

**MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL
OF EAST GULL LAKE, COUNTY OF CASS, STATE OF MINNESOTA
REGULAR SESSION
December 3, 2019
6:30 PM**

Acting Mayor Jim Ruttger called the December 3, 2019 regular Council meeting to order at 6:30 PM. The pledge of allegiance was recited.

ROLL CALL

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

Absent: Mayor Kavanaugh

Audience: Andy Waletzko, Ben Thuringer

ADOPTION OF AGENDA

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

ADOPTION OF CONSENT AGENDA

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

5a. November 7, 2019 City Council Meeting Minutes

5b. Financial Report

- ◆ October, 2019 bank statement information:
 - Checking Account:
 - Total Additions: \$163,615.84
 - Total Subtractions: \$73,239.76
 - Ending Balance: \$185,951.12
 - Interest Earned to date: \$11.68
 - Money Market Account:
 - Interest Earned: \$807.06
 - Ending Balance: \$551,006.64
 - Interest Earned to date: \$7,919.41
- ◆ Approve November, 2019 Check Register
 - Claims 20492 to 20529 for total amount of \$76,980.67
- ◆ Approve November, 2019 payroll EFT payments
 - EFT Payroll: \$23,982.49; EFT Transmittals: \$13,738.03
- ◆ Monthly Budget Report; No Delinquent WW Customers

OPEN FORUM**

Ben Thuringer from Madden's addressed the Council concerning the increase of the tax assessed value of the resort's property on Wilson Bay.

PLANNING & ZONING

Chair Buxton addressed the Council regarding the Planning Commission meeting.

7a. Conditional Use Permit (CUP) 2019-54A – Mark & Sarah Mangan

An application was submitted to request a CUP to rebuild a garage with an additional 67 square feet of impervious coverage on a lot with pre-existing non-conforming structures.

Findings of Fact:

1. Home was attached to the East Gull lake wastewater system in 2008.
2. A 32x32 storage garage was constructed with a permit in 1998 putting this lot over the current square feet allowed for an accessory structure; this construction date was before the 1,280 square foot limit of accessory structures was added to the city ordinance.
3. The 20 x 24 garage was older and existing which also had a 125 square foot impervious concrete apron on the lakeside which all had to be removed to allow access for the old home removal and reconstruction of a new home.
4. A permit was requested to build an additional 30 x 30 storage building on the same property on February 9, 2004. This permit was denied by East Gull Lake by Community growth and was never built due to impervious and excessive accessory structures on the property.
5. The existing home or the proposed new home does not have an attached garage up to the 1,280 SQ. FT. allowed in the current ordinance rules. This is possibly due to the topography around the home and or personal preference due to it being a cabin compared to a year around home.
6. Preconstruction impervious coverage currently was 26.9% and there were also pre-existing large areas of gravel rock on the ground in various places that were not counted in the impervious calculations behind the small garage but was being removed in favor of grass in the future.
7. Removal of the existing 986 SQ. FT. of asphalt and replacement of this with a pervious surface that will add additional storage capacity to the infiltration basin. This will allow it to contain a 10-year 24-hour storm event which would help to improve the impervious to 24.5% with credit being given for the pervious surface.
8. Total removal of the asphalt turnaround area was considered, however due to the hilly topography and the area left to turnaround when leaving the garage, it is very difficult. it was instead decided to redo it in a pervious product to help this problem.
9. A pre-existing non-conforming deck and hot tub on the lakeside was removed which had encroached on the 50-foot setback. The new home design conforms to the 50-foot setback.
10. They are also removing a small fish cleaning house at the lakeside and a wood storage area between the two garages that will decrease impervious coverage in the shoreline area.

Conditions:

1. Make sure all structures to be removed are completed before final approval letter is sent.
2. Use best management practices to assure no run off from construction enters Lake Sylvan.
3. Remind the home owners of the responsibility to maintain the pervious asphalt area surface in perpetuity to maintain the effectiveness of the product.

Councilor Demgen moved and Councilor Hoffmann seconded the motion to approve CUP 2019-54A subject to the findings and conditions presented by the Planning Commission. All present voted in favor thereof. Motion carried.

- 7b. VanOsdol Violation – after the fact permit conditions not met and damage to neighbor’s property
Chair Buxton addressed the Council regarding the VanOsdol property. He noted the area is stabilized and the restoration plan should be submitted by next spring. DNR has been notified and they will be looking into the situation next spring also. Administrator Mason noted the contractor for the VanOsdol’s was fined for the project work.

Chair Buxton noted that the zoning ordinance has been worked on for over a year. He stated that Sourcewell has been considered to be contacted to help with the process. He stated that the zoning map needs to be updated also. He stated short-term rentals would also be addressed within the process of addressing zoning changes.

WASTEWATER & ROAD REPORT

8a. Lift Station Contractor’s Payment #2: \$166,250.00

Superintendent Joel Jasmer noted Lift Station #5 is up and running.

Councilor Demgen moved and Councilor Hoffmann seconded the motion to approve Payment #2 to Tom’s Backhoe. All present voted in favor thereof. Motion carried.

8b. Review Quality of Green Gables Road Patching Project by Anderson Bros.

PUBLIC SAFETY, PARK & TRAILS, PERSONNEL COMMITTEE

No Reports

BUDGET COMMITTEE

12a. Certificate of Final Levy 2020

FUND	CERTIFIED LEVY
General Fund	\$144,000.00
Public Safety	\$54,400.00
Roads, Streets, & Highway	\$138,000.00
GO Bond 2015 Road Improvements	\$143,000.00
GO Bond 2013 Road Improvements	\$70,000.00
Parks & Recreation	\$28,000.00
Planning & Zoning	\$55,000.00
W.W. Plant Expansion	\$173,000.00
TOTAL CERTIFIED LEVY	\$805,400.00

Councilor Bergin moved and Councilor Demgen seconded, the motion to adopt Resolution 12: 01-19 – for Certificate of Final Levy for 2020; absent: Mayor Kavanaugh. All present voted in favor thereof. Motion carried by 4/5 roll call vote.

MAYOR’S REPORT

No Report

CITY ADMINISTRATOR REPORT

14a. North Country Chapter of Pheasants Forever Inc Raffle Resolution 12-02-19

Councilor Demgen moved and Councilor Hoffmann seconded, the motion to adopt Resolution 12: 02-19 – a raffle to be held by North Country Chapter of Pheasants Forever Inc at Cragun's Legacy on March 28, 2020; absent: Mayor Kavanaugh. All present voted in favor thereof. Motion carried by 4/5 roll call vote.

14b. Polling Place Designation Resolution 12-03-19

Councilor Bergin moved and Councilor Hoffmann seconded, the motion to adopt Resolution 12: 03-19 – for polling place designation; absent: Mayor Kavanaugh. All present voted in favor thereof. Motion carried by 4/5 roll call vote.

14c. 2020 Meeting Schedule

Councilor Hoffmann moved and Councilor Demgen seconded the motion to approve the 2020 meeting schedule. All present voted in favor thereof. Motion carried.

OLD BUSINESS

None

NEW BUSINESS

None

NEXT REGULAR SESSIONS OF CITY COUNCIL/OTHER MEETINGS

City Council MeetingTuesday, January 07, 2020 at 6:30pm
Planning and Zoning MeetingTuesday, January 28, 2020 at 6:30pm

Councilor Demgen 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.