

Hastings, Minnesota
September 4, 1990

The City Council of the City of Hastings, Minnesota met on Tuesday, September 4, 1990 at 7:00 p.m. in the City Hall Council Chambers, 100 Sibley Street, Hastings, Minnesota.

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

Members Absent: Councilmember Trautmann

Staff Members Present: Dave Osberg, Barb Thompson, Paul Czech, Tom Montgomery

The Mayor called for corrections or additions to the minutes of the meeting of August 20, 1990 and hearing none declared the minutes approved as presented. APPROVAL OF MINUTES

Moved by Councilmember Simacek, seconded by Councilmember Johnson to add to the Consent Agenda Item 20 for additional Election Judges for training and remove Item #17-Library Board appointments. 6 Ayes; Naves, None. CONSENT AGENDA & ADDED ITEM & REMOVED ITEM

Moved by Councilmember Johnson, seconded by Councilmember Werner to add to the Engineering agenda Item #4-Holst Excavation. 6 Ayes; Naves, None. ADD TO CITY ENGINEERING AGENDA

1. Pay all bills as audited
 2. Approve 1st Reading/Order Public Hearing-Flood Plain Ordinance Revisions
 3. Approve 1st Reading/Order Public Hearing-Minor Subdivision Ordinance
 4. Pay Estimate No. 1 Vets Ballfield Expansion, to Husting & Engstrom for \$60,679.46
 5. Pay Estimate No. 1 - TH 61 Approach Landscaping Supply to Hoffman & McNamara for \$28,595.66
 6. Pay Estimate No. 2 - Riverfront and Riverwood Park Improvements to Hoffman & McNamara for \$70,300.05
 7. Pay Estimate No. 2 - 1990-B Improvements to A.P. Keller Construction for \$199,206.21
 8. Pay Estimate No. 3 - 199-A to Brown & Cris for \$89,847.27
 9. Resolution No. 96-90 for final payment for 1990 Sealcoat program to Bituminous Roadways for \$53,872.56 RESOLUTION NO. 96-90
 10. Resolution No. 97-90-Declare abandoned bicycles as excess property and authorize public auction RESOLUTION NO. 97-90
 11. Police Officer Resignation
 12. Main Street Festival 9-22-90
 13. Hastings Aquanauts Raffle/Exemption from Lawful Gambling License
 14. Resolution No. 98-90 Proposed 1991 Levy & Proposed Budget & approve Public Hearing dates RESOLUTION NO. 98-90
 15. Resolution No. 99-90 Proposed 1991 HRA Special Levy RESOLUTION NO. 99-90
 16. Sidewalk Reimbursement-P. Denn-1010 W. 4th St.
 17. Assistant Building Inspector Resignation
 18. Adopt 1988 Building Codes-1st Reading & Order Public Hearing
 19. Election Judges for Training
- 6 Ayes; Naves, None.

Moved by Councilmember Werner, seconded by Councilmember Mathiowetz to approve a special use permit as requested by Haven Homes Health Center (Lester Fair) located at 930 West 16th Street to SPECIAL USE PERMIT-HAVEN HOMES-LESTER FAIR

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allow an addition to the existing nursing home as recommended by the Planning Commission. This is to be approved subject to the following conditions:

1. That a Site and Building Plan application be submitted for Planning Commission and City Council review.
2. That all existing trees/landscaping be retained on the site.
3. That the number of beds not exceed 107 for the entire nursing home facility.
4. That the height of the building not exceed 25 feet as determined by the Uniform Building Code.
5. Compliance with all Uniform Building and Fire Codes.
- 6 Ayes; Nayes, None.

The Mayor opened the Public Hearing at 7:09 p.m. to review the proposed traffic signage changes in the 2nd Ward area boundard by TH 55, TH 61, CSAH 42 (2nd Street), and Pleasant Drive. These changes include removal of all stop signs on Pine Street within this area, accept for the 4 way stop at 4th & Pine. These changes would attempt to facilitate easier north-south traffic flow within this area. City Clerk provided proof of affidavit of publication. The Mayor asked if anyone wished to speak on the issue and the following persons did so. Vince Teuber of 5th & Ashland, Bill Birchen of 6th & Ashland, Lori Bolstad of Pine & 2nd Street, Richard Graham of 608 Eddy Street, Michael Staver of 612 West 8th Street, Rita Ryan of 215 West 9th Street, Henry Hoeft of 208 West 6th Street, and Joan Voelker at 931 1st Street. The Mayor asked if anyone else wished to speak on the issue, no one wished to do so. The public hearing was closed at 7:43 p.m.

