

East Gull Lake Newsletter

Zoning Map

Over the past several years, the City's paper zoning map has deteriorated and become dated. In order to save the information on this map, we created a digital version of the zoning map based on the original. The new digital zoning includes updated information from the handful of rezonings that have taken place over the last fifteen years; however, the map does not change anyone's existing zoning. The new digital zoning map is easier to read, update, and distribute than the old zoning map.

We have strived to create an exact replication of the existing zoning map. If you notice any potential errors, please let our office know, and we will investigate any concerns in order to make certain the zoning map is as accurate as possible. The new digital zoning map is available in draft form at City Hall or online at http://www.communitygrowth.com/east_gull_lake/maps/. All of the Land Use Ordinances and zoning information are available at the same website.

False

Madden's
ERRIES.

June 2005

Ed Dirkswager – 1840 Sylvan View Drive – states that he is very close to the Mangelsdorf property. I just wanted to indicate that at the City Council meeting there was a discussion of vacation of the road beyond the property. There was a great deal of discussion of stormwater management on the site and the road. I just wanted to reiterate our concern for that. If you take a look at that, you can see that water is gushing down that hill. Some of it goes down into neighboring properties. I just wanted to let our concern be known that when a stormwater management plan is done, it takes into account water coming down that road and where it is going to go.

Chairman Mason states that the challenge now is that if it is maintained as a city road, they did not blacktop specifically because they don't know what the status of it is. We wouldn't have as much of a problem if that was done.

Mr. Dirkswager states that he is worried about water not dirt. Right now it makes it a little bit harder to get to these properties. There needs to be a means to capture that water.

Discussion continues on the need for stormwater management at the Mangelsdorf property.

Chairman Mason states that the 66 foot easement may allow them to do it the right way. I guess it all gets down to the developer.

Administrator Lehnhoff states that from our meeting, they are aware of the issue and wanting to do something about it.

Administrator Lehnhoff explains the background behind the Mark Schmutzer rezoning request and lot split request. Mark believes that the fee for rezoning should be waived because he is incorrectly zoned. Furthermore, he believes the two foot contours are not needed for the lot split, they are not building anything. Wants to have the rezoning fee waived, but only the City Council can do that. The Planning Commission can recommend waiving to the City Council.

Mr. Schmutzer explains what he would like to do. Part of his property will be transferred to his neighbor.

Chairman Mason states that one of my concerns is how the zoning map was made. The old zoning administrator took a marker and drew the city into zones. He did it based on what he thought was right. You never knew you had a problem until you walked into this office. Maybe they need to be aware.

Commissioner Anakkala states that it is just a legal description, just a transfer.

Administrator Lehnhoff gives more background, simple lot split but in different zones. Mr. Schmutzer can't split his property in the current zone because it would

July 2005

Administrator Lehnhoff states that at a minimum, we should have a revised stormwater plan and we should review how this will change the impervious coverage. Offers to write a letter for City Attorney Fitzpatrick's review.

Commission comes to a consensus that a letter should be written to the Reedy's with a few options for resolving the situation.

**Rezoning from R-1 to R-2
Application 05-36
Mark Schmutzer**

Administrator Lehnhoff reads public notice and provides the background.

Chairman Mason states that we know most of what is going on here, unless there is something new to add.

Celt, a neighbor of Mr. Schmutzer, states his concerns. Doesn't understand how a new lot can be created on his small property. Thought our comp plan was to keep the rural setting. If we are going to spit, that is getting smaller.

Chairman Mason states that they are not splitting a new property. The "new" property will be combined with another property. It is not a new buildable property.

Discussion of how the zoning map was made. Trying to correct past errors.

Celt asks about the existing deck and how he can subdivide his lot.

Administrator Lehnhoff states that the existing deck may be non-conforming, but it won't affect the property.

Commissioner Anakkala asks how long has it been there?

Celt states that it has been there for years.

Administrator Lehnhoff suggests contacting our office with how to subdivide the property.

Commissioner Lang motions to approve the rezoning. Commissioner Anakkala seconds the motion. The motion passed unanimously.

Schmutzer Metes and Bounds Lot Split

Chairman Mason states that the Schmutzer metes and bounds lot split is the second part of the application.

Administrator Lehnhoff explains the background of the applications, the findings of fact, and recommends approval with conditions.

