

**MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL  
OF EAST GULL LAKE, COUNTY OF CASS, STATE OF MINNESOTA  
REGULAR SESSION  
June 5, 2018  
6:30 PM**

Mayor Kavanaugh called the June 5, 2018 regular Council meeting to order at 6:30 PM.  
The pledge of allegiance was recited.

**ROLL CALL**

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

Absent: Councilor Lang

Audience: Jay Rardin, Molly Thompson, Jerry Stromberg, Ken Stevens, Gerald Lind, Nanci Lind

**ADOPTION OF AGENDA**

- 4a. Additions: 5b Approve Monthly Payroll EFT payments;
  - 15a Paul Sachs property;
  - 15c Resolution 06:01-18 – Raffle at Legacy Courses at Cragun’s on  
September 7, 2018 for MN Deer Hunter’s Association
  - 7a Open Forum: Ken Stevens
- 4b. Deletions: None

**Councilor Hoffmann moved and Councilor Demgen seconded the motion to approve the agenda as amended. All present voted in favor thereof. Motion carried.**

**ADOPTION OF CONSENT AGENDA**

**Councilor Demgen moved and Councilor Ruttger seconded the motion to approve the following Consent Agenda items. All present voted in favor thereof. Motion carried.**

- 5a. May 8, 2018 City Council Meeting Minutes
- 5b. Financial Report
  - ◆ April, 2018 bank statement information
    - Checking Account:
      - Total Additions: \$108,652.70
      - Total Subtractions: \$36,827.31
      - Ending Balance: \$151,497.31
      - Interest Paid to date: \$5.31
    - Money Market Account:
      - Beginning Balance: \$402,966.52
      - Total Additions: \$427.25
      - Ending Balance: \$403,393.77
      - Interest Paid to date: \$3,350.62
  - ◆ Approve May, 2018 Check Register
    - Claims 19889 to 19919 for total amount of \$64,092.43
  - ◆ Approve May, 2018 payroll EFT payments
    - EFT Payroll: \$13,060.64; EFT Transmittals: \$18,701.18
  - ◆ Monthly Budget Report, Delinquent WW Customers Report
- 5c. Firework permit – Flashing Thunder Fireworks for Madden's on July 4, 2018 at Madden's Resort.

## **AUDITOR'S REPORT**

- 6a. Molly Thompson from Schlenner Wenner & Company addressed the Council presenting the 2017 City Audit. She noted that the audit revealed a clean financial statement, stating there are no issues or concerns with the accounting process of the city. She reviewed the financial statement numbers. She noted there were new recommendations. She stated that the audit went very well. The contract with Schlenner Wenner & Company is for the next two years. Mayor Kavanaugh noted that the city is very satisfied with Schlenner Wenner & Company.

**Councilor Ruttger moved and Councilor Hoffmann seconded the motion to accept the 2017 audit from Schlenner Wenner & Company. All present voted in favor thereof. Motion carried.**

## **OPEN FORUM\*\***

- 7a. Ken Stevens  
Mr. Stevens, 1370 Hillview Forest Road, addressed the Council regarding his and his neighbor's driveway culverts. He presented photos and discussed the issue of the culverts raising and causing a bump in his driveway. Mayor Kavanaugh stated that the city will investigate and determine the correct responsibility.

## **PLANNING & ZONING**

- 8a. Variance 2018-14 – Jack Cooper, 10831 Pine Peach Peninsula Road  
Chair Buxton addressed the Council regarding the Cooper variance stating that there was a previously on the property. He noted that originally the variance requested that the existing 160 sq. ft. cabin be torn down to accommodate the addition of the 160 sq. ft. to the garage. During the meeting it was noted that the cabin was the oldest building on the peninsula, therefore giving it a historical significance.

### **Staff Findings of Fact:**

1. Current garage of 1,980 square feet exists based upon a presumed variance granted in 2004 that was not recorded with Cass County.
2. Any addition to a variance requires another variance.
3. Homeowner has an existing 160 square foot guest cabin of historical significance
4. Homeowner will add 160 square feet addition onto the rear portion of the existing garage.
5. Impervious coverage based on estimates are approximately 21.8% based upon 13,853 square feet of buildings and driveway on 63,549 square feet of property according to Cass County Tax assessment.

### **Conditions**

1. Existing shed shall have no sewer or water connection
2. Existing shed shall be historically maintained
3. The variance will be recorded with Cass County

**Councilor Hoffmann moved and Councilor Demgen seconded the motion to approve Variance 2018-14 subject to the findings and conditions recommended by the Planning Commission. All present voted in favor thereof. Motion carried.**

- 8b. Planning Commission Report  
Chair Buxton reviewed the items covered at the last Planning Commission meeting. He noted that most of the meeting covered zoning issues.

