

Hastings, Minnesota
June 3, 1991

The City Council of the City of Hastings, Minnesota met in a regular meeting on Monday, June 3, 1991 at 7:00 p.m. in the City Hall Council Chambers, 100 Sibley Street, Hastings, Minnesota.

Members Present: Councilmember Johnson, Mathiowetz,
Trautmann, Hicks, Simacek, Mayor Werner

Members Absent: Councilmember Riveness

Staff Members Present: Dave Osberg, City Administrator;
Tom Montgomery, Public Works Director;
Barb Thompson, City Clerk;
Mike Wozniak, Community Dev. Dir.;
and Shawn Moynihan, City Attorney

The Mayor called for corrections or additions to APPROVAL
the special and regular meeting of May 20, 1991 and OF MINUTES
hearing none declared the minutes approved as presented.

Moved by Councilmember Simacek, seconded by CONSENT
Councilmember Johnson to approve the consent agenda AGENDA
as presented. 6 Ayes; Nays, None.

1. Pay all bills as audited
2. Annual renewal of liquor licenses: On Sale, Sunday
On Sale, Off Sale, Wine, On & Off 3.2 Beer and Club
On Sale (see list below)
3. Fire Department-Agreement with State of Minnesota &
School District 200
4. Temporary 3.2 Beer license for tournaments by
Hastings Men's Independent Softball League-Vets Park
5. Approve Shift to Monthly Water Meter Reading
6. Maintenance of City Hall Contract

LIQUOR LICENSES 1991-1992
ON SALE

Raymond J. Clements
DBA Maco-B Liquors, Inc.
108 E. 2nd Street

Linda Kay Hoeschen
DBA Mississippi Belle
101 E. 2nd Street

Gregory J. Langenfeld
DBA Gregory's
1702 Vermillion Street

Bierstube, Inc.
DBA Bierstube
109 W. 11th Street

J & B, Inc.
DBA Friar Tuck's
1810 Vermillion Street

Steve Ira Benowitz
DBA The Bar
2101 Vermillion Street

Cairo Corporation
DBA River's Grill & Bar
412 Vermillion Street

L.D. Stoffel, Inc.
DBA Jury's Inn
314 Vermillion Street

McCabe's Pub, Inc.
DBA McCabe's Pub
880 Bahls Drive

Buccaneer Lounge & Lanes
3475 Vermillion Street

Southroads, Inc.
DBA Papa Charritos
350 West 33rd Street

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SUNDAY ON SALE

Raymond J. Clements
DBA Maco-B Liquors, Inc.
108 E. 2nd Street

Gregory J. Langenfeld
DBA Gregory's
1702 Vermillion Street

J & B, Inc.
DBA Friar Tuck's
1810 Vermillion Street

Cairo Corporation
DBA River's Grill & Bar
412 Vermillion Street

McCabe's Pub, Inc.
DBA McCabe's Pub
880 Bahls Drive

Nelson-Lucking Post 47
American Legion Club
50 Sibley Street

Lyle Russel Post 1210
Veterans of Foreign Wars
322 E. 2nd Street

Southroads, Inc.
DBA Papa Charrito's
350 West 33rd Street

Linda Kay Hoeschen
DBA Mississippi Belle
101 E. 2nd Street

Bierstube, Inc.
DBA Bierstube
109 W. 11th Street

Steve Ira Benowitz
DBA The Bar
2101 Vermillion Street

L.D. Stoffel, Inc.
DBA The Jury's Inn
314 Vermillion Street

Hastings Country Club
Westview Dr. & Crest Ln.

Fraternal Order of Eagles
1220 Vermillion Street

Buccaneer Lounge & Lanes
3475 Vermillion Street

OFF SALE

Todd Weber
DBA Rivertown Liquors
414 Vermillion Street

Arne & Dorothy J. Tunheim
DBA Vermillion Bottle Shop
2103 Vermillion Street

J S & D Corporation
DBA Westview Liquors
1300 Frontage Road South

J & B, Inc.
DBA Friar Tuck's
1810 Vermillion Street

Steve Ira Benowitz
DBA The Bar
2101 Vermillion Street

Raymond J. Clements
DBA Maco-B Liquors, Inc.
108 E. 2nd Street

Ed & Jane Robinson
DBA House of Wines
1225 Vermillion Street

Cairo Corporation
DBA River's Grill & Bar
412 Vermillion Street

R & R, Inc.
DBA Liquor Locker
1292 North Frontage Road

CLUB ON SALE

Fraternal Order of Eagles
1200 Vermillion Street

Nelson-Lucking Post 47
American Legion Club
50 Sibley Street

Hastings Country Club
Westview Dr. & Crest Ln.

