Waste Management rate increase effective April 1st
- Golf Course opened its earliest yet March 11th

X. OLD BUSINESS

1. 2016A Refunding
 - A. Resolutions 2016-10

George Eilertson from Northland Securities was present to go over the refunding of 2009C and 2010A bonds as well as bond rating. We got an A+ Bond rating with lower interest rates resulting in a net savings of \$121,933.27 since the last meeting in February. Santo wanted to make sure the maturity dates are the same and Eilertson reassured they are; the only thing changing is the due date of the bond payment to April of each year.

Motion by Blaisdell, seconded by Bartelt to approve Resolution 2016-10. Voting in favor: Blaisdell, Grisim, Bartelt, and Santo; voting against: none; absent: Sprengeler. Motion carried.

2. Financing Items for Old Hwy 14 Turnback – 2016 S & U Improvements
 - A. Resolution 2016-11

Eilertson stated this resolution authorizes us to enter into the State credit enhancing program; therefore, which could ultimately up your bond rating by one point/step. There is

an application fee of \$500.00 paid to the State. As of today a fifteen year loan has an interest rate of about 2% while a twenty year loan is about 2.42%. Rogers stated we open bids March 30th and will know the numbers then. Santo asked Eilertson if there was any downsides to doing this, he stated the savings outweigh the fee and didn't believe so.

Motion by Blaisdell, seconded by Grisim to approve Resolution 2016-11. Voting in favor: Blaisdell, Grisim, Bartelt, and Santo; voting against: none; absent: Sprengeler. Motion carried.

XI. NEW BUSINESS

1. Conditional Use Permit – 711 N Main St. A. Resolution 2016-12

Brandon McCabe started out by stating what the outcomes could be for a permitted and conditional permitted use within our City Code: if a use is not listed as permitted or conditional use than it is not acceptable and a zoning amendment would be required, if a use is listed as permitted it is acceptable and doesn't require approval, and last if a use is listed as conditional use it is acceptable provided it adheres to conditions.

Dillon Petrowitz stated there was a public hearing held March 7 for this property at 711 N Main St. to allow a duplex in this R1 district. There was a lengthy discussion from residents but the Planning Commission did recommend approval. Petrowitz further went into detail of the findings:

- The use is consistent with the intent of R-1 district and will not have an adverse effect on the area proposed
- The use is consistent with the provisions of the Comprehensive Plan
- The use can be accommodated by the City's service capacity
- The use will not generate additional traffic and sufficient off street parking per City's ordinance
- The use and all related activities shall meet the City's Noise and Nuisance Ordinances.

The Planning Commission did recommend approval based on eight conditions to be met. In addition they recommend Council to consider a three-strike nuisance policy which would allow a rental license revocation if in poor maintenance.

McCabe wanted to add that the majority of the public comments were nuisance related. The current property owner has owned for about 2 ½ years, but the problems stem before this time frame as well.

Resident Brian Ziegler at 713 N Main St. was present and brought the Ordinances 9109 and 9108 to the Council's attention. A commercial vehicle full of garbage has been sitting outside this property for past three months and still sitting there. In addition, there has been an ongoing issue of weeds. Ziegler asked Council at what point will these be addressed. Santo replied we don't go out looking for nuisances, usually we send letters once a complaint has been made to address these issues. McCabe added he put on his schedule to

do enforcement tomorrow and disappointed that truck is still there. Santo did add that this will be enforced and agrees it should follow our ordinances.

Blaisdell asked if any R-1 district property can be changed to conditional use at any point. McCabe replied to a duplex yes; in the past this property has tried to be a triplex which was denied because it isn't a conditional use. The landowner, Peter Miller, did state he is agreeing to the conditions with the resolution.

Motion by Bartelt, seconded by Grisim to approve Resolution 2016-12. Voting in favor: Blaisdell, Grisim, Bartelt, and Santo; voting against: none; absent: Sprengeler. Motion carried.