## **WASTEWATER & ROAD REPORT**

### 9a. Anderson Bros Bid Patching 120<sup>th</sup> Street

Administrator Mason discussed the 120<sup>th</sup> Street condition. There are several areas needing repair. It was noted that Sylvan Township shares the maintenance of this road. The bid for the repair is totaled at \$32,537.98 which half will be paid by Sylvan Township.

**Councilor Demgen moved and Councilor Ruttger seconded the motion to accept the Anderson Brothers bid to repair 120<sup>th</sup> Street for a cost of \$16,268.99. All present voted in favor thereof. Motion carried.**

### 9b. Class-5 on city-owned roadway parcel (87-021-2107)

Administrator Mason noted a resident complaining about the condition of the “roadway”. It was noted that the City did not accept the property as a road therefore has no responsibility to maintain.

### 9c. Road and sewer connections for Cragun’s development

Discussion ensued regarding the project. It was noted the meeting for the Planning Commission for July will be moved from July 31, 2018 to July 24, 2018.

## **PUBLIC SAFETY**

No Report

## **PARK & TRAILS**

### 11a. Update on fishing piers and trails – meeting with DNR held 5/31/18

Administrator Mason met with the DNR representatives on the property that was donated to the city during the HARBOR PUD process to determine fishing pier and trail locations.

## **PERSONNEL COMMITTEE**

### 12a. Joe Janson – took a position with Minnesota Rural Water Association

Administrator Mason stated that Joe accepted a position with Minnesota Rural Water Association that the city could not compete with. He also noted that the new employee, Lee Anderson, is doing exceptional work. He also stated that Gregg Struss is back on a contract basis to complete mowing. The hiring process has started to replace Joe.

## **BUDGET COMMITTEE**

No Report

## **MAYOR’S REPORT**

No Report

## **CITY ADMINISTRATOR REPORT**

### 15a. Administrator’s Report

- Paul Sachs property

Mayor Kavanaugh opened the discussion regarding the land swap by stating that meeting could be closed for this issue if desired. Councilor Hoffmann recommended the discussion continue in open format. Administrator Mason reviewed the situation of building on the property currently owned by Mr. Sachs. Discussion ensued regarding the regulations involved in usage of each of the parcels as well as DNR regulations of usage within wetlands and water. Mayor Kavanaugh stated that the parcel that Mr. Sachs currently owns would be beneficial for the city to own for future trail usage, also stating that the parcels in question for the land swap were donated to

the city and are less important as far as usage to the city. Discussion ensued regarding the parcels to the north and how they are all wetland and the lots 46 & 47 need to be withheld due to future road redesign. It was also noted that the lots swapped would be combined into one PID. Councilor Ruttger noted that the swap would be for the greater good for the city. Councilor Ruttger brought up the concern that this swap is done legally. A motion was made to offer a land swap to Mr. Sachs which was later rescinded to change to the following motion.

**Councilor Hoffmann moved and Councilor Ruttger seconded the motion to propose a concept to trade parcel 87-017-4202 for Lots 38-45 combined as one parcel pending review by the City attorney. Mayor Kavanaugh and Councilors Hoffmann and Ruttger voted in favor thereof. Councilor Demgen voted nay. Motion carried.**

15b. Resolution 06:01-18 – Raffle at Cragun’s on July 19, 2018 for TEAM Foundation

**Councilor Ruttger moved and Councilor Hoffmann seconded, the motion to adopt Resolution 06: 01-18 – a raffle to be held by TEAM Foundation at Cragun's Resort on July 19, 2018; absent: Councilor Lang. All present voted in favor thereof. Motion carried by 4/5 roll call vote.**

15c. Resolution 06:02-18 – Raffle at Legacy Courses at Cragun’s on September 7, 2018 for MN Deer Hunter’s Association

**Councilor Ruttger moved and Councilor Demgen seconded, the motion to adopt Resolution 06: 02-18 – a raffle to be held by Brainerd Chapter Minnesota Deer Hunters at Legacy Courses at Cragun's on September 7, 2018; absent: Councilor Lang. All present voted in favor thereof. Motion carried by 4/5 roll call vote.**

**OLD BUSINESS**

None

**NEW BUSINESS**

None

**NEXT REGULAR SESSIONS OF CITY COUNCIL/OTHER MEETINGS**

Planning and Zoning Meeting .....Tuesday, June 26, 2018 at 6:30pm  
City Council Meeting ..... Tuesday, July 03, 2018 at 6:30pm  
Wastewater & Road Committee Meeting..... Wednesday, July 11, 2018 at TBD  
Park & Trails Committee Meeting..... Tuesday, July 17, 2018 at 3:00pm

**Councilor Ruttger moved and Councilor Demgen seconded the motion to adjourn the meeting. All present voted in favor thereof. Motion carried.**

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.