Lyle Russell Post 1210
Veterans of Foreign Wars
322 E. 2nd Street

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WINE

Tai Chi Restaurant
2108 Vermillion Street

E.J. Robinson's, Inc.
DBA Carbone's
1223 Vermillion Street

L.S. Nag, Inc.
DBA Pizza Ranch-Gardner House
219 East 2nd Street

3.2 BEER LICENSES

Don's Super Value
Westview Shopping Center

Duff's Market
2007 Wabasha Street

Regina Memorial Hospital
Nininger Road

Pizza Hut
1330 South Frontage Rd.

Convenience Store
2124 Vermillion Street

Super Store
1290 North Frontage Rd.

Tai Chi Restaurant
2108 Vermillion Street

Knights of Columbus
3075 Vermillion Street

Carbone's
1223 Vermillion Street

Pizza Ranch
219 East 2nd Street

Moved by Councilmember Trautmann, seconded by Councilmember Hicks to add to the City Administrator agenda item #6 as: Council meeting of June 17, 1991.
6 Ayes; Nays, None.

ADD ITEM
TO AGENDA

Mayor Werner opened the Public Hearing at 7:03 p.m. to hear comment on a request from Greg Jablonske of Advanced Homes for a rezoning from Ag. to R-3 PRD and preliminary plat for the proposed Riverwood 5th & 6th Addition. 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 7:05 p.m.

PUBLIC
HEARING-
REZONING
ADVANCED
HOMES

Mayor Werner opened the Public Hearing at 7:06 p.m. to receive comment on a request from Greg Jablonske of Advanced Homes for approval of a rezoning from Ag. to R-3 PRD and the preliminary plat of the proposed Riverwood Hill Townhomes No. 2. 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 7:06 p.m.

PUBLIC
HEARING-
ADVANCED
HOMES

Mayor Werner opened the Public Hearing at 7:07 p.m. to hear comments on the proposed assessments for the 1990 Improvement Program which include the following projects:

- 1990-3 15th & Bailly St. Storm Sewer Outlet
- 1990-4 Lions Park Trail
- 1990-8 1st Street from Tyler to Lea St.
- 1990-9 Maple St. from 4th St. to 7th St.
- 1990-10 3rd & 4th Streets between Prairie & River Streets
- 1990-12 TH 316 Turning Lanes
- 1990-13 33rd St. between TH 61 & TH 316

PUBLIC
HEARING-
1990
PROPOSED
ASSESS-
MENTS

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T.H. 55 Reconstruction assessment against the Tanner property for the North Frontage Road Construction.

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.

Mayor Werner opened the Public Hearing at 7:13 p.m. on an Ordinance repealing the current City Code Section 7.30 regulating snowmobiles in its entirety and replacing it with amended snowmobile regulations to be codified in City Code Section 7.30. The City Clerk provided proof of affidavit of publication. The Mayor asked if anyone wished to speak on the issue, and a member of the snowmobile club did so. 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 7:21 p.m.

PUBLIC
HEARING-
SNOWMOBILE
REGULATIONS
ORDINANCE

Moved by Councilmember Mathiowetz, seconded by Councilmember Simacek to adopt Resolution No. 47-91 adopting Assessment Project 1990-3, 15th & Bailly storm sewer outlet by extension of storm sewer. 6 Ayes; Nays, None. Copy of resolution on file.

RESOLUTION
NO. 47-91
PROJECT
1990-3

Moved by Councilmember Mathiowetz, seconded by Councilmember Simacek to adopt Resolution No. 48-91 adopting Assessment Project 1990-4, Lions Park Trail by construction of bituminous path. 6 Ayes; Nays, None. Copy of resolution on file.

RESOLUTION
NO. 48-91
PROJECT
1990-4

Moved by Councilmember Mathiowetz, seconded by Councilmember Simacek to adopt Resolution No. 49-91 adopting Assessment Project 1990-8, 1st Street from Tyler to Lea St. by street construction, guard rail and storm sewer. 6 Ayes; Nays, None. Copy of resolution on file.