Commissioner Dunphy motions to approve the lot split with the conditions. Commissioner Lee seconds the motion. The motion passed unanimously.

4. Additions or Deletions to the Agenda
5. Approval of Minutes
 - a. June 2005 Regular Meeting

If the units are required to be in a mandatory rental pool, the development will be subject to securities registration and reporting laws similar to those of time-share units. The Kavanaugh's have requested that the units in the resort not be in a mandatory rental pool. To that effect, they have submitted proposed language for the Declaration. That language is attached at the end of "New Business" in a letter from the Kavanaugh's lawyer, Jennifer Carey.

Staff and the City Attorney have reviewed the proposed language. Staff is comfortable with the changes. Mr. Fitzpatrick has reviewed the language and suggested an additional change that would remove the requirement of the resort to submit a report to the City indicating the rental status of each unit at the end of the year.

c. Rezoning for Commercial Waterfront

In order to bring several properties into the proper zone, Staff proposes to rezone Ernie's, and the resort adjacent to Ernie's to Shoreline Commercial at the next meeting. These properties are currently zoned R-3, which is not consistent with their historical use. The September meeting will be a slower meeting, which is a good time to review these rezonings.

COMPREHENSIVE PLAN

In June 2005, the City began the comprehensive planning process. The process started with a community meeting to discuss current and long-term planning issues that the City is facing. Throughout the summer, small groups helped develop goals for the community. In August, another community meeting was held to collect ideas from the community on how to implement the new goals.

The planning process is now on hiatus until spring when the seasonal residents will return. Once the seasonal residents are back, the comprehensive planning process will start back with a focus on finishing the plan and preparing it for adoption.

The new Comprehensive Plan will help guide development decisions in the City, lead to Land Use & Subdivision Ordinance changes, and prepare the City for expected growth.

The meeting dates will be established at the June 6th City Council meeting.

CITY ADMINISTRATOR'S REPORT

City Committees' Per Diem

M/S/P, all ayes, Carlson, Ruttger, absent – Gaalswyk, to pay committee members \$50.00 per meeting effective after May 2.

OLD BUSINESS

Leaf Pile at Plant

The leaf and brush pile at the plant intended for leaves and small brush has concrete, garbage bags, etc. There was discussion on closing the leaf pile area or putting up signs indicating "leaves and brush only". Tabled until the June meeting.

NEW BUSINESS

Conflict of Interest Issue

Judy Moravec is in the process of investigating the possible conflict of interest issue between Jim Erickson and HR Green.

Projection Screen

M/S/P, all ayes, Ruttger, Demgen, absent – Gaalswyk, to purchase a projection screen for City Hall. The city will also contact Cross Lake about their system.

MEETING ANNOUNCEMENTS

Board of Review Meeting Monday, May 8, 10:00 A.M.

Planning & Zoning Meeting Tuesday, May 30, 6:30 P.M.

Community Comprehensive Plan Meeting –

St. Thomas of the Pines Saturday, June 3, 9:00 A.M.

Wastewater Committee Meeting Tuesday, June 6, 3:00 P.M.

City Council Meeting Tuesday, June 6, 7:00 P.M.

M/S/P, all ayes, Demgen, Ruttger, to adjourn.

Respectfully submitted,

Maureen K. Cirks
City Administrator

CITY OF EAST GULL LAKE
PLANNING AND ZONING COMMISSION/BOARD OF ADJUSTMENT
NOTICE OF PUBLIC HEARINGS

TO WHOM IT MAY CONCERN: Notice is hereby given that the East Gull Lake Planning Commission/Board of Adjustment will convene **Tuesday, August 29, 2006**, at 6:30 PM at City Hall to conduct the following public hearings:

- 06-42 Application for a Variance to construct an addition to a non-conforming structure. Stewart C. Mills, Jr., applicant. The property is located on Green Gables Road along the east Shore of Gull Lake. The property address is 1038 Green Gables Road. Parcel ID: 87-347-0200 and 87-009-3413.
- 06-43 Application for a Variance to construct an addition to a non-conforming structure. Henry C. Mills and Stewart C. Mills, Jr., applicant. The property is located on Green Gables Road along the east Shore of Gull Lake. The property address is 974 Green Gables Road. Parcel ID: 87-009-3403.
- 06-44 Application for a Conditional Use Permit to exceed impervious surface coverage requirement. Steve Miller, applicant. The property is located at 1142 Green Gables Road NW. Parcel ID: 87-347-0050.
- 06-45 Application to grade in excess of 10 cubic yards within the shore impact zone. Steve Miller, applicant. The property is located at 1142 Green Gables Road NW. Parcel ID: 87-347-0050.

