

AGENDA
REGULAR CITY COUNCIL MEETING
AUGUST 15, 2022

1. Call to Order and Pledge of Allegiance: 7:00 p.m. Council Chambers

- Mayor Erickson called the Cokato City Council to order Monday, August 15th, 2022 at 7:00 p.m. in the council chambers. Members present were Mayor Erickson, Council Members Harju, Martinson, Sebring, and Wilson. Also present were members of the Public and Staff.

2. Approval of Agenda

- **Motion** by Harju to approve the agenda with the addition of Public Works letter d Lighting Quote for the Hockey Rink, seconded by Erickson; all voted aye.

3. Public Forum

- **Pumping out of Trailstone Holding Pond** Residents were told in 2021 and 2022 that they should not be pumping water out of the holding pond. Residents of the neighborhood would like permission to continue using the water out of the holding ponds to water the garden, trees, and lawn. Desiree Asfeld stated that there is currently no ordinance that controls or prohibits pumping water out of the holding pond to water gardens. Engineer Josh Halverson stated that there is no environmental problem with water being pumped out. DNR has the right to control water and it is stated that an individual is allowed to pump water from a natural or artificial pond to irrigate gardens or lawns if the amount is less than 10,000 gallons per day not to exceed one million gallons per year. Shanda Hubbell stated that the hose for pumping the water has never gone over the fence and it is currently going through a culvert, so it is not a tripping hazard. Purpose of the holding pond and stormwater treatment is to collect and treat stormwater. Normal water level was discussed, and Keith Asfeld stated that over the past 5 or 6 years the water level has not gone down. The normal water level can be found in the old Fieldcrest plans. The Council expressed concerns about the chemicals that may be in the water. Keith Asfeld expressed that he is not concerned about the chemicals, and that the crops would show it if the water was really bad. Mayor Erickson stated that he doesn't have a problem with the water being used but if the pond gets too low the city will need to put a stop to it. Councilmember Harju would like to look further into regulations about pumping from holding ponds.
- **525 Broadway Ave S Driveway** Keith Herman would like to lower his driveway, so he is able to back trailers and his camper in the driveway without them scraping. There is a crack in the sidewalk right now. According to city engineer Josh Halverson any curb, gutter, or approach is the City's responsibility however we need are permitted by the county for any improvements that are going to be made in the right of way. Water currently will not run into the storm drain and it pools up at the end of the driveway. Keith Herman believes that his driveway and the churches driveway may have sunk after the county reconstructed the road. It is unknown how much the slope of the driveway has changed over the years. There is a series of other issues along County Road 3 that the city needs to meet with Wright County on. Mayor Erickson stated that we need to wait on Herman's problem until we hear back from Wright County on a resolution to fix the drainage issue.

4. Consent Agenda Items

- a. **Approval of Minutes from July 11, 2022 City Council Meeting Minutes**
- b. **Liquor Sales Establishment Fines**
- c. **Resolution 2022-35 Approving the State of Minnesota Joint Powers Agreements**
- d. **Sheriff's Report**

e. Resolution 2022-36 DNR Grant Agreement – Brooks Lake Dock

f. Donation to Ambulance

- Items 4b and c pulled for discussion
- **Motion** by Martinson to approve consent agenda items a, d, e, and f, seconded by Wilson; all voted aye.
- Sebring questioned the fine amount and if this was the first time that businesses have failed the liquor compliance. Administrator Potter had talked with the county, and they only raise the fine and consequences if they fail more than one compliance check within 24 months.
- Wilson questioned who uses the State of MN Joint Powers Agreement. Administrator Potter talked to the county attorney, and this is for the county attorneys as they do our criminal prosecution. The BCA wants us to sign the agreement and the county attorney said that this is a fairly common practice to do this. This is a 5-year agreement. Martinson expressed his concern about signing the agreement.
- **Motion** by Sebring to approve consent agenda items 4b. Liquor Sales Establishment Fines and 4c. Resolution 2022-35 Approving the State of MN Joint Powers Agreement, seconded by Wilson; motion was approved 4-1 with Martinson opposed.

