

Planning Commission
2023 June Planning Commission
Vergas Event Center & Zoom Id number 267-094-2170 password 56587
6:00 PM on Monday, June 26, 2023

1. Call to Order

2. Agenda Additions or Deletions

3. Minutes

May 22, 2023

4. Status of Council Recommendations

1. Gravel Pit Ordinance
2. Open Burning

5. Construction Permits

- A. Permits approved by City Clerk-Treasurer
 1. 109 1st Ave S (Franklin Fence), replace decking in rear and add railing to north entrance
 2. 150 E Herman St, replace windows
 3. 1060 E Scharf Ave, shoreline work, remove trees and stumps and riprap (this permit was approved in 2021 - they did not complete the work in 2 years, so it was reissued.
- B. Permits needing approval
 1. 235 E Frazee Ave - windows, siding, doors, deck in the back, staircase, ceilings, sewer pipes and 2 signs.
- C. Active Construction Permits
- D. Grade and Fill Permits

6. Old Business

- A. 311 Park View Drive - Shed
- B. 241 Bennett Road -trees in right of way
- C. Ordinances
 1. Streets & Sidewalks
 2. Culverts, Ordinances 79, 85, 93 and 151.32
 3. Shoreline Management Ordinance
- D. Updated Vergas Basic Code
- E. Nuisance Properties within Vergas

7. New Business

Zoning Map Update

8. Adjournment

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6. Minutes

May 22, 2023

Files Attached

- 05.22.2023 Planning Commission Meeting Agenda & Minutes.pdf

CITY OF VERGAS PLANNING COMMISSION MINUTES
Monday, May 22, 2023
6:00 pm
Vergas Event Center

A City of Vergas Planning Commission meeting was held on Monday, May 22, 2023, with the following members present Bruce Albright, Judy Kvam, Rebecca Hasse and Neil Wothe. Absent: Robert Jacoby. Also present: Clerk-Treasurer Julie Lammers, Utilities Superintendent Mike DuFrane, Engineer Blaine Green, and Jeff Hattlewick.

Call to Order

Chairman Bruce Albright called meeting to order at 6:00 pm.

Agenda Additions and Deletions

Motion by Wothe, seconded by Hasse to approve agenda with following additions: Bunkowske property and approved by Clerk-Treasurer permit.

Minutes

Lammers reviewed the rules regarding attending the meeting online vs in person. Members need to let Lammers know before the agenda is provided to the public location of board members. Motion by Hasse, seconded by Kvam to approve minutes for April 24, 2023. Motion passed unanimously.

Status of Council Recommendations

None.

Construction Permits

Approved by Clerk-Treasurer

101 E Linden St

Lammers approved permit for 101 East Linden for remodel with new windows, siding, fascia, and removal of addition and replacement with a deck (if deck is over 30 inches they will need railing).

Permits Needing Approval

88 Park View Drive, Landscaping

Albright explained the city owned property proposal has been approved by the City Council. Motion by Wothe, seconded by Kvam to approve construction permit 88 Park View Drive for working within shoreline, stabilizes the whole outlet and is completed by May 31, 2023. Motion passed unanimously.

311 E Scharf Ave, Fence and shed

Motion by Kvam, seconded by Hasse to approve fence and shed as designed by plan. Motion passed unanimously.

Bunkowske Property

DuFrane reviewed work being done at 350 Townline Road. There are 7 Grade and Fill permits along his property and the properties lakeside which have been purchased. DuFrane stated they have removed the fence and leveled out his property. Bunkowske told DuFrane that he did not realize Doug Ackling was

moving this much dirt. DuFrane questioned if we could stop allowing Ackling from working within the City of Vergas. Albright stated we would need to speak with our attorney regarding this. Albright questioned if the city holds contractors responsible for having permits. The volume of dirt being moved is not associated with the past grade and fill permits already purchased. A grade and fill permit is \$75.00, and this will double due to work being done before the permit was applied for. A silk fence is required for the 6 lots that have grade and fill permits, but DuFrane is unable to see a silk fence. The property has signs saying private property, so he has not gone on the property. DuFrane stated this work is now done as the farmer has planted the land. Albright asked Lammers to check with the attorney regarding working in the city. DuFrane questioned licensing contractors who are working within the city. Motion Wothe, seconded by Hasse to send letter to Bunkowske to get a grade and fill permit which will be doubled in cost for additional work done on his property. Motion passed unanimously.

Old Business:

Gravel Pit Ordinance

Albright reviewed the gravel pit ordinance improvements. Jacoby sent the following items for discussion:

***Potential Minable Area.** The area within the subject property that can be mined/excavation that meets the conditions and setbacks as described in this ordinance. This area includes any existing mined area and any virgin land that meets the conditions and setbacks within the subject property.

***Prohibited Zone for Mining Operations.** The area within the subject property that cannot be mined/excavated as it does not meet the conditions and setbacks as described in this ordinance.

Potential minable areas should also exclude wetlands and other areas that cannot be legally mined under any local, county, state or federal laws, rules or regulations. For example if I have a 100-acre parcel including 50 acres of wetland this wording may allow me to excavate the entire 50 acres of dry land.

Subject Property. The real property on which Mineral Extraction Facilities, Processing Plant, Asphalt Plant and/or Ready-Mix Plant is sought to be permitted.

Since we are applying a percentage to this, we need to define real property as it relates to this ordinance. Is it a single parcel, can it be multiple parcels or is it something the applicant needs to identify in its permit application?

14. Phasing plan which provides no more than ten (10) acres of the site to be open to active mining at any one time. Before any additional land may be mined, the applicant must reclaim portions of the site to the condition that is indicated on the approved reclamation plan.

14. Phasing plan which provides no more than 50% of the total potential minable area shall be open to active excavation at any one time. Before any additional land may be mined, the applicant must reclaim portions of the potential minable area to the condition that is indicated on the approved reclamation plan.

I would like to know why the original ordinance had the 10-acre limit. It seems to me we are adding this provision for the benefit of the current pit. This ordinance is also for future pits. Prior the city council must have had a reason for the 10 acres limit. We should be prepared to explain to the public and to the city council why we feel the 10-acre limit is inappropriate.

15 Minimum Potential Minable Area. No permits shall be granted for lots with less than thirty (30) Acres of potential minable area.

We need to define lots or replace it with subject property which is defined

151.73 BOND.

The bond shall remain in effect for *at least one year after the expiration of the permit or until reclamation of the subject property* . The bond shall guarantee the required *restoration* of the entire site.

Is this the later or earlier of the two events? Replace restoration with reclamation.

151.77.08. Maximum slopes. **During the entire period of operations**, all excavations other than **the working face** shall be sloped on all sides at a maximum ratio of one foot horizontal to one foot vertical, unless a steeper slope shall be approved by the city. **Where excavations are adjacent to a public roadway or other right-of-way, or the property adjacent to the excavation, the excavation shall have a maximum four to one slope.** Slopes adjacent to or contiguous to bodies of water shall be sloped at a maximum of six to one.

Is the current pit in violation of this ordinance? What is the definition of “the working face”? What slope is allowed on

the working face? We need to ensure the safety of this pit and future pits.

Commissioners reviewed comments. Greene stated we may want to include the wetlands in the prohibited zone definition. The City of Vergas does not manage the wetlands, there is other agencies which oversee them. Motion by Kvam, seconded by Wothe to recommend to Council to approve the proposed gravel pit ordinance by having public hearing and readings with the following change in prohibited zone for mining operations: wetlands which cannot be altered. Motion passed unanimously.

Open Burning

Moton by Hasse, seconded by Kvam to recommend to Council to approve the proposed open burning permit by having public hearing and readings with the following addition adding the word DNR to which was provided in section. Motion passed unanimously.

Streets & Sidewalks

This is a work in process and will have an update soon.

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

This is a work in process and will have an update soon.

Shoreline Management Ordinance

This is a work in process and will have an update soon.

Updated Vergas Basic Code

Lammers provided LMC update and is working on ordinance to accept and deny portions of the ordinance. This is a work in process and will have an update soon.

New Business

Nuisance Properties within Vergas

101 E. Mill Street

There is garbage all over the yard. Pile of debris with wood and grill.

130 E Elm Street

Trash all over the yard. (No picture was supplied)

131 E Mill Street

Trash all over the yard, dogs continue to tear up garbage and place everywhere.

339 E Frazee Ave

Trash piled up in the back yard.

170 South 1st Avenue

Tractors in front yard. Otter Tail County is working with property owners regarding tractors in the right of way as requested by the streets, sidewalks and yard waste committee. (No picture was supplied)

207 Main Street

Trash all over the yard. (No picture was supplied)

Motion by Wothe, seconded by Hasse to have Lammers send letters to 101 E Mill Street, 131 E Mill Street, and 339 E Frazee Ave. Motion passed unanimously. Discussed having an ordinance stating all properties must have garbage service? Lammers will look into laws regarding.

Motion by Hasse, seconded by Kvam to adjourn meeting at 7:33 pm.

Secretary,

Julie Lammers, Vergas City Clerk-Treasurer

Follow Up Actions:

Snow emergency routes.

Send a letter to the property owner at 311 Park View Drive regarding the shed. (June 1, 2023)

Send letter to property owner at 241 Bennett Road regarding trees in right of way. (June 1, 2023)

Updated Shoreline Management Ordinance (Lammers & Kvam)

Lammers keep planning commission up to date with Otter Tail County ordinances regarding THC.

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

Review laws regarding requiring garbage service.

Check with the City Attorney regarding contractors working without a permit.

Council recommendations:

Approve open burning and gravel pit ordinance. (Brought to special council meeting).

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8. Construction Permits

- A. Permits approved by City Clerk-Treasurer
1. 109 1st Ave S (Franklin Fence), replace decking in rear and add railing to north entrance
 2. 150 E Herman St, replace windows
 3. 1060 E Scharf Ave, shoreline work, remove trees and stumps and riprap (this permit was approved in 2021 - they did not complete the work in 2 years, so it was reissued.
- B. Permits needing approval
1. 235 E Frazee Ave - windows, siding, doors, deck in the back, staircase, ceilings, sewer pipes and 2 signs.
- C. Active Construction Permits
- D. Grade and Fill Permits

Files Attached

- Construction Permit - 109 1st Ave S.pdf
- Construction Permit Application - 109 1st Ave S.pdf
- Construction Permit - 150 E Herman ST Permit.pdf
- Construction Permit - 150 E Herman ST.pdf
- Construction Permit - 1060 E Scharf Ave.pdf
- Construction Permit - 235 E Frazee Ave.pdf
- 2023 Construction Permits.pdf

Fee: \$30.00

No. 2023-010
City of Vergas

Owner: Franklin Fence
Applicant: Tyler Schmid
General Contractor: Loren Menz

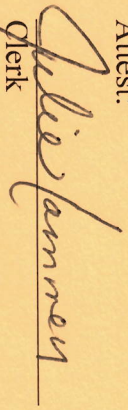
Construction Permit

IN CONSIDERATION OF The statements and representations made by Tyler Schmid, whose address is 109 1st Ave. S. Vergas, MN in the application therefore duly filed in this office, which application is hereby made a part hereof, PERMISSION IS HEREBY GRANTED TO said Tyler Schmid as owner to Replace decking & railing @ front entry- same as old deck. Add railing to north entrance as described in construction permit application with following zoning rules: Plat or addition 82000990086000 which tract is of the size and area specified in said application.