City of East Gull Lake Comprehensive Plan. The City of East Gull Lake Planning Commission will conduct a public hearing to consider public comments **related to the draft comprehensive plan.**

All interested persons are invited to attend these hearings and be heard or send written comments to City Hall. Copies of the staff report, including permits, maps, drawings, draft ordinance language, draft comprehensive plan and other pertinent information, are available at City Hall and online at www.eastgullplanning.info at least one week prior to the hearing date.

Timothy Schmidt
P&Z Administrator
City of East Gull Lake

CITY OF EAST GULL LAKE
PLANNING AND ZONING COMMISSION/BOARD OF ADJUSTMENT
NOTICE OF PUBLIC HEARINGS

TO WHOM IT MAY CONCERN: Notice is hereby given that the East Gull Lake Planning Commission/Board of Adjustment will convene **Tuesday, September 26, 2006,** at 6:30 PM at City Hall to conduct the following public hearings:

- 06-53 Application for a Conditional Use Permit to construct an addition to a non-conforming structure. Applicant is Dave Peterson on behalf of property owners Gordon and Judy Prior. The property is located on Pine Top Trail along the shore of Gull Lake. The property address is 1730 Pine Top Trail. Parcel ID: 87-376-0328.

- 06-55 Application for a Conditional Use Permit to exceed the 20% impervious surface coverage requirement of the R-3 Zoning District by 5%. C&D Ross Limited Partnership. The property is located on Kavanaugh Drive along the north shore of Sylvan Lake. The property address is 1661 Kavanaugh Drive. Parcel ID: 87-031-1405.

City of East Gull Lake Comprehensive Plan. The City of East Gull Lake Planning Commission will conduct a public hearing to consider public comments **related to the draft comprehensive plan.**

All interested persons are invited to attend these hearings and be heard or send written comments to City Hall. Copies of the staff report, including permits, maps, drawings, draft ordinance language, draft comprehensive plan and other pertinent information, are available at City Hall and online at www.eastgullplanning.info at least one week prior to the hearing date.

Timothy Schmidt
P&Z Administrator
City of East Gull Lake

OCT 2006

Mr. Villella states yes.

Chairperson Mason calls for a motion.

Motion to approve the Variance of the lot width at the ordinary high water mark of section 5.5(6) of the Ordinance with the conditions as imposed by the Commission made by Commissioner Dunphy, seconded by Commissioner Anakkala. Motion carried unanimously.

Revision to Metes and Bounds Subdivision (No Public Hearing Required)
"Dutch" Cragun

Mr. Cragun requests that the Commission consider approval of a revision of the Metes and Bounds Subdivision approved by the Commission earlier in the spring. Mr. Cragun states that the revision includes moving the west boundary of Tract A to the east by 10 feet. He also requests that staff prepare a letter stating whether or not the parcel will carry the potential to be split through metes and bounds subdivision in the future.

Administrator Schmidt states that such a letter does not imply approval of such a proposal in any way and that such information provided by Staff is done so without any guarantee of accuracy or any other guarantee, implied or otherwise.

Motion to approve the revision of the Metes and Bounds Subdivision as indicated on the Certificate of Survey submitted by the applicant made by Commissioner Lee, seconded by Commissioner Dunphy. Motion carried unanimously.

Intent to Adopt the City of East Gull Lake
Comprehensive Plan
City of East Gull Lake

No MAP Included.
IN PACKET, No discussion
OF MAP

The Commission reviews revisions of the comprehensive plan as discussed through the September Planning Commission meeting which includes the following edits to the comprehensive plan document:

1. Change word "one" to "some" at the beginning of last paragraph on page 6.
2. Delete third strategy under "Short-term Strategies" on page 14.
3. Delete "5" and replace with "2.4" under fifth strategy under "Short-term Strategies" on page 14.

