

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

Mayor Kavanaugh called the September 3, 2019 regular Council meeting to order at 6:30 PM.
The pledge of allegiance was recited.

ROLL CALL

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

Absent: Councilor Hoffmann

Audience: Jim Demgen, Dennis Lang, Bruce Buxton, Jesse Hopkins, Ben Thuringer, Joel Jasmer, Dion Lybeck, Jerry Stromberg, Abbey Pieper

ADOPTION OF AGENDA

4a. Additions: None

4b. Deletions: None

Councilor Bergin moved and Councilor Demgen 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. August 6, 2019 City Council Meeting Minutes

5b. Financial Report

- ◆ July, 2019 bank statement information
 - Checking Account
 - Total Additions: \$329,925.80
 - Total Subtractions: \$119,534.25
 - Ending Balance: \$312,777.16
 - Interest Earned to date: \$8.47
 - Money Market Account
 - Interest Earned: \$1,513.30
 - Ending Balance: \$848,160.74
 - Interest Earned to date: \$5,073.51
- ◆ Approve August, 2019 Check Register
 - Claims 20395 to 20424 for total amount of \$469,839.26
- ◆ Approve Click here to enter a date. payroll EFT payments
 - EFT Payroll: \$17,832.14; EFT Transmittals: \$16,173.51
- ◆ Monthly Budget Report, Delinquent WW Customers Report

5c. Firework permit – Spark 1 Pyro/Mark Glasow for Slalom LLC, DBA Slalom Consulting on September 21, 2019 at Madden's Resort

OPEN FORUM**

None

PLANNING & ZONING

7a. CUP 2019-40 – Gregory landscaping

Chair Buxton reviewed the CUP that is required based upon more than 50 cubic yards of fill being added to the property to create a privacy berm and a separate small 8 x 8 gazebo accessory structure added without a primary structure in place on this PID.

Findings:

1. This is a lot that was purchased recently from the neighbor for additional landscape space to add to his already large project.
2. This new lot was also devastated by the 2015 storm and Mr. Gregory intends to restore a great number of trees and clean it up for his recreational use.
3. A 15-20 foot access was allowed to be cut within the ice ridge to provide a lake view from the new 8x8 gazebo on the new 100 foot lot that is a separate PID.
4. A small 3x3 pump shed is constructed 50 feet from the OHW for the irrigation system.
5. A 4-foot berm with approximately 1,400 cubic yards of dirt will be created and planted with trees similar to what exists on his lot next door to provide privacy and separation.
6. As no primary home exists on this property, a CUP is required for the 8x8 gazebo and the 4-foot berm to be built with more than 50 cubic yards of material.

Conditions

1. No additional buildings shall be built unless a primary home is constructed prior.
2. Additional trees will be randomly planted similar to that which has been done on the neighboring property.
3. Grass or another groundcover will be established on the lot before winter to reduce erosion on the lot.
4. Impervious coverage will not exceed 25% in tiers one and two.

Councilor Demgen moved and Councilor Ruttger seconded to approve CUP 2019-40 subject to the findings and conditions as presented by the Planning Commission. All present voted in favor thereof. Motion carried.

7b. Variance 2019-42A and CUP 2019-42B – Madden’s remove and reconstruct building and pavilion and move tennis courts

Chair Buxton reviewed the Variance and CUP. He noted new site plans that have been received from the surveyor. He reviewed the plans explaining that the whole area is over 25% impervious coverage. He noted that a condition was added to require the percentage be less than 25% in tiers one and two. He noted that Variance was approved for height to 37’ 8”. He noted the CUP was approved to all the reconstruction, adding the condition requiring less than 25% in tiers one and two. The revised plans met the goal of under 25%.

Findings:

1. It would be possible, but not practical, to push the building into the adjoining hill in the back of the building to meet the current height of 30 feet. Doing this would affect entry of staff and supplies going to the kitchen facilities and make the stormwater plan more difficult.
2. Many existing facilities within this resort are currently over the 30-foot height requirement due to construction over the last 90 years prior to this rule being in effect.
3. The design of the new structure is much more attractive than the older building being removed. It also matches the architecture of the older buildings.

Conditions

1. Existing older tree line along Gull Lake outside of the harbor area be maintained to reduce the direct view of the building from the lake.
2. A 20-foot natural vegetation buffer (without mowing) be maintained along the Gull Lake area outside of the harbor.

Councilor Bergin moved and Councilor Demgen seconded to approve Variance 2019-42A subject to the findings and conditions as presented by the Planning Commission. All present voted in favor thereof. Motion carried.

Findings:

1. The resort currently has existing facilities for both tennis and public event uses that must be replaced due to age and deterioration of facilities.
2. Current overall impervious surface within this PID will be improved from 26.5% to 23.7% based on the tennis facilities being eliminated.
3. Tier one impervious coverage will be reduced from existing conditions of 26.8% to proposed conditions of 24.7%. The property will be rearranged and landscaped in a more attractive manner.
4. A stormwater management plan has been submitted based on impervious coverage being over 20% in this PID area.
5. Over Madden's history in the last 15 years, two (2) tennis courts and a large maintenance building have also been eliminated to improve impervious and create more green space in this area.

