

**MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL  
OF EAST GULL LAKE, COUNTY OF CASS, STATE OF MINNESOTA  
REGULAR SESSION  
April 7, 2015  
6:30 PM**

Mayor Kavanaugh called the April 7, 2015 Regular Council meeting to order at 6:30 P.M. The pledge of allegiance was recited.

**ROLL CALL**

Present: Mayor Kavanaugh, Councilors Lang, Ruttger, Demgen and Hoffman, City Attorney Jeff Ledin, City Administrator Mason, Planning Commission Chair Bruce Buxton, Wastewater Superintendent Jasmer, Administrative Assistant Schack

Absent: None

Audience: Jeff Hanson/HyTEC, John Hillen

**ADOPTION OF AGENDA**

4a. Additions:

14d Resolution 04:03-15 – Trail Assistance Program Grant

14e Airport spraying of sumac

14f EDC March Activity Report

14g Local Government Pay Equity Compliance – Approval

Wastewater Committee Meeting..... Wednesday, 04/22/2015 at 3:00pm

BOAE Meeting ..... Thursday, 04/30/2015 at 10:00am

4b. Deletions: None

**M/S/P, all ayes, Hoffman, Demgen, to approve the agenda as amended**

**ADOPTION OF CONSENT AGENDA**

**M/S/P, all ayes, Councilors Demgen, Ruttger; to approve the following Consent Agenda items, Mayor Kavanaugh and Councilor Lang abstaining from approving March meeting minutes:**

5a. March 2015 City Council Meeting Minutes

5b. Financial Report

- February 2015 bank statement
- Trial Balance, Monthly Budget Report, Delinquent WW Customers Report

5c. Approved March 2015 claims 18619 to 18643 for total amount of \$25,298.72

- March 2015 Check Register

5d. Liquor Licenses:	
Ernie's On Gull Lake	Off Sale Liquor License .....\$100.00 On Sale Liquor License .....\$1250.00 Sunday On Sale Liquor License.....\$200.00
The Classic	On Sale Liquor License .....\$1250.00 Sunday On Sale Liquor License.....\$200.00
Madden's On Gull Lake	Off Sale Liquor License .....\$100.00 On Sale Liquor License .....\$1250.00 Sunday On Sale Liquor License.....\$200.00
Cragun's Lodge/Conference Center	Off Sale Liquor License .....\$100.00 On Sale Liquor License .....\$1250.00 Sunday On Sale Liquor License.....\$200.00
Legacy Courses at Cragun's	On Sale Liquor License .....\$1250.00 Sunday On Sale Liquor License.....\$200.00

**OPEN FORUM**

None

**PLANNING & ZONING**

- 7a. Administrator's Report

Planning Commission regular scheduled meeting was reviewed.

- 7b. **87-408-0140, John and Joann Hillen Variance request**

**John and Joann Hillen:** property described as Lot 14 Sylvan Shores Development, PID# 87-408-0140, located at 1787 Sylvan View Drive. An application was submitted to request a variance to add second floor guest accommodations on to the pre existing garage on property, along with a small stairway and small entry deck. A variance is required based upon a pre-existing variance being in place and enhancing the non-conforming structure that is approximately 14 feet from the Ordinary High Water (OHW) of Sylvan Lake. The property is located in the R-3 zoning district and contains 36,771 square feet, riparian to Sylvan Lake (General Development (GD)).

Planning Commission Chairman Buxton reported on the Hillen Variance request. The staff report with findings and conditions was reviewed. He noted that the stormwater runoff issue will require a suitable SWP and that the new living quarters above the garage are required to connect to City wastewater. The SWP was submitted at the meeting tonight and he was able to review it and noted that it would be acceptable.

It was noted that the Planning Commission recommended approval of the Variance as part of the Public Hearing.

Mr. Hillen and Jeff Hanson reviewed their request and discussed shoreline issues.

**M/S/P, all ayes, Councilors Ruttger, Demgen to approve request for Variance 2015-03 with the findings and conditions referenced in the Planning Commission staff report, [including the additional SWP and connection to City wastewater conditions].**

- 7c. Subsurface Sewage Treatment System (SSTS) – 7080 MPCA Regulations;  
City Ordinance 2015-01 Amendment

Chair Buxton stated that the information for the SSTS Ordinance 2015-01 Amendment was given to the Commission at the meeting. He noted that time was needed to go over the information to make an educated decision. It was noted that the Commission tabled any decision until April 28<sup>th</sup>, 2015 meeting, making the passage of the Ordinance possible at the May 5<sup>th</sup>, 2015 Council meeting.

The updating of the Comprehensive Plan for the City was discussed. It was noted that Section One is almost ready and Section Two is being reviewed. It was also noted that Commissioner Wiebolt is updating, re-writing, cleaning up and condensing the plan. It was noted that the Council will be given each section to review as they are completed.