RESOLUTION
NO. 49-91
PROJECT
1990-8

Moved by Councilmember Mathiowetz, seconded by Councilmember Simacek to adopt Resolution No. 50-91 adopting Assessment Project 1990-9, Maple St. from 4th Street to 7th Street by street reconstruction and storm sewer. 6 Ayes; Nays, None. Copy of resolution on file.

RESOLUTION
NO. 50-91
PROJECT
1990-9

Moved by Councilmember Mathiowetz, seconded by Councilmember Simacek to adopt Resolution No. 51-91 adopting Assessment Project 1990-10, 3rd & 4th Streets between Prairie & River Streets by reconstruction and sidewalk variance. 6 Ayes; Nays, None. Copy of resolution on file.

RESOLUTION
NO. 51-91
PROJECT
1990-10

Moved by Councilmember Mathiowetz, seconded by Councilmember Simacek to adopt Resolution No. 52-91 adopting Assessment Project 1990-12, T.H. 316 Turning Lanes by widening and construction of turning lanes. 6 Ayes; Nays, None. Copy of resolution on file.

RESOLUTION
NO. 52-91
PROJECT
1990-12

Moved by Councilmember Mathiowetz, seconded by Councilmember Simacek to adopt Resolution No. 53-91 adopting Assessment Project 1990-13, 33rd St. between T.H. 316 & T.H. 61 by street construction, sidewalk, sanitary sewer, watermain and storm sewer. 6 Ayes; Nays, None. Copy of resolution on file.

RESOLUTION
NO. 53-91
PROJECT
1990-13

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Moved by Councilmember Mathiowetz, seconded by Councilmember Simacek to adopt Resolution No. 54-91 ordering the placement of temporary all-way stop control at the intersection of Pleasant Drive and North Frontage Road. 6 Ayes; Nayes, None. Copy of resolution on file. RESOLUTION NO. 54-91

Council requests Staff to study other sites for temporary all-way stop control.

Moved by Councilmember Trautmann, seconded by Councilmember Johnson to approve the 2nd Reading of an Ordinance amending Section 10.01, Subd. 1 having to do with the official zoning map for the property known as Riverwood 5th Addition to be rezoned from Ag. to R-3 PRD. 6 Ayes; Nayes, None. 2ND READING-REZONE-RIVERWOOD 5TH & 6TH -JABLONSKE

Moved by Councilmember Johnson, seconded by Councilmember Simacek to approve the 2nd Reading of an Ordinance amending Section 10.01, Subd. 1 having to do with the official zoning map, property to be rezoned from Ag. to R-3 PRD as recommended by the Planning Commission. 6 Ayes; Nayes, None. 2ND READING-REZONE-JABLONSKE-TOWNHOMES #2

Moved by Councilmember Trautmann, seconded by Councilmember Simacek to approve a request from St. Luke's Episcopal Church located at 7th & Vermillion Streets for a site plan to construct an addition to the existing church building subject to the following conditions: SITE PLAN-ST. LUKE'S EPISCOPAL CHURCH

1. The proposed structure and accessory items including, but not limited to, the parking lot and landscaping shall be completed pursuant to the approved site plan dated May 21, 1991 (File #91-23). Upon request for occupancy of the building, all uncompleted items contained within the site plan shall be addressed pursuant to the escrow requirements contained within the site plan review provisions of the city's zoning ordinance (Section 10.24).
 2. The parking lot lighting shall be designed so as not to be obtrusive to adjacent nor to passing motorists on public right of ways.
 3. That the applicant/owner shall satisfy all Uniform Building and Fire Codes.
 4. That the applicant/owner provide curb and gutter pursuant to the submitted site plan dated May 21, 1991 (File #91-23) and also provide curb and gutter bordering the existing parking lot to channel storm water run off to Sibley St.
 5. That the parking areas be bordered by curb and gutter to channel run off to Sibley St.
 6. That the entire alley be paved from the end of the existing bituminous surfacing to Sibley St.
- 6 Ayes; Nayes, None.

