

**Hastings, Minnesota**  
**City Council Meeting Minutes**  
**February 5, 2024**

The City Council of the City of Hastings, Minnesota met in a regular meeting on Monday, February 5, 2024 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 Folch, Fox, Haus, Lawrence, Leifeld, and Pemble

**Members Absent:** None

**Staff Present:** City Administrator Dan Wietecha  
Assistant City Administrator Kelly Murtaugh  
City Attorney Kori Land  
Community Development Director John Hinzman  
Fire Chief John Townsend  
Police Chief David Wilske

**Black History Month Proclamation**

**Violet Penman**, Recycling Coordinator

**Approval of Minutes**

Mayor Fasbender asked if there were any additions or corrections to the minutes of the City Council regular meeting on January 16, 2024.

Minutes were approved as presented.

**Consent Agenda**

Councilmember Folch motioned to approve the Consent Agenda as presented, seconded by Councilmember Haus.

7 Ayes, 0 Nays.

1. Pay Bills as Audited
2. Resolution No. 02-01-24: Accept Donation from the Schmitt Family to the Parks and Recreation Department
3. Accept Sponsorship for Movies in the Park – Ardent Mills
4. 2<sup>nd</sup> Reading\Adoption: Ordinance Amendment – Kennels
5. Resolution No. 02-02-24: Approve Election Judges for the 2024 Presidential Nomination Primary Election
6. Resolution No. 02-03-24: Approve Temporary One-Day Liquor and One-Day Gambling Permit for Hastings Family Service
7. Resolution No. 02-04-24: Approve Lawful Gambling Premise Permits for Saint Thomas Academy Alumni Association at Applebee's
8. Approve 2023 Public Safety Advisory Commission Annual Report
9. Authorize Signature: Organizational Services Agreement with Blue Peak Consulting – Fire Department
10. Declare Surplus Property and Authorize for Public Sale, Donation, or Disposal – Fire Department
11. Resolution No. 02-05-24: Declare Surplus Property and Authorize for Public Sale, Donation, or

- Disposal – Parks Department
12. 1<sup>st</sup> Reading: Fee Schedule – Credit Card Fees
  13. Resolution No. 02-06-24: Accepting Resignation of Councilmember Folch and Declaring Vacancy
  14. Resolution No. 02-07-24: Approve Transfer of Ag Lease to HEDRA (NE Corner of Spiral and Enterprise)
  15. Resolution No. 02-08-24: Accept Feasibility & Assessments Report and Order Public Hearings for Project Scope and Assessments – 2024 Neighborhood Infrastructure Improvements
  16. Authorize Signature: Water Service Repair Assessment Request – 408 Cari Park Lane
  17. Accept UASI grant for portable Pitigone Barriers
  18. 2024-2025 Labor Agreement with IAFF, Local #5113 (Firefighters)
  19. Authorize Signature: Release of Declaration of Covenants – Hastings Industrial Park
  20. Budget Amendment: Water Softener for Civic Arena
  21. Resolution No. 02-09-24: Application for James Metzen Mighty Ducks Grant

### **Authorize Signature: Space Needs Study with CNH Architects – Fire Department**

Townsend provided an overview of the request to approve the agreement with CNH Architects for a space needs study for the Fire Department. The department has grown in both staffing size and model. Townsend indicated this study will look to the needs of the department and the impact on future growth.

Council discussion on gratitude for bringing this forward to look at the needs of the department and acknowledge that with Council-approved increases in staffing would create space needs. Council discussion on review of the need for showers as part of the overall health and safety resources for firefighters. Updates to the Fire Department can also act as a recruiting and retention tool for firefighters. Townsend responded with the standards staff must abide by after responding to a fire.

Councilmember Fox motioned to approve as presented, seconded by Councilmember Leifeld.  
7 Ayes, 0 Nays.

### **Authorize Signature: Agreement with Hideaway Shooting Range, LLC**

Wilske provided an overview of the request to approve the 2024 – 2025 Hideaway gun range Contract for the Police Department. The department desires an additional location for range needs that include live fire practice and active live fire drills. Currently, the department utilizes the HERO Center in Cottage Grove for POST-required training. Wilske indicated this is cost prohibitive for additional training throughout the year. The proposed agreement offers the ability to train additional days of the year in an outside setting with minimal cost. The budget request was approved in the 2024 budget and the Police Department has funding for this contract.

Council discussion on gratitude for utilizing local resources. Council discussion on the HERO Center use and rates associated with the required trainings. Chief Wilske indicated other law enforcement agencies were offered to contribute to the original cost and in turn would be offered reduced rates. The City did not take advantage of contributing, due to lack of funding at that time. Council discussed the required trainings versus planned additional trainings at the Hideaway gun range with Range Instructors. Chief Wilske shared

the required trainings would remain at the HERO Center with the additional trainings conducted at Hideaway gun range adding individual officers can seek practice on personal time at public ranges.