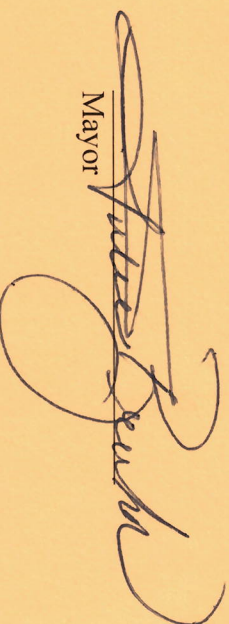
This permit is granted upon the express conditions that said owner or the person to whom it is granted, and his contractors, agents, workmen and employees, shall comply in all respects with the ordinances of the City of Vergas; that it does not cover the use of public property, such as streets, sidewalks, alleys, etc., for which special permits must be secured; and that it does not cover the following: -not applicable- for which special permits must be secured. (Electrical work, plumbing, heating, plastering, ect. if such there be).

Given under the hand of the Mayor of said City of Vergas and its corporate seal and attested by its Clerk this 13th day of June 2023.

Attest:


Clerk

Permit Expires in one year


Mayor



Receipt of Construction Permit from the City of Vergas does not relieve the applicant of any Local, County or State permits.

Permit Number: 2023-040 Date Received: 6/13/23 Parcel Number: 82000990086000
Any questions regarding construction permit please contact City Clerk-Treasurer by calling 218-302-5996 or stopping by the city office at 111 Main Street Vergas MN.

Construction Permit Application

To the City Council of the City of Vergas in the County of Otter Tail, State of Minnesota:
Application is hereby made by the undersigned for a Construction Permit as provided by City Ordinance as adopted by the City of Vergas.

- GOPHER STATE ONE CALL MUST BE NOTIFIED 48 HOURS PRIOR TO ANY DIGGING, CALL 1-800-252-1166 AS REQUIRED BY MINNESOTA STATE LAW.
- THE CITY OF VERGAS WILL CHECK ALL SETBACKS ON ANY NEW CONSTRUCTION. IT IS THE APPLICANT'S RESPONSIBILITY TO HAVE ALL PROPERTY LINES LOCATED. ALL NEW CONSTRUCTION REQUIRES THE APPLICANT TO MARK THE PROPOSED BUILDING SITE AND PROPERTY LINES BEFORE THE CONSTRUCTION PERMIT WILL BE APPROVED.
- All Electrical work MUST have an electrical permit. That must be obtained separately from a MN State Contract Electrical Inspector (218)342-3345 or (218)849-6059.

Property Description: (NEW CONSTRUCTION ONLY)

Lot _____, Block _____, Addition _____
Property: Width _____ feet, Length _____ feet
Must supply City with a \$1,000 deposit for tar break up. City will reimburse \$1,000 when project complete and street is approved by Utilities Superintendent.

PLEASE NOTE: WITH ANY NEWLY CONSTRUCTED HOME, THERE ARE FEES FOR START UP OF UTILITIES. WATER HOOK-UP ASSESSMENT IS \$750.00, SEWER IS \$750.00.

Name of Applicant: Franklin Fence Co Inc

Address of Construction Project: 109 1st Ave South Vergas, MN

Mailing Address: P.O. Box 66 Vergas, MN Phone: 218-342-2081

1. Permit to (CIRCLE ONE)

Build Install Addition Alter
Move Demolish Repair Remodel

Description of work to be done:

Replace Decking & Railing on our Front Entry - same as old deck
Add Railing To our North Entrance

2. Proposed use of building: (CIRCLE ONE) Residential Commercial

3. VALUATION (not just your cost) of work being completed: \$ 2,500

Building Contractor:

Name: Loren Menz License Number: _____ Phone: 218-841-5564

Plumber: (must have MN License)

Name: _____ License Number: _____ Phone: _____

Electrician:

Name: _____ License Number: _____ Phone: _____

Form approved by City of Vergas Council 09/12/2017
Updated 5/10/2022

4. Attached a "Site Plan," showing the proposed location of any new construction in reference to the property including existing buildings. If you have a copy of a professionally prepared site plan, attach a copy for review by the City's Site/Zoning Inspector. Blueprint or Design Drawings must be submitted for any new construction, addition or remodel.
5. Certification: I hereby certify that I am the applicant herein and that the information given above and/or any exhibits submitted herewith is in all respects true and accurate to the best of my knowledge and belief, and further, if this permit is granted, said construction will comply with plans and specifications herewith submitted and applicable requirements of the City of Vergas.
6. I am the (CIRCLE ONE) OWNER LESSEE PURCHASER AGENT
7. APPLICANT'S SIGNATURE: [Signature] DATE: 6/9/23
 Permit expires in one year if project is not complete, please reapply for permit.

CONSTRUCTION APPLICATION SITE PLAN DESIGN
Provided on separate sheet must include the following.

1. Identify and describe the work to be covered by the permit for which application is being made
- A. Sketch of the proposed project including current and proposed structures.
 B. Note the lot size and dimensions and locations of proposed project.

I do hereby say that the facts stated by me in the site application are true to the best of my knowledge and belief. Please be aware that **no construction** shall begin until the Zoning official has approved the plans and revisions the site plan if necessary and has indicated approval to begin.

 Signature of Applicant Date Zoning Official Date

FOR OFFICE USE ONLY

\$ 0 Water Hook-up \$ 0 Sewer Hook-up
 \$ 30- Permit Fee \$ 0 Tar Break Up Deposit
 \$ 30- Total Fees

Receipt # 149521 Date Paid June 13, 2023

Signature: Julie Lamero Date: 6/13, 2023
 (Permitting Authority)

Date Approved by Planning Commission or Clerk-Treasurer: _____, 20__

Fee: \$60.00

Owner: Connie Lee

Applicant: Connie Lee

General Contractor: Connie Lee

No. 2023-012

City of Vergas

Construction Permit

IN CONSIDERATION OF The statements and representations made by Connie Lee, whose address is 150 E. Herman ST Vergas, MN in the application therefore duly filed in this office, which application is hereby made a part hereof, PERMISSION IS HEREBY GRANTED TO said Connie Lee as owner to Remove old windows, install new, as described in construction permit application with following zoning rules: Plat or addition 82000990079000 which tract is of the size and area specified in said application.

This permit is granted upon the express conditions that said owner or the person to whom it is granted, and his contractors, agents, workmen and employees, shall comply in all respects with the ordinances of the City of Vergas; that it does not cover the use of public property, such as streets, sidewalks, alleys, etc., for which special permits must be secured; and that it does not cover the following: -not applicable for which special permits must be secured. (Electrical work, plumbing, heating, plastering, ect. if such there be).

Given under the hand of the Mayor of said City of Vergas and its corporate seal and attested by its Clerk this 14th day of June 2023.

Attest:

Julie Lammers
Clerk

Permit Expires in one year

Mayor

Patrick Bruck

Receipt of Construction Permit from the City of Vergas does not relieve the applicant of any Local, County or State permits.

In addition to previous permit.

Permit Number: 2023-010 Date Received: 6/1/2023 Parcel Number: 82-000990-079-000
Any questions regarding construction permit please contact City Clerk-Treasurer by calling 218-302-5996 or stopping by the city office at 111 Main Street Vergas MN.

Construction Permit Application

To the City Council of the City of Vergas in the County of Otter Tail, State of Minnesota:
Application is hereby made by the undersigned for a Construction Permit as provided by City Ordinance as adopted by the City of Vergas.

- GOPHER STATE ONE CALL MUST BE NOTIFIED 48 HOURS PRIOR TO ANY DIGGING, CALL 1-800-252-1166 AS REQUIRED BY MINNESOTA STATE LAW.
- THE CITY OF VERGAS WILL CHECK ALL SETBACKS ON ANY NEW CONSTRUCTION. IT IS THE APPLICANT'S RESPONSIBILITY TO HAVE ALL PROPERTY LINES LOCATED. ALL NEW CONSTRUCTION REQUIRES THE APPLICANT TO MARK THE PROPOSED BUILDING SITE AND PROPERTY LINES BEFORE THE CONSTRUCTION PERMIT WILL BE APPROVED.
- **All Electrical work MUST have an electrical permit. That must be obtained separately from a MN State Contract Electrical Inspector (218)342-3345 or (218)849-6059.**

Property Description: (NEW CONSTRUCTION ONLY)

Lot _____, Block _____, Addition _____

Property: Width _____ feet, Length _____ feet

Must supply City with a \$1,000 deposit for tar break up. City will reimburse \$1,000 when project complete and street is approved by Utilities Superintendent.

PLEASE NOTE: WITH ANY NEWLY CONSTRUCTED HOME, THERE ARE FEES FOR START UP OF UTILITIES. WATER HOOK-UP ASSESSMENT IS \$750.00, SEWER IS \$750.00.

Name of Applicant: Connie Lee

Address of Construction Project: 150 E Herman St.

Mailing Address: PO Box 19 Phone: 218-849-3031

1. Permit to (CIRCLE ONE)

Build

Install

Addition

Alter

Move

Demolish

Repair

Remodel

Description of work to be done:

Remove old windows - Install new

2. Proposed use of building: (CIRCLE ONE) Residential Commercial

3. **VALUATION** (not just your cost) of work being completed: \$ 20000

Building Contractor:

Name: _____ License Number: _____ Phone: _____

Plumber: (must have MN License)

Name: _____ License Number: _____ Phone: _____

Electrician:

Name: _____ License Number: _____ Phone: _____

Form approved by City of Vergas Council 09/12/2017
Updated 5/10/2022

4. Attached a "Site Plan," showing the proposed location of any new construction in reference to the property including existing buildings. If you have a copy of a professionally prepared site plan, attach a copy for review by the City's Site/Zoning Inspector. Blueprint or Design Drawings must be submitted for any new construction, addition or remodel.
5. Certification: I hereby certify that I am the applicant herein and that the information given above and/or any exhibits submitted herewith is in all respects true and accurate to the best of my knowledge and belief, and further, if this permit is granted, said construction will comply with plans and specifications herewith submitted and applicable requirements of the City of Vergas.
6. I am the (CIRCLE ONE) OWNER LESSEE PURCHASER AGENT

7. APPLICANT'S
SIGNATURE:

Connie Lee

DATE: 6-1-23

Permit expires in one year if project is not complete, please reapply for permit.

CONSTRUCTION APPLICATION SITE PLAN DESIGN Provided on separate sheet must include the following.

1. Identify and describe the work to be covered by the permit for which application is being made
 - A. Sketch of the proposed project including current and proposed structures.
 - B. Note the lot size and dimensions and locations of proposed project.

I do hereby say that the facts stated by me in the site application are true to the best of my knowledge and belief. Please be aware that **no construction** shall begin until the Zoning official has approved the plans and revisions the site plan if necessary and has indicated approval to begin.

