

Hastings, Minnesota
December 3, 1990

The City Council of the City of Hastings, Minnesota met in a regular meeting on Monday, December 3, 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

Members Absent: None

Staff Members Present: City Administrator Dave Osberg; City Clerk/Treasurer Barb Thompson; City Planner Paul Czech; Parks & Recreation Director Marty McNamara and City Attorney Shawn Moynihan

The Mayor called for corrections or additions to APPROVAL the minutes of the minutes of the regular meeting on OF MINUTES November 19, 1990 and hearing none declared the minutes approved as presented.

The Mayor called for corrections or additions to the minutes of the special meeting of November 27, 1990. Councilmember Johnson asked the minutes be corrected to show her absent at the 7:00 p.m. meeting. The minutes were approved as corrected.

Moved by Councilmember Trautmann, seconded by CONSENT Councilmember Mathiowetz to approve the consent agenda AGENDA as presented. 7 Ayes; Nays, None.

1. Pay all bills as audited
2. Order Public Hearing-Permanent Utility Easement (Doc. #893100) 33rd St.-County Crossroads-Headway
3. Resolution No. 126-90-Final Pay Estimate-1990-B RESOLUTION
Street & Utility Improvement Program-A.P. Keller NO. 126-90
Construction, Inc., \$22,527.67
4. Resolution No. 127-90-Supplemental No. 1 to MnDot RESOLUTION
TH55 Cooperative Agreement NO. 127-90

The Mayor opened the Public Hearing at 7:03 p.m. PUBLIC
to consider the certification of unpaid utility HEARING-
accounts to the Dakota County Auditor for the purposes ASSESSING
of assessing the property owners. The City Clerk UTILITY
provided proof of affidavit of publication. The Mayor ACCOUNTS
asked if anyone wished to speak on the issue, no one
wished to do so. The Mayor closed the public hearing
at 7:04 p.m.

The Mayor opened the Public Hearing at 7:04 p.m. PUBLIC
to consider the vacation of a portion of Jefferson HEARING-
Street right-of-way and park land as platted in VACATE
Pleasant Valley. The City Clerk provided proof of PARK LAND
affidavit of publication. The Mayor asked if anyone PLEASANT
wished to speak on the issue, no one wished to do so. VALLEY
The Mayor closed the public hearing at 7:05 p.m.

The Mayor opened the Public Hearing at 7:05 p.m. PUBLIC
to consider vacation of a portion of the drainage and HEARING-
utility easements located on Lots 7 & 8, Block 1, VACATE
Siebens 3rd Addition. City Clerk provided proof of EASEMENTS
affidavit of publication. The Mayor asked if anyone SIEBENS
wished to speak on the issue, no one wished to do so. ADDITION
The Mayor closed the public hearing at 7:06 p.m.

December 3, 1990

The Mayor opened the Public Hearing at 7:13 p.m. to consider an adjustment in the rates charged for residential garbage collection. City Clerk provided proof of affidavit of publication. The Mayor asked if anyone wished to speak on the issue, no one wished to do so. The Mayor closed the public hearing at 7:13 p.m.

PUBLIC
HEARING-
GARBAGE FEES

The Mayor opened the Public Hearing at 7:13 p.m. to consider an adjustment in the rate charged for recycling collection services. The City Clerk provided proof of affidavit of publication. The Mayor asked if anyone wished to speak on the issue, no one wished to do so. The Mayor closed the public hearing at 7:14 p.m.

PUBLIC
HEARING-
RECYCLING
RATES

Moved by Councilmember Werner, seconded by Councilmember Johnson to adopt Resolution No. 128-90 approving the vacation of the park land in Pleasant Valley and that portion of Jefferson Street as shown on the final plat for Pleasant Valley 5th Addition. 7 Ayes; Nayes, None. Copy of resolution on file.

RESOLUTION
NO. 128-90
VACATE PARK
LAND-
PLEASANT
VALLEY

Moved by Councilmember Mathiowetz, seconded by Councilmember Werner to adopt Resolution No. 129-90 approving the vacation of a portion of the drainage and utility easements located on Lots 7 & 8, Block 1, Siebens 3rd Addition. 7 Ayes; Nayes, None. Copy of resolution on file.

