

**MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL
OF EAST GULL LAKE, COUNTY OF CASS, STATE OF MINNESOTA
SPECIAL MEETING
June 6, 2023
6:30 PM**

Mayor Kavanaugh called the June 6, 2023 special council meeting to order at 6:30 PM at Cragun’s Legacy Pavilion, 11496 East Gull Lake.

The pledge of allegiance was recited.

ROLL CALL

Present: Mayor Kavanaugh, Councilors Bergin, Ruttger, Demgen and Hoffmann

Absent: None

City Staff: City Administrator Laura Christensen, Public Works Director Matt Poythress, Administrative Assistant Kathy Schack

P&Z Representative: Planning Commission Chair Bruce Buxton

Audience: See attached sign-in sheets

ADOPTION OF AGENDA

4a. Additions: None

4b. Deletions: None

Councilor Hoffmann moved and Councilor Ruttger 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. May 2, 2023 City Council Meeting Minutes

5b. Financial Report

- ◆ April, 2023 bank statement information
 - Checking Account
 - Total Additions: \$113,527.95
 - Total Subtractions: \$103,759.91
 - Ending Balance: \$198,509.08
 - Interest Earned to date: \$211.03
 - Money Market Account
 - Beginning Balance: \$10,085.26
 - Interest Earned: \$218.00
 - Transfer from CD: \$403,088.63
 - Ending Balance: \$413,173.89
 - Interest Earned to date: \$242.83
 - Certificate of Deposit:
 - Balance: \$0 – Closed in April
- ◆ Approve May, 2023 Check Register
 - Claims 21822 to 21861 for total amount of \$67,391.91
- ◆ Approve May, 2023 payroll EFT payments
 - Payroll Checks Register Total: \$37,557.38
- ◆ Monthly Budget Report, Delinquent WW Customers Report

OPEN FORUM**

6a. Ruth Lake overflow pipe issue

Shane Jordan addressed the Council regarding the Ruth Lake Association project. Jack Hickerson addressed the Council noting that the residents on Ruth Lake are getting frustrated. He also noted that Bruce Buxton has been a tremendous benefit to the city as Chair of the Planning Commission.

PLANNING & ZONING

7a. 2022-75 Norway Ridge Preliminary Plat and Rezone

Chair Buxton noted the applicant made all the changes requested by the city. Councilor Ruttger noted the appearance from the roadway is important to buffer. He also asked about the eagle’s nest. Chair Buxton addressed the concerns noting there is a 300 foot buffer from 77 and the eagle’s nest protection was addressed previously by the EAW and MNDNR. The buffer along the north property line was addressed noting that there are going to be trees planted and a nice fence built.

Councilor Demgen moved and Councilor Bergin seconded to approve 2022-75 Norway Ridge Preliminary Plat subject to the findings and conditions as presented by the Planning Commission. Mayor Kavanaugh, Councilors Bergin, Hoffman, and Demgen voted in favor thereof. Councilor Ruttger voted against. Motion carried.

7b. 2023-21 Hagemann Conditional Use Permit

Chair Buxton noted that the impervious surface has been reduced but the landscape plan has not been completed.

Councilor Bergin moved and Councilor Bergin seconded, the motion to adopt Resolution 06: 02-23 – for Fred and Sue Hagemann Conditional Use Permit 2023-21 subject to findings and conditions recommended by the Planning Commission; absent: none. All present voted in favor thereof. Motion carried by 5/5 roll call vote.

7c. 2023-22 Anderson Conditional Use Permit

It was noted that the applicant agreed to a 1599 waiver of time constraints in order to wait for Cass County TEP results.

7d. 2023-20 DKPA Rental, LLC Helipad Ordinance Amendment

Chair Buxton noted that the ordinance amendment was denied by the Planning Commission.

Councilor Bergin moved and Councilor Ruttger seconded to approve recommendation by the Planning Commission to deny the ordinance amendment 2023-20 request to allow helipads within city limits except at the airport. Mayor Kavanaugh, Councilors Bergin, Hoffman, and Ruttger voted in favor thereof. Councilor Demgen voted against. Motion carried.

Mayor Kavanaugh noted that Bruce Buxton has resigned his position on the Planning Commission and commended the work that he has done over the years.

WASTEWATER & ROAD REPORT

8a. WSB memo

Paul Sandy addressed the council with an update on the wastewater, trail, and road project.

8b. WSB Engineering Proposal, Gull Point Road Trail Extension Project – Future Parking Area to Ernie’s on Gull

Paul Sandy addressed the Council regarding the engineering proposal noting the scope of services.

Compensation Summary

| | |
|---|----------|
| Task 1: Project Management | \$22,350 |
| Task 2: Topographic Survey and Existing Right-of-Way Determination | \$14,588 |
| Task 3: Geotechnical Investigations and Report..... | \$2,656 |
| Task 4: Drainage and Hydraulics Final Design, Plans, and Specifications | \$12,994 |

| | |
|---|------------|
| Task 5: Bridge and Wall Final Design, Plans, and Specifications (sub consultant)..... | See below* |
| Task 6: Trail Preliminary and Final Design, Plans, and Specifications..... | \$30,883 |
| Task 7: Final Cost Estimate | \$3,198 |
| Task 8: Permitting | \$12,021 |
| Task 9: Categorical Exclusion (CATEX) Preparation | \$28,293 |
| Task 10: Project Bidding..... | \$2,896 |
| Task 11: Construction Administration | \$63,338 |

Reimbursable Expenses

Permit Fees

- NPDES \$400
- WCA Permit \$200
- MnDNR Public Waters Permit \$150

Materials Testing \$3,500

Highway Title Commitments – Crow Wing County Abstract..... \$3,000

Subconsultant – Erickson Engineering..... \$53,335

Subconsultant – Blondo Consulting, LLC \$30,454

Total Fee\$284,256

*ERICKSON ENGINEERING scope of services

Trail Bridge Design/Plans \$25,690

Retaining Wall Design/Plans \$22,045

Plan Development Meetings..... \$1,110

Construction Phase \$4,490

Project Total Cost estimate: \$53,335

It was noted that the bridge and wall final design does not need to be decided yet.