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Moved by Councilmember Mathiowetz, seconded by Councilmember Hicks to approve 1600 Building Corporation for a preliminary/final plat called 1600 Corporation Addition, as recommended by the Planning Commission and subject to the following conditions:

KNIGHTS
OF
COLUMBUS
HALL
PROPERTY
PRELIMINARY
/FINAL PLAT

1. That the hardshells conform with the preliminary/final plat.
2. That the applicant provide \$300.00 cash in lieu of park land dedication requirements at the time of submitting the final hardshells.
3. Payment of interceptor sewer charges totalling \$450.00 at such time the final plat is submitted.
4. That all access and utility easements be shown on the final hardshells to the satisfaction of the Community Development and/or Public Works Directors.
5. That at such time any portion of the proposed Lot 2, Block 1, Sixteen Hundred Corporation Addition is developed that the ingress and egress easement be redesigned so as to conform with the site plan which was approved for the Hastings Veterinary Clinic which illustrates a future 28 foot wide service road as prepared by Richard P. Fuchs and dated April 26, 1991, on file at City Hall (File No. 91-19).
6. That all necessary permits from MnDot including, but not limited to, a driveway permit and hydraulic/hydrology review. That an access easement at least 28 feet in width be submitted to the City Attorney for approval and recorded against the property.

6 Ayes; Nays, None.

Moved by Councilmember Mathiowetz, seconded by Councilmember Johnson to approve a request from Aloyed Jensen for a Minor Subdivision of property at 450 East 31st Street as recommended by the Planning Commission subject to the following condition:

MINOR SUBD.-
ALOYED
JENSEN
450 E. 31ST
STREET

1. That the applicant provide \$300.00 in cash in lieu of park land dedication requirements prior to the City authorizing the County Recorder to allow the minor subdivision.

6 Ayes; Nays, None.

Moved by Councilmember Simacek, seconded by Councilmember Hicks to approve the 1st Reading of an amendment to Section 11.07 of the City Code (public land dedication) and to order a public hearing to consider the 2nd Reading for July 1, 1991 at 7:00 p.m. as recommended by the NRRC. 6 Ayes; Nays, None.

1ST READING-
ORDER PUBLIC
HEARING-
PUBLIC LAND
DEDICATION

Moved by Councilmember Mathiowetz, seconded by Councilmember Trautmann to approve the 1st Reading of an Ordinance amending Section 2.10, Subd. 1, of the City Code to establish a new Planning Commission Selection Policy and to order a public hearing and to consider a 2nd Reading at the July 1, 1991 City Council meeting at 7:00 p.m.

1ST READING-
ORDER PUBLIC
HEARING-
PLANNING
COMMISSION
SELECTION
POLICY

Moved by Councilmember Hicks, seconded by Mayor Werner to table this item. 2 Ayes; Nays, Johnson, Mathiowetz, Trautmann and Simacek.

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City Clerk then called roll on the original motion. 5 Ayes; Nayses, Hicks.

City Administrator Dave Osberg brought Council up to date on issues relating to an orderly annexation agreement between the City of Hastings and Nininger Township. NININGER TOWNSHIP ANNEXATION UPDATE

Moved by Councilmember Johnson, seconded by Councilmember Mathiowetz to table the 1st Reading of the proposed Charter Amendments to July 1, 1991. 6 Ayes; Nayses, None. TABLE 1ST READING-CHARTER AMENDMENTS


Moved by Councilmember Simacek, seconded by Councilmember Trautmann to table the 2nd Reading of an Ordinance repealing current City Code Section 7.30 regulating snowmobiles in its entirety and replacing it with regulations to be codified in City Code Section 7.30. 6 Ayes; Nayses, None. TABLE 2ND READING-SNOWMOBILE ORDINANCE

Moved by Councilmember Mathiowetz, seconded by Councilmember Simacek to adopt Resolution No. 55-91 urging the Dakota County Board of Commissioners to enact the "local option sales tax" as provided in the 1991 Ominous Tax Bill. 6 Ayes; Nayses, None. Copy of resolution on file. RESOLUTION NO. 55-91 DAKOTA CO. BOARD-SALES TAX RATE


Moved by Councilmember Hicks, seconded by Councilmember Johnson to approve the 1st Reading of an Ordinance City Code Section 2.22, Subd. 6 & 7 removing the Parks Department from the Public Works Division. This motion also orders a public hearing and to consider the 2nd Reading on July 1, 1991 at 7:00 p.m. 6 Ayes; Nayses, None. 1ST READING-AMEND CITY CODE 2.22-PUBLIC WORKS DIVISION

Moved by Councilmember Trautmann, seconded by Councilmember Simacek to move the next Council meeting to Tuesday, June 18, 1991 at 7:00 p.m. 6 Ayes; Nayses, None. CHANGE COUNCIL DATE TO 6-18-91

Moved by Councilmember Trautmann, seconded by Councilmember Hicks to adjourn the meeting at 8:55 p.m. 6 Ayes; Nayses, None. ADJOURNMENT



Mayor

ATTEST 
City Clerk