



**CITY OF GAYLORD  
PUBLIC HEARING MEETING**

Wednesday, January 20, 2016  
7:00 P.M., Sibley County Court House Basement

**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; Lori Waltz, Accountant/Clerk; Ty Reimers, City Services Supervisor; Tony Padilla, Chief of Police; and Mark Kuphal, Street Superintendent  
**Visitors Present:** Sheila Bostelman, Amy Swenson, Darren Saffert, Diana Karau, Kim and Ian Sing, Martin Kuphal Jr., Arlen Anderson, Cindy Hennessy, Mary VonEschen, Deb Meyer, Jan Walsh, Dayle and Harriet Troidahl, Mike and Cheryl Messner, Brian and Tiffany Rodning, Marshall and Ashley Messner, Fred Latzke Jr, Michael Piotter, Ron and Sarah Kirsch, Deb Fredin, Ricci and Rand Peterman, Chip Wolverton, John, Colleen and Karinea Robeck, Mark and Amy Newsom, Kirk Brinkman, Emily Kuphal, Brad Goetsch, Pat Kirsch, Tammy Linkert 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 7:00 p.m.

**2. Introduction and Purpose of Public Hearing – Mayor Boeder**

Boeder explained how the Public Hearing process works. Boeder asked McCann to explain how the current parking ordinance came about.

McCann explained that the current parking ordinance was approved at the March 4, 2015. McCann reviewed the previous ordinance was a bit contradictory, with one part of the ordinance stating there will be no parking at all on any city street during a snow emergency and further down, in the ordinance, under penalties it states you have until 9:00 a.m. the next morning to get your vehicle off the street to avoid a ticket. McCann also explained that plowing was done during the period of time when police officers were not on duty to enforce the ordinance. McCann reviewed the Council Meeting minutes from February 4, 2015, which stated that staff would like to implement a new winter parking ordinance that would prohibit any parking on any city street from 2:00 am to 6:00 am or until the snow has been plowed, whichever is later, from November 1<sup>st</sup> to April 1<sup>st</sup>. This would allow the plow drivers to get all the plowing done in one pass instead of several passes and it would allow the PD to ticket parked cars at the end of their shift. If passed, this would take effect next year. Lannoye stated when drafting the ordinance for approval, understood the intention to be when there is an accumulation of new snow to a depth of two or more inches. Chief Padilla stated no, it was no parking period. Lannoye said he could make the changes. After a lengthy discussion, the motion carried to waive the first reading of the Ordinance with the corrections. McCann reviewed the listing of other Cities that have no overnight parking.

Reimers explained that in the past it was hard to get plowing down in one (1) time because there were so many cars left on the road overnight. Reimers stated that the new ordinance allows the plowing to be done faster.

Padilla explained that he had looked at other City's snow removal and parking ordinances and this new parking ordinance is the easiest to enforce and the easiest for people to comply with.

Lannoye reviewed the petition process from the Charter. The Petition was presented on December 16, 2015 and needs to have action taken by February 18, 2016. Lannoye explained that if nothing is decided or changed with the current petition, this issue will need to go to a Special Election. Lannoye said there is a possibility for compromise in the Charter.

**3. Open Public Hearing**

\*\*Per Municipal Policy 3000:

- The mayor will ask first for those who wish to speak to so indicate by raising their hands.
- Speakers will be limited to a time of two (2) minutes unless more time is granted in advance by the Mayor.

- Spokespersons for groups will have a longer time for questions/comments, as determined at the Mayor's discretion.
- Speakers must give their full name and address clearly when recognized by the Mayor. Remember, questions and comments are for the record.
- Direct questions/comments to the Mayor. The Mayor will determine who will answer each question.
- No one will be given the opportunity to speak a second time until everyone has had the opportunity to speak initially.
- Please limit your second presentation to new information, not rebuttal.\*\*

Mike Messner, who is one (1) of the five (5) electors for the petition; stated that the people that signed the petition want to be able to park their vehicles on the streets when there is no snow.

Boeder asked what the petitioners would like to see as a compromise for the parking ordinance.  
Mike Messner stated that the compromise is in the Council's hands since they agreed to handle the petition.

Cheryl Messner stated that she understands that the Council is working to help better citizen's lives. Messner stated that the citizens want the streets plowed, but they want to be able to park on them. Messner would like to go back to the old parking ordinance.