Councilmember Fox motioned to approve as presented, seconded by Councilmember Lawrence.  
7 Ayes, 0 Nays.

### **Accept Proposal and Authorize Work – Industrial Park Water Tower Reconditioning**

Wietecha provided an overview of the request to authorize the City to enter into a contract with KLM Engineering, Inc. for the purposes of utilizing their professional services to assist the City with design and bidding, construction management and inspection, and warranty inspection for reconditioning of the Industrial Park Water Tower. Wietecha indicated the construction work is planned for 2025 but water tower reconditioning contracts are high in demand due to supply chain delays and labor shortages. Entering into this contract will put the City in a position to obtain competitive pricing with contractors that could begin work as early as possible in 2025.

No Council discussion.

Councilmember Folch motioned to approve as presented, seconded by Councilmember Pemble.  
7 Ayes, 0 Nays.

### **Accept Proposal and Authorize Work – Mississippi River Bank Erosion**

Wietecha presented a map and images on the riverbank erosion. He then provided an overview of the request to approve a budget amendment to repair bank erosion along the Mississippi River upstream of the Hastings Public Boat Launch. The budget amendment would accept the quote and authorize staff to engage Barr Engineering to complete design and engineering to repair bank erosion. Wietecha indicated staff has completed some temporary shoring and fencing to mitigate the hazard. Staff suggest using Fund Balance from Fund 200 for the design and engineering portion of the project, indicating staff will investigate financial assistance from Dakota County due to jurisdictional ownership of the trail segment.

Council discussion about not having access to State funding and encourages close work with Dakota County. Council discussion on timeline of the work and preservation of the trail as the primary motivation for the work as well as barge traffic impact on the location.

Councilmember Folch motioned to approve as presented, seconded by Councilmember Fox.  
7 Ayes, 0 Nays.

### **Assessment of Water Service Repair – 619 5<sup>th</sup> Street W. – Assessment Hearing and Certification of Assessment**

Wietecha provided an overview of the request for Water Service Repair costs. Public Works crews assessed a water pressure concern which was determined to be a leak in the private service line at 619 5<sup>th</sup> Street W. Wietecha indicated all necessary work was completed the week of January 8, 2024. Since there is no living owner at this time, the City is requesting the assessment.

Mayor Fasbender opened the public hearing at: 7:56 p.m.

Mayor Fasbender closed the public hearing at: 7:56 p.m.

Council discussion on clarifying Council action and when the assessment might be paid.

Councilmember Pemble motioned to certify for collection of assessment of \$8,500.00 for the water service repair, seconded by Councilmember Leifeld.

7 Ayes, 0 Nays.

Councilmember Pemble motioned to certify collection of the assessment, seconded by Councilmember Lawrence.

7 Ayes, 0 Nays.

### **Resolution No. 02-10-24: Walden at Hastings EAW – Negative Declaration on the Need for an EIS**

Hinzman provided an overview of the request to take actions related to the Environmental Assessment Worksheet for Walden at Hastings, a 511-unit residential housing development generally located east of TH 316 and Michael Avenue. Further plat clarification put the number at 460 units. Council is asked to review the findings of the EAW and public comments received as well and adopt the resolution recordings a negative declaration on the need to prepare an Environmental Impact Statement (EIS). Hinzman indicated the adoption of the resolution would conclude environmental review of the property and allow for consideration of future development applications. In the future, Council may be asked to consider an application for comprehensive plan amendment, rezoning, platting, and site plan. Future public hearings to be held to review specific development proposals.

Though areas of concern were noted, they do not prohibit development. They include location of a refuse/dump; estimate of wastewater volume; stormwater infiltration; response to Natural Heritage letter (DNR); consultation with Tribal Historic Preservation Officer; Cultural Resource Management prior to development; Phase IA Literature review and archeological assessment. Developer would be required to mitigate any concerns that arise in the process.

Council discussion on appreciation for clarification of the scope of Council action at this meeting and that no development plans have been approved.

Councilmember Fox motioned to approve as presented, seconded by Councilmember Leifeld.

7 Ayes, 0 Nays.

### **Resolution No. 02-11-24: Convey Property to HEDRA – SW Corner of Pleasant Dr and South Frontage Rd**

Hinzman provided an overview of the request to adopt the resolution conveying a 3.94-acre parcel located at the southwest corner of Pleasant Drive and South Frontage Road to HEDRA for future sale and development. Hinzman indicated the property is currently vacant with a portion of the property used for stormwater drainage. The property had been deeded to the City in 1968 to be public land forever. Research with the State indicates that there is a 30-year life on “forever.” The City has received a Letter of Interest to

acquire the property. HEDRA is the appropriate means for the City to negotiate potential sale and development of the property.