RESOLUTION
NO. 129-90
VACATE
EASEMENTS
SIEBENS 3RD
ADDITION

Moved by Councilmember Trautmann, seconded by Councilmember Mathiowetz to renew a special use permit for the operation of a temporary asphalt plant in the Barton pit located along East 10th Street (CSAH 54) as recommended by the Planning Commission subject to the following conditions:

RENEW
PERMIT-
COMMERCIAL
ASPHALT

- A. Expiration of the permit shall be 12/31/91.
- B. All PCA requirements shall be met and all permits received prior to the operation of the plant.
- C. The site must be watered as necessary to control dust.
- D. Prior to commencing operation of the plant, the applicant.
- E. Prior to commencing operation of the plant, the applicant shall provide the city with the necessary insurance certifications and a performance bond in the amount of \$25,000.
- F. The site of the temporary asphalt plant shall be at an elevation of not less than 694. This requirement includes that the bottom of the spill basin shall also be at an elevation of not less than 694.
- G. The aggregate stockpile shall be maintained as shown on the site plan for screening purposes. Also, it is strongly encouraged that the stockpile be wrapped around the front of the site as much as possible in order to provide effective screening.
- H. That all requirements of city code pertaining to temporary asphalt plants be attached as conditions for permit approval and be adhered to by the applicant.
- I. The applicant shall file with the local fire authority a material safety data sheet for a flammable combustible liquid storage permit.
- J. That the conditions for approval be strictly enforced.

7 Ayes; Nayes, None.

December 3, 1990

Moved by Councilmember Trautmann, seconded by Councilmember Riveness to approve the request for the renewal of a soil processing permit to Barton Sand & Gravel to December 31, 1991 subject to the following conditions:

RENEW
PERMIT
BARTON
SAND &
GRAVEL

- A. The site is to be restored, upon completion of the mining operation, pursuant to the plans provided to the city during the original application in 1984 and pit expansion proposal in 1987.
- B. Operating hours are not to be in excess of 7:00 a.m. to 5:00 p.m. Monday-Saturday except holidays. In cases of emergency Barton Sand & Gravel may operate during hours other than those noted upon approval by the City Administrator.
- C. Barton Sand & Gravel Company shall refrain from using West 10th Street between Trunk Highway 61 and Trunk Highway 55 for hauling purposes.
- D. The City of Hastings shall be informed of the results of the most recent inspection of the Barton Sand & Gravel pit as made by the Bureau of Mines.
- E. Barton Sand & Gravel Company shall provide to the city within 10 days after City Council approval of the permit, and before work begins an irrevocable bond or other form of security acceptable to the city in an amount of \$25,000 for the estimated cost of restoring the site covered by the soil processing permit (as recommended by the City Engineer and pursuant to City Code).
- F. Prior to January 1, 1991, Barton Sand & Gravel Company shall provide to the city a liability insurance policy or certificate of insurance from an insurance company authorized to write casualty insurance in the State of Minnesota as will protect the applicant, its agents and the city from claims for bodily injury, death or property damage which may arise from the operations under the soil processing permit. The amounts of the insurance shall not be less than that which is required by City Code.
- G. As a part of the renewal of the soil processing permit in December, 1991, the applicant shall provide a proposal which illustrates a plan for the complete restoration of the pit. This plan shall include time lines and phasing of the proposed restoration.

7 Ayes; Nayes, None.

Moved by Councilmember Werner, seconded by Councilmember Trautmann to approve a request for a site plan for twelve 4-plex units to be located on Lots 5-8, 9-12 & 14-17, Block 1, Sunny Acres 4. Lot 13, Block 1, Sunny Acres 4 shall be considered as common area for these units and declared unbuildable. This approval is upon recommendation of the Planning Commission and subject to the following conditions:

SITE PLAN-
LAWRENCE
CONSTRUCTION

1. Compliance with all Uniform Building and Fire Codes.
2. Provide four (4) additional deciduous type trees at least two (2) inches in diameter along the west property line between the spruce trees to the south and the north property line.
3. Increase the drainage and utility easement which goes to Tiffany Drive and is located west of 3501 Douglas Drive from five (5) feet to ten (10) feet.

