



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
JULY 25, 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
Kari Grisim, Council Member
John Sprengeler, Council Member
Cliff Blaisdell, Council Member
Council Absent: Jeff Bartelt, Council Member
Staff Present: Clinton Rogers, City Administrator
Andrea Moen, Deputy Clerk
Brandon McCabe, City Planner
Nate Zimmerman, Utility General Mangaer

II. PLEDGE OF ALLEGIANCE

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

III. PUBLIC HEARING – AMENDMENT TO CHAPTER 92, NUISANCES

Opened at 7:00 PM

1. Ordinance 2016-B

McCabe stated that Council suggested implementing a 3-strike policy in the past for nuisances but state law doesn't address this; however, he found a couple out of state. Currently with a nuisance complaint a notice is sent allowing 10 days to abate/remove the nuisance. If not removed the City can either remove the nuisance and bill/assess the property or can pursue criminal charges. By law the City is required to notify property owner and allow reasonable time to correct the nuisance. The examples found state any property under the same owner that receive 3 violations within a 12 month time frame will be deemed a habitual nuisance. McCabe added this would remain in effect for 24 consecutive months without a violation. Resident Ron Bruegger at 115 N West Street asked if this would involve tree branches and McCabe replied yes. Resident Bree Eldred at 515 Allyn Circle asked if this was for all lots in town and McCabe replied yes. Santo's concern is timeframe being

too long. McCabe suggests that we reduce the 10 days to 7 days as well. This ordinance proposes changing the language of 10 days to 7 days and removing language eliminating the notice procedure to allow for the habitual nuisance ordinance.

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

Closed at 7:13 PM

IV. COALITION OF GREATER MN CITIES VISIT

Caroline Jackson was present to give an update to council. The session started out at \$900 Million surplus. She stated the goals are to return the LGA to 2002 funding level, pass EDA programs (workforce housing, broadband, and BDPI), comprehensive transportation program, and water/wastewater facilities. Jackson said session concluded as follows: no LGA increase, workforce housing did not pass, tax bill was vetoed, broadband received \$35 million, there were some water improvements with most being vetoed, and transportation ended in no solution. In addition, she thanked the City for their membership.

V. PRESENTATION OF 2015 CITY AUDIT

Tom Olinger was present to give presentation of 2015 City Audited numbers. He stated the audit had a clean opinion with addition of GASB 68 dealing with unfunded pension liability from PERA. The following are key points Olinger pointed out:

- Audit findings: segregation of duties, financial reporting,
- No legal compliance findings/no disagreements
- General fund is in healthy shape : Revenues greater than budgeted amount with expenditures fewer than budgeted amount
- Revolving loan fund decreased about \$25,000 due to Small Cities Development Grant Program
- Debt service working with Rogers on mapping out for cash flow; next bond drops off in 2019
- Water fund was around break even with around a \$537,000 cash reserve.
- Sewer Funds net position decreased approximately \$115,000 with about \$106,000 cash reserve.
- Electric Funds net position increased approximately \$265,000 due to decrease in operating expenses. A \$607,000 approximate cash reserve with no current debt.
- Golf Courses net position decreased approximately \$50,000 due to revenues less than operating expenses. This cash balance deficit is (\$1,978,046) below minimum target of \$71,001.

Nate Zimmerman questioned Olinger about the physical cash balances for Water & Electric funds compared to what is stated in the audit. Olinger replied yes there is cash in those funds but a good chunk of those funds has to deal with the Golf Course deficit.

VI. APPROVAL OF AGENDA

Moved City audit presentation after the public forum. Motion by Blaisdell, seconded by Sprengeler to approve the agenda with corrections. Voting in favor: Grisim, Blaisdell, Sprengeler, and Santo; voting against: none; absent: Bartelt. Motion carried.

VII. CONSENT AGENDA

1. Minutes of last Regular Meeting on July 11, 2016
2. Accept Accounts Receivable
3. Audit City Bills for Payment
4. Budget Report through June 30, 2016

Moen stated one payable to BP was added after packets prepared. Motion by Sprengler, seconded by Blaisdell to approve the consent agenda with additions. Voting in favor: Grisim, Blaisdell, Sprengeler, and Santo; voting against: none; absent: Bartelt. Motion carried.

VIII. PUBLIC FORUM

Resident Brian and Julie Denny at 506 W 2nd Street addressed council in frustration with staff. They stated they have called and complained about neighbors using profanity at them and their dogs as well as not handling improper identification of vehicles on the street. They feel nothing is being done to handle the situation after many incidents and hoped it wasn't due to ethnicity. Santo replied doesn't think it has to deal with ethnicity but will make sure Rogers investigates the situation.