Signature of Applicant

Date

Zoning Official

Date

FOR OFFICE USE ONLY

\$ _____ Water Hook-up

\$ _____ Sewer Hook-up

\$ _____ Permit Fee

\$ _____ Tar Break Up Deposit

\$ 60.- Total Fees

Receipt # 149496 Date Paid June 1, 2023

Signature: Julie James
(Permitting Authority)

Date: 06/14, 2023

Date Approved by Planning Commission or Clerk-Treasurer:

6/14, 2023

Permit Number: 2021-04 Date Received: 4/1/21 Parcel Number: 82000990269000

Construction Permit Application

To the City Council of the City of Vergas in the County of Otter Tail, State of Minnesota:
Application is hereby made by the undersigned for a Construction Permit as provided by City Ordinance as adopted by the City of Vergas.

- GOPHER STATE ONE CALL MUST BE NOTIFIED 48 HOURS PRIOR TO ANY DIGGING, CALL 1-800-252-1166 AS REQUIRED BY MINNESOTA STATE LAW.
- THE CITY OF VERGAS WILL CHECK ALL SETBACKS ON ANY NEW CONSTRUCTION. IT IS THE APPLICANT'S RESPONSIBILITY TO HAVE ALL PROPERTY LINES LOCATED. ALL NEW CONSTRUCTION REQUIRES THE APPLICANT TO MARK THE PROPOSED BUILDING SITE AND PROPERTY LINES BEFORE THE BUILDING PERMIT WILL BE APPROVED.
- All Electrical work MUST have an electrical permit, which must be obtained separately from a MN State Contract Electrical Inspector (218)342-3345 or (218)849-6059.

Property Description: (NEW CONSTRUCTION ONLY)

Lot _____, Block _____, Addition _____

Property: Width _____ feet, Length _____ feet

Must supply City with a \$1,000 deposit for tar break up. City will reimburse \$1,000 when project complete and street is approved by Utilities Superintendent.

PLEASE NOTE: WITH ANY NEWLY CONSTRUCTED HOME, THERE ARE FEES FOR START UP OF UTILITIES. WATER HOOK-UP ASSESSMENT IS \$750.00, SEWER IS \$750.00.

Name of Applicant: Brian and Brenda Tangen

Address of Construction Project: 1060 E Scharf Ave

Mailing Address: 604 2nd St SW, France, MN Phone: 218-849-5129
56544

Name of Owner (If not the Applicant): _____

Address of Owner (If not the Applicant): _____

1. Permit to (CIRCLE ONE)

Build	Install	Addition	Alter
Move	Demolish	Repair	Remodel

Description of work to be done:

Tony Sonnenberg is going to do some shoreline work, Remove stumps, a couple trees and clean up the area. He is also going to add Rip-Rap to

2. Proposed use of building: (CIRCLE ONE) Residential Commercial Shoreline

3. VALUATION (not just your cost) of work being completed: \$ _____

Building Contractor:

Name: _____ License Number: _____ Phone: _____

Plumber: (must have MN License)

Name: _____ License Number: _____ Phone: _____

Electrician:

Name: _____ License Number: _____ Phone: _____

Form approved by City of Vergas Council 09/12/2017

to Landscaping address.

Permit mailed 04/21/2021

4. Attached a "Site Plan", showing the proposed location of any new building in reference to the property including existing buildings. If you have a copy of a professionally prepared site plan, attach a copy for review by the City's Site/Zoning Inspector. Blueprint or Design Drawings must be submitted for any new construction, addition, or remodel.

5. Certification: I hereby certify that I am the applicant herein and that the information given above and/or any exhibits submitted herewith is in all respects true and accurate to the best of my knowledge and belief, and further, if this permit is granted, said construction will comply with plans and specifications herewith submitted and applicable requirements of the City of Vegas.

6. I am the (CIRCLE ONE) OWNER LESSEE PURCHASER AGENT

7. APPLICANT'S SIGNATURE: Brenda Jagan DATE: 4/1/2021

FOR OFFICE USE ONLY

\$ _____ Water Hook-up

\$ _____ Sewer Hook-up

\$ _____ Permit Fee

\$ _____ Tar Break Up Deposit

\$ 25.00 Total Fees

Receipt # 129062 Date Paid 4-1, 2021

Form given to client to display the permit to be visible from the street & to notify office of completion.

Signature: _____ Date: _____, 20__
(Permitting Authority)

Date Approved by Council: 4/13, 2021

Permit expires in one year if project is not complete please reapply for permit.

Fee: \$25.00

No. 2023-013

Owner

Brian and Brenda Tangen

Applicant

Brian and Brenda Tangen

General Contractor

Torey Sonnenberg

City of Vergas

Construction Permit

IN CONSIDERATION OF The statements and representations made by Brian and Brenda Tangen, Applicants, whose address is 1060 E. Scharf Ave. Vergas MN 56587 in the application therefore duly filed in this office, which application is hereby made a part hereof, PERMISSION IS HEREBY GRANTED TO Brian and Brenda Tangen as owners to Do shoreline work, remove stumps, a couple of trees and clean up area; also add rip rap to shoreline, as described.

feet _____; front or width in feet: _____; side or length in feet _____; height in feet _____; contents _____; number of stories _____; cubic feet _____ square feet;

upon that tract of land described as follows:

Lot _____ Block _____; plat or addition 82000990269000 which tract is of the size and area specified in said application.

This permit is granted upon the express conditions that said owner or the person to whom it is granted, and his contractors, agents, workmen and employees, shall comply in all respects with the ordinances of the City of Vergas; that it does not cover the use of public property, such as streets, sidewalks, alleys, etc., for which special permits must be secured; and that it does not cover the following: _____ for which special permits must be secured.

(Electrical work, plumbing, heating, plastering, ect. if such there be)

Given under the hand of the Mayor of said City of Vergas and its corporate seal and attested by its Clerk this 14th day of June, 2023.

Attest:

Julie Lanner
Clerk

Permit Expires in one year

Mayor

Robert B. Smith

Receipt of Construction Permit from the City of Vergas does not relieve the applicant of any Local, County or State permits.

Fee: \$25.00

No. 2021-004 - 22

Owner

Brian and Brenda Tangen

Applicant

Brian and Brenda Tangen

General Contractor

Torey Sonnenberg

City of Vergas

Construction Permit

IN CONSIDERATION OF The statements and representations made by Brian and Brenda Tangen, Applicants, whose address is 1060 E. Scharf Ave, Vergas MN 56587 in the application therefore duly filed in this office, which application is hereby made a part hereof, PERMISSION IS HEREBY GRANTED TO Brian and Brenda Tangen as owners to Do shoreline work, remove stumps, a couple of trees and clean up area; also add rip rap to shoreline, as described.

front or width in feet: _____; side or length in feet _____; height in feet _____; contents _____; cubic feet _____; square feet _____

upon that tract of land described as follows:

Lot _____ Block _____; plat or addition 82000990269000 which tract is of the size and area specified in said application.

This permit is granted upon the express conditions that said owner or the person to whom it is granted, and his contractors, agents, workmen and employees, shall comply in all respects with the ordinances of the City of Vergas; that it does not cover the use of public property, such as streets, sidewalks, alleys, etc., for which special permits must be secured; and that it does not cover the following: _____ for which special permits must be secured.

(Electrical work, plumbing, heating, plastering, ect. if such there be)

Given under the hand of the Mayor of said City of Vergas and its corporate seal and attested by its Clerk this 13th day of April, 2021.

Attest:

Melie Lannoy
Clerk

Permit Expires in one year

Paul H. Hurd
Mayor

Permit Number: 2023-011 Date Received: 6/6/23 Parcel Number: 82-0905000/2002
Any questions regarding construction permit please contact City Clerk-Treasurer by calling 218-302-5996 or stopping by the city office at 111 Main Street Vergas MN.

Construction Permit Application

To the City Council of the City of Vergas in the County of Otter Tail, State of Minnesota:
Application is hereby made by the undersigned for a Construction Permit as provided by City Ordinance as adopted by the City of Vergas.

- GOPHER STATE ONE CALL MUST BE NOTIFIED 48 HOURS PRIOR TO ANY DIGGING, CALL 1-800-252-1166 AS REQUIRED BY MINNESOTA STATE LAW.
- THE CITY OF VERGAS WILL CHECK ALL SETBACKS ON ANY NEW CONSTRUCTION. IT IS THE APPLICANT'S RESPONSIBILITY TO HAVE ALL PROPERTY LINES LOCATED. ALL NEW CONSTRUCTION REQUIRES THE APPLICANT TO MARK THE PROPOSED BUILDING SITE AND PROPERTY LINES BEFORE THE CONSTRUCTION PERMIT WILL BE APPROVED.
- **All Electrical work MUST have an electrical permit. That must be obtained separately from a MN State Contract Electrical Inspector (218)342-3345 or (218)849-6059.**

Property Description: (NEW CONSTRUCTION ONLY)

Lot _____, Block _____, Addition _____

Property: Width _____ feet, Length _____ feet

Must supply City with a \$1,000 deposit for tar break up. City will reimburse \$1,000 when project complete and street is approved by Utilities Superintendent.

PLEASE NOTE: WITH ANY NEWLY CONSTRUCTED HOME, THERE ARE FEES FOR START UP OF UTILITIES. WATER HOOK-UP ASSESSMENT IS \$750.00, SEWER IS \$750.00.

Name of Applicant: Vanessa Perry (Key Stone Storage + Rentals)

Address of Construction Project: 235 E. Frazee Ave

Mailing Address: 49186 City Hwy 31 Vergas, MN 56587 Phone: 218-234-1187

1. Permit to (CIRCLE ONE)

Build Install Addition Alter
Move Demolish Repair Remodel

Description of work to be done:

Remodelling windows, siding, repairs both = all doors, deck in back, staircase, ceiling, sewer pipes and 2 signs

2. Proposed use of building: (CIRCLE ONE) Residential Commercial

3. VALUATION (not just your cost) of work being completed: \$100,000⁰⁰

Building Contractor:

Name: Self License Number: _____ Phone: _____

Plumber: (must have MN License)

Name: _____ License Number: _____ Phone: _____

Electrician:

Name: _____ License Number: _____ Phone: _____

Form approved by City of Vergas Council 09/12/2017
Updated 5/10/2022

4. Attached a "Site Plan," showing the proposed location of any new construction in reference to the property including existing buildings. If you have a copy of a professionally prepared site plan, attach a copy for review by the City's Site/Zoning Inspector. Blueprint or Design Drawings must be submitted for any new construction, addition or remodel.
5. Certification: I hereby certify that I am the applicant herein and that the information given above and/or any exhibits submitted herewith is in all respects true and accurate to the best of my knowledge and belief, and further, if this permit is granted, said construction will comply with plans and specifications herewith submitted and applicable requirements of the City of Vergas.
6. I am the (CIRCLE ONE) OWNER LESSEE PURCHASER AGENT
7. APPLICANT'S SIGNATURE: [Signature] DATE: 6/6/23
Permit expires in one year if project is not complete, please reapply for permit.

CONSTRUCTION APPLICATION SITE PLAN DESIGN
Provided on separate sheet must include the following.

1. Identify and describe the work to be covered by the permit for which application is being made
 - A. Sketch of the proposed project including current and proposed structures.
 - B. Note the lot size and dimensions and locations of proposed project.

I do hereby say that the facts stated by me in the site application are true to the best of my knowledge and belief. Please be aware that **no construction** shall begin until the Zoning official has approved the plans and revisions the site plan if necessary and has indicated approval to begin.

