

Hastings, Minnesota
April 2, 1990

The City Council of the City of Hastings, Minnesota met in a regular meeting on Monday, April 2, 1990 at 7:00 p.m. in the City Hall Council Chambers, 100 Sibley Street, Hastings, Minnesota.

Members Present: Councilmember Johnson, Riveness, Werner, Trautmann, Mathiowetz, Simacek and Mayor Stoffel

Staff Members Present: Dave Osberg, Barb Thompson, Tom Harmening, Tom Montgomery, Lori Webster and Shawn Moynihan

Moved by Councilmember Werner, seconded by Councilmember Riveness to approve the Consent Agenda with the exception of Item #2-Recycling Agreement, and move it to City Administrator Item #7. CONSENT AGENDA

1. Pay all bills as audited.
 2. Recycling Agreement-Hastings Sanitary Disposal (Moved to City Administrator Agenda)
 3. Authorize Advertisement for diseased tree program
 4. Resolution No. 42-90 Credit application to Wholesale Club RESOLUTION NO. 42-90
 5. Create new fund-Cable Access
 6. Transfer of Funds-Cable to Cable Access
 7. Approve Specifications/Authorize Advertisement for Bids-1990 Trac Vehicle
 8. Application to renew Charitable Gambling License of Hockey Boosters at McCabe's Pub
 9. Resolution No. 43-90 T.H. 55 Federal Aid Urban Fund Transfer RESOLUTION NO. 43-90
 10. Resolution No. 44-90 T.H. 55 City Participation RESOLUTION NO. 44-90
 11. Resolution No. 45-90 Order T.H. 55 Feasibility Report RESOLUTION NO. 45-90
 12. Appointment of City Attorney-Shawn Moynihan
 13. Amendment to Liquor License-Papa Charritos
 14. Dance Permit-Papa Charritos
 15. M.S. Society Application for Charitable Gambling License at Friar Tuck's and 60 day waiver
- 7 Ayes; Nays, None.

Moved by Councilmember Simacek, seconded by Councilmember Trautmann to add to City Administrator Agenda Item #8, Police Union Contract. ADD AGENDA ITEM

7 Ayes; Nays, None.

Moved by Councilmember Werner, seconded by Councilmember Simacek to adopt Resolution No. 46-90 awarding the contract for the 1990 Replacement Filter Unit for the Municipal Swimming Pool, to Infilco Degremont, Inc. for the amount of \$20,927.00. 7 Ayes; Nays, None. Copy of resolution on file. RESOLUTION NO. 46-90 AWARD BID SWIMMING POOL FILTER

The Mayor declared the Public Hearing open 7:07 p.m. to consider the revised Feasibility Report for the 1st Street Improvements that now include the installation of guardrails. The Mayor asked if anyone wished to speak on the issue and Bill Birchen of 600 Ashland stated he would receive no benefit, while Genevive Hamman, President of the East Side Association spoke in favor of the project. The City Clerk provided proof of affidavit of publication. The Mayor closed the public hearing at 7:09 p.m. PUBLIC HEARING-PROJECT NO. 1990-8 1ST ST. IMPROVEMENT

Moved by Councilmember Werner, seconded by Councilmember Mathiowetz to adopt Resolution No. 47-90 which orders the improvements & preparation of final plans & specification for improvements of 1st Street, Project No. 1990-8, with the City assuming the MWCC's storm sewer assessment as proposed by the City Engineer at the public hearing.

RESOLUTION
NO. 47-90
PLANS & SPECS
1ST ST.,
PROJECT NO.
1990-8

Moved by Councilmember Trautmann, seconded by Councilmember Riveness to amend the previous motion that the cost of the guardrail be absorbed by the community rather than project property owners. 7 Ayes; Nayes, None.

A vote was then taken on the original motion to adopt Resolution No. 47-90, which includes the amendment. 7 Ayes; Nayes, None. Copy of resolution on file.

Moved by Councilmember Werner, seconded by Councilmember Trautmann to adopt Resolution No. 48-90 approving the plans & specifications and ordering advertisement for bids for the 1990 Improvements. 7 Ayes; Nayes, None. Copy of resolution on file.

RESOLUTION
NO. 48-90
1990 CITY
IMPROVEMENTS

Moved by Councilmember Trautmann, seconded by Councilmember Simacek to approve the funding proposal presented in the T.H. 55 Feasibility Report. The City's share of the T.H. 55 improvements is approximately \$1,350,185.00. 7 Ayes; Nayes, None.

T.H. 55 FUND
PROPOSAL

Moved by Councilmember Johnson, seconded by Councilmember Werner to adopt Resolution No. 49-90 calling a public hearing on the proposed T.H. 55 Improvement Project for Monday, April 16, 1990 at 7:00 p.m. 7 Ayes; Nayes, None. Copy of resolution on file.