Conflict of Interest – There was discussion on a possible conflict of interest issue with Jim Erickson, a previous Council member, on the rental of a dwelling for the wastewater inspector employed by HR Green Company, the city's engineer at that time. The City Administrator to follow up with our accountant who in turn will contact the State Auditor. Councilor Gaalswyk recommended that we then contact the County Attorney to review the information. A "Conflict of Interest" policy to be considered by the Council.

PLANNING AND ZONING ADMINISTRATOR'S/COMMISSION REPORT

Application #6-60; Variance for a Metes and Bounds Subdivision; Charles and Lance Johnson, Applicants.

M/S/P, all ayes, Gaalswyk, Carlson, to approve the Variance Request for a Metes and Bounds Subdivision for Charles and Lance Johnson, with seven Findings of Fact and three Conditions, with an amendment to the first Condition.

Application #6-63; Variance to Construct a New Home Upon a Nonconforming Lot; Denis Villella, Applicant.

M/S/P, all ayes, Carlson, Gaalswyk, to approve the Variance Request to Construct a New Home Upon a Non-Conforming Lot for Denis Villella, with ten Findings of Fact and eight Conditions.

Comprehensive Plan

The City Council will consider adoption of the Comprehensive Plan at the December City Council meeting.

STREETS REPORT

Streets Public Hearing

A repeat Public Hearing, due to the inadvertent omission of Gull River Road in the mailed and published notices, will be held in City Hall on Thursday, November 30, at 7:00 P.M. to consider construction of various municipal road improvements in the City of East Gull Lake.

Sylvan Township

The City Administrator contacted Sylvan Township regarding 2007 road improvements to 120th Street S.W., the road being a boundary road between Sylvan Township and East Gull Lake. They have agreed to split the cost of the improvement and reimburse us their share in year 2008 when they will have funding available.

Todd Hagen, Ehlers

Todd Hagen will be contacted regarding the use of a Permanent Improvement Revolving Fund for funding the city's public improvements.

PARKS AND TRAILS REPORT

Mark Kavanaugh reported the committee received a matching grant of \$100,000 from Cass County for the continuation of the trails. They are currently planning to extend the trail around the airport to close the loop and continue past Dade Lake up to County

Todd Hagen of Ehlers informed the city that the Ruth Lake Extension Project and the 2007 Road Improvement Project could be combined with the G.O. Sewer Revenue Refunding Bonds, Series 1999A.

M/S/P, all ayes, Gaalswyk, Carlson, to award the bid for the well to Traut Wells, Inc. for \$3,971.00, with the line in the ground and brought up to the room where it needs to be, with the fixture attached to it and wired, and an additional \$17.00 per foot beyond the 80 foot depth quoted if required.

PLANNING AND ZONING ADMINISTRATOR'S/COMMISSION REPORT

Comprehensive Plan

The approval of the Comprehensive Plan was tabled until the City Council can review it as a group at the City Council Retreat sometime during the month of January.

BUDGET COMMITTEE

Motion by Carlson and seconded by Gaalswyk to certify the final 2007 property tax levy for the total amount of \$496,921 for the following purposes: General Fund - \$263,814, Parks and Trails - \$61,000, Wastewater Plant Expansion - \$67,607, 2007 Street Improvement Project - \$90,000, City Hall - \$14,500.

Councilor Gaalswyk withdrew his second based on the \$25,000 for General Fund Street Improvements. Motion failed for lack of a second.

M/S/P, Gaalswyk, Carlson, ayes – Kavanaugh, Carlson, Demgen, Gaalswyk, nay – Ruttger, to approve the following Resolution:

BE IT RESOLVED that the amount of \$471,921 is hereby levied upon the taxable property in the City of East Gull Lake, County of Cass, State of Minnesota, for the year payable 2007 for the following purposes, to-wit:

General Fund	\$238,814
Wastewater Plant Expansion	\$67,607
Parks and Trails	\$61,000
2007 Road Improvement Project	\$90,000
City Hall Building Fund	<u>\$14,500</u>
Total	\$471,921

STREET COMMITTEE

M/S/P, all ayes, Gaalswyk, Carlson, to retain Short Elliott Hendrickson for the design services of \$42,900 and for the construction services of \$34,750 for the total amount of the contract \$77,650, for the improvements to Gull River Road, Hillview Forest Road, Squaw Point Road, 120th Street S.W., Gull Lake Road, Red Oak Drive, and Norway Pine Drive, with completion of the project within sixty days.

**MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL OF
EAST GULL LAKE, COUNTY OF CASS, STATE OF MINNESOTA**

REGULAR SESSION

FEBRUARY 6, 2007

CALL TO ORDER

The East Gull Lake City Council met in Regular Session at 7:00 P.M. and was called to order by Councilor Gaalswyk. The Council and others present recited the Pledge of Allegiance.

ROLL CALL

Present: Councilors Carlson, Demgen, Gaalswyk, and Ruttger.
Absent: Mayor Kavanaugh.

ADOPTION OF AGENDA

M/S/P, all ayes, Ruttger, Demgen, to approve the agenda with four additions:

- 11e. Board of Review meeting
- 11f. Professional Mosquito Control
- 11g. Ordinance Codification
- 11h. Financial graph

M/S/P, all ayes, Demgen, Ruttger, to approve the following Consent Agenda items:

- December 2006 Financials
- 2006 Annual Financial Statement
- January 2, 2007 Regular City Council Meeting Minutes
- Central Lakes College Foundation – raffle permit
- Duck's Unlimited Paul Bunyan Chapter – raffle permit
- Nisswa Women's Club – raffle permit

PLANNING AND ZONING

Comprehensive Plan

The City Council, at their retreat on February 5, recommended several changes to the Comprehensive Plan. The suggested changes will be highlighted and forwarded to both the City Council and Community Growth for their review.

Mangelsdorf Special Meeting

WASTEWATER COMMITTEE

Ruth Lake Wastewater Extension

Joe Carlson of SEH will provide a proposal for engineering fees for the extension so we can bid the project out, and the city will handle the contract administration for the eight connections.

Water Well for the Plant

The quotes for the water well will be brought back to the Council in a month or two when we receive an all-inclusive bid with a recommendation from Randy Ramsdell.

Wastewater Plant

M/S/P, all ayes, Gaalswyk, Demgen, to authorize Short Elliott Hendrickson to prepare the bid documents for the flume channel enclosure, generator, and parshall flume.

Quarterly Wastewater User Fee

M/S/P, all ayes, Carlson, Ruttger, to increase the quarterly wastewater user fee from \$77 to \$81 beginning with the April 2007 billing.

Wastewater Committee Meeting Date

The Wastewater Committee meeting date will be changed from the first Tuesday of the month to the third Tuesday of the month at 4:00 P.M.

CITY COUNCIL RETREAT

The City Council Retreat will be held on Monday, February 5, 8:00 A.M. to 12:00 Noon, at Camp Confidence. Items for discussion include the Comprehensive Plan and 2007 goals (Roads, City Hall Building, etc.).

MAYOR'S REPORT

2007 Appointments

Bank Depository – Bremer Bank

City Newspaper – Brainerd Dispatch

Acting Mayor – Councilor Gaalswyk

Weed Inspector – Randy Ramsdell

Road Committee – Mayor Kavanaugh, Councilor Carlson, Jim Demgen, Jerry Stromberg

Wastewater Committee – Mayor Kavanaugh, Councilor Carlson, Ike Halliwill

Personnel Committee – Councilor Demgen and Councilor Ruttger

Planning/Zoning Committee (term expirations) – Dr. Peter Dunphy – 1/1/10, Dennis

Lang – 1/1/09, Kevin Lee – 1/1/09, Rob Mason – 1/1/08, Ken Anakkala – 1/1/08

City Attorney – Tom Fitzpatrick

Fire Advisory Board Member to Brainerd – Mayor Kavanaugh

Budget Committee – Councilor Demgen, Councilor Ruttger, Mike Blanch, Dennis Lang, Orris Rodahl, Nadine Wittkopp

Public Safety Committee – Mayor Kavanaugh, Councilor Gaalswyk, Ken Anakkala, Kevin Lee

CITY OF EAST GULL LAKE
APPROVED MINUTES
PLANNING AND ZONING COMMISSION
February 27, 2007 – 6:30 PM

See Page 4

1. Call to Order

Meeting called to order by Chairperson Mason at 6:30p.m.

