

## City of Hayward Council Meeting Minutes

Monday June 10, 2024

7:00 p.m. Hayward Community Hall

Mayor Anthony Cox called the regular meeting of the Hayward City Council to order at 7:00 p.m. on Monday June 10, 2024.

**COUNCIL MEMBERS PRESENT:** Mayor: Anthony Cox; Councilors: Darwin Dolph, Gene Flaskerud; Derek Lerum;

**STAFF PRESENT:** City Clerk/Treasurer, Kathy Aase; Operations Director, Travis Reichl

Mark Bangert received/took the Oath of Office for the vacancy left by former Councilor Kris Young.

Councilor Dolph motioned to approve the 6-10-24 Hayward City Council Meeting Agenda. Councilor Lerum seconded. The motion carried.

Councilor Lerum motioned to approve the 5-13-2024, Hayward City Council Meeting Minutes. Councilor Flaskerud seconded. The motion carried.

**FIRE DEPARTMENT UPDATE:** In Fire Chief Eric Knutson's absence, there were no fire department updates.

**PRESENTATION OF 2023 AUDITED FINANCIAL REPORT:** Auditor, Lance Skov from Hill, Benda, Skov, & Bernau P.A., Certified Public Accountants, delivered an overview of the audited financial statements for the year 2023. During his presentation, he elaborated on various sections within the report. Following the review Councilor Dolph made a motion to accept and approve the 2023 audited financial report. The motion was seconded by Councilor Lerum. The motion passed unanimously.

**DISCUSSION OF CANNABIS BUSINESSES MORATORIUM:** Freeborn County Commissioner Dawn Kaasa addressed the council regarding the issue of cannabis businesses county's efforts to establish a six-month moratorium. This pause would allow the commissioners time to thoroughly research the most effective approach for managing cannabis businesses within the county. The county aims to pass the moratorium through a public hearing scheduled for July 2. During this hearing, the council will consider public comments on a proposed amendment introducing an interim ordinance and moratorium specifically targeting the operation of cannabis businesses. This measure effectively prohibits any such businesses within the county until January 1, 2025. The primary objective behind this decision is to carefully study and determine the best regulatory framework for cannabis businesses. The county seeks to balance considerations related to public health and safety, neighboring properties, economic viability, and the overall welfare of the city.

The council directed Clerk Aase to initiate the process of exploring an ordinance that would implement a moratorium on the establishment and operation of cannabis businesses within the City of Hayward.

**DISCUSSION REGARDING STREET REPAIRS:** Josh Engler from Barga, Inc., in Mountain Lake, Minnesota addressed council with information about the company. Barga has been doing pavement maintenance and repair for 44 years. Mr. Engler explained the following:

Infrared Crack Repair: Infrared is a process by which a distressed area of pavement is heated to the same temperature as the new mix. This allows you to use what is there and add fresh new mix as needed. Infrared is a highly effective and cost-efficient means of pavement repair.

GAP Mastics are used in situations where crack sealants will not work, and paving is impractical. GAP Mastic is a hot-applied polymer modified asphalt mixed with engineered aggregates and modifiers designed to fill wide cracks and defects to prevent water infiltration and restore ride quality. GAP is a more permanent repair solution for wide thermal cracks, fatigue cracking, rutting and depressed broken-up areas. There is more flexibility and structure to Mastic.

An estimate Operations Director Travis Reichl was given for the city-wide street repairs was (approximately) \$50,000. Reichl will check with Barga to make sure the amount is correct. Councilor Dolph made a motion to proceed with the afore-stated street repair at estimated cost or less. Councilor Lerum seconded. The motion carried unanimously.

#### **UNFINISHED BUSINESS:**

Attorney Steven Hovey from Hoversten, Johnson, Beckmann, and Hovey Law Firm in Austin, MN, attended with his client, Darlene Garduno. Mayor Cox acknowledged receipt of Mr. Hovey's June 4<sup>th</sup> letter in response to the City of Hayward's May 14<sup>th</sup> letter concerning the Garduno property. Mayor Cox informed Mr. Hovey that the City's attorney was unavailable to attend the council meeting. Councilor Flaskerud asked Ms. Garduno directly why she never followed up on her request to build a shed on her property? No discussion followed.