Ian Sing stated that he is the owner of Jefferson Apartments and said that the hardest part of owning apartments is the need for parking spots. Sing stated that he would like a compromise for parking when there is no snow.

John Robeck stated that the City staff is doing a good job plowing the city streets. Robeck stated that he would just like to have everyone be treated the same. Robeck reported that he has photos of cars that were parked on city streets around 4:30 am that were not ticketed.

Chip Wolverton stated that he has a small one (1) car garage and it is a hassle to start, scrape and move cars every morning. Wolverton explained that there are approximately 137 homes that have only a one (1) car garage and feels that this ordinance would be a hinderance for selling these homes. Wolverton is concerned about where people, that work at the courthouse and the school, will park, since the ordinance states that there is no parking after a 2" snowfall until the streets are plowed curb to curb.

Tammy Linkert is upset that she can't park on the street that she has paid assessments for, and feels that it is intrusive and vindictive. Linkert suggests parking on the odd or even side of the street during a snow emergency. Linkert also suggested that the City use Allcall or texting as a way to get snow emergency information out to all the residents.

Sheila Bostelman stated that she has a one (1) car garage with room in her driveway for only one (1) vehicle to park, there is nowhere for a third vehicle to park when her son is home. Bostelman asked that if there is no snow to be allowed to park on the street.

Tiffany Rodning suggested that there be a common sense approach to the parking ordinance compromise. Rodning stated that she felt that if the old ordinance had been enforced, that this new ordinance would not have been needed,

Boeder asked what the citizens would like to see as added language to the parking ordinance that would hinge on snow. Boeder explained that the old parking ordinance was hard to enforce and citizens that received parking tickets fought them in the court system and won.

Boeder stated that the City staff is looking into Allcall.

#### **4. Close Public Hearing**

Boeder closed the Public Hearing at 8pm

#### **5. Council Discussion and Action (if desired)**

Boeder asked the Council if they had any comments or discussion.

Landaas stated that no council member was contacted regarding their concerns regarding the ordinance, prior to the parking ordinance being approved. Landaas explained that the benefit to the citizens with the new parking ordinance is efficiency, which equals savings to the tax payers.

Muchow stated that it's not in anybody's best interest to bring this question to a special election.

Sheila Bostelman asked the council, at what amount of snow does the Street Department go out to plow snow. Mark Kuphal stated that they normally go out when there is usually 2" of snowfall and explained that he calls Sibley County for the official snowfall amount.

Chip Wolverton stated that the ads were confusing, since all of the ads for the parking ordinance state "during snowfall event".

Boeder suggests that the Council listen to all of the information and review and then come back to a future meeting with a suggestion.

Diana Karau stated that the Charter allows the Council time to make a decision, she feels that the citizens would like a decision made tonight.

Boeder explained that the Council works very hard to come up with decisions and that the Council understands that the petitioners want it repealed. Boeder suggests that the Council think about solutions and bring back suggestions to Mike Messner.

McCann stated that he heard two (2) solutions from the public tonight. One of the suggestions is to enforce the new ordinance only when it snows, the other solution is to go back to the old ordinance, but change the enforcement times and calling for snow emergencies.

Mike Messner suggests that there would be no parking on city streets, only during snowfall.

Lannoye explained that the petition committee has ten (10) days to agree or disagree with suggestions made by Council.

Tony Padilla explained that the Police Department didn't start writing citations until December 2<sup>nd</sup>. Padilla stated that it is hard to enforce an ordinance, if there is no clear cut parking time.

Boeder suggested that the Council need to make a decision on the suggestions and bring a draft to the petitioners for agreement and then back to the Council for approval.

Muchow suggests that the proposed ordinance be placed on the next Council agenda meeting.

Landaas would like to hear from city staff on what their suggestions are regarding the impact of the proposed parking ordinance.

Muchow would like to see two (2) or three (3) parking ordinance options reviewed by city staff and the petitioners before the next Council meeting.

Council consensus is to move forward with parking ordinance drafts and have city staff review and meet with the petitioners prior to first meeting in February and bring the agreed upon draft to the Council for a vote on February 17<sup>th</sup>.

## 6. **Adjournment of Meeting**

There being no further business to come before the City Council. COUNCIL MEMBER LOSURE MOVED, COUNCIL MEMBER UECKER SECONDED TO ADJOURN. WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED. The meeting was adjourned at 8:12 p.m.

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Kevin McCann  
City Administrator

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Don Boeder  
Mayor