The question was asked regarding demolition and it was noted that there is nothing in the City Ordinance covering that issue.

### **WASTEWATER & ROAD REPORT**

- 8a. Kavanaugh easement issue; engineer to move forward

Administrator Mason stated that the Kavanaugh's and the City have agreed to a settlement regarding the wastewater system on the resort property. Discussion ensued regarding moving forward with the easement descriptions. It was decided to move forward with the engineering work to describe the easements for a cost of approximately \$2,300.00. It was noted that the easement documents will be drawn up by SEH, legal documents done by the City Attorney and then the documents will need to be recorded.

**M/S/P, ayes, Councilors Ruttger, Hoffman, Mayor Kavanaugh abstaining, authorize the [City Engineer SEH] to proceed with the preparation of documents for [sewer line] easements on Kavanaugh's Resort [to transfer to the City].**

City Engineer Ledin noted that there is still an open item in that the language in the City Ordinance needs to be amended to have Planning and Zoning language agree with the language in the Wastewater portion regarding the distance from the wastewater line where which a resident should be required to connect to City Wastewater. It was noted that the issue will be discussed at the May 5<sup>th</sup>, 2015 meeting. It was noted that there will need to be a public hearing to change the language of the City Ordinance.

### **PUBLIC SAFETY**

Mayor Kavanaugh noted that there were a couple cases where Pillager Fire Department was paged for medical assistant and they are not in our contract. It was noted that the City uses North Memorial and the County will be notified to call them and the East Gull Lake first responders instead of Pillager.

Administrator Mason noted that the tornado siren is now working.

### **PARK & TRAILS**

Administrator Mason noted that he and Joe Janson fixed the fence by the driving range. He also noted that he discussed the fence with Madden's and that they would be willing to help with some type of solution for fencing.

#### **PERSONNEL COMMITTEE**

No Report

#### **BUDGET COMMITTEE**

No Report

#### **MAYOR'S REPORT**

No Report

#### **CITY ADMINISTRATOR REPORT**

14a. Administrator's Report

14b. Resolution 4:01-15, CLC Foundation Raffle Gambling Permit

**Ayes, Councilors Ruttger, Demgen, Hoffmann, Lang, Mayor Kavanaugh, approval to adopt Resolution 04:01-15 granting permission for the Central Lakes College Foundation to conduct a raffle booth at Cragun's Resort on June 18, 2015.**

14c. Resolution 04:02-15, MN DOT Airport Improvement Grant

Administrator Mason noted that this grant will be used for the construction of the split rail fence that is being required for the airport area. The project cost will not exceed \$4,556.77 with the State providing \$4,073.59 and the City paying \$483.18.

**Ayes, Councilors Hoffmann, Ruttger, Demgen, Lang, Mayor Kavanaugh, approval to adopt Resolution 04:02-15 granting authorization to execute MN DOT grant agreement for airport improvement excluding land acquisition.**

14c. Resolution 04:03-15, Trail Assistance Program Grant

**Ayes, Councilors Ruttger, Lang, Demgen, Hoffmann, Mayor Kavanaugh, approval to adopt Resolution 04:03-15 for authorization for the City of East Gull Lake to act as sponsoring agent for the Pine Beach Ski Trail MN Trail Assistance Program.**

14e. Airport Spraying

The City is considering spraying the airport to eliminate the sumac. It is costing the City approximately \$1,000.00 per year to cut it down. Madden's has agreed to apply the chemicals if the City purchases them at the cost of approximately \$500.00 - \$600.00.

**M/S/P, all ayes, Ruttger, Lang, to authorize the City to purchase chemicals to spray the sumac on the airport property for up to \$600.00 with the understanding that Madden's will apply the spray.**

14f. Administrator Mason noted that the Cass County EDC gave a report for March.

14g. Administrator Mason stated that the MN Management & Budget sent notification of compliance with the Local Government Pay Equity Act.

**OLD BUSINESS**

Community Day was discussed and it was decided to wait until later this year or next year.

**NEW BUSINESS**

None

**NEXT REGULAR SESSIONS OF CITY COUNCIL/OTHER MEETINGS**

Planning and Zoning Meeting ..... Tuesday, March 31, 2015 at 6:30pm  
City Council Meeting ..... Tuesday, April 7, 2015 at 6:30pm  
BOAE..... Thursday, April 23, 2015 at 10:00am  
Wastewater & Road Committee Meeting..... Wednesday, April 22, 2015 at 3:00pm  
Budget Committee Meeting..... Thursday, August 6, 2015 at 3:00pm  
Park & Trails Committee Meeting..... TBD  
Public Safety Meeting ..... TBD

**M/S/P, all ayes, Demgen, Hoffmann, to adjourn the meeting**

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.