



**CITY OF GAYLORD**  
**REGULAR CITY COUNCIL MEETING**  
Wednesday, December 16, 2015  
6:30 P.M., City Hall

**Members Present:** Mayor Boeder and Members DeVlaeminck, Landaas, Losure, Muchow and Uecker  
**Members Absent:** None  
**Staff Present:** Don Lannoye, Schauer Law Office; Kevin McCann, City Administrator; Dan Reich, Police Officer; and Lori Waltz, Accountant/Clerk  
**Visitors Present:** Martin Kuphal, Jr., Mahdi Amira, Casey Just, Mike and Cheryl Messner, Marshall and Ashley Messner, Diana Karau, Dave Laabs, Colleen Robeck, Sue Schmitt, Chip Wolverton, Ron and Sarah Kirsch, Brad Goetsch, Emily Kuphal, Mark Newsom, Mike Walsh, Avery Grochow, Sibley Surveyors; Avis Klukas, Forever Young Senior Center Vice President; Judy Tolzmann, Senior Center Coordinator; Justin Black, SEH; and Joe Deis, 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 12-16-15 Agenda**

COUNCIL MEMBER LOSURE MOVED, COUNCIL MEMBER DEVLAEMINCK SECONDED, TO APPROVE THE AMENDED DECEMBER 16<sup>TH</sup>, 2015 AGENDA. WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED.

**4. Comments, Updates, Concerns**

\*\*Per Municipal Policy 1500, citizen comments are intended to afford the public an opportunity to address concerns to the City Council. Citizen comments will be no longer than ten (10) minutes in length and each presenter will have no more than two (2) minutes to speak, unless additional time is granted by the Mayor. Topics of discussion are restricted to City topics rather than private or political agendas. The City Council may discuss, but will not take formal action on public comments.\*\*

**4.A. Citizens –**

Sue Schmitt stated that she understands the tough decisions that the Council Members have to make. Schmitt stated that she thought that the new snow parking ordinance was a little excessive.

Ashley Messner explained that she was at the Council Meeting to defend herself about the petition that she had started on social media. Messner reported that she had set up the petition to help inform people. Messner stated that she knows that this is a tough decision to make. Landaas asked Messner if she had contacted any Council Members prior to creating the petition. Messner said that she had tried to talk to McCann, but that he was busy at the time.

Diana Karau said that when she first moved to Gaylord about 20 years ago, she was impressed with how clean and orderly Gaylord was. She said that now it seems like it has deteriorated, she wants the old Gaylord back.

Casey Just explained that on December 4<sup>th</sup>, she had parked her car on the street in front of her friend's apartment, while she was on call for the Gaylord Ambulance Service. Just stated that she received a ticket on her vehicle that was parked on the street, she thought that she should have received a warning first.

Mike Messner stated that a warning should have been given first per the letter that he had received from the City. Messner stated that he is not aware of any warning being given.

McCann said that he would review the letter that was sent out.

**4.B. Council Members - None**

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**5. \* Consent Agenda**

COUNCIL MEMBER LANDAAS MOVED, COUNCIL MEMBER UECKER 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 the December 2, 2015 Regular Meeting
- 5.B. Accounts Payable
- 5.C. Resolutions and Ordinances
  - 5.C.i. Ordinance Number 326 – Amending Utility Billing Code – SECOND READING & ADOPTION
  - 5.C.ii. Resolution 2015-27 – Resolution Adopting Final 2015 Tax Levy, Collectible in 2016
  - 5.C.iii. Resolution 2015-28 – Resolution Adopting Final 2016 General Fund Budget
  - 5.C.iv. Resolution 2015-29 – Resolution Adopting Final 2016 Enterprise Fund Budget
  - 5.C.v. Resolution 2015-30 – Resolution Adopting Final 2016 Special Fund Budget
- 5.D. Reports of Officers, Boards, and Commissions
  - 5.D.i. Planning and Zoning – Minutes from October 14, 2015
  - 5.D.ii. AGGW Cable Commission – Minutes from October 14, 2015
- 5.E. Other
  - 5.E.i. 2015 List to Certify for Delinquent Utilities
  - 5.E.ii. Abdo, Eick, & Meyers 2014 Audit Engagement Agreement
  - 5.E.iii. Fire Call to certify