2. Roll Call

Members present: Chairperson Mason, Commissioner Dunphy, Commissioner Lee, Commissioner Halliwill (Alternate)

Chairperson Mason introduces Mr. Ike Halliwill to members of the Commission and welcomes him as an alternate member to the Commission. He further explains that Mr. Halliwill will serve as a member of the Commission in the absence of any Commission member.

3. Public Hearings

Chairperson Mason notes that there are no public hearings scheduled for the evening.

4. Additions or Deletions to the Agenda

Chairperson Mason asks Zoning Administrator Schmidt if there are any additions or deletions to the agenda.

Zoning Administrator Schmidt states that there are two future applicants that would like to present their proposed Variance requests to the Commission, Ms. Allison Timmons and Mr. Jim Deanovic. He requests that these items be placed on the open forum portion of the meeting agenda.

Chairperson Mason requests that the two discussion items be placed on the open forum portion of the meeting agenda.

Chairperson Mason asks members of the Commission if there are any additional additions or deletions to the agenda.

No other additions or deletions are presented by members of the Commission.

5. Approval of Minutes

- a. January 30, 2007 meeting minutes.

Chairperson Mason provides the Commission with an overview of the location of the project and asks about the physical dimensions of the property.

Mr. Herkinhoff states that a variance is needed to address the steep slope on the property and that Mr. Latterell is proposing to build a walkout structure on the property within the steep slope.

Mr. Mason asks Mr. Herkinhoff about the square footage of the home they are proposing within the area.

Members of the Planning Commission spoke about the slope on the property and steep contour of the property. Stated that it is a difficult lot to build upon.

Commissioner Dunphy states that he would be uncomfortable about the creation of a nonconforming lot.

Commissioner Mason also states that he is also uncomfortable with the creation of a nonconforming lot.

Mr. Herkinhoff thanks the Commission for their comments.

Chairperson Mason asks Ms. Timmons to present her project to the Commission.

Tim Moore is present to show the property survey and the proposed project. He states that the lot is preexisting and is currently left vacant. He further states that the project would take place entirely within the bluff setback zone and that the areas around the house would be excavated.

He further described the proposed structure within the setback area.

Commissioner Mason asks if the garage on the adjoining property is located within the setback area. He further stated that the city would have to further scrutinize the plan to ensure the accuracy of the planning documents.

Zoning Administrator Schmidt noted that a type 2 stormwater management plan with an application for a Conditional Use Permit must be prepared for this site and submitted to the City for review.

Mr. Moore and Ms. Timmons thank the Commission.

Mr. Deanovic presents his plan to the Commission. He states that they have tried to increase vegetation upon the lot and meet an impervious surface coverage of 25%.

He further stated that they could reduce some of the impervious surface coverage if needed.

the contract proposal must to go to the Planning Commission then onto the City Council for approval. Schmidt stated that the contract will go to the Planning Commission for their next regularly scheduled meeting.

Chairperson Mason requests that the City look into impervious surface coverage within bluff area in addition to other ordinance amendments.

10. Adjourn

Chairperson Mason calls for a motion to adjourn the meeting.

Motion made by Commissioner Lee, seconded by Commissioner Dunphy to adjourn the meeting. Motion carried unanimously.

Meeting adjourned at 7:35 p.m.

Respectfully Submitted,

Timothy Schmidt
Zoning Administrator

**MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL OF
EAST GULL LAKE, COUNTY OF CASS, STATE OF MINNESOTA**

**SPECIAL SESSION
MAY 1, 2007**

CALL TO ORDER

The East Gull Lake City Council met in Special Session at 6:00 P.M. and was called to order by Mayor Kavanaugh. The Council and others present recited the Pledge of Allegiance. The purpose of the meeting was to discuss planning and zoning options for the City of East Gull Lake.

ROLL CALL

Present: Councilors Carlson, Demgen, Gaalswyk, Ruttger, and Mayor Kavanaugh.

Options presented for planning and zoning services included the following:

1. Continue the contract with Community Growth.
2. Utilize the services of Cass County.
3. Hire an in-house planner.
4. Contract with a different planning company.

The 2005 budget for CGI expenses was \$20,837, with actual expenses \$23,848. The 2006 budget for expenses was \$28,964, with actual expenses \$27,409. The Comprehensive Plan and Ordinance Codification are in addition to the above expenses.

