

Planning Commission
Planning Comm Meeting
Government Services Center & Zoom Id 267-094-2170 password 56587
6:00 PM on Monday, April 27, 2026

1. Public Hearing - Mark Sand & Gravel Conditional Use Permit

2. Call to Order

3. Agenda Additions or Deletions

4. Minutes

March 30, 2026

5. Status of Council Recommendations

A. Nuisance Properties

B. Resolution St of Mn Joint Powers Agreement

6. Construction Permits

A. Active Construction Permits

7. Old Business

A. City Ordinance Update

B. Nuisance Properties

8. New Business

Conditional Use Permit - Mark Sand & Gravel

9. Adjournment

Table of Contents

4. Minutes	3
5. Status of Council Recommendations	7
6. Construction Permits	8
7. Old Business	10
8. New Business	12

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4. Minutes

March 30, 2026

Files Attached

- Planning Commission Minutes 3.30.26.pdf

City of Vergas Planning Commission Minutes
Monday, March 30, 2026 at 6:00 PM
Government Services Building and Zoom

The City of Vergas Planning Commission held a regular hybrid meeting on Monday, March 30, 2026, on Zoom and at the Vergas Government Services Building.

2026	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Alex Ohman, Chair	A	P	P									
Bruce Albright, Liaison	P	P	P									
Dave Johnston, Member	P	P	P									
Rebecca Hasse, Member	P	P	P									
Jim Courneya, Member	P	A	P									
Julie Lammers, Clerk-Treasurer	P	P	P									
Mike Dufrane, Utilities Superintendent	P	A	A									

P: Present. A: Absent N/A: No Meeting

Call to Order

Chair Ohman called the planning Commission meeting to order at 6:00 PM.

Agenda Additions or Deletions

Lammers noted the addition of an interim use permit under new business. Motion by Albright, seconded by Hasse, to approve the agenda with the noted addition. The motion passed unanimously.

Minutes

Motion by Ohman, seconded by Albright, to approve the minutes from February 23, 2026. The motion passed unanimously.

Status of Council Recommendations

None.

Construction Permits

Active Construction Permits

Lammers reported that the commission had a list of active permits in their packet. She noted that one permit holder had contacted her to report their project was completed.

Approved by Clerk-Treasurer Permit

106 Main Street East-roof system

Lammers reported that 106 E Main St is getting a new roof system, which she approved as Clerk-Treasurer.

Old Business

City Ordinance Update

Lammers provided an extensive update on ordinance revisions. She explained that the city attorney had reviewed the commission's previous request regarding inoperable vehicles and concluded that the only remedy would be to change the violations' structure. The attorney provided a copy of Detroit Lakes' nuisance ordinance violations as an example. Lammers detailed several technical corrections needed in the ordinances, including fixing references from 92.99 to 91.99 for penalties. She explained that the new structure would include three categories of enforcement: monetary fines for each day of violation, misdemeanor charges, or petty misdemeanor charges. Lammers presented a significant proposal for adding abatement provisions to the city's ordinances. She explained that currently, the city can only impose fines or jail time through court proceedings, which doesn't solve the underlying problem. For example, if someone has an inoperable vehicle and is sentenced to jail time, the vehicle remains in violation after their release. Under the proposed abatement authority, the city could authorize employees or contractors to remove violations (such as taking down a problematic garage) and then assess the costs to the property owner. Lammers noted this would require a joint powers agreement with the state of Minnesota for the city attorney to pursue such actions. She presented Resolution 2026-05, which would authorize the attorney to work with the state of Minnesota on enforcement matters. The resolution and abatement provisions would need to go through a formal adoption process: first reading by city council in May, public hearing and final approval

in June, with an effective date in July. Johnston questioned how costs would be recovered, and Lammers explained that the fine would equal the city's costs to abate the violation. She also described a new "tax refund intercept" program through the Minnesota Department of Revenue, where unpaid city assessments could be collected from taxpayers' income tax refunds. Albright emphasized that such enforcement actions should be reserved for serious violations and used on a case-by-case basis, while still providing the city with necessary enforcement tools for worst-case scenarios.

Motion by Albright, seconded by Courneya, to recommend to the City Council that they enter into the joint powers agreement with the city attorney and adopt the abatement language into the ordinances, with the understanding that such enforcement would be used on a case-by-case basis when needed. The motion passed unanimously.

Nuisance Properties

Unlicensed Vehicles

This item was covered during the city ordinance update discussion.

Garbage bags on porch and back yard

Lammers reported complaints about a property on Elm Street where residents allegedly accumulate large amounts of garbage on their porch, in a shed, and throughout their yard, then periodically have it all removed before accumulating it again. Neighbors complained they cannot enjoy sitting outside due to concerns about odors and potential rodent problems. The commission reviewed current ordinance language regarding refuse storage and nuisance parking. Ohman read from section 92.19 of the current ordinances, which addresses materials not customarily used for residential purposes and requires that refuse containers be rodent-proof and fly-tight or properly maintained to avoid health hazards. The commission determined that without evidence of actual rodent problems or offensive odors, the current situation may not clearly violate existing ordinances. Hasse noted that she observed general clutter but not necessarily garbage. The commission decided that if future complaints specify rodent sightings or odor issues, those would provide clearer grounds for enforcement action. Albright noted that the city's ordinances don't require residents to have garbage service, and some residents legitimately accumulate refuse before transporting it themselves to disposal sites.