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**6. Public Hearings – 7:00 PM**

- 6.A. None

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

- 7.A. Petition to Repeal Winter Parking Ordinance  
Lannoye explained that per the Charter, the petition needs to be read.  
Boeder read the petition “Recall initiative proposing the repeal of new winter parking ordinance, Section 71.38 of the Gaylord City Code, effective November 1 – April 1, which states; no motor vehicle shall be parked on any public street, between the hours of 2:00 a.m. to 6:00 a.m., or until it has been plowed, whichever is later.  
Lannoye stated that the Petition has been formally read and received. Lannoye explained that the Council has 65 days for a Public Hearing to be held and a decision made.  
Lannoye explained that the council could decide to amend the ordinance, but the Petition Committee could choose to deny the compromise.  
Council consensus is for the Council to deal with this as a whole and hold a special public hearing.  
The Special Public Hearing will be held on Wednesday, January 20<sup>th</sup>, 2016 at 7pm. Council suggested that this meeting will most likely need to be held at a different site, like the school or the basement of the courthouse.  
Cheryl Messner asked if the Council could make a decision tonight.  
Lannoye said that once a petition has been received by the Council, a Public Hearing is required.

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

- 8.A. Park Board – Dale Johnson, Chair
  - 8.A.i. Annual Update  
This item was removed from the agenda.
- 8.B. Forever Young Senior Center
  - 8.B.i. Annual Update  
Klukas explained that January 9<sup>th</sup> is the membership drive, Council is invited. Klukas stated that there are approximately 60 members. Klukas reported that the FYSC had a good turnout at their catered Christmas meal. Klukas explained that the Senior Center is the location where the Meals on Wheels are delivered out of.

8.C. Administration Department – Kevin McCann, City Administrator

8.C.i. Community Engagement Survey Results – Katie Bobich, Intern

McCann reported that Bobich was unable to attend the meeting tonight. McCann explained that the survey was conducted by contacting citizens to take part in the survey through cold-calling, door-to-door knocking, at community-wide events, at businesses and online. McCann reported that they received 110 responses out of their goal of 180. McCann reviewed the survey results. McCann explained that the next step would be for the Council to set up a task force to address the concerns addressed by the survey.

Boeder inquired if anybody was interested in being on the task force, they should let him or McCann know.

8.C.ii. Consider Public Hearing Guideline Policy

McCann reviewed the Draft of the Public Hearing Policy. McCann suggested that this policy get adopted prior to January 20<sup>th</sup>, 2016 meeting. McCann explained that this way the procedure for a Public Hearing is in writing, so everybody will be aware of the proper procedure.

COUNCIL MEMBER LANDAAS MOVED, COUNCIL MEMBER MUCHOW SECONDED, TO APPROVE THE PUBLIC HEARING GUIDELINE POLICY 3000. WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED.

8.C.iii. Discussion Regarding the 2016 Fee Schedule

McCann reviewed the prepared memo. McCann stated that the new ambulance fees have been added to the prepared schedule. There was discussion regarding the commercial compost charges. McCann stated that currently, it is against City Policy to permit commercial composting.

Council consensus was to have McCann and Lannoye work on adding language to the Ordinance reflecting that there can be Commercial Composting with a permit and a fee.

COUNCIL MEMBER MUCHOW MOVED, COUNCIL MEMBER LOSURE SECONDED, TO WAIVE THE FIRST READING OF ORDINANCE 325 – AN ORDINANCE SETTING THE 2016 FEE SCHEDULE FOR THE CITY OF GAYLORD, WITH ADDITIONAL LANGUAGE REGARDING PERMITTED COMMERCIAL COMPOSTING. WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED.

8.C.iv. 2016 Pay Scale (based on outcome of workshop)

This item was removed from the agenda.

