

**MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL
OF EAST GULL LAKE, COUNTY OF CASS, STATE OF MINNESOTA
REGULAR SESSION
June 6, 2017
6:30 PM**

Mayor Kavanaugh called the June 6, 2017 regular Council meeting to order at 6:30 PM.
The pledge of allegiance was recited.

ROLL CALL

Present: Mayor Kavanaugh, Councilors Lang, Ruttger, Demgen and Hoffmann, City Administrator Mason,
Planning Commission Chair Bruce Buxton, Administrative Assistant Schack

Absent: Councilor Ruttger

Audience: Charles Witzke, Jerry Stromberg, Jane Guild

ADOPTION OF AGENDA

3a. Additions: 8a. Culverts on Hillview Forest Rd; 14b. Review Emergency Procedures;
14c. Overview of New Budget Levels and Worksheet

3b. Deletions: None

M/S/P, ayes, Councilors Hoffmann, Lang, Demgen, Mayor Kavanaugh, absent Councilor Ruttger, to approve the agenda as presented

ADOPTION OF CONSENT AGENDA

M/S/P, ayes, Councilors Demgen, Hoffmann, Lang, Mayor Kavanaugh, absent Councilor Ruttger, to approve the following Consent Agenda items:

- 4a. May 2, 2017 City Council Meeting Minutes
- 4b. Financial Report
 - March, 2017 bank statement
 - May, 2017 Check Register
 - Approved May, 2017 claims 19485 to 19519 for total amount of \$31,115.44
 - Monthly Budget Report, Delinquent WW Customers Report
- 4c. Monetary Limits on Municipal Tort Liability **not** waived.

2016 Audit Presentation

5a. Schlenner Wenner Ryan Schmidt addressed the Council presenting the 2016 audit.

OPEN FORUM**

None

PLANNING & ZONING

7a. Planning and Zoning Report

Administrator Mason addressed the Council regarding the Planning Commission May meeting. He reviewed the inspections done over the last month, showing photos of several properties.

7b. CUP 2017-19: Spalj property at 1100 Green Gables Rd

Administrator Mason addressed the Council reviewing the CUP 2017-19 that was discussed at the Planning Commission meeting. There was much discussion about stormwater retention. The driveway in relation to catch basins was discussed.

Mr. Witzke addressed the Council regarding the change in the proposed driveway avoiding the catch basin. Administrator Mason read a letter from SEH Engineer Ledin regarding the issue. It was noted that there was a lot of time and money spent on the drainage system on that City road. The response from SEH Engineer Ledin was as follows:

I concur with Bruce that it would be my preference to leave the entire drainage system in-tack. We all worked quite a while on this drainage problem (and spent some money) to solve this for the City and former property owner.

The "back stop" term Bruce used is important. A drive any where near the inlet needs to be graded such that water drains back to the road at least to the property line. The inlets are at a sag point in the road, with water coming from a good distance both from the east and west. (The water could easily pool to a foot deep during a heavy rain.)

The entire north curb is surmountable and other than the western easement area and the area of the catch basin, a driveway can be located anywhere.

That said, I understand what is proposed. The location of the drive may be quite important to the overall site development. The basic design elements of Charlie Witzke's proposed change are pretty clear and could be implemented. If it is critical to the project to locate a driveway approach in this location and modify the drainage system, a detailed design with construction oversight following public works standards could be implemented. (There are important considerations such as DOT standards, H-20 loading, roadway drainage that just don't get dealt with in residential construction). Since it is the City's system in the road right-of-way, my recommendation is to have us as the City's engineer do the engineering and oversee the construction. The applicant should pay for the changes. Given the scope and scale of the overall residential project, the cost may be worth the benefit. I am certain this would be a undesirable location to implement a half measure and have a problem.

Mayor Kavanaugh was concerned about the driveway changes and asked several questions regarding the issue.

It was noted that the findings and conditions with the addition of three conditions by the Planning Commission are as follows:

Findings of Fact:

1. A new 5,293 sq. ft. home will be built on the site
2. Height of new home is approximately 28 feet to the roof peak
3. Concrete Slab is 3.7 feet above the OHW of 1194 feet
4. Setback from OHW is 50 feet to the front of the patio of the home.
5. Site from the road to the lake is 48,057 sq. ft., total square footage for the lot including across the road is 119,613 sq. ft. based on the Cass County GIS estimate
6. Total Impervious proposed with house, terraces, driveway, and retaining walls, is 11,800 sq. ft. or 24.55% from the road to the lake measurement of impervious and 9.8% for the entire property.
7. Based on impervious being over 20%, a stormwater management plan has been prepared with two catch basins of 2,976 cubic feet and 1,026 cubic feet for a total of 4,002 cubic feet to capture a 5-year/24-hour storm event as projected for a net area of 38,836 sq. ft. to be estimated at 3,136 cubic Ft of run off volume per 8.5-5 section 7- B-1 of the City Code for the R3 zone.