Garage Removal

This item was addressed as part of the ordinance update discussion regarding abatement authority.

New Business

Variance Process

Ohman reported online training he attended from the League of Minnesota Cities regarding variance procedures. He explained that all five criteria for variance approval must be met: the variance must allow reasonable use of the property, be due to unique circumstances not created by the landowner, be based on physical characteristics that differ from other properties, maintain the locality's essential character, and be consistent with city ordinances and comprehensive plans. Ohman presented a worksheet he developed to help the commission systematically evaluate these five criteria for each variance request, ensuring proper documentation for the required record-keeping. Albright emphasized the importance of thorough documentation, noting that attorneys challenging municipal decisions will scrutinize whether all procedural requirements were met. The commission agreed to begin using the variance evaluation worksheet for future applications, with Lammers indicating she would include it in planning commission materials.

Interim Use Permit

Lammers announced that Mark's Sand and Gravel had submitted an interim use permit application. The commission scheduled a public hearing for April 27, 2026, at 6:00 PM, prior to their regular meeting. Albright noted that they could conduct the hearing and take public testimony separately from the actual permit issuance decision.

Adjournment

Motion by Albright, seconded by Ohman, to schedule the interim use permit hearing for April 27, 2026, at 6:00 PM. The motion passed unanimously.

Motion by Albright, seconded by Johnston, to adjourn the meeting at 6:46 PM. The motion passed unanimously.

Recorded by Rachel Nustad (assisted by ClerkMinutes)

Secretary,
Julie Lammers, CMC
Vergas City Clerk-Treasurer

Council Recommendations

- Recommend to the City Council that they enter into the joint powers agreement with the city attorney and adopt the abatement language into the ordinances, with the understanding that such enforcement would be used on a case-by-case basis when needed.

Follow Up Actions

- Lammers: Update all ordinance references from 92.99 to 91.99 in the penalty sections and review with attorney before making changes.
- Lammers: Send current abatement/emergency procedure language to the attorney for review before updating ordinances.
- Julie: Schedule the interim use public hearing for the gravel pit immediately prior to the next Planning Commission meeting on April 27, and notify relevant parties.
- Lammers: Contact Blaine (Widseth) to request completion of the annual review/report for the gravel pit by the time of the permit hearing, if possible.
- Planning Commission: Begin using the new variance worksheet for all variance applications to ensure all required criteria are documented and justified.
- Lammers: Place the variance worksheet under Planning Commission documentation for easy access by commission members.
- Lammers: Inform neighbors who complain about garbage/nuisance properties that if they observe rodents or foul odors, they should report it for possible enforcement action.

DRAFT

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5. Status of Council Recommendations

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6. Construction Permits

A. Active Construction Permits

Files Attached

- 2026 Construction Permits 4.22.26.pdf

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7. Old Business

- A. City Ordinance Update
- B. Nuisance Properties

Files Attached

- Proposed CITY OF VERGAS NUISANCE POLICY.pdf

PUBLIC CITY OF VERGAS NUISANCE POLICY

INTRODUCTION:

Public Nuisance affects the health and safety of any considerable number of members of the public, as outlined in City Ordinance section 92.15 Public Nuisance of the Title IX: General Regulations

POLICY:

- 1.) Nuisance property is identified by:
 - A. The Planning Commission tours held at May, July and September Meetings.
 - B. A completed Citizen Concern Form is received in the City Office, from citizens or the Utilities Supervisor.
- 2.) The City Office staff requests utilities department to visually evaluate sites and document with pictures (imprinted with date). This information is delivered to the City Office.
- 3.) Information is presented to Planning Commission for further action.
- 4.) The determination of a nuisance requires the following steps:
 - A. A nuisance letter is created for the property stating the ordinance violation, what is expected to abate the nuisance, specific dates noted as to completion of abatement.
 - B. The Utilities department will inspect the site and provide documentation with pictures. (Imprinted with date.)
 - C. Two Planning Commission members will review documents and determine if nuisance still exists.
- 5.) The City Office sends certified letter allowing an additional 10 days to abate.
- 6.) The Planning Commission recommends to the City Council one of the following actions:
 - a) public hearing
 - b) enforcement proceedings
 - c) litigation
 - d) the City hiring someone to abate the nuisance for them.

If the City is forced to abate the nuisance on property owner's property behalf, the owner will be billed for all the costs associated with abating the nuisance including administrative costs. The City may also assess those costs against their property.

Adopted this _____ day of _____, 20__ by the City Council of the City of Vergas

Julie Bruhn
Mayor

ATTEST:

Julie Lammers
City Clerk-Treasurer

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