Council discussion on future exits from the property should not be allowed on 12<sup>th</sup> Street due to the proximity of the elementary school. Council expressed support for commercial development.

Councilmember Folch motioned to approve with the amendment that there be no access to 12<sup>th</sup> Street, seconded by Councilmember Haus.

7 Ayes, 0 Nays.

## **Community Development Annual Report**

Hinzman provided an overview of the Community Development Annual Report for 2023. Hinzman reviewed housing, developments, community support, department growth, and planning for the future.

Council discussion on appreciation for the update on all of the many projects completed and underway.

## **2<sup>nd</sup> Reading\Adoption: Ordinance Amendment – Lawful Gambling**

Murtaugh provided an overview of the request to repeal and replace the language in City Code related to Lawful Gambling that better clarifies current statutory guidance and City requirements. Primarily, the amendment establishes a process for organizations seeking Premises Permits with the City to register each year. Fees were proposed for renewal registrations and increased for initial registration. At the January 16<sup>th</sup> meeting, Council requested two versions of the proposed ordinance. Option A reflects the first version with a minor edit to the renewal language; this is the version recommended by staff. Option B incorporates language proposed to allow State and Federal taxes to be accepted toward meeting the 50% Local Trade Area Requirement. Murtaugh shared additional feedback provided by other organizations.

Council discussion on the request from an organization to consider a 3% Lawful Gambling tax instead of what is proposed. Wietecha indicated there would be additional staff hours involved with implementing the tax which staff is not in support. Council confirmed exactly what will be changing and what will not. Council shared they believe due diligence has been done and further discussed the process of accepting or denying applications. Council expressed appreciation for staff work that has gone into the amendments.

Councilmember Leifeld motioned to approve as presented (Option A), seconded by Councilmember Fox.

7 Ayes, 0 Nays.

## **Strategic Plan Quarterly Review**

Wietecha provided an overview of the quarterly report, noting the initiatives and progress to date. This approach to communicating progress is a learning process and there may be some refinement of the initiatives in future workshop with Council.

Council discussion on the brevity of the report and a recommendation on presentations to Council on more detailed progress. Council expressed appreciation of the communication initiative and the future use of pulse surveys. Wietecha gave further explanation of the community survey that is forthcoming.

### **Announcements**

- Councilmember Fox highlighted the Frozen Mulligan, hosted by the Downtown Business Association on Saturday, February 17. See Website or Facebook page for details.
- The Hastings Chamber of Commerce will host the annual State of the Community with presentations by the City and School District. On Wednesday, February 7.
- Hastings Rivertown Lions Club is hosting a “Super Breakfast” on Saturday, February 24 at Resurrection Methodist Church. The breakfast is free will donations with all proceeds to be donated to support the health and wellness programs of our Fire & EMS Department. Thank you to the Lions for their support.
- Happy birthday to Councilmember Leifeld later this month.
- City offices will be closed Monday, February 19 in observation of Presidents Day.
- Experience snowshoeing on Sunday February 18, at Jaycee Park. A park naturalist will lead participants through floodplain forest and prairie. Snowshoes and instruction provided. Pre-registration required on City website. Thank you to partner Dakota County Parks. If there is no snow, we will still have a guided hike.

### **Meetings**

- HEDRA Commission Meeting on Thursday, February 5, 2024 at 6:00 p.m.
- City Council Candidate Informational Session on Monday, February 12, 2024 at 6:30 p.m.
- Operations Committee Meeting on Monday, February 12, 2024 at 7:00 p.m.
- Utility Committee Meeting on Monday, February 12, 2024 at 7:00 p.m. – Cancelled
- Planning Commission Meeting on Monday, February 12, 2024 at 7:00 p.m. - Cancelled
- Arts & Culture Commission Meeting on Wednesday, February 14, 2024 at 6:00 p.m.
- Public Safety Advisory Commission Meeting on Thursday, February 15, 2024 at 6:30 p.m.
- Heritage Preservation Commission Meeting on Tuesday, February 20, 2024 at 7:00 p.m.
- City Council Workshop – Legislative Priorities on Tuesday, February 20, 2024 at 5:30 p.m.
- City Council Regular Meeting on Tuesday, February 20, 2024 at 7:00 p.m.

Councilmember Lawrence motioned to adjourn the meeting at 8:53 PM, seconded by Councilmember Pemble. Ayes 7; Nays 0.

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Kelly Murtaugh, City Clerk

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Mary D. Fasbender, Mayor