RESOLUTION
NO. 49-90
ORDER PUBLIC
HEARING FOR
T.H. 55
IMPROVEMENTS

Moved by Councilmember Werner, seconded by Councilmember Trautmann to approve an agreement between the City and MN/DOT for the acquisition right-of-way for the North and South Frontage Road construction in conjunction with the T.H. 55 reconstruction project. The agreement allows MN/DOT to proceed with the project with the assurance that the City will compensate MN/DOT for the right-of-way MN/DOT has acquired on behalf of the City. 7 Ayes; Nayes, None. A copy of the agreement is in the office of the City Engineer.

MN/DOT T.H.
55 ACQUISITION
AGREEMENT

Moved by Councilmember Simacek, seconded by Mayor Stoffel to rescind the motion of March 5, 1990 to delete Project No. 1990-7, County Rd. 91, from the 1990 Improvement Program. 5 Ayes; Nayes, Johnson and Werner.

GLENDALE ROAD
(CO. RD. 91)
ROAD IMPROVEMENT

Moved by Councilmember Simacek, seconded by Councilmember Trautmann to adopt Resolution No. 50-90 which orders a public hearing to be held on Project No. 1990-7 County Road 91 (Glendale Road) of the 1990 Improvement Program to be held at 7:00 p.m. on April 16, 1990. Staff is directed to revise the Feasibility Report to assess 20% of the City's participation to the abutting properties rather than the 100% originally proposed, and to negotiate with Dakota County for a possible reduction in their cost. 4 Ayes; Nayes, Johnson and Werner.

RESOLUTION
NO. 50-90

Dakota County Commissioner Joe Harris and County Engineer Dave Everts were present to answer questions and concerns.

Moved by Councilmember Werner, seconded by Councilmember Simacek to adopt Resolution No. 51-90 approving vacation of the North Frontage Road right-of-way easement located east of the General Sieben Drive right-of-way and west of the east property line of the Government Center complex. This vacation was approved with the following understandings:

RESOLUTION
NO. 51-90
VACATE PORTION
NO. FRONTAGE RD.

- A. That the county will be responsible for the maintenance of the street and storm sewer located in the portion of the North Frontage Road street which is to remain.
- B. The vacation is subject to MnDots rights based on the temporary "Commissioners Order" over the North Frontage Road right of way.
- C. That easements shall exist for the existing utilities located in the right of way (telephone).
- D. That the City shall keep on file the 4/10/90 letter from County Commissioner Harris which indicated that if the County should consider removing access to the Government Center from the North Frontage Road, the County will consult and receive approval from the City first.

7 Ayes; Naves, None. Copy of resolution on file.

Moved by Councilmember Trautmann, seconded by Councilmember Mathiowetz to approve a request for a variance by Gervase Kieffer of 415 East 6th Street, to the required 7 foot interior side setback so that he may add onto the northeast side of an existing home with a setback of 5.5 feet. Approval of the variance is based on the following findings: 1). The existing structure was built prior to the establishment of the zoning ordinance which when adopted made the home nonconforming. 2). Although not inherent, the proposed addition will not be detrimental to the surrounding properties and will improve the neighborhood. 7 Ayes; Naves, None.

VARIANCE REQUEST-
G. KIEFFER

Moved by Councilmember Werner, seconded by Councilmember Simacek to approve a request for a variance by Nick & Cheryl Conzemius of 124 Farm Street, to expand a non-conforming front yard setback so that they may remove an existing porch and steps and construct a new addition onto the east side of the home with a setback of 5 feet. This is approved subject to the condition that under no circumstances shall the proposed improvements protrude within the five (5) nor ten (10) foot utility and drainage easement located along the east property line.

VARIANCE-
N. CONZEMIUS
124 FARM ST.

Approval by the City Council of the variance request was based on the following findings:

- 1. The existing structure was built prior to the establishment of the zoning ordinance which, when adopted, made the home non-conforming.
- 2. Although not inherent, the proposed addition will not be detrimental to the surrounding properties and will improve the neighborhood.
- 3. The existing home was constructed prior to

the installation of the streets in the area.
7 Ayes; Nayes, None.

Moved by Councilmember Werner, seconded by Councilmember Simacek to approve the recommendation from the Industrial Park Board to sell a 2.0 acre parcel in the Industrial Park to Dave Chapin of Best Towing for \$20,000.00, direct the City Attorney to draw up a purchase agreement, and authorize the Mayor and City Clerk to execute the agreement on or before April 16, 1990.
7 Ayes; Nayes, None.

