

**MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL
OF EAST GULL LAKE, COUNTY OF CASS, STATE OF MINNESOTA
REGULAR SESSION
December 6, 2023
6:30 PM**

Mayor Kavanaugh called the December 6, 2023 regular Council meeting to order at 6:30 PM.
The pledge of allegiance was recited.

ROLL CALL

Present: Mayor Kavanaugh, Councilors Bergin (via interactive technology), 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 Sign-in sheet

ADOPTION OF AGENDA

4a. Additions: 11e

4b. Deletions: None

Councilor Ruttger moved and Councilor Hoffmann 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 Hoffmann seconded the motion to approve the following Consent Agenda items. All Councilors voted in favor thereof; Mayor abstained. Motion carried.

5a. November 7, 2023 City Council Meeting Minutes

5b. Financial Report

- ◆ October, 2023 bank statement information
 - Checking Account:
 - Total Additions: \$145,411.44
 - Total Subtractions: \$119,236.72
 - Ending Balance: \$409,772.70
 - Interest Earned to date: \$564.58
 - Money Market Account:
 - Interest Earned: \$139.62
 - Ending Balance: \$164,534.32
 - Interest Earned to date: \$1,603.26
- ◆ Approve November, 2023 Check Register
 - Claims 22191 to 22220 for total amount of \$71,273.46
- ◆ Approve November, 2023 payroll EFT payments
 - Payroll Checks Register Total: \$38,054.40
- ◆ Monthly Budget Report, Delinquent WW Customers Report

OPEN FORUM**

None

PLANNING & ZONING

7a. Resolution 12:01-23: CUP 2023-52 Erlandson

Councilor Hoffmann moved and Councilor Demgen seconded, the motion to adopt Resolution 12: 01-23 – for Conditional Use Permit 2023-52 subject to the findings and seven conditions as presented by the Planning Commission; absent: none. All present voted in favor thereof. Motion carried by 5/5 roll call vote.

7b. CUP 2023-54 Price – tabled

It was noted the application information was not received in time for review. The project will be addressed at the January 2024 Planning Commission meeting.

7c. Resolution 12:03-23: Variance 2023-55 Skaugstad

Much discussion ensued regarding the size of the parcel, noting that it was too small for the proposed project. The motion was denied.

Councilor Ruttger moved and Councilor Hoffmann seconded, the motion to deny Resolution 12: 03-23 – for Variance 2023-55 subject to the findings and three conditions as presented by the Planning Commission; absent: none. All present voted in favor thereof. Motion carried by 5/5 roll call vote.

7d. Resolution 12:04-23: CUP 2018-34B Legacy Village Amendment

Councilor Hoffmann moved and Councilor Demgen seconded, the motion to adopt Resolution 12: 04-23 – for Conditional Use Permit 2018-34B Amendment to remove the pickleball courts from the Conditional Use Permit; absent: none. All present voted in favor thereof. Motion carried by 5/5 roll call vote.

7e. Release escrow for LEGACY VILLAGE, contingent upon core samples of road(s)

Councilor Demgen moved and Councilor Ruttger seconded the motion to approve releasing the total escrow of \$95,000 to the developer (Cragun’s) contingent upon core sampling of the completed roads within the plat. All present voted in favor thereof. Motion carried.

WASTEWATER & ROAD REPORT

Paul Sandy addressed the Council regarding the following projects.

8a. WSB – Consider Fee Amendment for Right of Way Acquisition Services

Councilor Hoffmann moved and Councilor Ruttger seconded the motion to approve the fee amendment for Right of Way Services for a cost of \$11,391.00. All present voted in favor thereof. Motion carried.

8b. WSB – Consolidate Treatment Project – Approve plans and specifications and authorize bidding

Councilor Demgen moved and Councilor Ruttger seconded the motion to approve final plans and specifications and authorize bidding of consolidate treatment project. All present voted in favor thereof. Motion carried.

8c. WSB – 2023 Gull Lake Lane and Gull Point Road Project – Approve Third and Final (4th) Pay Vouchers

Councilor Demgen moved and Councilor Hoffmann seconded the motion to approve Pay Voucher 3 and final Pay Voucher 4 for East Gull Lake 2023 Street Improvement Project – Gull Lake Lane and Gull Point Road. All present voted in favor thereof. Motion carried.

