

---

**Planning Commission Members:  
Jeff Bartelt, Jenny Dumdei, Mark Spitzack, Myron Volker, (One Vacancy)**

---

MINUTES OF THE CITY PLANNING COMMISSION  
CITY OF JANESVILLE, WASECA COUNTY, MINNESOTA

**JUNE 21, 2016**

1. CALL TO ORDER

Myron Volker called the meeting to order at 6:00 p.m.

Members present: Jeff Bartelt, Jenny Dumdei, Mark Spitzack and Myron Volker.

Members Absent: None absent; one vacant seat.

Staff present: City Planner Brandon McCabe.

2. APPROVAL OF AGENDA

Motion made by Bartelt, seconded by Dumdei, to approve the agenda. Motion carried 4-0 (one vacant seat).

3. APPROVAL OF MINUTES

Motion made by Dumdei, seconded by Bartelt, to approve the minutes from Planning Commission meeting held on Tuesday, May 17, 2016. Motion carried 4-0 (one vacant seat).

4. OLD BUSINESS

a. Nuisance Ordinance Amendment.

McCabe began discussion on the nuisance ordinance amendment. He had discussed with the League of MN Cities regarding what is required by law. McCabe had found a couple of nuisance language in other states that provide penalty for habitual nuisances. When speaking with the League of MN Cities they did not state whether that was permitted or not.

The nuisance language allows a penalty to be imposed upon notice of a third (3) violation within twelve (12) months. The League of MN Cities was unclear if this would be permitted. McCabe stated that every notice would provide warning of a pending penalty upon three (3) nuisance violation.

Spitzack asked if they would be given a clean slate after a year. McCabe stated that they would look back to the previous twelve (12) months at any point a nuisance was issued.

Bartlet asked what the current penalty fees are. McCabe stated that tall grass/weeds is \$75 if the nuisance is not abated. With the new ordinance proposed it would impose a penalty at three (3) times the amount upon the third violation within twelve (12) months.

Volker asked about payments not received for penalties. McCabe stated that all unpaid invoices get assessed to the property. There is a threat of not receiving funds on tax forfeited properties. Spitzack asked if the corrections are contracted out. McCabe stated that that is up to council. Spitzack asked if the nuisances are still on a complaint basis. McCabe stated that it is not appropriate for staff to issue the nuisance not based on a complaint. Dumdei and Bartelt agreed.

Dumdei asked if once the property is labeled a habitual nuisance, how long will they be imposed penalties on each recurring nuisance. McCabe stated that it is only looking back at the previous twelve (12) months. He added that perhaps the label of a habitual nuisance would remain with the property until no violation occurs for another twelve (12) months. Dumdei suggested twenty-four (24) months may “have more teeth” as far as enforcement of nuisances. Bartelt agreed.

Motion made by Dumdei, seconded by Bartelt, to recommend the nuisance ordinance amendment for approval. Motion carried 4-0 (one vacant seat).

## 5. NEW BUSINESS

There is no New Business.

## 6. REPORTS AND ANNOUNCEMENTS

### a. Building Permit Report; End of Year.

McCabe presented the Building Permit Report for permits issued through May of 2016. The report included permits issued through May of 2015 for comparison. McCabe stated that the valuation between 2016 and 2015 decreased by an estimated \$30,676.82.

McCabe noted that he had recently received the building plans for the assisted living facility proposed in the Northwood Addition. He anticipates the plan review to be completed within the following weeks and the valuation of the project is estimated to be 2.6 million dollars. The total valuation reported for all of 2015 was approximately 1.5 million dollars.

### b. Update: Street & Utility Improvement Project.

Included in the Planning Commission packet was a newsletter provided by Bolton & Menk, Inc. The newsletter summarized the current status of the 1<sup>st</sup> Street reconstruction project. McCabe stated that construction meetings are being held every two weeks. Heselton Construction has expressed that they are about a week behind where they would like to be. However, they did not express concern about any change in the schedule. They will be working six days a week until further notice.

c. Capital Improvement Plan (CIP)

The City of Janesville has budgeted and directed Bolton & Menk, Inc. to conduct an assessment of all of streets within Janesville. Using a rating system, they will provide the City a report of the current conditions of each street with suggestions as to continued maintenance or needed reconstruction.

When the report is received the Planning Commission will be vital to adopting a capital improvement plan (CIP). This plan will prioritize future street and utility projects and allow the City to budget for those projects accordingly.

7. ADJOURNMENT

Motion made by Bartelt, seconded by Spitzack, to adjourn meeting at 6:25 p.m. Motion carried 4-0 (one vacant seat).