PUBLIC
HEARING-
RIVER ST.,
PINE ST./
2ND WARD

The Mayor opened the Public Hearing at 7:45 p.m. for the purpose of reviewing a petition which has been filed with the City of Hastings to vacate a portion of a slope easement located directly East of Pleasant Drive between Southview Drive & the Vermillion River. The Mayor asked if anyone wished to speak on the issue, no one wished to do so. The Mayor closed the public hearing at 7:46 p.m.

PUBLIC
HEARING-
SLOPE
EASEMENTS/
BAUER VIEW
2ND

The Mayor opened the Public Hearing at 7:46 p.m. to review an amendment to Chapter 10 of the Hastings City Code establishing an R-7 High Density Residential Zoning District. City Clerk provided proof of affidavit of publication. The Mayor asked if anyone wished to speak on the issue at which time Skip Soleim of 721 Oak Street spoke in favor of the project. The Mayor asked if anyone else wished to speak on the issue, no one wished to do so. The Mayor closed the public hearing at 7:48 p.m.

PUBLIC
HEARING-
ZONING
ORDINANCE
AMENDMENT
R-7 HIGH
DENSITY

The Mayor opened the Public Hearing at 7:48 p.m. for review of an amendment to the Comprehensive Plan for "Medium Density Residence" to "High Density Residence" and a rezone from C-3 to R-7 for Lots 1-4, Block 18, Original Town of Hastings. City Clerk provided proof of affidavit of application. The Mayor asked if anyone wished to speak on the issue, no one wished to do so. The Mayor closed the public hearing at 7:48 p.m.

PUBLIC
HEARING-
COMP.
AMENDMENT
LT 1-4, BLK
18

The Mayor opened the Public Hearing at 7:49 p.m. for the purpose of determining whether City owned property located on the south side of 14th Street Ponding Basin and north of the 14th Street Ponding

PUBLIC
HEARING-
14TH STREET
PROPERTY

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Basin and north of Tierney Drive should be declared as excess property and sold in a commercially reasonable matter. The Mayor asked if anyone wished to speak on the issue, no one wished to do so. The Mayor closed the public hearing at 7:49 p.m.

Moved by Councilmember Simacek, seconded by Councilmember Riveness requesting the Planning Commission to prepare draft amendments to the City Code concerning Senior Housing. 6 Ayes; Nays, None. PLANNING COMMISSION REQUEST-CITY CODE SR. HOUSING

Moved by Councilmember Riveness, seconded by Councilmember Simacek to approve the proposed 2nd Ward traffic signage changes as recommended by Staff. 3 Ayes; Nays, Mathiowetz, Johnson and Werner. 2ND WARD AREA TRAFFIC PROPOSALS

Moved by Councilmember Werner, to table this item to October 1, 1990 and to schedule neighborhood meetings. Motion dies for lack of a second.

Moved by Councilmember Simacek, seconded by Councilmember Werner to table this item to September 17, 1990 for the consideration. 6 Ayes; Nays, None.

Council asked that this be put at the end of the regular meeting for a closed door session, to discuss consideration of an appeal of the court order to conduct a re-assessment of 28 property owners in South Hastings who appealed their special assessments. 1989 RE-ASSESSMENT ROLL

Moved by Councilmember Johnson, seconded by Councilmember Werner to adopt Resolution No. 101-90 approving Supplemental Agreement No. 1 to the TH 55 reconstruction project, and authorizing MnDOT to proceed with the necessary utility relocations within the TH 55 right-of-way. 6 Ayes; Nays, None. Copy of resolution on file. RESOLUTION NO. 101-90 TH 55 RECONSTRUCTION

Moved by Councilmember Werner, seconded by Councilmember Riveness to adopt Resolution No. 103-90 requesting that Dakota County require more information on EAW on the proposed Holst Construction gravel mining operation. Residents adjacent to the proposed property gravel mining operation spoke regarding this item. 6 Ayes; Nays, None. Copy of resolution on file. RESOLUTION NO. 103-90 HOLST EXCAVATION

Moved by Councilmember Simacek, seconded by Councilmember Riveness to approve the 2nd reading of an Ordinance which would create a R-7 High Density Residential District. 6 Ayes; Nays, None. 2ND READING-R-7 HIGH DENSITY DISTRICT