7 Ayes; Nayes, None.

December 3, 1990

Moved by Councilmember Trautmann, seconded by Councilmember Mathiowetz to order a public hearing on December 17, 1990 at 7:00 p.m. to initiate a change to Chapter 10, Section 10.21, of the Hastings City Code which would allow churches in the P-I zone district. 7 Ayes; Nayes, None.

REQUEST TO
AMEND
CHAPTER 10
-ALLOW
CHURCHES
P-I SET-
PUBLIC
HEARING
12-17-90

Moved by Councilmember Werner, seconded by Councilmember Simacek to amend Resolution No. 70-90 as follows:

TWIN GABLES
SENIOR
HOUSING
PROJECT

- 1.) Item #4-A shall state that "the Developer must submit documentation outlining proof of an unconditional firm financial commitment for the Project that is subject to review and approval by the City of Hastings, Dakota County Housing and Redevelopment Authority and its financial consultants, by March 1, 1991." The balance of Item #4-A of Resolution No. 70-90 would remain the same.
- 2.) Item #4-G shall state that "all terms, conditions and obligations as outlined in this Resolution shall expire on April 1, 1991 at 4:30 p.m., unless all conditions herein have been satisfied. It is the intention of the City Council that no further extensions of the terms and conditions of Resolution No. 70-90 shall be granted beyond April 1, 1991."
- 3.) An additional Item #4-J shall be included in Resolution No. 70-90 as follows:

"If the Developer complies with all terms and conditions of this Resolution, the City of Hastings agrees to waive approximately \$113,213.00 in building permit fees, water availability charges sewer connection charges and plan review fees, due to the fact that Twin Gables is a project designed to meet the needs of the handicapped and the elderly. The Developer Marlene Fearing has committed to market 77 units to senior citizens, and the forgiveness of these fees represents the charges for building permit, water availability, sewer connection and plan review for the 77 units proposed for marketing to senior citizens. The developer has represented that because of a need for such housing in Hastings, forgiveness of the fees will allow rents to remain at affordable levels."

3 Ayes; Nayes, Johnson, Riveness, Trautmann and Mathiowetz.

City Administrator Dave Osberg presented to Council various legislative positions being proposed by the Dakota County Managers Group for consideration for the State Legislature in 1991. No action was taken.

LEGISLATIVE
POLICIES

Moved by Councilmember Werner, seconded by Councilmember Simacek to adopt the 1991 residential garbage collection fees as follows:

INCREASE
GARBAGE

One 30 gallon container	\$12.20
One 60 gallon container	\$16.20
Traditional (unlimited) service	\$19.20

December 3, 1990

Traditional service will not include yard waste pick-up at curb. The old City Landfill site will be closed and all customers will be encouraged to bring their yard waste to the new site owned and operated by Waste Management and located in the Industrial Park, or they may choose to have their yard waste picked up at the curb, for \$1.00 per bag. These rates will be effective January 1, 1991. 6 Ayes; Naves, Riveness.

Moved by Councilmember Trautmann, seconded by Councilmember Werner to increase the recycling collection fee to a \$1.50 per home per month and to add the collection of plastic bottles (anything with a neck except for automotive products). By July 1, 1991 residential corrugated cardboard will be added at no extra charge. 6 Ayes; Naves, Riveness.

RECYCLING
FEES-1991

Moved by Councilmember Simacek, seconded by Councilmember Trautmann requesting Waste Management to research the possibility of a "charge by bag" collection at curb for those customers who do not find the need for one of the three options presently available. 7 Ayes; Naves, None.

"CHARGE BY
BAG"
RESEARCH

Moved by Councilmember Simacek, seconded by Councilmember Trautmann to approve the following recommendations from the Recycling Committee:

COMPOST
SITE/
RECYCLING
CENTER

- A. Close compost site officially December 1, 1990 and recommend that an alternate site be opened in 1991.
- B. Council should select an alternate site no later than February 1, 1991.
- C. Open alternate compost site April 1, 1991. The Recycling Committee requests Council that the Recycling Committee be involved in the selection process.

