

**Hastings, Minnesota**  
**City Council Meeting Minutes**  
**October 16, 2023**

The City Council of the City of Hastings, Minnesota met in a regular meeting on Monday, October 16, 2023 at 7:00 p.m. in the Council Chambers at the Hastings City Hall, 101 East 4<sup>th</sup> Street, Hastings, Minnesota.

**Members Present:** Mayor Fasbender, Councilmembers Haus, Lawrence, Leifeld, and Pemble

**Members Absent:** Councilmembers Folch, Fox

**Staff Present:** City Administrator Dan Wietecha  
Assistant City Administrator Kelly Murtaugh  
Attorney Greta Bjerckness  
Community Development Director John Hinzman

**Kristy Barse**, Chamber of Commerce & Tourism Bureau

**Approval of Minutes**

Mayor Fasbender asked if there were any additions or corrections to the minutes of the City Council workshop and regular meeting on October 2, 2023.

Minutes were approved as presented.

**Comments from the Audience**

Gabrielle Wegner, 734 South Oaks Drive, expressed concerns about building expansion in South Oaks area. Concerns include the number of planned homes, increase in the number of drivers and safety, no sidewalks, snow removal, garbage pick-up and bus traffic. Additional concerns about quality of the building of homes. Asked Council to reconsider the number of properties in the development.

Rene Wegner, 734 South Oaks Drive, cited narrow roads, too many homes presently and planned, no trails or parks or sidewalks, quality of home builds, stormwater issues, narrow lot sizes and on-street parking as concerns.

**Consent Agenda**

Councilmember Leifeld motioned to approve the Consent Agenda as presented, seconded by Councilmember Pemble.

5 Ayes, 0 Nays

1. Pay Bills as Audited
2. Resolution No. 10-04-23: Accept Donation to the Hastings Police Department from Robert & Judith Bishop
3. Resolution No. 10-05-23: Accept Donation to the Hastings Fire Department from James & Shirley Ditlevson
4. Approve Pay Estimate No. 3 (Final) for the 2023 Mill & Overlay Program – Park Construction (\$16,580.05)
5. Approve Pay Estimate No. 5 for the 2023 Neighborhood Infrastructure Improvements – BCM Construction, Inc. (\$492,420.91)
6. Authorize Signature: Utility Abandonment Agreement – 1801 Chantry Trail

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7. Authorize Signature: Lease Agreement – Highway 55 Sign
8. Authorize Signature: 1<sup>st</sup> Amendment to Abatement Contract – Precision Landscaping
9. Authorize Signature: Encroachment Agreement – Miller (751 Bohlken Dr)
10. Authorize Signature: Hastings Civic Arena Ice Rental Agreement 2023 – 2024 – ISD 200
11. Resolution No. 10-06-23: Limited Use Permit with MnDOT for Trail Maintenance and Operation
12. Accept Proposal and Engage HKGI for Master Planning Services - Lake Rebecca Park Redevelopment Project
13. Resolution No. 10-07-23: Declare Surplus Property and Authorize Sale or Disposal – Parks and Recreation Department
14. Authorize Signature: Corrective Trail Easement – Vermillion River Trail
15. Authorize Signature: Tourism Bureau Agreement (2022 – 2025)
16. Resolution No. 10-08-23: Accept the City of Hastings Emergency Operations Plan.
17. Approve JPA with Dakota County for Administration of Absentee Ballots

### **Approve Budget Adjustment for the Lake Isabel Park Contamination Excavation and Backfill**

Wietecha provided an overview of the request to approve the budget amendment for the removal of contaminated soils and backfill at Lake Isabel Park. Wietecha explained during excavation for the redevelopment of Lake Isabel Park, asbestos containing materials and lead were discovered. Exploratory excavations were conducted to understand the extent of contamination, it was estimated 3,800 cubic yards of soils are contaminated. Staff is proposing to use the 401 Fund (Park Projects) to cover the additional funds needed for site remediation.

Council discussion on labor, components and options that are part of the mitigation. Council specifically asked if the sand dredged from the Mississippi River as part of a marina expansion would be of use for this project. Wietecha recalled discussion regarding the use of the sand and will check and confirm.

Councilmember Pemble motioned to approve as presented, seconded by Councilmember Lawrence. 5 Ayes, 0 Nays.

### **Resolution: Variance – Front Yard Setback – Ground Mounted Solar – Dakota County (1590 Highway 55)**

Item pulled as there were insufficient member of Council present to vote on the matter.

### **South Oaks of Hastings 4<sup>th</sup> Addition**

- a. Resolution No. 10-09-23: Vacation of Easement – South Oaks 2<sup>nd</sup> Addition
- b. Resolution No. 10-10-23: Preliminary and Final Plat
- c. Authorize Signature: Development Agreement
- d. Authorize Signature: Stormwater Management Agreement

Hinzman provided an overview of the requests of Greg J Homes for development of South Oaks of Hastings 4<sup>th</sup> Addition, a 35-lot single family subdivision generally located southwest of 31<sup>st</sup> Street and Century Drive. Hinzman shared the history of the development indicating the last approvals granted in 2021 have expired and are no longer valid. Hinzman provided a summary of the discussions and recommendations of the Planning Commission. Hinzman shared a Comprehensive Plan Amendment to change the land use designation of the property from Medium Density Residential to Low Density Residential will be necessary.

