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# PLANNING COMMISSION

## CITY OF WELLS, MINNESOTA

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Wells Planning Commission Membership:  
Carol Aske, Chair; Steve Nowak, Vice-Chair; Crystal Dulas, Larry Majeski,  
Commissioners; Ashley Seedorf, Council Representative.

### MINUTES

**Regular Meeting – 5:00pm**

**Monday, August 2, 2010**

Conference Room, Wells City Hall

125 S. Broadway Wells, MN 56097

#### **I. Call to Order**

Chair Aske called the meeting to order with a determination of quorum.

Members Present: Carol Aske, Steve Nowak, and Ashley Seedorf.

Members Absent: Larry Majeski & Crystal Dulas.

Staff Present: City Administrator Jeremy Germann and Community Development Director Christopher Elvebak.

Administrator Germann introduced Chris Elvebak to the board. Mr. Elvebak is the replacement for Austin Bless.

#### **II. Approval of Agenda**

Com. Seedorf moved to approve the agenda. Com. Nowak seconded and the motion passed.

#### **Approval of Minutes**

Com. Seedorf moved to approve the minutes of the June 16, 2010 meeting. Com. Nowak seconded and the motion passed.

#### **III. Notices & Communications**

- a) Financial Report
- b) League of MN Cities Memo: Combating Public Nuisances

The board received a copy of the department budget and a League of MN Cities Insurance Trust memorandum. The board accepted the items as informational and took no action.

#### **IV. Old Business**

##### a) Nuisance Violation(s) Report

The board received nuisance complaint status reports as compiled by previous staff. Director Elvebak questioned the board on typical enforcement processes.

Administrator Germann updated the board on a hazardous structure complaint.

##### b) Review of Planning and Zoning Code

Director Elvebak questioned the board on proposed changes to the zoning code. The board discussed various changes, reasons for the proposed changes, and where they are at to date on formally recommending adoption to the City Council.

#### **V. New Business**

##### a) Planning Commission: Due Process Review

Director Elvebak distributed copies of a MN Supreme Court decision on variance statute and due process for Minnesota. He informed the board that due to the *Krummenacher v. City of Minnetonka* decision, the direct interpretation of the variance statute must stand, not a previous court interpretation precedent, and that as a result if the property can be put to any other reasonable use than variances can not be granted.

Next, the Commission reviewed zoning code violation procedure and notice requirements with the new Community Development Director.

#### **VI. Public Forum**

No one came forward to address the board.

#### **VII. Adjournment**

Vice-Chair Nowak moved to adjourn. Com. Seedorf seconded and the motion passed unanimously.

Respectfully submitted;  
Christopher Elvebak, Community Development Director