



**CITY OF GAYLORD  
REGULAR CITY COUNCIL MEETING**

Wednesday, June 17, 2015  
6:30 P.M., City Hall

**Members Present:** Mayor Boeder and Members DeVlaeminck, Landaas, Losure and Uecker  
**Members Absent:** Council Member Muchow  
**Staff Present:** Don Lannoye, Schauer Law Office; Kevin McCann, City Administrator; Tony Padilla, Chief of Police; Ian Sing, Gaylord Fire Department; Ty Reimers, City Service Supervisor; Amy Newsom, EDA Coordinator; Katie Bobich, Intern and Lori Waltz, Accountant/Clerk  
**Visitors Present:** Justin Black, SEH; Margi Swanson, Trail Committee; Isaac Elseth, Delaine Elseth, GAAC Manager; Darin Haslip, 101 Development Resources; Tom Olinger, Abdo, Eick and Meyers, LLP; Phil Keithahn, Bob Vose, Kennedy and Graven, Lisa Uecker, Gaylord Hub

**1. Call Meeting to Order**

Pursuant to due call and notice thereof, the meeting of the City Council was called to order by Mayor Boeder at 6:30 p.m.

**2. Pledge of Allegiance**

The Pledge of Allegiance was recited by Council and visitors present.

**3. Consider 06-17-15 Agenda**

COUNCIL MEMBER LOSURE MOVED, COUNCIL MEMBER DEVLAEMINCK SECONDED, TO APPROVE THE JUNE 17, 2015 AMENDED AGENDA. WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED.

**4. Comments, Updates, Concerns**

- 4.A.i. Citizens - None
- 4.B. Council Members - None

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**5. \* Consent Agenda**

COUNCIL MEMBER UECKER MOVED, COUNCIL MEMBER DEVLAEMINCK SECONDED, TO APPROVE THE CONSENT AGENDA, WHICH INCLUDED THE FOLLOWING ITEMS. WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED.

5.A. Minutes

- 5.A.i. Minutes from June 3, 2015 – Regular Meeting

5.B. Accounts Payable

5.C. Resolutions and Ordinances

- 5.C.i. Ordinance Number 319 – WAIVE SECOND READING AND MOVE FOR ADOPTION
- 5.C.ii. Ordinance Number 320 – WAIVE FIRST READING

5.D. Reports of Officers, Boards, and Commissions

- 5.D.i. P&Z Special Meeting Minutes from April 8, 2015  
Special Meeting Minutes from May 11, 2015  
Regular Meeting Minutes from May 13, 2015
- 5.D.ii. EDA Special Meeting Minutes from May 21, 2015  
Regular Meeting Minutes from May 11, 2015  
Small Cities Report

5.E. Other

- 5.E.i. None

**6. Public Hearings – 7:00 PM**

6.A. None

**7. Communications, Requests, and Petitions**

7.A. None

**8. Department and Committee Reports and Action Items**

8.A. Building Inspector – Darin Haslip, 101 Development Resources

8.A.i. Department Update

Haslip reported that he has been working with city staff to get forms and packets created. Haslip stated that he thinks things are going good.  
Mayor said that he has not received any complaints.

8.B. Trail Committee

8.B.i. Annual Report – Margi Swanson, Chair

Swanson reported that five (5) students from Sibley East helped clean up the trail on May 22<sup>nd</sup>. Swanson stated that the Trail Committee has planted 15 plum and apple trees. Swanson suggested that with the new school being built out by the stormwater pond, the Trail Committee would like to extend the trail to Franklin Avenue. Swanson stated that the Trail Committee plan to apply for the Safe Routes to School Grant, this will need City’s approval. Swanson suggested that the City should extend the “No Parking” area further along Lincoln Avenue, because of the additional traffic due to construction.

8.B.ii. Eagle Scout Project – Isaac Elseth, Eagle Scout

Elseth explained that his Eagle Scout Project is to install a 3’ tall wire mesh fence around the storm water pond to help keep the geese off the trail. Elseth stated that the fencing and fence posts would cost approximately \$2,000. Elseth stated that he would be installing the fence himself, with help from family and friends.

McCann explained that there is \$5,400 in the trail budget, \$3,000 of this is set aside for seal coating the trail.

Council consensus is to go ahead with the project.