[Signature]
Signature of Applicant

Date

Zoning Official

Date

FOR OFFICE USE ONLY

\$ — Water Hook-up

\$ — Sewer Hook-up

\$ 300 Permit Fee

\$ _____ Tar Break Up Deposit

\$ 300⁰⁰ Total Fees

Receipt # 149510 Date Paid June 6, 2023

Signature: _____ Date: _____, 20__
(Permitting Authority)

Date Approved by Planning Commission or Clerk-Treasurer: _____, 20__

2023 Construction Permits - Vergas MN

<u>Permit No</u>	<u>Issue Date</u>	<u>Parcel Number</u>	<u>Name</u>	<u>Address</u>	<u>Description</u>	<u>Date Closed</u>
2021-002-23	4/13/2021	82000500010003	Aaron Scott/Michelle Scott	421 W. Lake ST, Vergas	Build a garage & driveway	
2021-007-23	4/13/2021	82000990173000	Charles & Vanessa Boehm	116 Park View DR, Vergas	Build house	
2021-015-23	6/8/2021	8200099008000	Kyle Theisen	275 S. Railway Ave., Vergas	Build 12'12' gazebo, Move	6/15/2023
2021-023-23	7/13/2021	82000990078000	Matt Engebretson	280 1st Ave, Vergas	to Install & repair: Repair damage on house, reshingle	
2021-03-235	8/23/2021	82000990270000	Kirk Johnson	1120 E. Scharf Ave, Vergas	Alter to remove excess large rocks, remove stumps,	
					install erosion control	
2021-041-23	9/27/2021	82000990209000	John Sieling	830 Scharf Ave. E, Vergas	Install/Haul 10 yd crushed asphalt to ,	
					removed 10 yd gravel	
2023-001	1/24/2023	82000990055000	Loon's Nest	110 . Main ST. Vergas	Replace Door	1/24/2023
2023-002	2/27/2023	82000990121000	Anthony Boyd	361 S. Unit Ave. , Vergas	Remove 1 shed, move to slab of current shed, build garage	
2023-003	2./27/2023	82000990075000	Dean Haarstick	131 E. Linden St., Vergas	Install-replace windows, repair-replace roof as needed	
2023-004	2/27/2023	82000990164000	City of Vergas	230 Frazee Ave., Vergas	Build gazebo-Veterans Memorial site	
2023-005	4/24/2023	82000500037008	Keith Bunkowske	202 S. Town Line RD, Verghas	Repair 7 windows & siding house	
2023-006	4/24/2023	82000990079000	Connie Lee	150 E. Herman ST, Vergas	Remove old roof-replce w/n new pitch & add metal roof sheeting	
					Some siding.	
2023-007	5/22/2023	82000500012004	Cal Miller	311 E. Scharf Ave., Vergas	Install fence in back yard & Utility shed	
2023-008	5/22/2023	82000990224000	Tara & Adam Dresen	88 Park View DR, Vergas	Repair & stabalize ditch easement area according to EOT	
					Soil & Water Conservation Dist., OTCPplan	
2023-009	5/22/2023	82000990076000	Noah Olds	101 E. Linden Ave., Vergas	Do complete remodel-windows, siding, facia, sofit. Remove	
					addition & replace w/deck	
2023-010	6/13/2023	82000990086000	Franklin Fence	109 1st Ave. S., Vergas	Replace decking & railing, @ front entry, Add railing to N Entrance	
2023-011		82000500012002	Key Stone Storage & Rental LLC	235 E. Frazee Ave., Vergas		
2023-012	6/14/2023	82000990079000	Connie Lee	150 E. Herman St., Vergas	Remove old windos, install new	
2023-013	6/14/2023	82000990269000	Brian Tangen	1060 E. Scharf Ave., Vergas	Do shoreline work, remove stumps, a couple of trees & clean up	
					area, also add riprap to shoreline	
2023-014						

NAME
RR

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JAL

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Planning Commission
2023 June Planning Commission
Vergas Event Center & Zoom Id number 267-094-2170 password 56587
6:00 PM on Monday, June 26, 2023

9. Old Business

- A. 311 Park View Drive - Shed
- B. 241 Bennett Road -trees in right of way
- C. Ordinances
 - 1. Streets & Sidewalks
 - 2. Culverts, Ordinances 79, 85, 93 and 151.32
 - 3. Shoreline Management Ordinance
- D. Updated Vergas Basic Code
- E. Nuisance Properties within Vergas

Files Attached

- Construction Permit 311 Park View.pdf
- CHAPTER 93 STREETS AND SIDEWALKS.pdf
- 241 Bennett Road Trees.pdf
- Nuisance at 101 E Mill Street.pdf
- Nuisance at 130 Elm Street E.pdf
- Nuisance at 131 E Mill Street.pdf
- Nuisance at 339 E Frazee Ave.pdf

Permit Number: _____ Date Received: 4/19/22 Parcel Number: _____

Construction Permit Application

To the City Council of the City of Vergas in the County of Otter Tail, State of Minnesota:
Application is hereby made by the undersigned for a Construction Permit as provided by City Ordinance as adopted by the City of Vergas.

- GOPHER STATE ONE CALL MUST BE NOTIFIED 48 HOURS PRIOR TO ANY DIGGING, CALL 1-800-252-1166 AS REQUIRED BY MINNESOTA STATE LAW.
- THE CITY OF VERGAS WILL CHECK ALL SETBACKS ON ANY NEW CONSTRUCTION. IT IS THE APPLICANT'S RESPONSIBILITY TO HAVE ALL PROPERTY LINES LOCATED. ALL NEW CONSTRUCTION REQUIRES THE APPLICANT TO MARK THE PROPOSED BUILDING SITE AND PROPERTY LINES BEFORE THE BUILDING PERMIT WILL BE APPROVED.
- **All Electrical work MUST have an electrical permit, which must be obtained separately from a MN State Contract Electrical Inspector (218)342-3345 or (218)849-6059.**

Property Description: (NEW CONSTRUCTION ONLY)

Lot 2, Block 2, Addition Katzke Acres
Property: Width 55 feet, Length 187 feet

Must supply City with a \$1,000 deposit for tar break up. City will reimburse \$1,000 when project complete and street is approved by Utilities Superintendent.

PLEASE NOTE: WITH ANY NEWLY CONSTRUCTED HOME, THERE ARE FEES FOR START UP OF UTILITIES. WATER HOOK-UP ASSESSMENT IS \$750.00, SEWER IS \$750.00.

Name of Applicant: ARLEN & SANDY FRANCHUK

Address of Construction Project: 311 PARK View Dr Vergas MN

Mailing Address: Same Phone: 701-238-0650

Name of Owner (If not the Applicant): Same

Address of Owner (If not the Applicant): Same

1. Permit to (CIRCLE ONE)

Build	Install	<u>Addition</u>	Alter
Move	Demolish	Repair	Remodel

Description of work to be done:

Add a outdoor Deck & Walk way 20x14 Deck

2. Proposed use of building: (CIRCLE ONE) Residential Commercial

3. **VALUATION** (not just your cost) of work being completed: \$ 8K - 12K

Building Contractor:

Name: Myself License Number: _____ Phone: _____

Plumber: (must have MN License)

Name: _____ License Number: _____ Phone: _____

Electrician:

Name: _____ License Number: _____ Phone: _____

4. Attached a "Site Plan", showing the proposed location of any new building in reference to the property including existing buildings. If you have a copy of a professionally prepared site plan, attach a copy for review by the City's Site/Zoning Inspector. Blueprint or Design Drawings must be submitted for any new construction, addition, or remodel.
5. Certification: I hereby certify that I am the applicant herein and that the information given above and/or any exhibits submitted herewith is in all respects true and accurate to the best of my knowledge and belief, and further, if this permit is granted, said construction will comply with plans and specifications herewith submitted and applicable requirements of the City of Vegas.
6. I am the (CIRCLE ONE) OWNER LESSEE PURCHASER AGENT
7. APPLICANT'S SIGNATURE: *Arden Tranchesi* DATE: 3-30-22

FOR OFFICE USE ONLY

\$ _____ Water Hook-up \$ _____ Sewer Hook-up
\$ _____ Permit Fee \$ _____ Tar Break Up Deposit
\$ 25.00 Total Fees

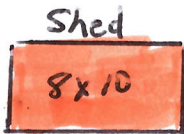
Receipt # 144630 Date Paid 4/4, 2022

Form given to client to display the permit to be visible from the street & to notify office of completion.

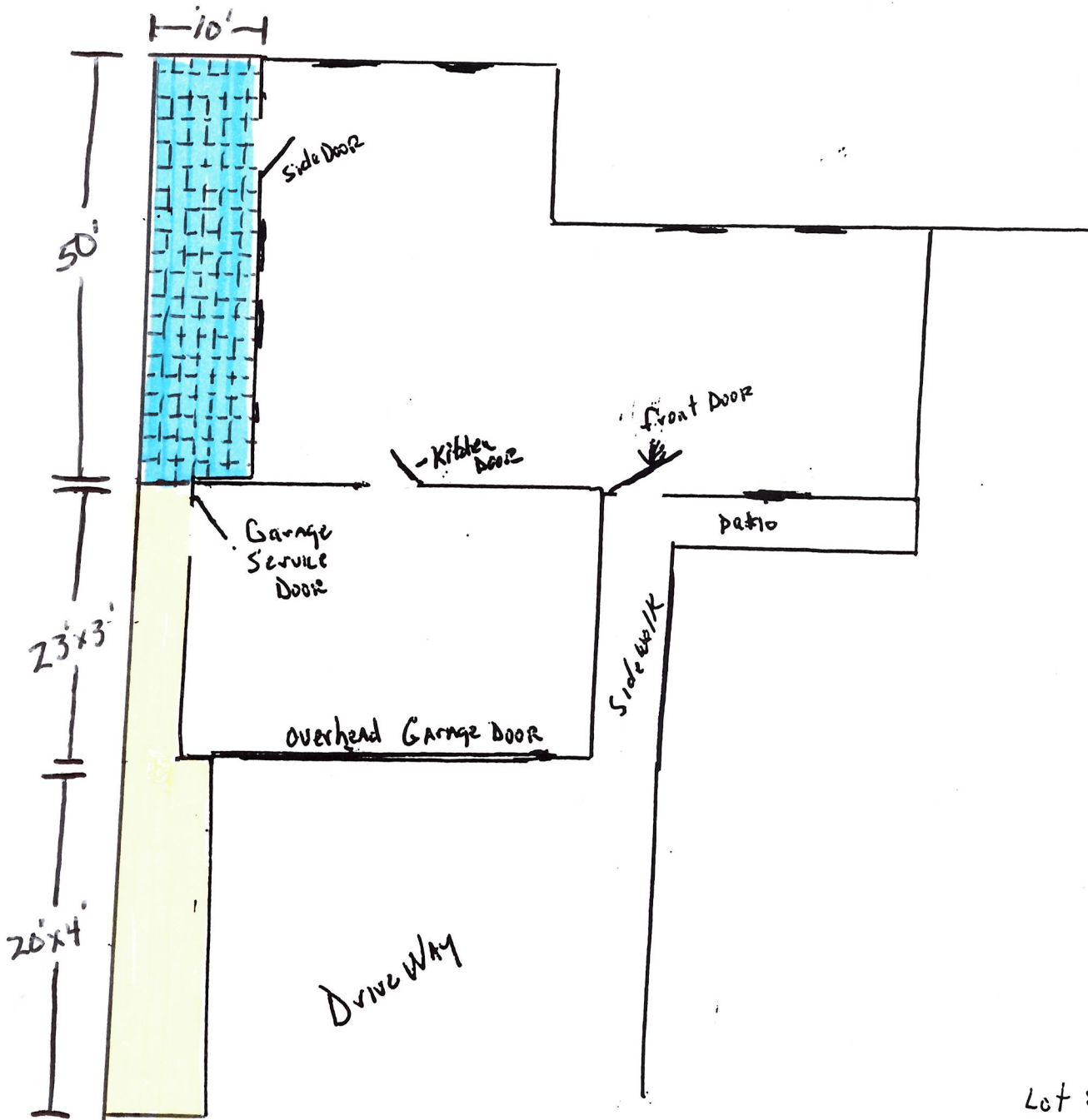
Signature: _____ Date: _____, 20__
(Permitting Authority)

Date Approved by ^{PC}Council: 4/25, 2022

Permit expires in one year if project is not complete please reapply for permit.



