



**CITY OF GAYLORD**  
**SPECIAL CITY COUNCIL MEETING**  
Monday, December 28, 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; Amy Newsom, EDA Coordinator; and Lori Waltz, Accountant/Clerk  
**Visitors Present:** Avery Grochow, Sibley Surveyors; Sue Keithahn, Chuck Klimmek, EDA President; and Dave Laabs

**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. Consider School Addition Preliminary and Final Plat**

Grochow reviewed the Lot and Block layout and the proposed street layout for the School Addition Plat. Grochow stated the Planning and Zoning Commission had approved the Preliminary and Final Plat for the School Addition at their meeting, prior to this Special Meeting.

Lannoye reported that there was no opposition at the Public Hearing that was held.

Grochow stated that the Sibley East School District is planning on having a temporary construction entrance west of the extension for Harvey Drive.

Lannoye reported that Dean Messner was authorized in Court today to sign on behalf of the family.

Grochow explained that the school's tentative plan is to start work on site drainage the first Monday in January 2016.

COUNCIL MEMBER LANDAAS MOVED, COUNCIL MEMBER MUCHOW SECONDED, TO APPROVE RESOLUTION 2015-31A, A RESOLUTION APPROVING PRELIMINARY AND FINAL PLATS OF THE SCHOOL ADDITION. WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED.

**3. Consider CUP for School in an R-2 District**

McCann explained that in order for the school to be built in an R2 district, a conditional use permit (CUP) is needed to be approved. McCann reported that there were no concerns from the public at the Planning and Zoning Meeting held prior to this Special Meeting.

COUNCIL MEMBER LOSURE MOVED, COUNCIL MEMBER MUCHOW SECONDED, TO APPROVE RESOLUTION 2015-32A, A RESOLUTION APPROVING THE REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW A SCHOOL IN THE R-2 DISTRICT. WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED.

**4. Consider Retaining Outside Legal Counsel for Development Agreements**

Newsom explained that herself, McCann, Klimmek, Keithahn and Parrott have been meeting and would like to recommend that the City hire additional legal counsel to help with the purchase and development agreements for the Meadow Wood Addition and the Mud Lake property. Newsom reported that she has been in contact with three (3) law firms and would like to recommend hiring Gina Fiorini from Kennedy & Graven to assist with this process for an estimate of \$5,000 to \$7,000. Newsom stated that she had talked with Fiorini and said that she could start tomorrow.

Uecker asked if the City would get reimbursement for legal expenses.

Newsom stated that Fiorini thought this item could be negotiated with 4 Square Builders.

Keithahn stated that she feels that it is a good idea to contract with legal counsel that specializes in development agreements.

Landaas stated that he thinks the City should go with an outside firm, since it is Council's job to look out for the best interest of the city.

COUNCIL MEMBER LANDAAS MOVED, COUNCIL MEMBER MUCHOW SECONDED, TO APPROVE HIRING OUTSIDE LEGAL COUNCIL AT A FEE OF \$10,000, WITH AUTHORITY GRANTED TO THE CITY ADMINISTRATOR AND THE MAYOR TO APPROVE ADDITIONAL LEGAL FEES NOT TO EXCEED \$15,000. WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED.

**5. Consider Amendments with the Letters of Intent with 4-Square Builders - PENDING**

McCann reported that current Letters of Intent are fine.

**6. Discussion Regarding Producing a City Mailing of Pros & Cons of Winter Parking Ordinance**

McCann stated that it has been discussed to send a letter to residents explaining the pros and cons of the parking ordinance. McCann estimated the cost of the mailing would be about \$500.

Landaas and Boeder stated that they would like to explain the reasons for the parking ordinance and would like to educate and inform the public.

McCann suggested that he contact Mike Messner to come up with a list of cons to include in the letter to be sent out to residents. Lannoye stated that there is room for compromise, the Petition Committee and the Council would have to agree to the compromise.

McCann suggests that himself, the Mayor, Padilla and Reimers meet with the Petition Committee prior to the Public Hearing meeting to try to come up with a compromise.

Council consensus is to not send out a letter and try to work with the Petition Committee.

Council would like to advertise the Public Hearing, maybe in the Gaylord Hub, to let people know that the Public Hearing will be held in the Sibley County Courthouse basement.

**7. Open Forum – Comments from citizens in attendance**

None

**8. Adjournment**

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 7:27 p.m.

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Kevin McCann  
City Administrator

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Don Boeder  
Mayor