The 2006 revenue was \$15,302, with 74 permits issued. The 2005 revenue was \$20,886, with 86 permits issued.

The possibility of sharing a planner with another government entity was discussed.

The Comprehensive Plan will be adopted at the June 5 City Council meeting.

The City Council will meet with Community Growth in November on a yearly basis for discussion on their services.

The recommendation of the Planning Commission and the City Council is to retain Community Growth and clearly define to them the needs of the City.

M/S/P, all ayes, Ruttger, Demgen, to adjourn.

Maureen K. Cirks
City Administrator

CITY OF EAST GULL LAKE
APPROVED MINUTES
PLANNING AND ZONING COMMISSION
May 29, 2007 – 6:30 PM

1. Call to Order

Chairperson Mason calls the meeting to order at 6:32 p.m.

2. Roll Call

All members present.

Chairperson Mason requests that Commissioner Halliwell regularly attend Planning Commission meetings to ensure he is aware of items being considered by the Commission.

3. Public Hearings

Application 2007-08 for a Variance to Construct a Home Upon a Nonconforming Lot AND Application 2007-34 for a Conditional Use Permit for 21.8% Impervious Surface Coverage
Jim Deanovic, Applicant and Thomas VanDyke, Property Owner

Chairperson Mason asks Staff for an update on these applications.

Zoning Administrator Schmidt explains that the City spoke with Mr. Penwell, Attorney on behalf of Mr. Deanovic and Mr. Gammello, Attorney on behalf of Mr. Van Dyke via conference call and both Attorneys requested that the Variance and Conditional Use Permit applications be tabled. He states that the City has an email from Mr. Deanovic waiving the 60-day review time limit.

Motion by Commissioner Lang to table application 2007-08 for a Variance and application 2007-34 for a Conditional Use Permit.
Motion seconded by Commissioner Anakkala.
Motion passed unanimously.

Application 2007-24 for a Conditional Use Permit for a Type 3 Home Occupation Permit
James Schuft, Property Owner

provided the City with Final Plat materials which will be considered by the Commission at their June meeting. He requests that the Commission table application 2007-29 until the June meeting.

Motion by Anakkala to table application 2007-29 for a Conditional Use Permit, seconded by Commissioner Dunphy.

Motion passed unanimously.

Application for a Metes and Bounds Subdivision (No Public Hearing)
Steve and Janell Madison
Application 2007-28

Chairperson Mason asks if members of the Commission have any questions or comments on the application. He notes that there is not public hearing held for metes and bounds subdivision applications.

Chairperson Mason states he would like to add a condition that the garage be removed by the end of the year.

Ms. Madison mentions that they are building a new home on 1158 Green Gables Road and that they intend to remove the garage that encroaches on the property line.

Motion by Commissioner Dunphy to approve application #2007-28 for a Metes and Bounds Subdivision with the following conditions:

- 1. The lot split shall be filed with Cass County within one year of approval.
- 2. The nonconforming garage structure indicated on Tract B shall be removed by December 31, 2007.

Motion second by Commissioner Lang.

Motion passed unanimously.

4. Additions or Deletions to the Agenda

5. Approval of Minutes

- a. April 24, 2007 Regular Meeting

Motion by Commissioner Anakkala to approve the April 24, 2007 meeting minutes as presented, seconded by Commissioner Lang.

Motion passed unanimously.

6. P&Z Administrator's Report

Commissioner Anakkala does not have an issue with the current Ordinance as the use of property for non-rental purposes is difficult to regulate. He notes that the ownership of property should be immaterial to the City.

Chairperson Mason said such a regulation would be unenforceable and discussed an example of allowing the use of property by a corporation. He states that he would not like to see the transient use aspect of the property.

Zoning Administrator Schmidt discusses example regulations such as relating transient use, not including use by the property owner, to commercial use such as bed and breakfast.

Commissioner Mason notes that the City could define uses based on use of property for compensation purposes by persons who do not reside on the property and states he agrees that the City should require a CUP for any structure greater than 8,000 sq. ft.

3. Review and revise home occupation provisions including removal of Type 4 Home Occupation uses.

Zoning Administrator Schmidt notes that the City has options for further restricting home occupation use and that the correct solution should be to create and define a threshold for what is allowed as a home occupation and exclude all uses beyond that.