8.C. Firefighters Relief Association—Ian Sing, President

8.C.i. Donation Presentation

Sing presented the Mayor a check for \$10,000 from the Fire Department to the City for the Major Equipment Fund. Sing also stated that the Fire Department will be donating \$7,000 for Eggstravaganza to use towards fireworks.

8.D. Planning and Zoning Commission – Kevin McCann, City Administrator

8.D.i. Ordinance 321- Amending Code Regarding Emergency Egress

McCann explained that this ordinance will amend the emergency egress section of the rental ordinance so that it is consistent with the building code. Planning and Zoning recommended following the building code.

COUNCIL MEMBER LOSURE MOVED, COUNCIL MEMBER DEVLAEINCK SECONDED, TO WAIVE THE FIRST READING OF ORDINANCE 321 – AN ORDINANCE AMENDING THE GAYLORD CITY HOUSING CODE REGARDING EMERGENCY EGRESS. WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED.

8.D.ii. Resolution 2015-15 – Approve Variance for Jose Mendoza

McCann reported that the Planning and Zoning Committee recommended approval of this variance.

COUNCIL MEMBER LANDAAS MOVED, COUNCIL MEMBER DEVLAEINCK SECONDED, TO APPROVE RESOLUTION 2015-15 – APPROVING A VARIANCE TO ALLOW A 5’ VARIANCE FROM THE FRONT YARD SETBACK REQUIREMENT OF 30’ TO CONSTRUCT A 10’ X 12’ DECK AT 712 MAIN AVENUE. WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED.

8.E. Administration Department

8.E.i. 2014 Audit (Audit Books to be Passed Out) – Tom Olinger, Abdo Eick & Meyers

Olinger reviewed some of the findings from the Management Letter that Abdo, Eick and Meyers has prepared. Olinger stated that a common finding among small cities is that there is a limited segregation of duties. Olinger explained that Abdo is currently working with staff to reduce the number of material audit adjustments that will need to be made in the future. Olinger reported that the General Fund Revenues were above budgeted and General Fund Expenses were under budget. Nursing Home proceed funds were decreased to help with debt for the Aquatic Park. Ambulance funds increased due to a donation received. Olinger stated that he will work with staff to decertify TIF Districts. Olinger noted that there is not a lot of debt that will be going off the books. Olinger explained that a resolution will need to be prepared to close a couple of the inactive debt service funds. Olinger reported that the Water Fund has decreased, mainly due to paying for projects. The Sewer Fund is not quite as healthy as the Water Fund. Olinger noted that the Refuse Fund has been working on reducing the deficit. The Storm Water Fund has a healthy cash balance. Olinger noted that with additional GASB reporting requirements, the Fire Department Relief Association will possibly need to change how the liability is reported. If this isn't changed it may affect the bond rating because of the modified opinion. Olinger stated that he would contact McCann to work on budget preparation.

COUNCIL MEMBER LOSURE MOVED, COUNCIL MEMBER DEVLAEINCK SECONDED, TO APPROVE THE 2014 CITY OF GAYLORD AUDIT AS PRESENTED. WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED.

8.E.ii. Discussion Regarding Professional Services RFP Schedule Policy – Katie Bobich, Intern

Bobich explained that she has prepared a Professions Services RFP Schedule Policy. This would provide a permanent set schedule for the professional services RFP process. Bobich included a proposed schedule in the council packet. Bobich explained that the proposed schedule follows a five year RFP process cycle for banking, building inspector, financial advisor, auditor and engineer.

McCann explained that he had Bobich check with other cities to see what they do. McCann stated that he wanted to setup a policy for an RFP process after council discussed having a way to review the fees from different professional services.

COUNCIL MEMBER LANDAAS MOVED, COUNCIL MEMBER LOSURE SECONDED, TO APPROVE MUNICIPAL POLICY NUMBER 2800 – PROFESSIONAL SERVICES SCHEDULE. WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED.