8d. WSB – Proposal for Services – 2024 Pine Beach Peninsula Road, Birch Grove Road, & East Gull Lake Drive Design/Construction Services

Councilor Bergin moved and Councilor Demgen seconded the motion to approve WSBs proposal for 2024 road project engineering services related to Birch Grove Road, Pine Beach Peninsula Road, and East Gull Lake Drive (Old County Road 70) for a fee of \$52,400. All present voted in favor thereof. Motion carried.

8e. WSB – Proposed Scope of Services for City Engineering Services

Councilor Demgen moved and Councilor Hoffmann seconded the motion to approve proposed City Engineer Services for 2024 for a five year agreement with the following three changes from the previous contract:

- 1. The proposed hourly rate for designated City Engineer (Paul Sandy) increased 3% from \$145/hour to \$149/hour.**
- 2. Special meeting rate (regardless of length) adjusted to \$160/meeting. This was previously set at \$60/meeting, and due to length and number of meetings during the 6-month period in 2023, WSB is proposing an increase as shown above.**
- 3. WSB proposes either a 3-year or 5-year agreement if it is agreeable to the Council, with 3% annual rate increases throughout the period and \$160/meeting locked in for that period.**

All present voted in favor thereof. Motion carried.

8f. Payout from Cass County in the amount of \$177,500 for Pine Beach Peninsula Road

Councilor Demgen moved and Councilor Ruttger seconded the motion to approve the payout from Cass County in the amount of \$177,500 for Pine Beach Peninsula Road. All present voted in favor thereof. Motion carried.

8g. Consider WW Rate Study Proposal

Councilor Hoffmann moved and Councilor Ruttger seconded the motion to approve the wastewater rate study for a cost of \$6,500.00. All present voted in favor thereof. Motion carried.

PUBLIC SAFETY

No Report

PARK & TRAILS

No Report

PERSONNEL COMMITTEE

11a. City offered health insurance opt out incentive

Councilor Hoffmann noted that he would like to do more research and decide at the January meeting.

11b. Earned Sick and Safe Time policy update

A new law in MN has been passed regarding sick time that needs to be added to the personnel policy.

Councilor Hoffmann moved and Councilor Demgen seconded the motion to update the city's sick and safe time policy to comply with the new state law. All present voted in favor thereof. Motion carried.

11c. 2024 wage step increases for all employees

Councilor Hoffmann explained the increase in pay to the city employees as a hybrid of the step increases. He noted that there are two employees that are going to be getting a significant increase. It was decided to spread that increase over a two year span. Councilor Bergin noted two employees would increase 6.3%, two would increase 9.5% and one would increase 12.6% (with COLA included, it was noted that COLA is 3.2%).

Councilor Hoffmann moved and Councilor Ruttger seconded the motion to approve the proposed pay increases in a two year step hybrid plan. All present voted in favor thereof. Motion carried.

11d. COLA increase for 2024 (addressed in 11c)

11e. Rollover of up to 10 days accrued vacation (in addition to the max allowed annual carryover) for employee 48 from 2023 to 2024

Councilor Ruttger moved and Councilor Hoffmann seconded the motion to approve rolling over 10 days of vacation into 2024 for employee 48. All present voted in favor thereof. Motion carried.

BUDGET COMMITTEE

No Report

MAYOR'S REPORT

No Report

CITY ADMINISTRATOR

14a. Administrator's Report

None

OLD BUSINESS

15a. MnDOT Grant for Airport Layout Plan

It was noted that the City has a year to decide whether to move forward with the plan.

NEW BUSINESS

16a. Cragun's Short Term Rentals

Mayor Kavanaugh opened the discussion by requesting Cragun's representatives to talk about the issue of rentals. Jim Eisler read a letter from Terry Clark & Nancy Phillips complaining about the renters. Albie Kuschel addressed the Council regarding the issue. Pat Brennan addressed the Council regarding the issue. Paul Tollefson addressed the Council regarding the fact that four times a year is in the city ordinance, stating that the council needs to follow the ordinance. Mayor Kavanaugh stated that the resort should be allowed to possibly rezone some of the areas for rentals. Councilor Ruttger stated that the rentals should be required to stop renting by the end of 2023. Councilor Hoffmann asked if there could be a compromise. It was noted there are some homes that would be appropriate to rezone. Councilor Bergin stated that he would not support making Cragun's stop the rentals point blank. John Landsburg addressed the Council stating the ordinance is there to be followed.