This motion also includes authorization to withdraw the grant application to the Metropolitan Council as Waste Management will open a recycling center on their own behalf in the Industrial Park. 7 Ayes; Naves, None.

Moved by Councilmember Werner, seconded by Councilmember Trautmann to certify to Dakota County unpaid utility accounts for assessment to property owners. 7 Ayes; Naves, None.

CERTIFIED
UNPAID
ACCOUNTS

Todd and Jeff Weber of Rivertown Liquors located at 414 Vermillion Street inquired of the possibility of getting a 15 minutes parking limit sign in front of their establishment. Council requested that this item be put on the agenda of the Planning Committee meeting on December 5, 1990 at 7:00 p.m.


PARKING
ISSUE/
RIVERTOWN
LIQUORS

Moved by Councilmember Trautmann, seconded by Councilmember Simacek to adjourn the meeting at 8:55 p.m. 7 Ayes; Naves, None.

ADJOURNMENT


Mayor

ATTEST


City Clerk

CLAIM	NO.	DISPOSITION	AMOUNT
Minnegasco	9814	Monthly billing	1,452.00
Northern States Power	9815	Monthly billing	12,820.43
Northern States Power	9816	Monthly billing	8,164.58
Commissioner of Revenue	9817	Sales tax	223.93
First Nat'l.	9818	FICA	8,916.29
First Nat'l.	9819	Federal WH	16,737.31
First Nat'l.	9820	Medicare	642.00
State Capitol Credit Union	9821	Payroll deduction	2,389.70
Commissioner of Revenue	9822	State WH	6,486.02
Wisc Dept of Revenue	9823	State WH	186.37
Equitable Life	9824	Payroll deduction	1,461.80
Northern Life	9825	Payroll deduction	874.50
Local 49	9826	Dues	529.00
Local 320	9857	Dues	639.00
Colonial Insurance	9828	Payroll deduction	84.66
N.W. Nat'l. Life	9829	Payroll deduction	567.98
PERA	9830	Life Ins	234.00
Fluegel Hertogs et al	9831	Salary	9,216.67
Dakota Cty Human Services	9832	Payroll deduction	90.00
Equitable Life	9833	Payroll deduction	102.36
Misc payroll ded	9834	Payroll deduction	510.00
ICMA	9835	PAYROLL DEDUCTION	2,465.92
Blue Cross Blue Shield	9836	Premium	15,152.21
PERA	9837	PERA	15,054.67
A.P. Keller Const	9838	Final Pymt	22,527.67
Marty McNamara	9839	Mileage	49.40
Mary Ann Peterson	9840	Mileage	11.23
Jane Toenjes	9841	Mileage	10.40
Paul Czech	9842	Mileage	57.98
Am. Planning Assn	9843	Fee	263.00
Amoco Oil	9844	Supplies	98.74
E.F. Andersen & Assoc	9845	Supplies	922.84
Assn Training Officers of Mn	9846	Dues	15.00
Bahls	9847	Parts & labor	376.23
Basler Electric	9848	Services	776.84
Blevin's Concession supplies	9849	Supplies	269.60
Bldg Permit Law Bulliten	9850	Subscription	59.78
Bonestroo,Rosene,Anderlik etc	9851	Services	1,059.75
Business Records Corp	9852	Supplies	130.55
Cellular One	9853	Mobile Phone	424.00
Cellular One	9854	Monthly billing	184.68
Cemstone	9855	Supplies	19.64
Color Lab	9856	Supplies	188.23
Culligan	9857	Supplies	125.80
Dak Cty Chiefs of Police	9358	Dues	35.00
Dalco	9859	Supplies	242.24
Discom of Mn Inc	9860	Monthly charges	144.02
James Dolan ,Cty Recorder	9861	Supplies	10.00
Dowco Valve Co.	9862	Supplies	28.95
Ed's Hastings Wheel Alignment	9863	Repairs	59.50
Dr Lawrence Erickson	9864	Services	600.00
Fair Book	9865	Supplies	759.26
Farmer Bros	9866	Supplies	85.14
Fluegel Hertogs	9867	Services	6,993.25
Folsom's Communications	9868	Repairs	162.02
Furniture House	9869	Table	569.99
Friden Alcatel	9870	Maintenance agreement	103.00
General Communications	9871	Repairs	78.80
GMAC	9872	Lease agreement	190.88
Gopher Welding Supply	9873	Supplies	95.04
Graus Const	9874	Services	1,234.95
Hastings Access Corp	9875	Access support	10,000.00
Hastings ChampionAuto Store	9876	Supplies	9.79
Hastings Shoe Repair	9877	Repairs	50.00
Hastings Star	9878	Services	315.14
Hastings True Value	9879	Supplies	1.12
Health Promotion Services	9880	Services	1,080.00
Holzemer Shoes	9881	Supplies	104.50
John's Wholesale Sports	9882	Supplies	567.20
Juneau Services	9883	Services	24.00
The Kiplinger	9884	Subscription	38.00
Koch Refining	9885	Gasoline	9,395.72
Lakeland Truck Center	9886	Repairs	35.36