Conditions:

1. A licensed engineered stormwater plan will be implemented to direct water away from the lake.
2. The new facility will be hooked up to city wastewater facilities using yet to be determined amount of connection fee credits used out of existing credits remaining based on the city wastewater superintendents' calculations.
3. Existing garbage, recycling area, wood pile storage, and mulch pile will be relocated within the resort area to another location and will not create more impervious within this PID.
4. A small wood storage area will be added for fire pit areas in this facility.
5. Four (4) old tennis courts will be removed and replaced with grass for outdoor games.
6. All new building and patio areas will be 50 feet away from the OHW of Gull Lake.
7. Impervious coverage does not exceed 25% in tier one and tier two

Councilor Bergin moved and Councilor Ruttger seconded to approve CUP 2019-42B subject to the findings and conditions as presented by the Planning Commission. All present voted in favor thereof. Motion carried.

7c. Chairman's Report

Chairman Buxton noted the administrator's report was reviewed. The zoning update was discussed and it was decided to meet for a workshop session that will be held on September 10, 2019 at 5:30 pm.

WASTEWATER & ROAD REPORT

8a. Payment made for LS#5 equipment: \$79,518.63

Administrator Mason noted that the electrical equipment was purchased. It was noted that construction can begin on October 27, 2019.

8b. Hiring of a new employee

Administrator Mason noted that four candidates were interviewed and one more will be interviewed on Wednesday.

8c. Update on Gull Dam Road

Administrator Mason noted there was a meeting held at City Hall with the Corps of Engineers and County Officials. It was noted that the completion of the new Gull Dam Road portion is planned to be completed by spring of 2024.

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PARK & TRAILS

10a. Meeting Report

Administrator Mason noted that there was a Park and Trail Committee meeting held last week. It was recommended to increase the trail budget an additional \$10,000.00 to \$28,000.00.

PERSONNEL COMMITTEE

11a. New Employee

BUDGET COMMITTEE

12a. 2020 Budget

Discussion ensued regarding the 2020 budget.

- The General Fund was discussed noting that the computer systems and software budget needed to be increased due to improvements that need to be made to the existing systems.
- Public Safety was discussed noting that the Fire Contract is complete in 2020 and will need to be negotiated for the 2021 and beyond.
- The WW Plant Expansion 301 account was discussed noting that the Budget Committee recommended an increase to cover the deficit of \$35,000 raising the budget amount from \$138,000 to \$173,000.
- Roads, Streets, and Highways budget was to remain the same as last year using cash to cover the deficit.
- GOPIR Sewer Bonds 305 account was discussed noting that the 2011 Bond of \$28,000 was paid off last year. But, because of the amount that is still needed to pay of the other bonds the Budget Committee recommended the \$28,000 be added to the 2015 bond levy, raising that amount to \$143,000 and leaving the 2013 amount at \$70,000.00. It was noted that there is still a deficit of \$44,000 in the 305 account, but there is a cash balance remaining that needs to be used due to the fact that those monies cannot be used by the city in any other manner. Discussion ensued regarding refinancing.
- Park and Recreation was discussed noting the Park and Recreation Committee recommended an increase of \$10,000 to \$28,000 for future expansion of the city trails.
- Planning and Zoning was discussed noting that 50% of the Administrator's salary is charged to this account. It was noted that the account is set up to break even and the cash balance can be used for the deficit. It was noted that the courts are going to take action against cities that charge excessive amounts for their building permits.
- The Wastewater 602 fund was discussed noting the income will be increasing due to construction of new homes and increases to the ERCs for both resorts. Sludge removal was discussed and it was noted that it is done every three years. It was also noted that in a few years the existing loans will be paid off and the bottom line will improve.

It was noted that the overall budget has a deficit of \$56,000 which will be coming out of cash, the majority coming out of the GOPIR Road Bond fund 305 that needs to be used. It was also noted that this is the proposed budget and can be lowered during the December meeting. It was noted that this is an increase of 7% in this proposed levy.

Councilor Ruttger moved and Councilor Demgen seconded, the motion to adopt the resolution to adopt the proposed levy:

General Fund-100	\$144,000.00
Public Safety-225	\$54,400.00
Roads, Streets, & Highway-303.....	\$138,000.00
GO Bond 2015 Road Improvements-305	\$143,000.00
GO Bond 2013 Road Improvements-305	\$70,000.00
Parks & Recreation-404.....	\$28,000.00
Planning & Zoning-407	\$60,000.00
WW Plant Expansion-301	\$173,000.00
TOTAL CERTIFIED LEVY	\$810,400.00

absent: Councilor Hoffmann. All present voted in favor thereof. Motion carried by 4/5 roll call vote.

MAYOR'S REPORT

No Report

CITY ADMINISTRATOR REPORT

14a. Resolution 09:01-19: Gambling Permit – Raffle at Madden's Resort

Councilor Demgen moved and Councilor Ruttger seconded, the motion to adopt Resolution 09: 01-19 – a raffle to be held by MN Knights Foundation at Madden's Resort on May 16, 2020; absent: Councilor Hoffmann. 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, September 24, 2019 at 6:30pm
City Council Meeting Tuesday, October 01, 2019 at 6:30pm

Councilor Ruttger moved and Councilor Bergin 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.