Councilor Hoffmann moved and Councilor Demgen seconded the motion to approve enforcing the ordinance as is. All present voted in favor thereof. Motion withdrawn.

16b. Consider 2024 Meeting Schedule

April meeting moved to the 9th and July WW meeting moved to the 10th.

Councilor Demgen moved and Councilor Hoffmann seconded the motion to approve the 2024 meeting schedule. All present voted in favor thereof. Motion carried.

16c. Final 2024 Levy

FUND	CERTIFIED LEVY
General Fund	\$130,000.00
Public Safety	\$26,000.00
Roads, Streets, & Highway	\$192,000.00
GO Bond 2015 Road Improvements	\$140,000.00
GO Bond 2013 Road Improvements	\$70,000.00
GO Bond 2023 Tax Abatement-307	\$68,000.00
Parks & Recreation	\$45,000.00
Planning & Zoning	\$139,000.00
W.W. Plant Expansion	\$153,000.00
TOTAL CERTIFIED LEVY	\$963,000.00

Councilor Demgen moved and Councilor Hoffmann seconded, the motion to adopt Resolution 12: 06-23 – for Certificate of Final Levy for 2024; absent: none. All present voted in favor thereof. Motion carried by 5/5 roll call vote.

16d. Discussion of citywide deer management program/action and firearm usage.

Mayor Kavanaugh opened the discussion regarding deer management and firearm usage. Sheila Ayers addressed the Council regarding the overpopulation of deer in the area, asking if there is something that can be done. The DNR representatives stated that the city could go through a process to allow more permits within the 604 permit area to decrease the deer population. It was noted that someone can discharge a firearm if they are 500 feet away from any occupied buildings unless approval from the owner of the building is acquired. It was noted that firearm allowance within the city limits should be reviewed.

16e. Resolution 12:05-23: Lakes Area Shooting Sports Raffle at Cragun’s Resort March 3, 2024

Councilor Ruttger moved, and Councilor Demgen seconded, the motion to adopt Resolution 12: 05-23 – a raffle to be held by Lakes Area Shooting Sports at Cragun's Resort on March 3, 2024; absent: none. All present voted in favor thereof. Motion carried by 5/5 roll call vote.

16f. LMCIT Rates 2024 – rates have decreased

16g. City Attorney RFPs

Discussion ensued noting the city received two RFPs so far.

16h. Special City Council Meeting date and time of January 4, 2024 at 1:00pm at City Hall

It was noted a special meeting is required for funding for the 2023 WW, Trls, & Rd Project.

Councilor Hoffmann moved and Councilor Demgen seconded the motion to approve Special City Council Meeting date and time of January 4, 2024 at 1:00pm at City Hall. All present voted in favor thereof. Motion carried.

NEXT REGULAR SESSIONS OF CITY COUNCIL/OTHER MEETINGS

City Council Meeting..... Tuesday, January 02, 2024 at 6:30pm
 Special City Council MeetingThursday, January 04, 2024 at 1:00pm
 Planning and Zoning Meeting..... Tuesday, January 30, 2024 at 6:30pm

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

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.



City Of East Gull Lake

10790 Gull Point Road
East Gull Lake, MN 56401
218-828-9279

**Council Meeting
December 5, 2023
Sign in Sheet**

Please Print Legibly

Signature

- 1 Paul Johnson
- 2 Alvin Kusch
- 3 Paul Sindy
- 4 Nathan Thom
- 5 Eric Peterson
- 6 Jonathan Ward
- 7 Jason Barden
- 8 Elaine Kraemer
- 9 Theresse Nelson
- 10 Steve Nelson
- 11 Justin Biebyhriser
- 12 STEVE COLLETTE
- 13 Steph Owen
- 14 Rob Mason
- 15 Andrew Brown
- 16 Shannon Lambert
- 17 Kathleen Baumann
- 18 Jack Wawro
- 19 Amy Grunklee
- 20 Corrie Silverberg
- 21 Jody Landsburg
- 22 [Signature]
- 23 [Signature]
- 24 [Signature]
- 25 Sheila Uyen
- 26 Conney Collette
- 27 Mack Lee
- 28 ~~Mark~~ COLLETTE