He shared a public hearing will be held before the Planning Commission on November 13<sup>th</sup> and reviewed by City Council on November 20<sup>th</sup>.

Council discussion on clarifying access to the development and sidewalks/trails in the area and on-street parking. Hinzman indicated that Planning Commission recommended approval due to the City requirement of 2 parking spaces per unit, which is met by this plan. Council discussion on the smaller lot sizes. Hinzman indicated that this is a zoned R-3 Planned Residential Development (PRD), and lot sizes can vary but the average must meet the minimum. Council asked questions regarding the proposed setback, price points on the houses, and if the homes will have basements. Hinzman provided clarification of the setbacks. Developer Greg Jablonski noted the base price \$334,900 and the slab on grade with a basement option. Council discussion on price points for young families, which is a key growth population for the City. Council asked if there are concerns for snow removal. Hinzman shared the road will be maintained by the City and that the road width would be smaller and that there are no concerns regarding snow removal.

Councilmember Lawrence motioned to approve as presented, seconded by Councilmember Pemble. 5 Ayes, 0 Nays.

### **Pre-Authorize Purchase of Ladder Truck with MacQueen Equipment**

Wietecha provided an overview of the request to pre-approve the purchase of a ladder truck and authorize signature of contract with MacQueen Emergency. The proposed 2024 Budget currently includes \$900,000 of funding towards the purchase of a ladder truck to replace the current 2014 ladder truck. Wietecha indicated the replacement will be an efficient set-up with decreased maintenance and operational expenses and the current ladder carries value and would be sold to help offset costs. Delivery is about 30 months out but purchase now saves significant funds. Wietecha indicated that funds can be drawn from two areas of reserves (budget stabilization, debt redemption) to fund the pre-purchase.

Council discussion on the reliability of the current ladder truck and sustainability of a newer ladder truck and its ability to serve the community. Wietecha indicated it is a complex piece of equipment that requires a lot of maintenance that is no longer feasible.

Councilmember Leifeld motioned to approve as presented, seconded by Councilmember Haus. 5 Ayes, 0 Nays.

### **National Class Action Settlements – PFAS**

Wietecha introduced the National Class Action Settlements regarding PFAS. Wietecha indicated a multi-district litigation against 3M and DuPont has resulted in two proposed class action settlements being overseen by the US District Court in South Carolina. The City of Hastings is eligible to participate in the settlement with an estimated \$1.5M payout. Wietecha indicated by participating in the class action settlement would preclude the City making additional claims against 3M and DuPont. As an information item, no action is needed at this meeting.

No Council discussion or action.

### **Resolution: No. 10-11-23: Write-In Votes for Local Elections**

Murtaugh provided an overview of the request to approve the resolution requiring the tally of write-in votes only if write-in votes are greater than a ballot candidate's total votes. Murtaugh indicated the House and

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Senate passed an elections bill that included many policy provisions, one provision allows cities to adopt a resolution regarding how write-in votes are handled for local elections. Murtaugh reviewed the two write-in resolutions sharing staff recommendation that City Council adopt the resolution requiring that write-in votes for an individual candidate will only be individually recorded if the total number of write-in votes for that office is equal to or greater than the fewest number of non-write-in votes for a ballot candidate.

Council discussion on the efficiency of the proposed tally method.

Councilmember Haus motioned to approve as presented, seconded by Councilmember Leifeld.  
5 Ayes, 0 Nays.

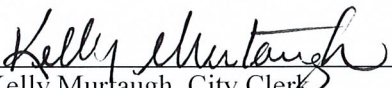
### **Announcements**

- The Hastings Community Halloween Party is Friday, October 27, from 6 to 8 pm at the High School. Recommended for families with kids 12 and under. Free event, but please bring a non-perishable food item for Hastings Family Service or a cash or check donation for the Youth Impact Council Scholarship.
- Organics recycling and composting have become increasingly trendy topics in the past years, but what really are they? Learn more about how composting works, how it benefits our community, and how you can easily do your part in this crash course on Tuesday, October 24. Attendees will have a chance to win a countertop organics bin.
- Mayor Fasbender recognized October 28<sup>th</sup> as National First Responder Day and thank all of our first responders for their service to the community.

### **Meetings**

- Heritage Preservation Commission Meeting on Tuesday, October 17, 2023 at 7:00 p.m. - Cancelled
- Parks & Recreation Commission Meeting on Wednesday, October 18, 2023 at 6:30 p.m.
- Planning Committee Meeting on Monday, October 23, 2023 at 6:00 p.m. - Cancelled
- Planning Commission Meeting on Monday, October 23, 2023 at 7:00 p.m.
- Public Safety Advisory Committee Meeting on Wednesday, October 25, 2023 at 7:00 p.m. - Cancelled
- City Council Regular Meeting on Monday, November 6, 2023 at 7:00 p.m.

Councilmember Pemble motioned to adjourn the meeting at 8:17 PM, seconded by Councilmember Lawrence. Ayes 5; Nays 0.

  
Kelly Murtaugh, City Clerk

  
Mary D. Fasbender, Mayor