#### **OPERATIONS UPDATE:**

Operations Director, Travis Reichl, provided the following updates:

- Visu-Sewer, LLC from Wisconsin, completed the sewer line project under the county drainage ditch on CR 26 Thursday June 13, 2024;
- four more ash trees were found at the end of Armstrong St. that need treatment; however, it is not imminent this year;
- city needs to include a statement in the quarterly newsletter that Emerald Ash Borer is in Hayward! With early detection and reporting of emerald ash borer infestations, there may be time to protect lightly infested trees in the area or slow the spread to other areas. Any Ash tree that is less than 30 percent affected, may be saved. This infestation quickly destroys trees, and it is up to the homeowner to have their trees treated or removed.
- place a statement about the hydration station, which was made possible by grant funding, in the summer newsletter;
- Commissioner Kassa said that work on the new bridge on CR 26 will take place toward the end of July, and possibly even August due to the tremendous amount of rain
- The speed limit sign needs to be replaced, Freeborn County will split the cost. Councilor Flaskerud made a motion to approve the replacement of the speed sign, splitting the cost with the

county, and reusing the existing solar. Councilor Dolph seconded. The motion carried unanimously.

- Reichl presented details regarding the well repair project, which is estimated to cost \$42,000. The project includes installing a new motor, pump, and pipe while retaining the existing electrical cord. Following discussion, Councilor Lerum motioned for the approval of Reichl to proceed with ordering the necessary materials and scheduling the work with Thein Well from Rochester, MN. The motion was seconded by Councilor Dolph, and it passed unanimously.

#### **NEW BUSINESS:**

Council asked Clerk Aase to contact the League of Minnesota Cities to find out if they have a list of attorneys' names and contact information. Clerk Aase was asked to call and find a new attorney who routinely works with municipalities, particularly smaller cities.

**OLD BUSINESS:** Mike Hansen, a member of the Hayward Booster Club Board of Directors, provided an update on the Hayward Booster Apartments. Regrettably, the decision was made not to rebuild the apartments. An official inspection revealed asbestos in one of the apartment bathrooms that had undergone renovation.

The Booster Club is actively soliciting bids from three different contractors for the demolition of the asphalt parking lot. Additionally, there are six ash trees on the property that require removal, and an estimate is being sought from O'Connell Tree Service in Hollandale.

Furthermore, the Booster Club continues to engage with the government regarding the repayment of the remaining loan. This must be resolved before further action can be taken.

**COUNCIL REPORTS:** Councilor directed Clerk Aase, at Councilor Lerum's request, to send another letter to the husky dog owner at 211 W 2<sup>nd</sup> St. informing him that the dog is not allowed to cross property lines, even if it is on a leash and the grass needs to be mowed.

Council discussed the old school property and questioned who purchased it. Clerk Aase was asked to find out if there is anything on record.

The owner of a new storage facility that is supposed to be built at "Hemenway Ironworks," 20525 810th Ave., has not begun construction. The city has allowed more than enough time for the completion of the storage facility. Councilor Lerum stated he will speak with the owner. Options may include mandated specific fencing and landscaping to hide the owner's personal belongings that are being stored primarily on the north side of the property. Council discussed the imposition of fines as written into the city ordinance.

Councilors had nothing further to report.

**FINANCIAL REPORTS:** bill(s), exceeding \$500, for council's approval:

- a bill in the amount of \$8100 payable to Hill, Benda, Skov, & Bernau for annual auditing services
- a bill in the amount of \$529.54 payable to Thompson Sanitation for Annual City-wide Clean-Up

**APPROVED JULY 8, 2024**

- a bill in the amount of \$ 800 payable to Produce State Bank interest payment on Water Rev. Bond 2010A

Councilor Dolph motioned to pay the afore stated bills each exceeding \$500. Councilor Flaskerud seconded. The motion was approved.

Councilor Lerum motioned to approve the month of May 2024 Deposit Detail, Check Detail, YTD Balance Sheet, and the YTD Budget vs Actual Report as prepared. Councilor Dolph seconded. The motion was approved.

Councilor Dolph motioned to adjourn the meeting. Councilor Flaskerud seconded. The motion was approved. Having no further business, Mayor Cox adjourned the meeting at 9 p.m.

Respectfully Submitted,

Kathryn Aase

City Clerk/Treasurer