Councilor Bergin moved and Councilor Demgen seconded the motion to approve the WSB Engineering Proposal, Gull Point Road Trail Extension Project for a not-to-exceed the cost of \$284,256. All present voted in favor thereof. Motion carried.

Councilor Ruttger moved and Councilor Hoffmann seconded the motion to approve the change order for replacement of the centerline culvert just east of the HARBOR on Gull Point Road. All present voted in favor thereof. Motion carried

8c. Resolution 06:05-23 Town Line Road Maintenance Agreement with Sylvan Township

Councilor Hoffmann moved and Councilor Bergin seconded, the motion to adopt Resolution 06: 05-23 – for Town Line Road Maintenance Agreement with Sylvan Township 2024; absent: none. All present voted in favor thereof. Motion carried by 5/5 roll call vote.

8d. Anderson Brothers bid for services for 120th Street – \$36,326.25

It was noted that the City of East Gull Lake will be responsible for 50% of the cost of the project. Mayor Kavanaugh noted this work is for 640 In ft on the west end of 120th Street.

Councilor Hoffmann moved and Councilor Ruttger seconded the motion to approve Anderson Brothers bid for services for 120th Street for \$36,326.25 with the City of East Gull Lake responsible for 50% of the cost . All present voted in favor thereof. Motion carried.

PUBLIC SAFETY

No Report

PARK & TRAILS

No Report

PERSONNEL COMMITTEE

No Report

BUDGET COMMITTEE

No Report

MAYOR’S REPORT

13a. Report on Cragun’s Rentals

Mayor Kavanaugh asked Eric Peterson to address the Council. It was noted that there has been a document created to address the issue of the rental of the Cragun properties through the 2023 calendar year. Albe Kuschel addressed the Council regarding the traffic issue. He also asked about the private septic systems. He asked for a solution to be in place and enacted by January 2024. Pat Brennan addressed the Council noting the limit of vehicles in the driveways of the rental properties has been violated. Mayor Kavanaugh recommended a committee be formed to address the issue. Councilors Demgen and Hoffmann were appointed.

CITY ADMINISTRATOR

14a. Sourcewell Community Impact Funding Award

Administrator Christensen addressed the Council noting that the \$50,000 funding has been awarded.

| Expenditures/Direct Costs (i.e.: wage, marketing, consultants) | | Community Impact Funds | Other Sources |
|--|---|------------------------|--------------------|
| 1 | Cash receipting software, install, training | \$7,450.00 | |
| 2 | Retaining wall repair at South Wastewater Plant | \$29,000.00 | |
| 3 | Exterior lighting replacement (MN Power-other source) | \$2,500.00 | \$109.00 |
| 4 | Video conferencing equipment/tech upgrades & installation | \$11,050.00 | |
| Total | | \$50,000.00 | \$109.00 |
| Total Project Budget | | | \$50,109.00 |

14b. Legislative update

Administrator Christensen noted the city was awarded \$2.9M for the wastewater decommissioning/reroute project, \$353K for the trail/park project, \$45,000 for public safety, and \$42,000 for roadways through the latest legislative session.

14c. Resolution 06:06-23:Juneteenth – State Recognized Holiday; Personnel Policy update

Councilor Ruttger moved and Councilor Bergin seconded, the motion to adopt Resolution 06: 06-23 – for Juneteenth as a State Recognized Holiday and a Personnel Policy update 2023; absent: none. All present voted in favor thereof. Motion carried by 5/5 roll call vote.

OLD BUSINESS

None

NEW BUSINESS

16a. Brainerd Jaycees 1-4 day Temporary Liquor License – Mariucci Fest at Camp Confidence

Councilor Hoffmann moved and Councilor Demgen seconded the motion to approve the temporary liquor license for the Mariucci Fest at Camp Confidence on June 15, 2023. All present voted in favor thereof. Motion carried.

16b. Confirmation of Mosquito Squad Services Agreement – \$9,522.60

16c. LMCIT 2023-2024 Worker’s Compensation Quote – \$11,122

Councilor Bergin moved and Councilor Demgen seconded the motion to approve LMCIT 2023-2024 Worker’s Compensation Quote in the amount of \$11,122. All present voted in favor thereof. Motion carried.

16d. Resolution 06:01-23: Airport Maintenance & Operations Grant Contract – 2024-2025

Councilor Hoffmann moved and Councilor Bergin seconded, the motion to adopt Resolution 06: 04-23 – for Airport Operation Grant 2025; absent: none. All present voted in favor thereof. Motion carried by 5/5 roll call vote.

NEXT REGULAR SESSIONS OF CITY COUNCIL/OTHER MEETINGS

City Council Special MeetingThursday, June 08, 2023 at 3:00pm
Planning and Zoning Meeting..... Tuesday, June 27, 2023 at 6:30pm
City Council Meeting..... Thursday, July 06, 2023 at 6:30pm

Councilor Ruttger moved and Councilor Hoffmann 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.