CITY OF GAYLORD
PLANNING & ZONING COMMISSION MEETING MINUTES
June 14, 2023

Members Present: Orlin Grack, Jerry Gasow, Alice Strobel, Steve Boerner, and William Schulte.
Members Absent: Scott Kuphal and Chad Muchow.
Staff Present: Steve Helget, City Administrator
Others Present: Tammy Linkert and daughter, and Isaiah Boettcher.

1. **Call Meeting to Order**
The meeting was called to order by Grack at 5:30 p.m.

2. **Approve Agenda**

Motion was made by Strobel to approve the agenda. Seconded by Boerner and unanimously carried.

3. **Open Forum**

Isaiah Boettcher, 116 Lincoln Avenue, asked how close to the curb he could erect a fence. Helget stated no closer than the street right-of-way line.

4. **Minutes**

Motion was made by Schulte to approve the minutes as corrected from the May 10, 2023 meeting. Seconded by Boerner and unanimously carried.

5. **Public Hearings**

A. City Code Amendment – Sexual Offenders Ordinance

Grack opened the public hearing at 5:35.

Helget stated the City Council at its May 3rd regular meeting reviewed a draft ordinance that adds Section 154 to the City Code regarding sexual offenders and sexual predators. The Council has directed the Planning & Zoning Commission to hold a public hearing on the proposed ordinance and provide a recommendation back to the Council.

Helget stated the intent of the ordinance to promote, protect and improve the health, safety, and welfare of the citizens of the city by creating areas around locations where children regularly congregate in concentrated numbers wherein certain Designated Offenders are prohibited from loitering or prohibited from establishing temporary or permanent residency. Designated Offenders means any person who has been

convicted of a designated sexual offense, regardless of whether adjudication has been withheld, in which the victim of the offense was less than sixteen (16) years of age or has been categorized as a Level III sex offender under Minnesota Statute, section 244.052 or successor statute.

Places where children regularly congregate includes public parks, private and public schools, licensed day care facilities, public libraries, amusement parks and centers, recreation centers, youth athletic fields, public or commercial and semi-private swimming pools, and specialized schools for children, including but not limited to gymnastic and dance academies.

The ordinance states it shall be unlawful for any designated offender to establish a permanent residence or temporary residence within 750 feet of any school, licensed day care center, church, park or playground, school bus stop, or any place where children regularly congregate. A radius map was included in the agenda packet and was reviewed.

Tammy Linkert, 313 Fourth Street, questioned if there will be any rental property for offenders to live based on the 750-foot radius. The radius map identifies segments in the residential areas on the west and north sections of the community that would be possible housing opportunities.

Ms. Linkert asked whether an offender could operate a business within a 750-foot radius area. Helget stated the ordinance addresses residency not where they may work. Helget will consult with the city attorney about this question.

Motion was made by Strobel to close the public hearing. Seconded by Gasow and unanimously carried the hearing was declared closed at 5:55.

6. New Business

A. City Code Amendment – Sexual Offenders Ordinance

The Commission reviewed and discussed Ordinance No. 357.

Motion was made by Gasow to approve Ordinance No. 357 and to recommend such to the City Council. Seconded by Schulte and unanimously carried.

7. Old Business

A. Zoning Code Review and Update

The Commission reviewed and discussed the Architectural Standards and Guidelines, and Solar Energy Systems sections of the draft Zoning Code.

8. Monthly Building Permit Report

The Commission reviewed the May Building Permit report.

9. **Other Items of Discussion**

Grack asked if Jonathan Schilling ever applied for a building permit to build his detached garage. Helget stated he did not. Per the resolution approving his variances, if within 1-year after granting the variances, the use as allowed by the variances, has not been initiated or utilized, then such variances shall become null and void. Helget will mail Mr. Schilling a letter stating his variances are now null and void.

10. **Next Meeting**

The next P & Z meeting is scheduled for 5:30 p.m., July 12, 2023.

11. **Adjourn**

There being no further business, motion was made by Strobel to adjourn the meeting. Seconded by Boerner and unanimously carried. The meeting was declared adjourned at 6:27.

Respectfully submitted,

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Steven Helget
Zoning Administrator