Resident Ron Bruegger at 115 N West Street addressed Council in enforcing Semi parking on North Street. He stated that streets limit can't hold that semi, its 16,000 lbs. over limit. The semi is Rod Anderson out of Owatonna and the driver stated he called city office and he was told it was okay. Rogers stated he would look into but no one from city office told a driver for that company it was okay. Bruegger added if nothing gets done by our police he would contact DOT.

Resident Mark Born at 611 W 1st Street addressed Council to discuss the curb and gutter of his property because he knows they will be laying this soon. Would like it a little wider than the standard width if possible. Rogers said he would contact Derek at Bolton and Menk on the topic. Born also questioned if the apron on the back side of his property is still going to be put in. Rogers replied it was never put in because there was never a driveway there back when Front Street was done; however, he would contact Derek about this as well and get back to him within a timely manner.

Resident Larry Milow at 512 N West Street addressed council on Hwy 14 project. He stated he thought the grinding was only going up to Subway but today it went past his business resulting in not being able to get in and out as well as employees staffed for the day. His concern is the time frame for being shut down since it is his livelihood. Cement has to cure for 7 days then another 7 when curb and gutter get put in along with 4 days for storm sewer. He doesn't know if there is any solution but can't afford for being shut down for 3 weeks. Santo replied that at their meetings made it clear that access to businesses should be 1st thought. Blaisdell added he has been in contact with Derek and they will try everything they can for access. Rogers read a text from Derek stating they might consider doing one pour which would limit the timeframe as well.

IX. NOTICES AND COMMUNICATIONS

1. Correspondence from Aggregate & Ready Mix
2. Rep. Tony Cornish – MN Cities Legislator for Distinction for 2016

X. COUNCIL REPORTS

Blaisdell stated the EDA meeting consisted of a few approval of grants as well as great responses from businesses for the program.

XI. ADMINISTRATOR REPORTS

Rogers gave reports as presented in the packet.

XII. OLD BUSINESS

1. Closing of Street – Street Dance
 - A. Resolution 2016-31

Rogers stated the street will be closed from 1st to 2nd from 8:00 PM to 2:00 AM on August 26th. In addition noise will be in effect till 1:00 AM. Grisim requested we send letters to surrounding houses for notification and Rogers agreed. Sprengeler's main concern is that there needs to be cross streets on the West side open if Main street intersection will be closed. Council agreed.

Motion by Blaisdell seconded by Grisim to approve Resolution 2016-31 contingent upon other cross streets being open. Voting in favor: Grisim, Blaisdell, Sprengeler, and Santo; voting against: none; absent: Bartelt. Motion carried.

XIII. NEW BUSINESS

1. Waste Containers on Main Street

Rogers stated Rotary would like to sponsor putting garbage containers along Main Street. He added the City tried this a while back and had numerous issues so they were pulled.

Sprengeler asked if they would maintain them and Rogers replied yes. The council would like Rogers to ask Rotary if they will maintain them 100%, be stationary, and remove for winter months with snow removal.

2. C.U.P. and Variance Requests – Allyn Circle
 - A. Resolution 2016 - 32,33, and 34

Brandon McCabe stated there was a Planning Commission Public Hearing for a conditional use permit and variance requests 512,514, & 516 Allyn Circle. These lots would be used for three duplex units. McCabe pointed out originally there were 16 lots in this addition to house 8 townhomes and in 2005 Raymond & Darrell Iverson requested they be replotted to accommodate single family homes. The public comment rendered denial for these requests. Planning Commission recommends to Council to deny the CUP and variance requests.

Motion by Blaisdell seconded by Sprengeler to approve Resolutions 2016 - 32, 33, and 34. Voting in favor: Grisim, Blaisdell, Sprengeler, and Santo; voting against: none; absent: Bartelt. Motion carried.

2. Family – Health Care Dwellings
 - A. Ordinance 2016-C

McCabe stated the State just created new language requiring Cities after September 1st to allow permits for residents to hold health care dwellings for someone who needs assistance on their property. He added the language is loosely guided; therefore, Cities can adopt an ordinance opting out of this and if so choose to create one with their own terms. Council agreed to opt out and if choose to in the future to create their own.

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

XIV. ADJOURNMENT

Sprengeler made motion to adjourn, seconded by Blaisdell at 8:57 PM. Voting in favor: Grisim, Blaisdell, Sprengeler, and Santo; voting against: none; absent: Bartelt. Motion carried.

Respectively signed by

/s/ Andrea Moen Date 8/8/16

Andrea Moen
Deputy Clerk
City of Janesville