- Concrete - 149'sq ft
- Pavers - 500sq ft
- Garden Shed - 80'sqft



Lot Size
55x187 x 55x181
10175sf -
1752 sf - home
22x21 - garage
2214 sf

CHAPTER 93: STREETS AND SIDEWALKS

Section

General Provisions

- 93.01 Unloading on street or sidewalk
- 93.02 Street and sidewalk obstruction
- 93.03 Materials on street or sidewalk

Right-Of-Way Construction Regulations

- 93.20 Election to manage the public right-of-way
- 93.21 Definitions and adoption of rules by reference
- 93.22 Permit requirement
- 93.23 Permit applications
- 93.24 Issuance of permit; conditions
- 93.25 Permit fees
- 93.26 Right-of-way patching and restoration
- 93.27 Supplementary applications
- 93.28 Denial of permit
- 93.29 Installation requirements
- 93.30 Inspection
- 93.31 Work done without a permit
- 93.32 Supplementary notification
- 93.33 Revocation of permits
- 93.34 Mapping data; information required
- 93.35 Location of facilities
- 93.36 Damage to other facilities
- 93.37 Right-of-way vacation
- 93.38 Indemnification and liability
- 93.39 Abandoned facilities; removal of abandoned facilities
- 93.40 Appeal
- 93.41 Reservation of regulatory and police powers

Cross-reference:

Assessable current services, see ' 92.01

GENERAL PROVISIONS

' 93.01 UNLOADING ON STREET OR SIDEWALK.

No person shall unload any heavy material in the streets of the city by throwing or letting the material fall upon the pavement of any street, alley, sidewalk, or other public way, without first placing some sufficient protection over the pavement.

Penalty, see ' 10.99

' 93.02 STREET AND SIDEWALK OBSTRUCTION.

No person shall obstruct any street, alley, sidewalk, or other public way within the city by erecting thereon any fence or building or permitting any fence or building to remain thereon. Each day that any fence or building is permitted to remain upon the public way shall constitute a separate offense.

Penalty, see ' 10.99

' 93.03 MATERIALS ON STREET OR SIDEWALK.

(A) No person shall encumber any street, sidewalk, or right-of-way. No owner, occupant, or person

having the care of any building or lot of land, bordering on any street, sidewalk, or right-of-way shall permit it to be encumbered with barrels, boxes, cans, articles, or substances of any kind, so as to interfere with the free and unobstructed use thereof.

(B) Except for the actions of the city employees and contractors performing their duties, no person shall:

- (1) Obstruct any street or sidewalk by depositing snow or ice thereon;
- (2) Dig any holes in any street, sidewalk or right-of-way;
- (3) Remove any earth, gravel, or rock from any street, sidewalk or right-of-way;
- (4) Obstruct any ditch draining any street or drain any noisome materials into any ditch;
- (5) Deface, mar, damage, or tamper with any structure, work, material, equipment, tools, signs, markers, signals, paving, guardrails, drains or any other highway appurtenance on or along any street, sidewalk or right-of-way.
- (6) Remove, injure, displace, or destroy right-of-way markers, or reference or witness monuments, or markers placed to preserve section or quarter-section corners;
- (7) Drive over, through, or around any barricade, fence, or obstruction erected for the purpose of preventing traffic from passing over a portion of a street or sidewalk closed to public travel or to remove, deface, or damage any such barricade, fence or obstruction.

Penalty, see ' 10.99

RIGHT-OF-WAY CONSTRUCTION REGULATIONS

' 93.20 ELECTION TO MANAGE THE PUBLIC RIGHT-OF-WAY.

In accordance with the authority granted to the city under state and federal statutory, administrative, and common law, the city hereby elects pursuant to this chapter to manage rights-of-ways within its jurisdiction.

' 93.21 DEFINITIONS AND ADOPTION OF RULES BY REFERENCE.

Minn. Rules Ch. 7819, as it may be amended from time to time, is hereby adopted by reference and is incorporated into this code as if set out in full. The definitions included in M.S. ' 237.162, Minn. Rules 7819.0100 subds. 1 through 23, and Minn. Rules 7560.0100 subds. 1 through 12 are hereby adopted by reference and are incorporated into this chapter as if set out in full.

' 93.22 PERMIT REQUIREMENT.

(A) *Permit required.* Except as otherwise provided in this code, no person may obstruct or excavate any right-of-way without first having obtained the appropriate permit from the city.

(1) *Excavation permit.* An excavation permit is required to excavate that part of the right-of-way described in the permit and to hinder free and open passage over the specified portion of the right-of-way by placing facilities described therein, to the extent and for the duration specified therein.

(2) *Obstruction permit.* An obstruction permit is required to hinder free and open passage over the specified portion of right-of-way by placing equipment described therein on the right-of-way, to the extent and for the duration specified therein. An obstruction permit is not required if a person already possesses a valid excavation permit for the same project.

(B) *Permit extensions.* No person may excavate or obstruct the right-of-way beyond the date or dates specified in the permit unless the person makes a supplementary application for another right-of-way permit before the expiration of the initial permit, and a new permit or permit extension is granted.

(C) *Delay penalty.* In accordance with Minn. Rules part 7819.1000 subd. 3, as it may be amended from time to time and notwithstanding division (B) of this section, the city shall establish and impose a delay penalty for unreasonable delays in right-of-way excavation, obstruction, patching, or restoration. The delay penalty shall be established from time to time by the Ordinance Establishing Fees and Charges, adopted pursuant to ' 30.11 of this code, as it may be amended from time to time.

(D) *Permit display.* Permits issued under this subchapter shall be conspicuously displayed or otherwise available at all times at the indicated work site and shall be available for inspection by the

Clerk, Utilities Superintendent or other person designated by the Council.
Penalty, see ' 10.99

' 93.23 PERMIT APPLICATIONS.

Application for a permit shall contain, and will be considered complete only upon compliance with the requirements of the following provisions:

(A) Submission of a completed permit application form, including all required attachments, scaled drawings showing the location and area of the proposed project and the location of all known existing and proposed facilities, and the following information:

(1) Each permittees name, gopher one-call registration certificate number, address and e-mail address if applicable, and telephone and facsimile numbers.

(2) The name, address and e-mail address, if applicable, and telephone and facsimile numbers of a local representative. The local representative or designee shall be available at all times. Current information regarding how to contact the local representative in an emergency should be provided at the time of registration.

(3) A certificate of insurance or self-insurance:

(a) Verifying that an insurance policy has been issued to the registrant by an insurance company licensed to do business in the state, or a form of self-insurance acceptable to the Clerk, Utilities Superintendent or other person designated by the Council;

(b) Verifying that the registrant is insured against claims for personal injury, including death, as well as claims for property damage arising out of the use and occupancy of the right-of-way by the registrant, its officers, agents, employees, and permittees, and placement and use of facilities and equipment in the right-of-way by the registrant, its officers, agents, employees, and permittees, including, but not limited to, protection against liability arising from completed operations, damage of underground facilities, and collapse of property;

(c) Naming the city as an additional insured as to whom the coverages required herein are in force and applicable and for whom defense will be provided as to all coverages;

(d) Requiring that the Clerk, Utilities Superintendent or other person designated by the Council be notified 30 days in advance of cancellation of the policy or material modification of a coverage term;

(e) Indicating comprehensive liability coverage, automobile liability coverage, workers compensation and umbrella coverage established by the Clerk, Utilities Superintendent or other person designated by the Council in amounts sufficient to protect the city and the public and to conduct the purposes and policies of this chapter.

(4) The city may require a copy of the actual insurance policies.

(5) If the person is a corporation, a copy of the certificate required to be filed under M.S. ' 300.06, as it may be amended from time to time as recorded and certified to by the Secretary of State.

(6) A copy of the person's order granting a certificate of authority from the Minnesota Public Utilities Commission or other applicable state or federal agency, where the person is lawfully required to have the certificate from the Commission or other state or federal agency.

(B) Payment of money due the city for:

(1) Permit fees as established by the Ordinance Establishing Fees and Charges adopted pursuant to ' 30.11 of this code, as that ordinance may be amended from time to time, estimated restoration costs and other management costs;

(2) Prior obstructions or excavations;

(3) Any undisputed loss, damage, or expense suffered by the city because of the applicant's prior excavations or obstructions of the rights-of-way, or any emergency actions taken by the city; or

(4) Franchise fees or other charges as established by the Ordinance Establishing Fees and Charges adopted pursuant to ' 30.11 of this code, as that ordinance may be amended from time to time, if applicable.

' 93.24 ISSUANCE OF PERMIT; CONDITIONS.

(A) *Permit issuance.* If the applicant has satisfied the requirements of this chapter, the Clerk, Utilities Superintendent or other person designated by the Council shall issue a permit.

(B) *Conditions.* The director may impose reasonable conditions upon the issuance of the permit and the performance of the applicant thereunder to protect the health, safety, and welfare or when necessary to protect the right-of-way and its current use. In addition, a permittee shall comply with all requirements of local, state and federal laws, including but not limited to M.S. ' 216D.01 - 09 (Gopher One Call Excavation Notice System) and Minn. Rules Ch. 7560.

(C) *Trenchless excavation.* As a condition of all applicable permits, permittees employing trenchless excavation methods, including but not limited to Horizontal Directional Drilling, shall follow all requirements set forth in M.S. Ch. 216D and Minn. Rules Ch. 7560, and shall require potholing or open cutting over existing underground utilities before excavating, as determined by the city.

' 93.25 PERMIT FEES.

Permit fees shall be in an amount established in the Ordinance Establishing Fees and Charges, adopted pursuant to ' 30.11, as it may be amended from time to time.

(A) *Excavation permit fee.* The city shall establish an excavation permit fee as established by the Ordinance Establishing Fees and Charges adopted pursuant to ' 30.11 of this code, as that ordinance may be amended from time to time, in an amount sufficient to recover the following costs:

- (1) The city management costs; and
- (2) Degradation costs, if applicable.