Moved by Councilmember Werner, seconded by Councilmember Simacek to approve the 2nd reading of an Ordinance for an amendment to the Comprehensive Plan from "Medium Density Residence" to "High Density Residence" and to rezone from C-3 to R-7 for Lots 1-4, Block 18, Original Town of Hastings. 6 Ayes; Nays, None. 2ND READING AMEND/REZONE LHS 1-4, BLK 18, ORIGINAL TOWN OF HASTINGS

Moved by Councilmember Simacek, seconded by Councilmember Werner to approve a minor subdivision and lot line adjustment of two parcels located on Olive Street described as Lot 5, 6 and north 20 feet of 7, 14 and the North-1/2 of 15, Block 6, Addition number 13 to the City of Hastings, as requested by Mr. Joseph Meier. This is approved as recommended by the Planning Commission subject to the following conditions: MINOR SUBD.-OLIVE/ FRAZIER ST.

September 4, 1990

1. That Lot 5 and the north 10 feet of Lot 6, Block 6, Addition No. 13 be combined as one tax parcel at time of recording/transferring property.
 2. That Lot 6 except the North 10 feet thereof and the North 20 feet of Lot 7, Block 6, Addition No. 13 be combined as one tax parcel at time of recording/transferring property.
 3. That Lot 14 and the North One-Half of Lot 15, Block 6, Addition No. 13 be combined as one tax parcel at time of recording/transferring property.
- 6 Ayes; Nayes, None.

Moved by Councilmember Johnson, seconded by Councilmember Werner to approve a minor subdivision and lot line adjustment of two parcels located at 1350 & 1360 Blueberry Court as requested by Michael Siebenaler and Alvin Goebel. This approval is granted pursuant to the recommendation of the Planning Commission subject to the following conditions:

MINOR
SUBD.-
GOEBEL/
SIEBENALER

1. The applicant submit a revised survey which shows Mr. Siebenaler's property at 1360 Blueberry Court as Parcel C and that language be added to the revised survey which ties together Parcel A and Lot 21 (Parcel C).
 2. That Parcel A and Lot 21 (Parcel C) be combined as one tax parcel at time of recording/transferring property.
 3. That Mr. Alvin Goebel submit a signed statement stating he does not object to the proposed minor subdivision submitted by Mr. Tanner on behalf of Mr. Siebenaler.
- 6 Ayes; Nayes, None.

Moved by Councilmember Werner, seconded by Councilmember Mathiowetz to approve a variance request for a side corner setback located at 1300 E. 3rd St. as requested by Mike Nogle. This approval is granted on the recommendation of the Planning Commission subject to the following conditions:

VARIANCE
1300 E. 3RD
-NOGLE

1. That the applicant construct the proposed home according to the submitted survey with the side corner/west setback being no closer than nine (9) feet to the property line.
 2. That the applicant adhere to all Uniform Building and Fire Codes.
 3. That the Barker Street right-of-way shall be kept clear. The applicant/resident at 1300 East 3rd Street shall not store any items within the right-of-way.
- 6 Ayes; Nayes, None.

Moved by Councilmember Simacek, seconded by Councilmember Werner to add to City Planner agenda Item No. 8 a request from Greg Jablonski for a plat name change. 6 Ayes; Nayes, None.

ADD TO
AGENDA
PLAT NAME
CHANGE

Moved by Councilmember Simacek, seconded by Councilmember Mathiowetz to approve a request from Greg Jablonski of Advanced Homes that the name of plat approved on November 20, 1989 be changed to Riverwood Hill Town Homes No. 1. This will allow Mr. Jablonski to change the name of the plat to be recorded with Dakota County. 6 Ayes; Nayes, None.

Moved by Councilmember Werner, seconded by Councilmember Johnson to adopt Resolution No. 102-90 approving the partial vacation of an existing slope easement located along the east side of Pleasant Drive

RESOLUTION
NO. 102-90
BAUER SLOPE
EASEMENT

September 4, 1990

between Southview Drive and the Vermillion River as requested by Willard Bauer & Bauer Construction Company. This is subject to receiving a reimbursement of \$869.40 from Mr. Bauer. 6 Ayes; Nays, None. Copy of resolution on file.

Moved by Councilmember Mathiowetz, seconded by Councilmember Johnson to approve the 1st reading of an Ordinance amending City Code Section 9.82, Subdivision 1 by adopting the 1989 Minnesota Uniform Fire Code and all future additions of the Minnesota Uniform Fire Code and by amending City Code Section 9.82, Subdivision 7 by prohibiting all barbecues on decks and patios of certain multi-family dwellings. This motion also orders a public hearing for October 1, 1990 at 7:00 p.m. 6 Ayes; Nays, None.