8.E.iii. Discussion Regarding Community Engagement Survey – Katie Bobich, Intern

Bobich explained that as part of the City's 2015 Strategic Planning Session, increasing citizen participation in the affairs of the City was viewed as a top goal. A community engagement survey can give great insight into the characteristics of a community. Bobich stated that information gathered in this survey can help the City to understand the level of community engagement in Gaylord; how citizen's best receive information from the City; what community events and resources are most used and most needed; and how the City of Gaylord's brand is perceived. The information gathered in this survey can be utilized to help the City better meet the needs of citizens. Bobich reported that she will choose 180 houses, through a random selection. Bobich explained that this survey primarily be done door to door or phone calls.

Lannoye reported that he has reviewed the survey questions and feels that they are ok.

Council consensus is for Bobich to move forward with the Community Engagement Survey.

8.F. \*\*Police Department – Tony Padilla, Police Chief\*\*

8.F.i. Accept Officer Boon's Resignation

Padilla reported that he Officer Boon resigned on June 16<sup>th</sup>, 2015.

COUNCIL MEMBER LANDAAS MOVED, COUNCIL MEMBER DEVLAEINCK SECONDED, TO ACCEPT OFFICER BOON'S RESIGNATION. WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED.

8.F.ii. Authorize Police Chief to Begin Hiring Process

Padilla asked Council for permission to start the background process on the two other officer finalists from the last hiring.

Council consensus is to move forward with the background process.

8.G. **\*\*City Services Department – Ty Reimers, City Services Manager\*\***

8.G.i. Consider Crack Sealing Bid

Reimers reported that he has received three crack sealing quotes, ranging from \$2.20 per pound to \$1.69 per pound. Reimers stated that staff would like to recommend contracting with Lawrence Schreffler at \$1.71 per pound. Staff has worked with Schreffler before and has had no complaints. Reimers explained that there is \$8,000 in the budget for crack sealing.

Lannoye explained that on a typical quote process, council needs to accept the low bid.

Council suggests obtaining references on the low bidder, and if there are problems, have staff go with Schreffler.

COUNCIL MEMBER LOSURE MOVED, COUNCIL MEMBER DEVLAEINCK SECONDED, TO APPROVE HIRING MIDWEST ASPHALT AT \$1.69 PER POUND FOR CRACK SEALING, UPON SATISFACTORY REFERENCE CHECK. WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED.

8.H. **\*\*RS Fiber Project – Bob Vose, Kennedy and Graven\*\***

8.H.i. Consider Resolution 2015-16 – Approving RS Fiber’s Application

Vose explained that he will be helping with the Cable Franchise Agreement. He reviewed the Resolution approving the RS Fiber application. Vose explained that the City has received a letter from Mediacom stating that they want a level playing field. Vose stated that Mediacom’s franchise has expired. Vose explained that he is working for the Cable Commission creating a franchise agreement with RS Fiber that would be similar to the expired franchise agreement with Mediacom.

Lannoye stated that he has reviewed RS Fiber’s Application also and recommends approval.

COUNCIL MEMBER UECKER MOVED, COUNCIL MEMBER LOSURE SECONDED, TO APPROVE RESOLUTION 2015-16 – APPROVING RS FIBER’S APPLICATION. WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED.

8.H.ii. Consider First Reading of Ordinance No. 322 – Cable Franchise Ordinance

Vose stated that RS Fiber would like to have a 15 year Franchise term. Vose provided red lined copies of the cable franchise ordinance for the Council to review.

COUNCIL MEMBER LOSURE MOVED, COUNCIL MEMBER UECKER SECONDED, TO WAIVE THE FIRST READING OF ORDINANCE NO. 322 – CABLE FRANCHISE ORDINANCE. WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED.

**9. Unfinished Business**

9.A. Downtown Street Project Update – Justin Black

9.A.i. Update

Black reported that curb and gutter is getting put in currently. Black stated that this section is a little behind, but should be done by July 15<sup>th</sup>. Black reported that the contractors will be pouring concrete later this week.

9.A.ii. Parking lot redesign

Black explained that in order to maintain parking during construction, a redesign of the city parking lot is needed. A quote was obtained from the contractor to make the parking lot accessible. Expenses for striping were not included in the quote. WM Mueller & Sons quoted \$4,019 to redesign the parking lot. Black explained that in order to redesign the parking lot, it will require some removal of the median area and restriping. Then when the project is completed, it will return to its original configuration. Striping was estimated to cost \$1,000.

McCann stated that the City received \$16,000 from MNDOT for easements.

Landaas inquired why the parking lot redesign wasn’t included in the original project.