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

8.D.i. Set Special Meeting Date for School Addition Preliminary/Final Plat

McCann reported that Sibley East School would like to start underground work at the end of the month.

Boeder suggests having a Special Meeting on December 28<sup>th</sup> for the Council to approve the preliminary and final plat.

Grochow stated that he will try to have the mylars ready for the Council signatures.

McCann explained that the plat approval is being fast tracked to try and complete the transaction before the end of the year.

Council consensus is to hold a Special City Council Meeting on December 28th at 6:30 pm to approve the Preliminary and Final Plat for the School Addition.

8.D.ii. Consider MnDOT Land RLS

McCann reported that MnDOT has finally completed an RLS of the proposed land to convey to the city. Planning and zoning has reviewed this and did not see any issues. McCann explained that once the RLS is finalized, MnDOT will work to convey the property to the city. McCann explained that the City will have to purchase the land if we want to resell it for future development. Once the RLS has been filed, MnDOT will send a formal offer letter to the City. McCann stated that the first step in whether the city acquires the land or not is to approve the RLS.

COUNCIL MEMBER MUCHOW MOVED, COUNCIL MEMBER UECKER SECONDED, TO APPROVE THE MNDOT LAND RLS #24. WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED.

9. Unfinished Business

9.A. Update Regarding Proposed Frontage Road – Justin Black, SEH

Boeder wanted to explain to everyone that the Frontage Road plans are only proposed designs to help with future planning and concept drawings.

Black explained that the next step that he is recommending is to go out and meet with each land owner along the proposed Frontage Road, to take input and listen to concerns. Black also suggests holding a Public Hearing at a future date.

Council consensus is to continue to move forward with the proposed Frontage Road.

**10. New Business**

**10.A. Request for additional EDA funds**

Muchow explained that the EDA has established a Sign and Awning Program, in which they will pay up to \$2,000 per business. Muchow stated at a recent EDA meeting, the EDA received six (6) applications for the Sign and Awning Program, but are now running out of the money that the EDA had allocated for this program. Muchow explained that the EDA would like to request \$10,000 from the General Fund to be used for the Sign and Awning Program.

COUNCIL MEMBER LOSURE MOVED, COUNCIL MEMBER DEVLAEMINICK SECONDED, TO APPROVE THE TRANSFER OF \$10,000 FROM THE GENERAL FUND TO THE EDA SIGN AND AWNING PROGRAM. WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED.

**11. Other**

11.A.i. None

Boeder read an email that he had received. The email said that the Council was doing a great job being economical with the least impact.

**12. Upcoming Meetings and Events**

- 12.A. Thursday, December 17<sup>th</sup> – 6:00 – Employee Christmas Party
- 12.B. Thursday, December 24<sup>th</sup> – CITY OFFICES CLOSED
- 12.C. Friday, December 25<sup>th</sup> – CITY OFFICES CLOSED
- 12.D. Monday, December 28<sup>th</sup> – 5:30 – Special P&Z Meeting –School Plat & School CUP
- 12.E. TBD – 6:30 – Special Council Meeting
- 12.F. Monday, December 28<sup>th</sup> – 7:00 – Fire Department Meeting
- 12.G. Friday, January 1<sup>st</sup> – CITY OFFICES CLOSED
- 12.H. Monday, January 4<sup>th</sup> – 6:30 – Ambulance Department Meeting
- 12.I. Monday, January 4<sup>th</sup>, Council Organizational Meeting
- 12.J. Monday, January 11<sup>th</sup> – 5:30 – EDA
- 12.K. Wednesday, January 13<sup>th</sup> – 5:30 – P&Z
- 12.L. Wednesday, January 13<sup>th</sup> – 6:30 – HPC
- 12.M. TBD – Winter Parking Ordinance Public Hearing

**13. Adjournment of Regular Meeting**

There being no further business to come before the City Council. COUNCIL MEMBER UECKER MOVED, COUNCIL MEMBER LOSURE SECONDED TO ADJOURN. WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED. The meeting was adjourned at 7:43 p.m.

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Kevin McCann  
City Administrator

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Don Boeder  
Mayor