CLAIM	NO.	DISPOSITION	AMOUNT
Leef Bros	9887	Supplies	26.80
McCabes Commercial Diving	9888	Services	2,000.00
Metro Emergency Managers	9889	Dues	25.00
Metro Waste Control	9890	Sewer service charges	46,138.77
Mn. Dept of Health	9891	License	140.70
Mn. Police Recruitment System	9892	Services	750.00
Molin Concrete Products	9893	Picnic tables	3,600.00
Nat'l. Guardian	9894	Services	117.76
NSP	9895	Garage rent	480.00
NTC Enterprises	9896	Services	245.00
O'Connor Plbg	9897	Services	111.00
Pastry Shoppe Cafe	9898	Supplies	32.40
Polfus Implement	9899	Parts	89.76
R & R Specialties	9900	Supplies	155.95
Regina Medical Complex	9901	Services	843.00
Reginal Medical Complex	9902	Services	18.50
John Sellner	9903	Services	152.00
Star Tribune	9904	Subscription	140.40
State of Mn	9905	Services	333.87
Therese Stecher	9906	Services	75.00
Team Choice	9907	Supplies	380.00
Top Do It	9908	Supplies	3.75
U of M	9909	Registration	39.00
Joan Voelker	9910	Services	230.00
Waste Management	9911	Recycling	5,002.00
WMI Services	9912	Services	65.33
Wholesale Club	9913	Supplies	514.59
Xerox	9914	Supplies	101.00
Zee Medical Services	9915	Supplies	108.70
U of M	9916	Registration	135.00
United Way	9917	Payroll deduction	108.25
Canada Life	9918	Premium	2,930.51
Gary & Linda Mischke	9919	Refund Marshan assessment	19.18
Scott & Lynn Moreland	9920	" "	19.76
Stephen & Lynn Otto	9921	" "	19.27
Ronald & Vicki Caneff	9922	" "	21.44
Douglas & Norma Kinmes	9923	" "	22.48
Henry & Penny Hamilton	9924	" "	19.86
Harlen & Elizabeth Pottinger	9925	" "	24.07
Alois & Marilyn Reinardy	9926	" "	458.86
Robert & Jan Verduzzo	9927	" "	22.65
David & Joan Kuehn	9928	" "	18.16
David & Kathleen Keller	9929	" "	18.16
Dennis & Fay Wallin	9930	" "	15.89
Theresa & Joseph Niebur	9931	" "	10.90
James & LaVonne Olsen	9932	" "	3,995.10
John & Nancy Trombley	9933	" "	21.37
Joel & Frances Haugley	9934	" "	21.33
Michael & Ann Westland	9935	" "	21.33
Leander & Dorothy Sieben	9936	" "	23.88
Patricia Doffing	9937	" "	22.78
Vincent & Delores Braus	9938	" "	18.10
Theodore & Lorraine Johnson	9939	" "	18.98
Allen & Drea Hampton	9940	" "	21.09
Richard & Paulette Schlander	9941	" "	19.03
Glen & Kathleen Bisco	9942	" "	19.07
Gerald & Charlene Kasel	9943	" "	22.47
Dennis & Cheryl Crosby	9944	" "	18.16
Joseph & Phyllis Ficker	9945	" "	18.15