5. Mayors Report

a. Highway 3/Fieldcrest Intersection Agreement Discussion of Highway 3/Fieldcrest Intersection Project

- Administrator Potter advised that Wright County is not willing to give a flexible approach to not having turn lanes and they want to have the project completed before the Industrial Park is built. Wilson stated that if we want to go forward with the Industrial Park he believes that we will need to go through with the Fieldcrest intersection project immediately. Before the agreement is signed, we need to get an estimate of what the project will cost. The intersection would be widened about 8 – 12 feet to get the turn lanes added. Wilson expressed concerns about the safety of bikers and pedestrians walking along County Road 3 and if the speed limit sign should be moved out past Swendra. Engineer Halverson estimated that the widening of the road would cost between \$50,000 and \$75,000. The county may be willing to help with the striping of the road if they have a crew available.
- **Motion** by Wilson to sign the agreement with Wright County, second by Harju; all voted aye.

b. Ordinance 2022-07 Request of the City of Cokato to amend Zoning Ordinance and Chapter 70 of the City Code as it pertains to – Driveways, parking spaces, curb openings

- Administrator Potter would like to have more clear rules on driveways, currently we don't have any. The horseshoe shape driveways would no longer be allowed. Maximum driveway apron would be 24 feet. Setbacks would remain the same.
- **Motion** by Wilson to approve the ordinance 2022-07 amendment, seconded by Martinson; all voted aye.

c. Request of the City of the Cokato to remove Chapter 131 of the City Code due to the Chapter not being applicable any longer.

- Administrator Potter and the city attorney would recommend striking this ordinance.
- **Motion** by Wilson to remove chapter 131 of the City Code, seconded by Harju; all voted aye.

d. Ordinance 2022-08 Request of the City of Cokato requesting a Moratorium Ordinance on prohibiting cannabinoid sales in City of Cokato Minnesota

- The League of Minnesota Cities has been looking into this subject. This gives us the opportunity to study this subject more and come up with an ordinance in one year. Sebring stated that it would be nice to allow the business to start and grow here and that we should leave room so that we can bring jobs to Cokato.
- **Motion** by Martinson to approve the Moratorium Ordinance on prohibiting cannabinoid sales in the City of Cokato, seconded by Wilson; motion was approved 4-1 with Sebring opposed.

e. 2023 City Budget Update

- Administrator Potter informed the City Council that our debt service does increase for next year. The fire station is going from interest only up to principal and interest, so the debt service takes a big jump. Will be discussed more at the September meeting. Special work session planned for August 22nd.

6. Public Works/Parks

a. Ailie Avenue – Consideration of Bids - Ailie Avenue

- The City received eleven bids for the project with a large spread. LaTour Construction out of Maple Lake was lowest bid at \$385,329.65. They indicated that they would like to start as soon as possible. Engineer Halverson recommends awarding the bid to LaTour Construction. Funds would come out of the general fund and would prohibit any other big street project for some time until other debt is paid off. Administrator Potter believes there is an interest in the lots. Lots that are on the East side of the street could possibly sell for more money as the area is wide open behind the lots.
- **Motion** by Wilson to award the bid to La Tour Construction, seconded by Harju; all voted aye.

b. Water Tower Update

- Engineer Halverson recommending paying the pay application #1 for \$285,731.50 to J.R. Stelzer Company. The water tower is about 90% complete. There was a slight concern about the pitting beneath the bowl, but the metal is 3-4 inches thick. The company cleaned it up and filled it in.
- **Motion** by Martinson to approve the pay application #1 for \$285,731.50, seconded by Wilson; all voted aye.

c. Phase II City Center Update – Final pay applications

- Engineer Halverson recommends paying the pay application #8 to Landwehr for \$189,801.18. Most of the project has been completed. A few things still need to be done. This reduces the retainage by 3% and we will be retaining 2% for a total of about \$49,000.
- **Motion** by Sebring to approve Pay Application #8 for \$189,801.18, seconded by Harju; all voted aye.

d. Lighting Quote for the Hockey Rink

- Most of the refurbished light poles are ready to be put up. Trying to get away from the current floodlights that cause some light pollution. The quote from Brandel Electric for Basic LED Floodlights is \$14,150 which does include concrete footings. Installation of these new lights should help to save on the electric bill. Waiting to hear back from the school and hockey foundation to see if they would help with the cost.
- **Motion** by Harju to approve the quote of \$14,150 taken from the park funds, seconded by Wilson; all voted aye.

7. City Administrator Report

- Work will be done SWCD to the South of Centra Sota for drainage corrections to help with erosion control.
- Conversations are happening with the engineers on the flood plain ordinance.
- Looking at our contract with Waste Management to see if we can group services with Dassel and get cheaper rates. We have a residential contract with Waste Management so all residents must use Waste Management but businesses can use other companies.

8. Financial Reports

a. Approval of Claims - \$688,455.24

- **Motion** by Sebring to approve all claims in the amount of \$688,455.24, seconded by Harju; all voted aye.

b. Cash and Budget Reports

- **Motion** by Harju to approve all cash and budget reports, seconded by Sebring; all voted aye.


9. Adjournment

-Motion by Martinson to adjourn, seconded by Wilson; all voted aye.

-Meeting Adjourned at 8:40 pm.



Megan Gustafson, City Clerk



Gordy Erickson, Mayor