

**MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL  
OF EAST GULL LAKE, COUNTY OF CASS, STATE OF MINNESOTA  
REGULAR SESSION  
March 7, 2019  
6:30 PM**

Mayor Kavanaugh called the March 7, 2019 regular Council meeting to order at 6:30 PM.  
The pledge of allegiance was recited.

**ROLL CALL**

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

Absent: Mayor Kavanaugh, Councilor Lang

Audience: Mike Germain, CCSO

**ADOPTION OF AGENDA**

4a. Additions: Cass County Sheriff – Open Forum

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 Hoffmann seconded the motion to approve the following Consent Agenda items. All present voted in favor thereof. Motion carried.**

5a. February 5, 2019 City Council Meeting Minutes

5b. Financial Report

- ◆ January, 2019 bank statement information:
  - Checking Account:
    - Total Additions: \$160,752.27
    - Total Transfers: +\$325,000.00
    - Total Subtractions: \$437,356.16
    - Ending Balance: \$201,195.01
    - Interest Earned to date: \$1.58
  - Money Market Account:
    - Interest Earned: \$708.13
    - Total Transfers: -\$325,000.00
    - Ending Balance: \$293,795.36
    - Interest Earned to date: \$708.13
- ◆ Approve February, 2019 Check Register
  - Claims 20222 to 20243 for total amount of \$40,571.04
- ◆ Approve February, 2019 Payroll EFT payments
  - EFT Payroll: \$16,245.76; EFT Transmittals: \$16,011.21
- ◆ Monthly Budget Report, Delinquent WW Customers Report

5c. Firework permit – Flashing Thunder Fireworks for Madden's Resort on July 4, 2019

**OPEN FORUM\*\***

Cass County Sheriff's Office Report for 2018 – Given by Mike Germain, CCSO

## **PLANNING & ZONING**

### 7a. CUP 2019-02 – Chris Foy/Ernie’s Restaurant Marina Slip Expansion

Chair Buxton addressed the Council regarding the CUP for Ernie’s Marina.

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

1. MN DNR has authorized a permit expansion from 32 existing mooring areas on the south side of the point to 60 mooring areas
2. A marina is defined by 7 watercraft or more by city ordinance page 216 #128
3. Marinas are allowed by CUP in the Commercial Waterfront Zone page 248 Zoning District Use Table
4. The additional mooring areas are replacing the location where the Destiny Cruise Boat was parked by permanent docking for the last 4 seasons and construction barges also were parked in this location
5. Destiny Cruise boat has been sold and permanent dock will be removed in the spring
6. Parking locations are available from cruise boat
7. Owner will put a gate on the boat launch to control the access
8. Parking lot may be improved in the future to be asphalt.

#### **Conditions:**

1. Applicant must abide by all conditions identified in the MN DNR permit number 2013-1682
2. Should parking lot be improved with asphalt, a stormwater management plan shall be presented to the City to avoid direct runoff into Gull Lake
3. Rental slips may be daily, weekly or seasonal rental per DNR permit
4. Only a single watercraft lift with canopy is allowed per mooring slip
5. Signs and maps must be posted reminding boaters to remain at idle speed when entering and exiting mooring area.
6. Require all new and/or replaced canopies be green in color.

**Councilor Hoffmann moved and Councilor Demgen seconded the motion to approve CUP 2019-02 subject to the eight (8) findings and six (6) conditions presented by the Planning Commission. All present voted in favor thereof. Motion carried.**

### 7b. Zoning Ordinance Update

Chari Buxton noted the Commissioners had a lengthy discussion regarding the definitions and usage of the different zoning requirements in the ordinance.

## **WASTEWATER & ROAD REPORT**

### 8a. 1. De-Certification of Cragun’s Legacy Wastewater Extension

Administrator Mason noted that the Legacy Wastewater Extension assessment needed to be decertified to include a portion of the property in the new PUD LEGACY VILLAGE. It will then be recertified.

**Councilor Demgen moved and Councilor Hoffmann seconded the motion to approve the decertification of the Cragun’s Legacy Wastewater Extension for the remaining balance of \$114,153.86. All present voted in favor thereof. Motion carried.**

### 2. Resolution 03:01-19: Re-Certification of Cragun’s Legacy Wastewater Extension

**Councilor Hoffmann moved and Councilor Demgen seconded, the motion to adopt Resolution 03: 01-19 – for Recertification of Legacy WW Extension as a special assessment for \$114,153.86 to Cragun Enterprises beginning with the 2020 tax year, accruing annual interest of 2% over a period of 17 years; absent: Mayor Kavanaugh and Councilor Lang. All present voted in favor thereof. Motion carried by 3/5 roll call vote.**

8b. Lift Station #5 Update

Administrator Mason noted that the project will not begin until fall as originally planned rather than beginning early as requested by Tom’s Backhoe. He also noted that financing will be aided by NJPA/Sourcewell.

**PUBLIC SAFETY**

No Report

**PARK & TRAILS**

No Report

**PERSONNEL COMMITTEE**

No Report

**BUDGET COMMITTEE**

No Report

**MAYOR’S REPORT**

No Report

**CITY ADMINISTRATOR REPORT**

No Report

**OLD BUSINESS**

None

**NEW BUSINESS**

None

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

Planning and Zoning Meeting .....Tuesday, March 26, 2019 at 6:30pm  
City Council Meeting ..... Tuesday, April 02, 2019 at 6:30pm

**Councilor Hoffmann 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.