(B) *Obstruction Permit Fee.* The city shall establish the obstruction permit fee as established by the Ordinance Establishing Fees and Charges adopted pursuant to ' 30.11 of this code, as that ordinance may be amended from time to time and shall be in an amount sufficient to recover the city management costs.

(C) *Payment of permit fees.* No excavation permit or obstruction permit shall be issued without payment of excavation or obstruction permit fees. The city may allow applicants to pay those fees within 30 days of billing.

(D) *Non-refundable.* Permit fees as established by the Ordinance Establishing Fees and Charges adopted pursuant to ' 30.11 of this code, as that ordinance may be amended from time to time, which were paid for a permit that the Clerk, Utilities Superintendent or other person designated by the Council has revoked for a breach as stated in ' 93.33 are not refundable.

(E) *Application to franchises.* Unless otherwise agreed to in a franchise, management costs may be charged separately from and in addition to the franchise fees imposed on a right-of-way user in the franchise.

(F) All permit fees shall be established consistent with the provisions of Minn. Rules part 7819.100, as it may be amended from time to time.
Penalty, see ' 10.99

' 93.26 RIGHT-OF-WAY PATCHING AND RESTORATION.

(A) *Timing.* The work to be done under the excavation permit, and the patching and restoration of the right-of-way as required herein, must be completed within the dates specified in the permit, increased by as many days as work could not be done because of circumstances beyond the control of the permittee or when work was prohibited as unseasonal or unreasonable under this subchapter.

(B) *Patch and restoration.* The permittee shall patch its own work. The city may choose either to have the permittee restore the right-of-way or to restore the right-of-way itself.

(1) *City restoration.* If the city restores the right-of-way, the permittee shall pay the costs thereof within 30 days of billing. If following the restoration, the pavement settles due to the permittee's improper backfilling, the permittee shall pay to the city, within 30 days of billing, all costs associated with having to correct the defective work.

(2) *Permittee restoration.* If the permittee restores the right-of-way itself, it may be required at the time of application for an excavation permit to post a construction performance bond or a deposit in accordance with the provisions of Minn. Rules part 7819.3000, as it may be amended from time to time.

(C) *Standards.* The permittee shall perform patching and restoration according to the standards and with the materials specified by the city and shall comply with Minn. Rules part 7819.1100, as it may be amended from time to time. The Clerk, Utilities Superintendent or other person designated by the Council shall have the authority to prescribe the manner and extent of the restoration and may do so in written procedures of general application or on a case-by-case basis.

(D) *Duty to correct defects.* The permittee shall correct defects in patching, or restoration performed by the permittee or its agents. The permittee upon notification from the Clerk, Utilities Superintendent or other person designated by the Council, shall correct all restoration work to the extent necessary, using the method required by the Clerk, Utilities Superintendent or other person designated by the Council. The work shall be completed within five calendar days of the receipt of the notice from the Clerk, Utilities Superintendent or other person designated by the Council, not including days during which work cannot be done because of circumstances constituting force majeure or days when work is prohibited as unseasonal or unreasonable under this subchapter.

(E) *Failure to restore.* If the permittee fails to restore the right-of-way in the manner and to the condition required by the Clerk, Utilities Superintendent or other person designated by the Council, or fails to satisfactorily and timely complete all restoration required by the Clerk, Utilities Superintendent or other person designated by the Council, the Clerk, Utilities Superintendent or other person designated by the Council at his or her option may do the work. In that event the permittee shall pay to the city, within 30 days of billing, the cost of restoring the right-of-way. If the permittee fails to pay as required, the city may exercise its rights under the construction performance bond.

(F) *Degradation fee in lieu of restoration.* In lieu of right-of-way restoration, a right-of-way user may elect to pay a degradation fee as established by the Ordinance Establishing Fees and Charges adopted pursuant to ' 30.11 of this code, as that ordinance may be amended from time to time. However, the right-of-way user shall remain responsible for patching and the degradation fee shall not include the cost to accomplish these responsibilities.

' 93.27 SUPPLEMENTARY APPLICATIONS.

(A) *Limitation on area.* A right-of-way permit is valid only for the area of the right-of-way specified in the permit. No permittee may do any work outside the area specified in the permit, except as provided herein. Any permittee which determines that an area greater than that specified in the permit must be obstructed or excavated must before working in that greater area make application for a permit extension and pay any additional fees required thereby and be granted a new permit or permit extension.

(B) *Limitation on dates.* A right-of-way permit is valid only for the dates specified in the permit. No permittee may begin its work before the permit start date or, except as provided herein, continue working after the end date. If a permittee does not finish the work by the permit end date, it must apply for a new permit for the additional time it needs and receive the new permit or an extension of the old permit before working after the end date of the previous permit. This supplementary application must be submitted before the permit end date.

' 93.28 DENIAL OF PERMIT.

The city may deny a permit for failure to meet the requirements and conditions of this chapter or if the city determines that the denial is necessary to protect the health, safety, and welfare or when necessary to protect the right-of-way and its current use.

' 93.29 INSTALLATION REQUIREMENTS.

The excavation, backfilling, patching and restoration, and all other work performed in the right-of-way shall be done in conformance with Minn. Rules part 7819.1100, as it may be amended from time to time and other applicable local requirements, as far as they are not inconsistent with M.S. ' ' 237.162

and 237.163, as they may be amended from time to time.

' 93.30 INSPECTION.

(A) *Notice of completion.* When the work under any permit hereunder is completed, the permittee shall furnish a completion certificate in accordance with Minn. Rules part 7819.1300, as it may be amended from time to time.

(B) *Site inspection.* The permittee shall make the worksite available to city personnel and to all others as authorized by law for inspection at all reasonable times during the execution of and upon completion of the work.

(C) *Authority of Clerk, Utilities Superintendent or other person designated by the Council.*

(1) At the time of inspection, the Clerk, Utilities Superintendent or other person designated by the Council may order the immediate cessation of any work which poses a serious threat to the life, health, safety, or well-being of the public.

(2) The Clerk, Utilities Superintendent or other person designated by the Council may issue an order to the permittee for any work which does not conform to the terms of the permit or other applicable standards, conditions, or codes. The order shall state that failure to correct the violation will cause revocation of the permit. Within ten days after issuance of the order, the permittee shall present proof to the Clerk, Utilities Superintendent or other person designated by the Council that the violation has been corrected. If proof has not been presented within the required time, the Clerk, Utilities Superintendent or other person designated by the Council may revoke the permit pursuant to ' 93.33.

' 93.31 WORK DONE WITHOUT A PERMIT.

(A) *Emergency situations.*

(1) Each person with facilities in the right-of-way shall immediately notify the city of any event regarding its facilities which it considers to be an emergency. The owner of the facilities may proceed to take whatever actions are necessary to respond to emergency. Within two business days after the occurrence of the emergency, the owner shall apply for the necessary permits, pay the fees associated therewith and fulfill the rest of the requirements necessary to bring itself into compliance with this chapter for the actions it took in response to the emergency.

(2) If the city becomes aware of an emergency regarding facilities, the city will attempt to contact the local representative of each facility owner affected, or potentially affected, by the emergency. In any event, the city may take whatever action it deems necessary to respond to the emergency, the cost of which shall be borne by the person whose facilities occasioned the emergency.

(B) *Non-emergency situations.* Except in an emergency, any person who, without first having obtained the necessary permit, obstructs or excavates a right-of-way must subsequently obtain a permit, and as a penalty pay double the normal fee for the permit, pay double all the other fees required by this code, deposit with the city the fees necessary to correct any damage to the right-of-way and comply with all of the requirements of this chapter.

' 93.32 SUPPLEMENTARY NOTIFICATION.

If the obstruction or excavation of the right-of-way begins later or ends sooner than the date given on the permit, the permittee shall notify the Clerk, Utilities Superintendent or other person designated by the Council of the accurate information as soon as this information is known.

' 93.33 REVOCATION OF PERMITS.

(A) *Substantial breach.* The city reserves the right, as provided herein, to revoke any right-of-way permit, without a fee refund if there is a substantial breach of the terms and conditions of any statute, ordinance, rule or regulation, or any material condition of the permit. A substantial breach by the permittee shall include, but shall not be limited, to the following:

(1) The violation of any material provision of the right-of-way permit;

(2) An evasion or attempt to evade any material provision of the right-of-way permit, or the perpetration or attempt to perpetrate any fraud or deceit upon the city or its citizens;

- (3) Any material misrepresentation of fact in the application for a right-of-way permit;
- (4) The failure to complete the work in a timely manner; unless a permit extension is obtained or unless the failure to complete work is due to reasons beyond the permittees control; or
- (5) The failure to correct, in a timely manner, work that does not conform to a condition indicated on an order issued pursuant to ' 93.30.

(B) *Written notice of breach.* If the city determines that the permittee has committed a substantial breach of a term or condition of any statute, ordinance, rule, regulation or any condition of the permit the city shall make a written demand upon the permittee to remedy that violation. The demand shall state that continued violations may be the cause for revocation of the permit. A substantial breach, as stated above, will allow the city, at its discretion, to place additional or revised conditions on the permit to mitigate and remedy the breach.

(C) *Response to notice of breach.* Within 24 hours of receiving notification of the breach, the permittee shall provide the city with a plan, acceptable to the city, which will cure the breach. The permittee's failure to so contact the city, or the permittee's failure to submit an acceptable plan, or the permittee's failure to reasonably implement the approved plan, shall be cause for immediate revocation of the permit.

(D) *Reimbursement of city costs.* If a permit is revoked, the permittee shall also reimburse the city for the city's reasonable costs, including restoration costs and the costs of collection and reasonable attorneys' fees incurred in connection with the revocation.

' 93.34 MAPPING DATA; INFORMATION REQUIRED.

(A) *Information required.* Each permittee shall provide mapping information required by the city in accordance with Minn. Rules parts 7819.4000 and 7819.4100, as it may be amended from time to time.

(B) *Service laterals.* All permits issued for the installation or repair of service laterals, other than minor repairs as defined in Minn. Rules 7560.0150, Subd. 2, shall require the permittee use of appropriate means of establishing the horizontal locations of installed service laterals, and the service lateral vertical locations in those cases where the city reasonably requires it. Permittees or other subcontractors shall submit to the city evidence of the installed service lateral locations. Compliance with this division (B) and with applicable Gopher State One Call law and Minn. Rules governing service laterals installed after December 31, 2005, shall be a condition of any city approval necessary for:

(1) Payments to contractors working on a public improvement project including those under M. S. Ch. 429;

(2) City approval of performance under development agreements, or other subdivision or site plan approval under M.S. Ch. 462.

The city shall reasonably determine the appropriate method of providing such information. Failure to provide prompt and accurate information on the service laterals installed may result in the revocation of the permit issued for the work or for future permits to the offending permittee or its subcontractors.

' 93.35 LOCATION OF FACILITIES.

(A) *Compliance required.* Placement, location, and relocation of facilities must comply with applicable laws, and with Minn. Rules parts 7819.3100, 7819.5000 and 7819.5100, as they may be amended from time to time, to the extent the rules do not limit authority otherwise available to cities.