INDUSTRIAL
PARK LAND
SALE-DAVE
CHAPIN

Moved by Councilmember Trautmann, seconded by Councilmember Werner to approve the 1st Reading of a Utility Ordinance Amendment and to hold a public hearing at 7:00 p.m. on April 16, 1990. 7 Ayes; Nayes, None.

1ST READING-
ORDINANCE
CHANGES-CHAPTER
12-UTILITIES

Moved by Councilmember Werner, seconded by Councilmember Mathiowetz to accept the Public Utility Rules and Regulations as presented by Finance Director Lori Webster to be approved by City Council at the time of the 3rd Reading and approval of the Utility Ordinance Amendments to be effective third quarter billing dated September 30, 1990. 7 Ayes; Nayes, None.

UTILITY BILLING
POLICY &
PROCEDURES

Moved by Councilmember Werner, seconded by Councilmember Mathiowetz to approve staffs recommendation to approve the staff recommendation of billing for utilities with a post-card method and discontinue the current method of sending a statement with enclosed return envelopes. To be effective at the time the new computer system is up and running. 7 Ayes; Nayes, None.

UTILITY BILLING
METHOD

Moved by Councilmember Trautmann, seconded by Councilmember Mathiowetz to approve the Local 49 Union Contract for calendar years 1990 & 1991 as presented by City Administrator Dave Osberg. 7 Ayes; Nayes, None.

LOCAL 49 UNION
CONTRACT

No action was taken on this agenda item.

MWCC GENERAL
ADVISORY
COMMITTEE

Moved by Councilmember Riveness, seconded by Councilmember Werner to approve an agreement between the City of Hastings & Hastings Sanitary Inc., for the curbside residential recycling program in the City of Hastings for the term of January 1, 1990 through December 31, 1993. 7 Ayes; Nayes, None.

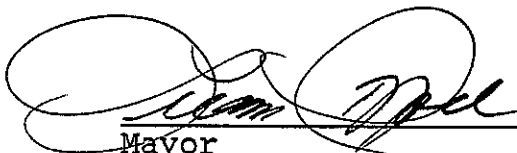
RECYCLING
AGREEMENT-
HASTINGS
SANITARY
SERVICE

Moved by Councilmember Trautmann, seconded by Councilmember Werner to approve the wage structure for the 1989, 1990 and 1991 Police Union Contract, with formal approval of the entire contract at the April 16, 1990 City Council meeting. 7 Ayes; Nayes, None.

POLICE UNION
CONTRACT

Moved by Councilmember Trautmann, seconded by Councilmember Johnson to adjourn the meeting at 9:10 p.m. 7 Ayes; Nayes, None.