1ST READING-
BARBECUE
ORDINANCE

An Ordinance was presented amending Chapter 3.40 of the City Code by adding Subdivision 5 allowing for the sale of intoxicating malt liquor by wine licensees under certain conditions. No action was taken.

1ST READING-
ALLOW STRONG
BEER-
CERTAIN
CONDITIONS

Moved by Councilmember Simacek, seconded by Councilmember Werner to approve the 2nd Reading of an Ordinance amending Chapter 3.40 of the City Code by adding Subdivision 6 allowing for the issuance of an On-Sale Wine License to a State licensed bed & breakfast facility. 6 Ayes; Nays, None.

2ND READING
B & B ON
SALE WINE

Moved by Councilmember Werner, seconded by Councilmember Johnson directing the City Staff to prepare a resolution containing specific findings that it is in the public interest to dispose of excess property adjacent to Tierney Drive and the 14th Street Ponding Basin. 6 Ayes; Nays, None.

14TH ST.
PONDING
BASIN EXCESS
PROPERTY

Moved by Councilmember Johnson, seconded by Councilmember Mathiowetz to approve the resignation of Police Officer Kevin Anderson effective September 15, 1990. 6 Ayes; Nays, None.

POLICE
OFFICER
RESIGNATION

Council discuss further scheduling of 1991 Budget Workshops.

1991 BUDGET
MEETINGS

Tom Nesbitt, Bill Wendler and Morley Frantzick provided comments of the 1989 re-assessments in South Hastings.

COMMENTS
FROM
AUDIENCE

Moved by Councilmember Johnson, seconded by Councilmember Simacek to adjourn to a closed door session as recommended by City Attorney Shawn Moynihan consideration of an appeal of the court order to conduct a re-assessment of 28 property owners in South Hastings who appealed their special assessment.

1989
RE-ASSESS-
MENT CLOSED
DOOR SESSION

Moved by Councilmember Johnson, seconded by Councilmember Werner to adjourn to the regular City Council meeting.

ADJOURN

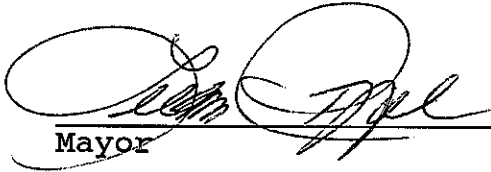
Moved by Councilmember Johnson, seconded by Councilmember Werner to adopt Resolution No. 100-90 directing staff to accept the assessment roll and order public hearing for 10-1-90 at 7:00 p.m. 6 Ayes; Nays, None. Copy of resolution on file.

RESOLUTION
NO. 100-90
1989
RE-ASSESS-
MENT ROLL

September 4, 1990

Moved by Councilmember Werner, seconded by
Councilmember Riveness to adjourn the meeting at
10:55 p.m. 6 Ayes; Nays, None.