(B) *Corridors.* The city may assign specific corridors within the right-of-way, or any particular segment thereof as may be necessary, for each type of facility that is or, pursuant to current technology, the city expects will someday be located within the right-of-way. All excavation, obstruction, or other permits issued by the city involving the installation or replacement of facilities shall designate the proper corridor for the facilities at issue.

(C) *Limitation of space.* To protect the health, safety, and welfare or when necessary to protect the right-of-way and its current use, the Clerk, Utilities Superintendent or other person designated by the Council shall have the power to prohibit or limit the placement of new or additional facilities within the right-of-way. In making those decisions, the Clerk, Utilities Superintendent or other person designated

by the Council shall strive to the extent possible to accommodate all existing and potential users of the right-of-way, but shall be guided primarily by considerations of the public interest, the public's needs for the particular utility service, the condition of the right-of-way, the time of year with respect to essential utilities, the protection of existing facilities in the right-of-way, and future city plans for public improvements and development projects which have been determined to be in the public interest.

' 93.36 DAMAGE TO OTHER FACILITIES.

When the city does work in the right-of-way and finds it necessary to maintain, support, or move facilities to protect it, the Clerk, Utilities Superintendent or other person designated by the Council shall notify the local representative as early as is reasonably possible and placed as required. The costs associated therewith will be billed to that registrant and must be paid within 30 days from the date of billing. Each facility owner shall be responsible for the cost of repairing any facilities in the right-of-way which it or its facilities are damaged. Each facility owner shall be responsible for the cost of repairing any damage to the facilities of another registrant caused during the city's response to an emergency caused by that owner's facilities.

' 93.37 RIGHT-OF-WAY VACATION.

If the city vacates a right-of-way which contains the facilities of a registrant, the registrant's rights in the vacated right-of-way are governed by Minn. Rules part 7819.3200, as it may be amended from time to time.

' 93.38 INDEMNIFICATION AND LIABILITY.

By applying for and accepting a permit under this chapter, a permittee agrees to defend and indemnify the city in accordance with the provisions of Minn. Rules 7819.1250, as it may be amended from time to time.

' 93.39 ABANDONED FACILITIES; REMOVAL OF ABANDONED FACILITIES.

Any person who has abandoned facilities in any right-of-way shall remove them from that right-of-way if required in conjunction with other right-of-way repair, excavation, or construction, unless this requirement is waived by the Clerk, Utilities Superintendent or other person designated by the Council.

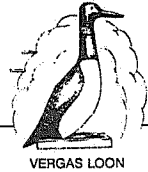
' 93.40 APPEAL.

A right-of-way user that has been denied registration; has been denied a permit; has had permit revoked; believes that the fees imposed are invalid; or disputes a determination of the city regarding ' 93.34(B) of this chapter, may have the denial, revocation, or fee imposition reviewed, upon written request, by the City Council. The City Council shall act on a timely written request at its next regularly scheduled meeting. A decision by the City Council affirming the denial, revocation, or fee as imposition will be in writing and supported by written findings establishing the reasonableness of the decision.

' 93.41 RESERVATION OF REGULATORY AND POLICE POWERS.

A permittees or registrants rights are subject to the regulatory and police powers of the city to adopt and enforce general ordinances necessary to protect the health, safety and welfare of the public.





City of Vergas

May 24, 2023

CLIFFORD MOE
PO BOX 242
VERGAS, MN 5657

RE: Existence of Nuisance at 101 E. MILL STREET
Parcel # 82000990120000

To Whom it may concern:

NOTICE OF VIOLATION

You are hereby notified that there exists upon the property identified above a nuisance. Either you or the occupant of the property has:

- ☒ maintained or permitted a condition upon the property that unreasonably annoys, injures, or endangers the safety, health, morals, comfort, or repose of any considerable members of the public;
- ☐ interfered with, obstructed, or rendered dangerous the passage of any public highway or right-of-way, or waters used by the public; and/or
- ☒ has violated Sections 92.16 (Public Nuisances Affected Health), 92.17 (Public Nuisances Affected Morals and Decency, or 92.18 (Public Nuisances Affected Peace and Safety of the Code of Ordinances of the City of Vergas.

Specifically, the followings conditions exist or have been allowed to be maintained on your property:

Trash all over yard. Section 92.16 (E) (Identify code sections.)

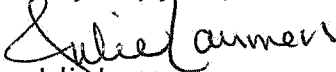
You must abate the nuisance by June 7, 2023. To abate the nuisance, you must complete the following:

Remove all garbage and clean up discarded items.

If the nuisance is not abated by the date specified above, an officer or employee of the City will report that fact to the Planning Commission for further action. That action may include public hearings, enforcement proceedings, litigation, and the City hiring someone to abate the nuisance for you. If the City is forced to abate the nuisance on your behalf, you will be billed for the all costs associated with abating the nuisance including administrative costs. The City may also assess those costs against your property.

If you have any questions concerning this notice, please contact me at 218-302-5996.

Very truly yours,

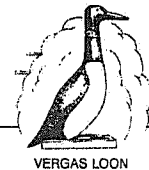

Julie Lammers
City Clerk

Enclosure: Photo

111 East Main Street • P.O. Box 32 • Vergas, Minnesota 56587 • Phone: (218) 302-5996 • Fax: (218) 342-2068
Website: www.cityofvergas.com • Email: cityofvergas@arvig.net

A black and white photograph of a wooded area. In the foreground, there is a grassy field. In the middle ground, there is a pile of sticks and debris on the left, and a small structure or pile of tires on the right. The background is filled with trees and foliage.

101 E Mill St



City of Vergas

May 24, 2023

JOSEPH & PAM BRACKEN
130 E ELM ST
VERGAS, MN 56587

RE: Existence of Nuisance at 130 E ELM ST

Parcel # 82-000-99-0046-000

To Whom it may concern:

NOTICE OF VIOLATION

You are hereby notified that there exists upon the property identified above a nuisance. Either you or the occupant of the property has:

- ☒ maintained or permitted a condition upon the property that unreasonably annoys, injures, or endangers the safety, health, morals, comfort, or repose of any considerable members of the public;
- ☐ interfered with, obstructed, or rendered dangerous the passage of any public highway or right-of-way, or waters used by the public; and/or
- ☒ has violated Sections 92.16 (Public Nuisances Affected Health), 92.17 (Public Nuisances Affected Morals and Decency, or 92.18 (Public Nuisances Affected Peace and Safety of the Code of Ordinances of the City of Vergas.

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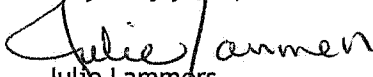
You must abate the nuisance by June 7, 2023. To abate the nuisance, you must complete the following:

Remove all garbage and clean up discarded items.

If the nuisance is not abated by the date specified above, an officer or employee of the City will report that fact to the Planning Commission for further action. That action may include public hearings, enforcement proceedings, litigation, and the City hiring someone to abate the nuisance for you. If the City is forced to abate the nuisance on your behalf, you will be billed for the all costs associated with abating the nuisance including administrative costs. The City may also assess those costs against your property.

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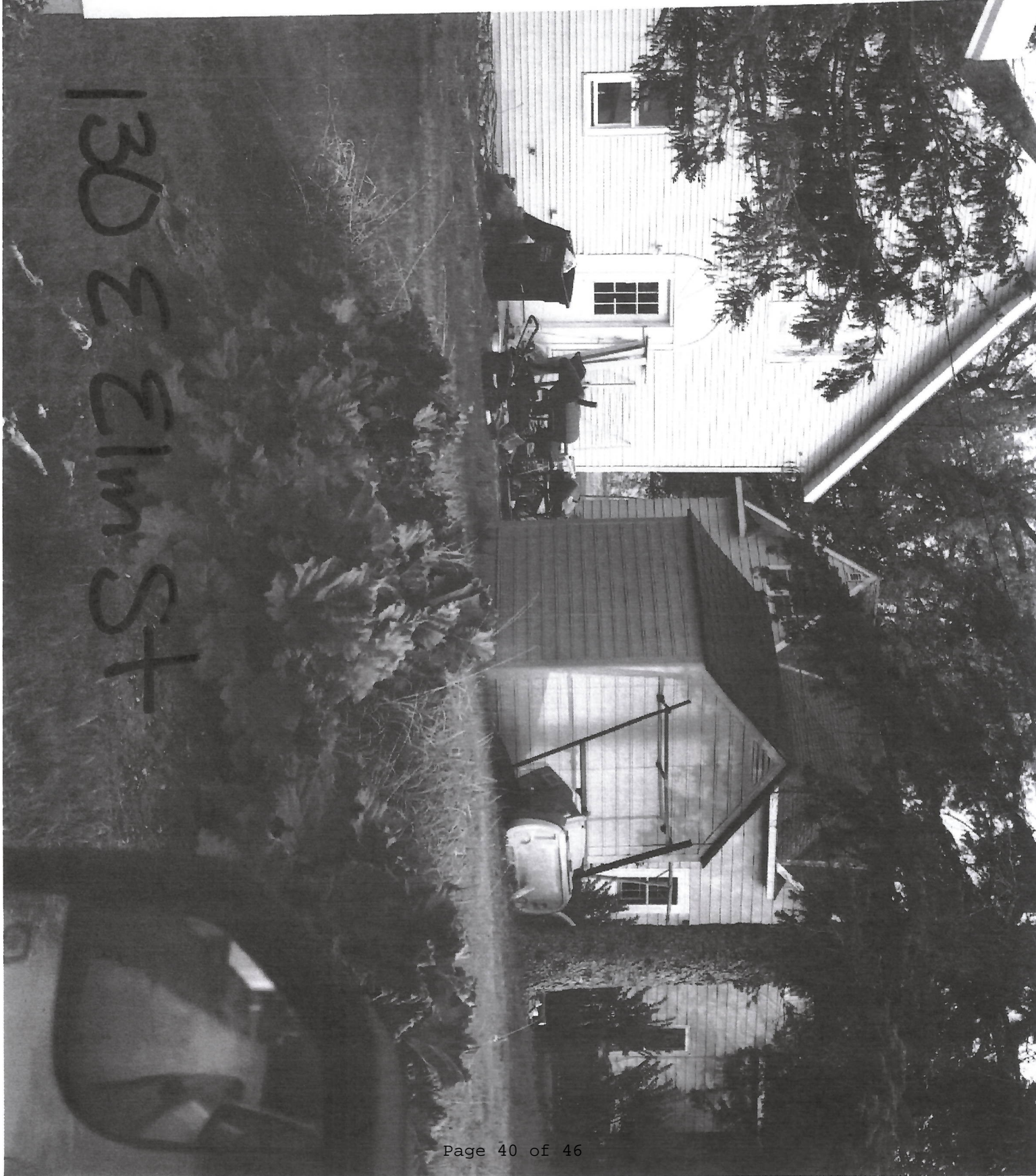
Very truly yours,

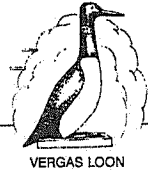

Julie Lammers
City Clerk

Enclosure: Photo

111 East Birch Street • P.O. Box 32 • Vergas, Minnesota 56587 • Phone: (218) 302-5996 • Fax: (218) 342-2068
Website: www.cityofvergas.com • Email: cityofvergas@arvig.net

130 E Elm St





Minnesota's State Bird

City of Vergas

May 24, 2023

SHELBY OLSON
131 E MILL ST
VERGAS, MN 56587-4113

RE: Existence of Nuisance at 131 E MILL ST
Parcel # #82000990118000

To Whom it may concern:

NOTICE OF VIOLATION

You are hereby notified that there exists upon the property identified above a nuisance. Either you or the occupant of the property has:

- ☒ maintained or permitted a condition upon the property that unreasonably annoys, injures, or endangers the safety, health, morals, comfort, or repose of any considerable members of the public;
- ☐ interfered with, obstructed, or rendered dangerous the passage of any public highway or right-of-way, or waters used by the public; and/or
- ☒ has violated Sections 92.16 (Public Nuisances Affected Health), 92.17 (Public Nuisances Affected Morals and Decency, or 92.18 (Public Nuisances Affected Peace and Safety of the Code of Ordinances of the City of Vergas.