Commission further discusses home occupation use.

4. Create standardized appeals process.
5. Revise/clarify what materials what systems, etc., are used within the impervious surface coverage calculation. – Completed.
6. Review and revise violations procedure and process.
7. Review and revise Section 3.0 Definitions.
8. Review and revise or remove 4.3(4) related to property within the Sylvan Shores Development Area.
9. Review and revise Section 4.7 related to existing water oriented accessory structures.
10. Review and revise Section 4.10 related to additions to principal structures.
11. Review and revise Section 10.7 related to Zoning Permits.
12. Review and revise Section 8.4(6) related to 33' ROW requirement for Metes and Bounds Subdivisions.
13. Review and revise Section 5.7 Commercial District provisions to ensure consistency with comp plan.
14. Review and revise accessory structure size maximum of 1,280 sq. ft.

Approve Comp Plan

**MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL OF
EAST GULL LAKE, COUNTY OF CASS, STATE OF MINNESOTA**

**REGULAR SESSION
JUNE 5, 2007**

CALL TO ORDER

The East Gull Lake City Council met in Regular Session at 7:00 P.M. and was called to order by Mayor Kavanaugh. The Council and others present recited the Pledge of Allegiance.

ROLL CALL

Present: Councilors Demgen, Gaalswyk, Ruttger, and Mayor Kavanaugh.
Absent: Councilor Carlson.

ADOPTION OF AGENDA

M/S/P, all ayes, Demgen, Ruttger, absent – Carlson, to approve the agenda with one addition: Old Business – City Hall remodeling.

APPROVAL OF CONSENT AGENDA

M/S/P, all ayes, Gaalswyk, Demgen, absent – Carlson, to approve the following Consent Agenda items:

- 5a. April 25, 2007 Special City Council Meeting Minutes
- 5b. May 1, 2007 Special City Council Meeting Minutes
- 5c. May 1, 2007 Regular City Council Meeting Minutes
- 5d. April 2007 Financial Statement
- 5e. Cragun's Resort – Fireworks Permit – August 25, 2007
- 5f. Madden's Resort – Fireworks Permit – July 4, 2007
- 5g. Liquor Licenses:
 - Ernie's on Gull Lake Off Sale Liquor License
 On Sale Liquor License
 Sunday On Sale Liquor License
 - The Classic On Sale Liquor License
 Sunday On Sale Liquor License
 - Madden's On Off Sale Liquor License
Gull Lake On Sale Liquor License
 Sunday On Sale Liquor License
 - Cragun's Lodge/ Off Sale Liquor License
Conference Center On Sale Liquor License
 Sunday On Sale Liquor License
 - Legacy Courses at On Sale Liquor License
Cragun's Sunday On Sale Liquor License
- 5h. Ladies of Lake Ducks Unlimited – Raffle Permit

CITY ADMINISTRATOR'S REPORT

The Administrator presented the May financial reports and graphs.

The requested increase in vacation benefits and employees wage increases will go to the Personnel Committee for their review and recommendation.

M/S/P, all ayes, Demgen, Gaalswyk, absent – Carlson, to not waive the monetary limits on municipal tort liability.

A Mock OSHA Informal Report of Possible Violations was received from Kurt Rothwell, MMUA Safety Coordinator.

OLD BUSINESS

City Hall Building

M/S/P, all ayes, Ruttger, Gaalswyk, absent – Carlson, to get a survey of the City Hall property, not to exceed \$2,500.

NEW BUSINESS

Home Occupations Type III

Correspondence was received from Nathan Tuomi regarding Home Occupations Type III.

NEXT REGULAR SESSIONS OF CITY COUNCIL/OTHE MEETINGS:

Road Construction meetings	June 6, 13, 20, 27, 10:30 A.M.
Gull River Road Town Hall meeting	Monday, June 11, 6:00 P.M.
Special City Council Meeting	Monday, June 18, 7:00 P.M.
Wastewater Committee Meeting	Wednesday, June 20, 3:00 P.M.
Recycling Day at City Hall	Friday, June 29, 12 noon – 4:30 P.M.

M/S/P, all ayes, Demgen, Gaalswyk, to adjourn.

Maureen K. Cirks
City Administrator