ADJOURNMENT


Mayor

ATTEST


City Clerk

CLAIMS

SEPTEMBER

4,

1990

CLAIM	NO.	DISPOSITION	AMOUNT
Headway Corp	9055	Acquisition 33rd St	81,000.00
Raymond Freitag	9056	Right-of-way <i>VOID see 90</i>	4,050.00
Local Oil	9057	Supplies	13.00
Northern States Power	9058	Monthly billing	13,677.64
Minnegasco	9059	Monthly billing	153.49
Postmaster	9060	Postage for meter	500.00
Equitable Life	9061	Payroll deduction	1,472.30
PERA	9061	PERA	14,946.35
First Nat'l.	9062	Federal WH	16,767.54
First Nat'l.	9063	FICA	9,217.53
First Nat'l.	9064	Medicare	712.84
State Capitol Credit Union	9066	Payroll deduction	2,363.70
Commissioner of Revenue	9067	State WH	6,582.27
Wisc Dept of Revenue	9068	State WH	160.03
Northern Life	9069	Payroll deduction	874.50
N.W. Nat'l. Life	9070	Payroll deduction	567.98
United Way	9071	Payroll deduction	108.25
Local 49	9072	Dues	529.00
Local 320	9073	Dues	639.00
Colonial Insurance	9074	Payroll deduction	84.66
PERA	9075	PERA(life)	234.00
Fluegel Hertogs et al	9076	Salary	9,216.67
Dakota Cnty Human Services	9077	Payroll deduction	90.00
Equitable Life	9078	Payroll deduction	100.36
ICMA	9079	Payroll deduction	2,365.91
Blue Cross Blue Shield	9080	Premium	15,730.26
Ark Tree Service	9081	Tree removal	5,674.94
Bituminous Roadways	9082	90 Sealcoat	53,872.56
Brown & Cris	9083	Pay estimate #3	89,847.27
Hoffman McNamara	9084	Bridge approach	980.00
Hoffman McNamara	9085	Pay est #1 Hwy 61	28,595.66
Hoffman McNamara	9086	Pay est #2 Riverfront	70,300.05
Husting Engstrom	9087	Partial pymt vets park	60,679.46
Austin Keller Const	9088	Pay est. #2 90 Const	199,206.21
Metropolitan Waste Control	9089	Sewer service charges	46,138.77
Postmaster	9090	Stamps Fire dept	125.00
State Brd. Electricity	9091	Electrical permits	50.00
James Heusser	9092	Conf expenses	22.86
James Kleinschmidt	9093	Services	1,220.00
David Osberg	9094	Mileage & expenses	439.72
Sam Sorenson	9095	Conf expenses	229.48
Alan Strand	9096	Energy consultant	845.00
Nick Wasylik	9097	Conf expenses	217.69
Alkit Pro Camera	9098	Camera	211.50
Al's Tool & Filter	9099	Supplies	133.03
E.F. Andersen & Assoc	9100	Supplies	431.70
Bahls	9101	Parts & labor	452.19
Blevin's Concessions	9102	Supplies	119.60
Briggs & Morgan	9103	Services	3,056.80
Cellular One	9104	Monthly charges	120.69
Cellular One	9105	Supplies	580.00
Cemstone Products	9106	Supplies	358.40
J.P. Cooke	9107	Supplies	8.02
VOID	9108	VOID	VOID
Pauline Denn	9109	Sdwlk reimbursement	714.50
Doerers	9110	Supplies	50.64
Mike DeChantel	9111	Over pymt water bill	85.53
Econo-Ray Products	9112	Supplies	239.27
Express Lube	9113	Services	29.71
Fair Book & Office	9114	Supplies	457.24
Feed Rite Controls	9115	Supplies	348.46
Folsom's Communications	9116	Repairs	149.51
Fortier Business Equip	9117	Supplies	75.00
Fritz Co	9118	Supplies	19.62
General Communications	9119	Repairs	385.58
GFOA	9120	Subscription	40.00
GMAC	9121	Lease agreement	190.88
Hastings Star Gazette	9122	Services	201.89
Jim Hatch Sales	9123	Supplies	151.75
Health Promotion	9124	Services	350.00
Healy Ruff	9125	Supplies	437.00
D.C. Hey	9126	Supplies	53.50
Holzemer Shoes	9127	Safety shoes	181.45
Jensen's Midtown Shoes	9128	Supplies	80.89
Juneau Services	9129	Services	48.00
Kremer Spring Alignment	9130	Services	755.65

CLAIM	NO	DISPOSITION	AMOUNT
Leef Bros	9131	Supplies	26.80
M B Company	9132	Parts	76.21
Midtown Food Center	9133	Supplies	142.96
R S Means	9134	Supplies	76.95
Mn C.P.A's	9135	Registration Webster	90.00
Mn Valley Testing	9136	Services	28.00
North Central AWWA	9137	Registration Heusser	105.00
Northern States Power	9138	Monthly billing	7,888.15
Niagara Corp	9139	Supplies	584.00
O'Connor Plbg	9140	Services	45.50
Plymouth Supply	9141	Supplies	132.00
Polfus Implement	9142	Services	26.60
Daryl Plath	9143	Conf expenses	245.44
Radke Electric	9144	Services	310.20
Safety Kleen	9145	Supplies	52.50
Specialized Turf	9146	Supplies	80.00
Streichers	9147	Supplies	78.75
Regina Medical Complex	9148	Services	34.00
Team Sporting Goods	9149	Supplies	3,556.98
Viking Industrial Center	9150	Supplies	182.26
Waste Management	9151	Services	5,002.80
Water Products	9152	Supplies	523.35
WMI Services	9153	Services	392.00
Zacks Industrial Cleaning	9154	Supplies	24.00
Zee Medical	9155	Supplies	32.85
Zep Mfg	9156	Supplies	39.42
Ziegler	9157	Parts	129.90