Black stated that the parking lot was outside of the street easement and is left as a city expense.

COUNCIL MEMBER LANDAAS MOVED, COUNCIL MEMBER LOSURE SECONDED, TO ACCEPT THE PARKING LOT REDESIGN BID OF \$4,019 FROM WM MUELLER & SONS. WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED.

9.B. Water Tower Update – Justin Black

9.B.i. Consider Pay Applications 1-4

Black reported that the steel delivery is scheduled for next week. Tower construction will start after the 4<sup>th</sup> of July. Black stated that he recommends approval of pay applications 1-4.

COUNCIL MEMBER LANDAAS MOVED, COUNCIL MEMBER UECKER SECONDED, TO APPROVE PAY APPLICATIONS 1-4 FOR THE WATER TOWER PROJECT. WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED.

9.C. Update Regarding School Land Swap Agreement and Related Expenses – TO BE PRESENTED AT MEETING

Lannoye reported that the land swap agreement is prepared and has been presented to the School District. Lannoye reported that he has some minor changes to make. Lannoye stated that the formal agreement will be presented to Council at the July 15<sup>th</sup> meeting.

9.D. Update Regarding Land Purchase – TO BE PRESENTED AT MEETING

Lannoye reported that he is working with Sibley Surveyors and that documents should be ready for the July 15<sup>th</sup> Council meeting.

9.E. Consider Downtown Project Completion Party – Amy Newsom, EDA and Chamber Coordinator

McCann reviewed his prepared memo with Council. McCann explained that there has been discussion to host a downtown completion party with the Johnny Holm Band to celebrate the new streets downtown. The proposed date is September 18<sup>th</sup>. The Chamber will coordinate and host the event, but are looking for financial assistance from the City. They will also ask other organizations for contributions, but the City needs to be willing to fund the majority of the event if need be. The street dance would serve as a “thank you” to the community for dealing with the construction. Additional donation requests have been sent out.

Newsom explained that the Chamber has sought donations and has received \$5,300. Newsom explained that the Chamber would also like to have a completion party, when the entire project is completed in October. The Chamber will plan on selling beer at the street dance to help fund the completion party.

Landaas reported that he is waiting for a response from the Johnny Holm Band to get some questions answered. Newsom reported that the Chamber will be asking the Fire Department Relief Association for a donation.

COUNCIL MEMBER LANDAAS MOVED, COUNCIL MEMBER LOSURE SECONDED, TO CONTINUE TO MOVE FORWARD WITH THE STREET DANCE IN SEPTEMBER. COUNCIL MEMBERS LANDAAS AND LOSURE VOTING IN FAVOR, COUNCIL MEMBERS UECKER AND DEVLAE MINCK VOTING AGAINST. MOTION PASSES WITH MAYOR BOEDER VOTING IN FAVOR.

9.F. Update Regarding Jerry’s Home Quality Foods Parking Lot Agreement (PENDING INFORMATION FROM JERRY HAHN) – Kevin McCann, City Administrator

Council directed Lannoye to meet with Hahn to try to have this item ready for the July 15<sup>th</sup> Council meeting.

**10. New Business**

10.A.i. None

**11. Other**

11.A.i. None

**12. Upcoming Meetings and Events**

- 12.A. Monday, June 29<sup>th</sup> – 7:00 – Fire Department Meeting
- 12.B. Wednesday, July 1<sup>st</sup> – NO COUNCIL MEETING
- 12.C. Monday, July 6<sup>th</sup> – 5:15 – Library Meeting
- 12.D. Wednesday, July 8<sup>th</sup> – 5:30 – P&Z Meeting
- 12.E. Wednesday, July 8<sup>th</sup> – 6:30 – HPC Meeting
- 12.F. Monday, July 13<sup>th</sup> – 6:30 – EDA Meeting
- 12.G. Wednesday, July 15<sup>th</sup> – 6:30 – City Council Meeting

**13. Adjournment of Regular Meeting**

There being no further business to come before the City Council. COUNCIL MEMBER UECKER MOVED, COUNCIL MEMBER LANDAAS SECONDED TO ADJOURN. WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED. The meeting was adjourned at 8:20 p.m.

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Kevin McCann  
City Administrator

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Don Boeder  
Mayor