ADJOURNMENT


Mayor

ATTEST


City Clerk

CLAIMS

APRIL

2,

1990

CLAIM	NO.	DISPOSITION	AMOUNT
Postmaster	7746	Postage for meter	500.00
NSP	7747	Monthly billing	22,678.36
Minneagsco	7748	Monthly billing	4,173.75
Cantus Corp	7749	Final Pymt police computer	2,528.00
First Nat'l. Bank	7750	Federal WH	13,045.19
First Nat'l. Bank	7751	FICA	9,393.20
First Nat'l. Bank	7752	Medicare	273.02
State Capitol Credit Union	7753	Payroll deduction	2,505.85
Commissioner of Revenue	7754	State WH	5,258.62
Wisc Dept of Revenue	7755	State WH	119.18
Equitable Life	7756	Payroll deduction	1,461.80
Northern Life	7757	Payroll deduction	650.00
Northern Life	7758	Payroll deduction	124.50
Blue Cross Blue Shield	7759	Premium	14,537.96
PERA	7760	PERA	13,612.41
ICMA	7761	Payroll deduction	2,356.28
United Way	7762	Payroll deduction	113.25
Local 49	7763	Dues	553.00
Local 320	7764	Dues	582.00
Colonial Ins	7765	Payroll deduction	84.66
N.W.Nat'l. Life	7766	Payroll deduction	487.86
Equitable Life	7767	Payroll deduction	100.36
Fluegel & Hertogs et al	7768	Salary	9,216.67
PERA	7769	Life Ins	252.00
Postmaster	7770	Postage mail water bills	921.68
Hastings Vehicle Registration	7771	License parks truck	600.90
Metro Waste Control	7772	Sewer serv. charges	46,138.77
Schneider Pontiac Buick GMC	7773	New Parks truck	9,590.00
Paul Czech	7774	Mileage	5.72
Tom Harmening	7775	Mileage	13.00
Jim McGree/Arena	7776	Work release program	63.00
David Osberg	7777	Mileage	82.26
Charles Paulson	7778	Tuition & mileage	133.60
Cal Seeger	7779	Bus cleaning	46.00
Dale Sullivan	7780	Energy consultant	2,000.00
Barbara Thompson	7781	Conf & mileage expenses	261.54
Merlin Wilbur	7782	Reimburse registration	10.00
Alpha Video	7783	Camera upgrade	345.00
American Photo Copy	7784	Toner	56.00
Am Traffic Safety Services	7785	Supplies	24.00
Bahls	7786	Parts & labor	980.83
Barco Municipal Products	7787	Supplies	78.23
Beacon Products	7788	Supplies	1,351.96
Blevins Concession Supply	7789	Supplies	297.67
Coast to Coast	7790	Supplies	6.92
Coffee Express	7791	Supplies	38.00
Color Lab	7792	Supplies	27.40
J.P. Cooke Co.	7793	Supplies	39.68
Crouse Cartage	7794	Services	61.50
Council of Am Bldg Officials	7795	Registration	45.00
Curtis Industries	7796	Supplies	75.40
Dalco	7797	Supplies	127.24
District Court Adm	7798	Fee notary stamp	5.00
Dons Super Valu	7799	Supplies	12.71
Dowco Valve	7800	Parts	17.35
Downtown Tire & Auto	7801	Repairs	59.85
Fair Book	7802	Supplies	1,287.51
J.N. Fauver	7803	Parts	200.90
Feed Rite Controls	7804	Supplies	464.97
FirstAm Investment Group	7805	Fees	253.00
Fluegel Hertogs et al	7806	Services	36.25
Gegen Agency	7807	Premium	177.00
Gerry's Fire Protection	7808	Supplies	95.50
GMAC	7809	Lease agreement	190.88
Goodin Co.	7810	Parts	85.00
Gopher Welding Supply	7811	Supplies	30.74
Graphic Exhibits	7812	Supplies	24.75
Gray Auto Electric	7813	Repairs	232.75
Peter Gydesen	7814	Overpymt amb bill	10.00
Hastings Star Gazette	7815	Services	37.26
Jim Hatch Sales	7816	Supplies	56.64
Holmes & Graven	7817	Services	672.00

CLAIM	NO	DISPOSITION	AMOUNT
Judge Electric	7818	Repairs	6,115.40
Inmac	7819	Supplies	357.74
Insulators Supply	7820	Supplies	213.90
Leef Bros	7821	Supplies	26.80
Jim Loucks	7822	Services	50.00
Tom Loucks & Assoc	7823	Services	2,093.90
Microage/Progressive Computers	7824	Supplies	202.00
Mn American Planning Assn	7825	Registration	130.00
Mn Cellular One	7826	Monthly charges	19.50
Mn City Management Assn	7827	Dues	40.00
Mn Crime Prevention Officers Assn	7828	Registration	25.00
Dwyer & Assoc	7829	Services	4,204.55
Mn Historical Society	7830	Registration	119.00
Mn Mayors Assn	7831	Dues	10.00
Mn Safety Council	7832	Registration	160.00
Mn Society of C.P.A.'s	7833	Dues	80.00
Mn Valley Testing	7834	Services	28.00
John Moes	7835	Services	17.00
MTI Distributing	7836	Parts	360.44
Munici-pals	7837	Dues	5.00
North Star Ice	7838	Supplies	161.28
NSP	7839	Damage to pole	1,070.08
Norwest Investment Services	7840	Service charge	27.50
Pamida	7841	Supplies	8.99
Pine Bend Paving	7842	Supplies	481.65
Rabbitt Rooter	7843	Services	175.00
Road Rescue	7844	Supplies	408.59
R & R Specialties	7845	Services	48.40
St. Paul Stamp Works	7846	Supplies	158.15
Serco Labs	7847	Services	1,581.74
John Smyrski	7848	Services	119.00
Tau Med	7849	Supplies	169.64
Jim Thiel	7850	Services	250.00
Bill Thuet	7851	Services	68.00
Frank Tranka	7852	Overpymt amb bill	145.60
United Bldg Center	7853	Supplies	67.60
James Vaessen	7854	Parts	607.50
Van Doren, Hazard, Stallings	7855	Services	845.00
Waldor Pump	7856	Services	317.00
Waste Management	7857	Recycling	5,002.80
Water Products	7858	Supplies	1,273.80
Doug Weber	7859	Mileage	42.90
Werth Foods	7860	Supplies	34.61
Williams Steel & Hdw	7861	Supplies	9.24
WMI Services	7862	Services	44.20
Young Radiator	7863	Services	3,877.00
Zarnoth Brush Works	7864	Supplies	288.00
Zee Medical Service	7865	Supplies	30.35
Zep Mfg	7866	Supplies	41.50
Ziegler Inc	7867	New Loader	99,817.00