8. A 2,976 cubic feet of storage volume retention area will be created with pervious pavers in the parking area and including the storage within the underground retention area below the surface of the parking area. Another 1,026 cubic feet of storage will be created by building the lakeside berm to prevent direct run off into Gull Lake.
9. Elevations currently are about 1,200 ground level on the building site per survey, lake level is 1194. A 3-foot separation above highest known groundwater per 8.5-5 Section 6 table of the City Code is required. A 1,204 top of subfloor height is anticipated in new construction.
10. In terms of truck traffic on the newer road, we anticipate approximately 46 loads at 12 yards per load

Conditions:

1. Silt fencing will be required between the building site and lakeshore as well as side-yard setback areas where the grading and fill will occur.
2. Maintain in perpetuity the Stormwater system installed on the property in 2013 as part of the Green Gables Road reconstruction project the easement for the City Stormwater control on Green Gables Rd.
3. Create and maintain stormwater plans as presented to the City to retain water from entering the lake directly or the neighboring properties.
4. Any sump pump systems within the property will be discharged into the stormwater management systems and not into the City Sewer.
5. Existing storm drains in the street shall remain in place and the driveway must work around them. If owners wish to move them, it would be at their expense and built to City Engineer's specs. Any damage to the street surface would also be repaired to City Engineer's specs.
6. Road should be regularly swept to eliminate excessive dirt that could obstruct the City stormwater system and to maintain the road in good condition for busy summer traffic.
7. If the new driveway is left as it is currently designed then the homeowner agrees that the city's engineer will redesign the curb and gutter system to accommodate the new driveway also oversee construction of the new system. Redesign and construction costs are to be paid for by the homeowner.
8. Additional gutters added to the west side of the roof.
9. Extend or alter the berm to capture water in low area in the northeast corner of the property by the Williams boathouse.
10. Future owners will be responsible for consequences of any changes in the current drainage system.

M/S/P, ayes, Councilors Demgen, Hoffmann, Lang, Mayor Kavanaugh, absent Councilor Ruttger, to approve CUP 2017-19 subject to the findings and conditions as presented by the Planning Commission.

WASTEWATER & ROAD REPORT

8a. Hillview Forest Road Culverts

Administrator Mason reviewed the information regarding the culverts for the Anderson and Stevens property. He noted that the culverts were installed by the City in approximately 2000. They have risen over the years and need to be replaced. Mayor Kavanaugh noted we should ask Jeff Ledin to look into the issue to repair the culverts.

PUBLIC SAFETY

No Report

PARK & TRAILS

No Report

PERSONNEL COMMITTEE

No Report

BUDGET COMMITTEE

No Report

MAYOR’S REPORT

No Report

CITY ADMINISTRATOR REPORT

14a. Resolution 06:01-17: 2013 Road Assessment Amendment – Green Hill Townhouse Association
Because the owners of the properties were not aware of the assessment and did not receive any notices, the City of East Gull Lake hereby waives all penalties and interest on said project assessment if the owner of the property pays the assessment in full for a total of \$5,764.00.

Ayes by roll call vote: Councilors Demgen, Hoffmann, Lang, Mayor Kavanaugh, approval to adopt Resolution 06: 01-17; absent: Councilor Ruttger

14b. Review Emergency Procedures

Administrator Mason stated he went to a Homeland Security meeting in Walker with Lake Shore Administrator Teri Hastings and Township Clerk Marla Yoho. He noted that the meeting was very informative, laying out the legalities of taking action during an emergency. It was noted that the Council needs to convene to give authority to the Administrator to sign documentation for emergency actions.

14c. Overview of New Budget Levels and Worksheet

Administrative Assistant reviewed the six budget levels that she created to better track the changes made throughout the budgeting process. She went over the budget levels explaining that there were six levels created:

1. Staff Recommendation
2. Budget Committee Meeting 1
3. Budget Committee Meeting 2
4. Council Meeting 1
5. Council Meeting 2
6. Final Approved

OLD BUSINESS

None

NEW BUSINESS

None

NEXT REGULAR SESSIONS OF CITY COUNCIL/OTHER MEETINGS

Joint Planning Commission & City Council MeetingTuesday, June 13, 2017 at 6:30pm
 Planning and Zoning MeetingTuesday, June 27, 2017 at 6:30pm
 City Council Meeting Thursday, July 06, 2017 at 6:30pm

Wastewater & Road Committee Meeting..... Wednesday, July 26, 2017 at 3:00pm

M/S/P, ayes, Councilors Lang, Demgen, Hoffmann, Mayor Kavanaugh, absent Councilor Ruttger, to adjourn the meeting

Transcribed by East Gull Lake Administrative Assistant
Kathy Schack

These minutes are paraphrased and are not written word for word.

***CONSENT AGENDA ITEMS** are considered to be routine and noncontroversial by the Council and will be approved by one motion. There will be no separate discussion for decision of these items unless a Councilmember, staff member, or citizen so requests due to a speculative controversy, in which case the item will be removed from the consent agenda and considered under the regular agenda.

****OPEN FORUM** allows the public to speak to the Council regarding issues that are not on the agenda.