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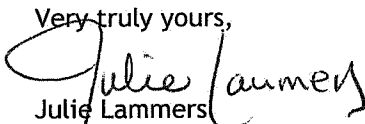
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Very truly yours,

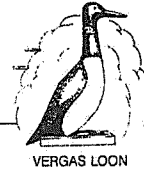

Julie Lammers
City Clerk

Enclosure: Photo

111 East Main Street • P.O. Box 32 • Vergas, Minnesota 56587 • Phone: (218) 302-5996 • Fax: (218) 342-2068
Website: www.cityofvergas.com • Email: cityofvergas@arvig.net



131 E. Mill St.



City of Vergas

May 24, 2023

BENJAMIN LANKOW
339 E. FRAZEE AVE.
VERGAS MN 56587

RE: Existence of Nuisance at 339 E. FRAZEE AVE.

Parcel # 82000990170000

To Whom it may concern:

NOTICE OF VIOLATION

You are hereby notified that there exists upon the property identified above a nuisance. Either you or the occupant of the property has:

- ☒ maintained or permitted a condition upon the property that unreasonably annoys, injures, or endangers the safety, health, morals, comfort, or repose of any considerable members of the public;
- ☐ interfered with, obstructed, or rendered dangerous the passage of any public highway or right-of-way, or waters used by the public; and/or
- ☒ has violated Sections 92.16 (Public Nuisances Affected Health), 92.17 (Public Nuisances Affected Morals and Decency, or 92.18 (Public Nuisances Affected Peace and Safety of the Code of Ordinances of the City of Vergas.

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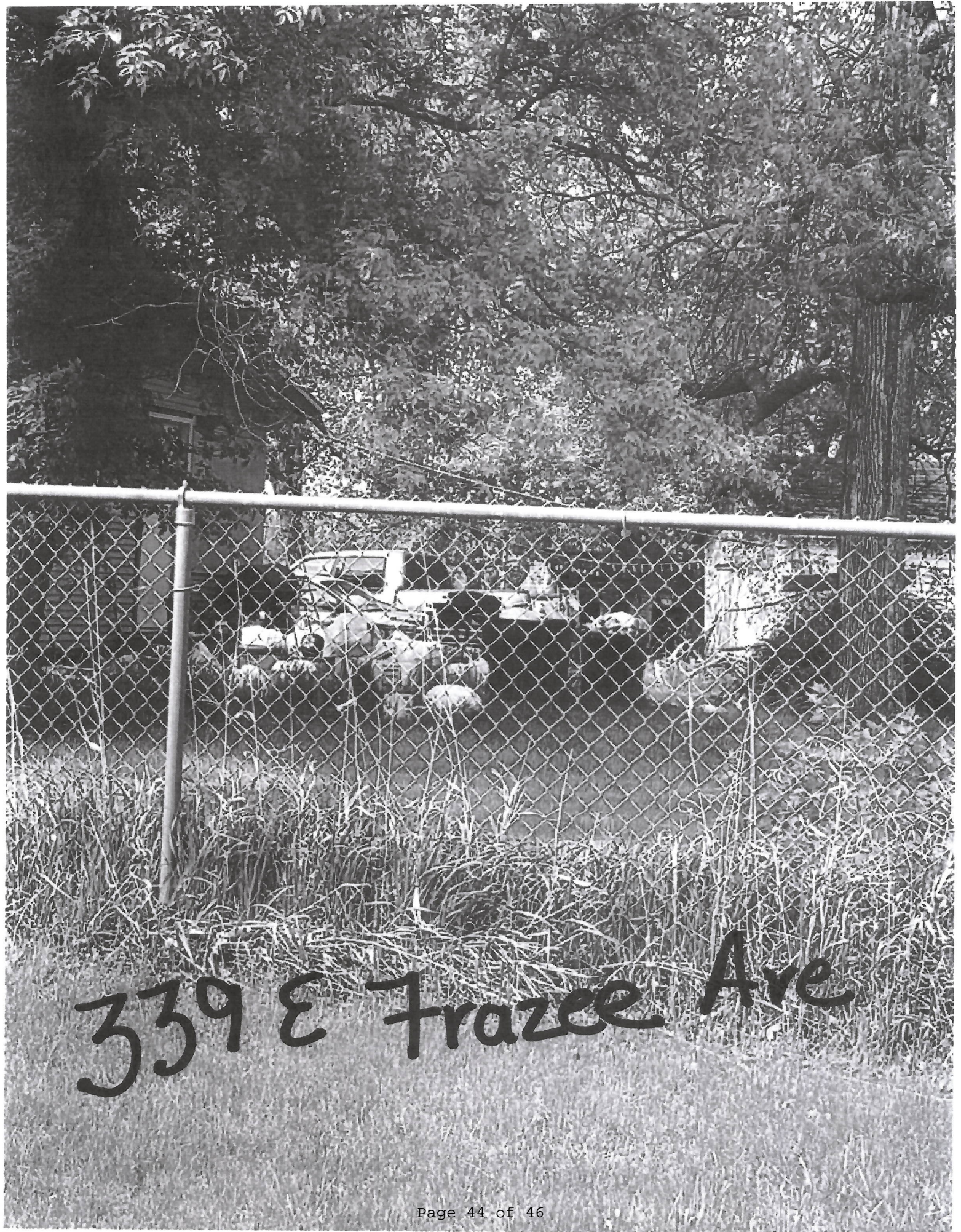
If the nuisance is not abated by the date specified above, an officer or employee of the City will report that fact to the Planning Commission for further action. That action may include public hearings, enforcement proceedings, litigation, and the City hiring someone to abate the nuisance for you. If the City is forced to abate the nuisance on your behalf, you will be billed for the all costs associated with abating the nuisance including administrative costs. The City may also assess those costs against your property.

If you have any questions concerning this notice, please contact me at 218-302-5996.

Very truly yours,


Julie Lammers
City Clerk

Enclosure: Photo



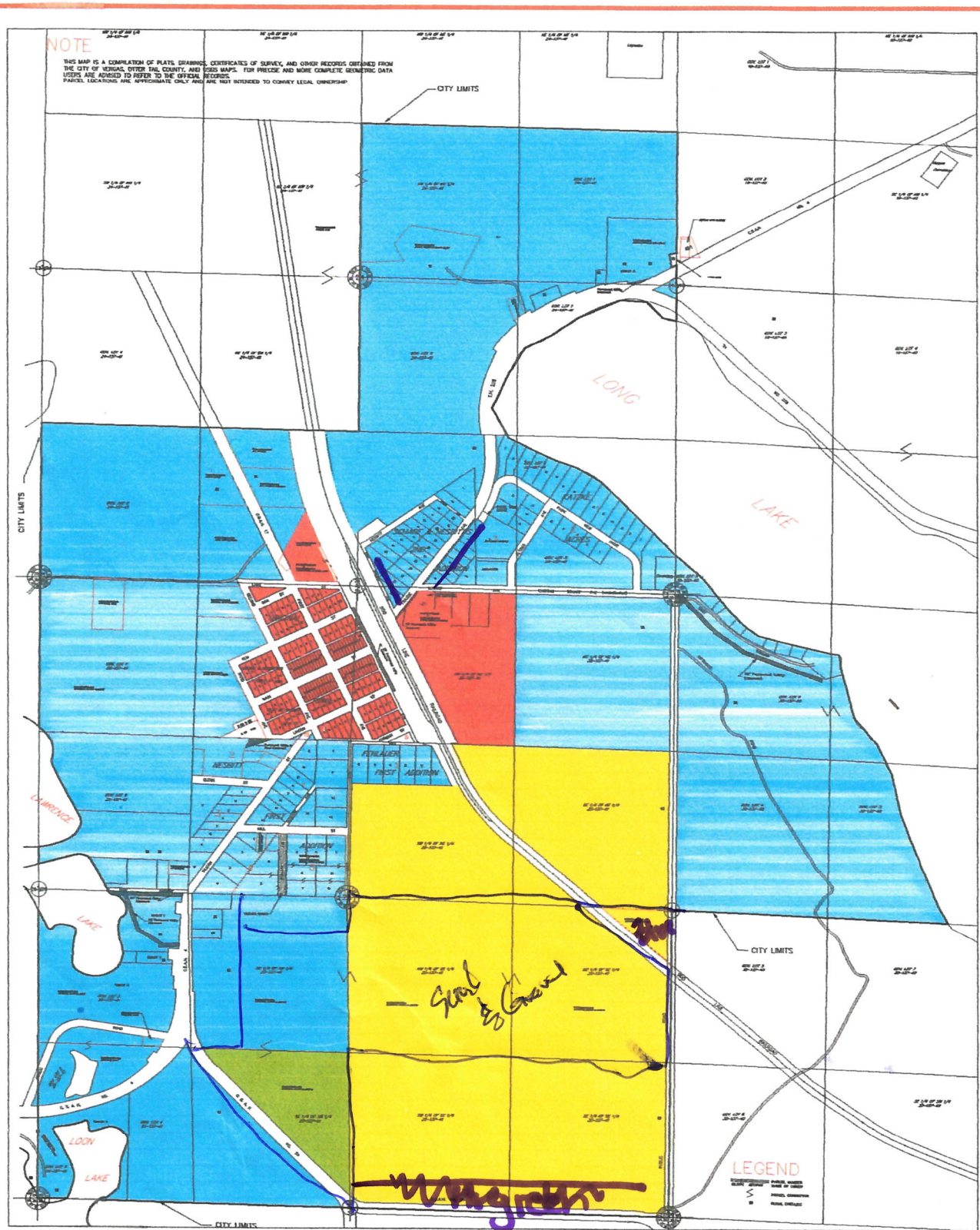
Planning Commission
2023 June Planning Commission
Vergas Event Center & Zoom Id number 267-094-2170 password 56587
6:00 PM on Monday, June 26, 2023

10. New Business

Zoning Map Update

Files Attached

- Proposed zoning area.pdf



David L. Ulteig, Mayor
1001 1st Street, P.O. Box 100
Vergas, Minnesota 55780-0100
Phone: 218.347.2007 Fax: 218.347.2007
Web: www.vergas.com
Created by: GJR
Approved by: GJR
June 03, 2008

- [Blue Box] RESIDENTIAL
- [Red Box] COMMERCIAL
- [Green Box] LIGHT INDUSTRIAL
- [Yellow Box] OPEN DISTRICT



CITY OF VERGAS
VERGAS, MINNESOTA