2. Conditional Use Permit – 543 Oakwood Dr.
A. Resolution 2016-13

McCabe stated Bradford Development is requesting for a conditional use permit for a 24 unit assisted living facility at 543 Oakwood Dr. The City Council approved the site and rear setbacks in December of 2014. The 2006 housing study stated by 2010 there will be a demand for a 24-26 unit facility which this facility is within that perimeter. McCabe stated he included the full transcripts from the public hearing but the main concerns of residents included: increased traffic, larger vehicles, one access road, property value will decrease, residents were never informed of the facility at time of purchase, and the building has a skyscraper feel. He added the public would like the City Council to look into developing the existing maintenance road North of Park Road Plaza. The City Engineer estimated the cost to be anywhere from \$500,000-\$700,000 before the land acquisitions. McCabe next went into the detail of the findings:

- The use of an assisted living facility will have a positive effect long term and will not diminish property values
- The use is separated by the public right-of-way on all sides and does not infringe upon any current or future development
- The use has current City service capabilities
- The use requires 1 off-street parking space per 6 beds which results in 15 spaces which is well within regulations
- The use will take adequate measures to accommodate environmental factors
- The use will maintain standards of property which will be enforced by City personnel

The Planning Commission did recommend approval based on compliance with State Building Code, any specifications provided by the City Engineer, and five conditions set forth in the resolution.

Resident Tammy Barnes at 552 Oakwood Dr. spoke on behalf of 12 neighbors who signed a petition in disagreement. She went on to say this facility is double of regulation and wasn't sure if setbacks were met, concerned of the lot size and larger structure, it would diminish property values hindering development in the neighborhood, does not contain an outlet road for this dead end street, if there was a water drainage plan in place, and last felt the zoning issues haven't been addressed enough for this development.

Resident Hans Holland at 531 Oakwood Dr. stated he thought the speed of the process was too quick and many unanswered questions for the Council to make a decision today.

Grisim questioned if this was put into the original plans and Council stated it was. Blaisdell questioned why wasn't it zoned a 24 unit in the first place. McCabe replied at that time Council was fine with a 12 unit facility and anything above that they would review because of the larger impact. Bartelt questioned why this lot was chosen. McCabe responded that it's a property owner's choice and I can only instruct what you can and cannot do within the zone.

Blaisdell mentioned he thinks this is detrimental to development and doesn't think there is enough information to make a decision. Scott Cole, Director of Finance, asked what they would like to know other than we meet all the requirements of the law. Blaisdell asked what data you have that shows it won't decrease property value. Cole replied there is no data that will prove it will have a negative impact; that's subjective. Bartelt questioned the impact it might have on our Janesville Nursing Home. Cole thought hardly any effect because most of our clients are self-paying individuals with rates of \$210.00 per day per room. Santo questioned who will cover the water mitigation. Cole replied they will cover the cost. Bartelt questioned the reasoning for the increase of size. Cole stated three reasons: demand in surrounding areas of the region, fits the same footprint as a 12 unit, and a business decision with cost of construction rising. Resident Corey Cowdin at 733 Northwood Dr. questioned what type of vehicles will be in and out. Cole responded that most of the vehicles are larger vans and they meet the requirements of the road restrictions.

Council agreed that they weren't particularly fond of the 24 unit but by law they have to follow the City's Ordinance policy.

Motion by Bartelt, seconded by Grisim to approve Resolution 2016-13. Voting in favor: Grisim, Bartelt, and Santo; voting against: Blaisdell; absent: Sprengeler. Motion carried.

3. Cemetery Maintenance Services

Rogers stated we recently sent a 60 day notice to our current caretaker of the cemetery notifying him we were looking for proposals with the contract starting May 2nd. Rogers added last year we received contributions that will help cover these costs. Proposals will open April 1st and be reviewed April 11th. Blaisdell stated he would like the agreement to be a three year instead of a one year contract. Council agreed and Rogers will make the change to the advertisement.

4. Liquor License – Solid Ground Entertainment

Rogers stated Kelly Sharp at 115 N Main Street applied for a liquor license under Solid Ground Entertainment. According to Chief Ulmen's memo to the Council nothing prohibits him from receiving a license after review of the application and background investigation.

Motion by Blaisdell, seconded by Grisim to approve liquor license. Voting in favor: Blaisdell, Grisim, Bartelt, and Santo; voting against: none; absent: Sprengeler. Motion carried.

XII. ADJOURNMENT

Blaisdell made motion to adjourn, seconded by Bartelt at 8:40pm. Voting in favor: Blaisdell, Grisim, Bartelt, and Santo; voting against: none; absent: Sprengeler. Motion carried.

Respectively signed by

/s/ Andrea Moen Date 03/28/16

Andrea Moen
Deputy Clerk
City of Janesville