

Hastings, Minnesota
July 15, 1991

The City Council of the City of Hastings, Minnesota met in a regular meeting on Monday, July 15, 1991 at 7:00 p.m. in the City Hall Council Chambers, 100 Sibley Street, Hastings, Minnesota.

Members Present: Councilmembers Johnson, Mathiowetz, Trautmann, Hicks, Simacek, Riveness and Mayor Werner

Members Absent: None

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

The Mayor called for corrections or additions to APPROVAL OF the minutes of the special meeting June 27th the early MINUTES meeting and regular meeting of July 1, 1991 and hearing none declared the minutes approved as presented.

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

1. Pay all bills as audited
2. 3rd/Final Reading of Ordinance No. 290-Amending City Code Section 2.21 by deleting Parks Department from Public Works Division ORDINANCE NO. 290
3. Adopt Resolution No. 63-91-Knights of Columbus-Annual renewal of Premise Gambling Permit RESOLUTION NO. 63-91
4. Adopt Resolution No. 64-91-Approving Supplemental Agreement #14 to the TH 55 Reconstruction Project RESOLUTION NO. 64-91
5. Approval to Pay Estimate #1, 1991-A Improvement Program-Alexander Construction-\$167,476.46
6. Approve Home Occupation-Computer Programmer-Bohlken-1475 Todd Way
7. Approve Home Occupation-Balloon Illusions-Meinhart-1314 W. 15th Street
8. Approve Home Occupation-Phone/Mail Correspondence-Brosshart-307 W. 7th Street
9. 3rd/Final Reading Ordinance No. 292-Amend City Code Section 11.07-Public Land Dedication ORDINANCE NO. 292
10. Resolution No. 65-91-Authorization for City Assistance for Summer Concert Series RESOLUTION NO. 65-91
11. Authorization to Block 9th Street for Our Saviour's Evangelical Lutheran Church Services
12. Driveway Access Review-Cajun Joe's Site Plan-1421 Vermillion Street

Moved by Councilmember Johnson, seconded by Councilmember Trautmann to adopt Resolution No. 66-91 awarding the bid for a transit vehicle to the apparent low bidder, Grande American Bus Sales, Inc. for \$36,600.00. 7 Ayes; Nays, None. Copy of resolution on file. RESOLUTION NO. 66-91 AWARD BID-TRANSIT VEHICLE

July 15, 1991

Mayor Werner opened the Public Hearing at 7:10 p.m. to consider a request from Oak Grove Development of Minneapolis to prove an amendment to the City of Hastings Comprehensive Plan to redesign approximately 21 acres of property, situated on the south side of State Highway 55, from a Medium Density Residential plan designation to a Commercial planned designation. The City Clerk provided proof of affidavit of publication. The Mayor asked if anyone wished to speak on the issue, and Mr. Richard E. Dreher, Jr. spoke on behalf of Oak Grove Development of Minneapolis. Those speaking against the project were: John Grossman, HRA Director; Jan Osberg, President Downtown Association; Dale Iverson of 1880 Brittany Road, Jack Christenson of 1327 Lincoln Lane, resident of 1468 Erickson Drive, Chris Callahan of 1469 Erickson Drive, who presented petitions against the development, Murray Kornberg, who also presented a letter for public record, and Skip Soleim, Jr. owner of Zephyr Cleaners. 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 7:55 p.m.

PUBLIC
HEARING-
COMP. PLAN
AMENDMENT-
WESTLAND
CENTER

Mayor Werner opened the Public Hearing at 7:57 p.m. to consider amending City Code Section 5.70, Subdivision 2(C), allowing massages to be performed by certified massage therapists while under the direct supervision of a license medical doctor, chiropractor, osteopath or podiatrist. The City Clerk provided proof of affidavit of publication. The Mayor asked if anyone wished to speak on the issue and five people spoke in favor of amending the ordinance including the following: Sue Woldengen, Sue Grossman, and Dr. Gerald Rupp. 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 8:03 p.m.

PUBLIC
HEARING-
AMEND
ORDINANCE-
CERTIFIED
MASSAGE
THERAPIST

Mayor Werner opened the Public Hearing at 8:05 p.m. to consider amending City Charter Sections 3.08, 3.10, 3.11, 4.01, 4.035, 4.06, 4.07, 5.04, 5.06(C), 5.08, 5.09, 6.03, 6.04 and 7.13. 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. The Mayor closed the public hearing at 8:08 p.m.

PUBLIC
HEARING-
ORDINANCE
AMENDING
CITY CHARTER
SECTIONS

Moved by Councilmember Simacek, seconded by Councilmember Riveness to table the request for approval of an amendment to the Comprehensive Plan to redesignate approximately 21 acres of property, situated on the south side of State Highway 55 directly south of the Dakota County Government Center and authorize staff to complete the traffic study and to negotiate with the School District and Developer a land dedication to expand the City public property abutting Pleasant Drive as compensation for limiting the usability for public purposes of the portion of the City property situated north of the proposed site access for Westland Center from Pleasant Drive. 7 Ayes; Nays, None.

TABLE-COMP.
PLAN AMEND-
WESTLAND
CENTER

Moved by Councilmember Simacek, seconded by Councilmember Riveness to table the 1st Reading on the rezoning and the previous motion from R-1 Low Density Residence to C-4 Regional Shopping. 7 Ayes; Nays, None.

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Moved by Councilmember Simacek, seconded by Councilmember Hicks to adopt Ordinance No. 291 amending City Code Section 2.10, Subdivision 1 of the City Code to establish a new Planning Commission Selection Policy. 7 Ayes; Nays, None.	ORDINANCE NO. 291- 3RD/FINAL READING
Moved by Councilmember Simacek, seconded by Councilmember Hicks to adopt Resolution No. 67-91 establishing a Planning Commission Selection Policy for the City of Hastings. 7 Ayes; Nays, None. Copy of resolution on file.	RESOLUTION NO. 67-91 PLANNING COMMISSION SELECTION POLICY
Moved by Councilmember Hicks, seconded by Councilmember Trautmann to adopt Resolution No. 68-91 approving Option B for the 1992 Regional Transit Board Application. 6 Ayes; Nays, Riveness. Copy of resolution on file.	RESOLUTION NO. 68-91 1992 RTB
Moved by Councilmember Mathiowetz, seconded by Councilmember Johnson to approve the 2nd Reading of an Ordinance Section 5.70, Subdivision 2(C) by allowing massages to be performed by certified massage therapist while under the direct supervision of a licensed medical doctor, chiropractor, osteopath, or podiatrist. 7 Ayes; Nays, None.	2ND READING- AMEND 5.70- MASSAGE ORDINANCE
Moved by Councilmember Hicks, seconded by Councilmember Trautmann to approve the 2nd Reading of an Ordinance amending Hastings City Charter Section 3.08 by changing the present requirement of a bi-annual audit to require an annual audit. 7 Ayes; Nays, None.	2ND READING- AMEND CHARTER 3.08-ANNUAL AUDIT
Moved by Councilmember Hicks, seconded by Councilmember Mathiowetz to approve the 2nd Reading of an Ordinance amending Hastings City Charter Section 3.10 by making grammatical changes; by deleting the residency requirement for the City Administrator; and by changing the procedure for appointing an Interim City Administrator. 7 Ayes; Nays, None.	2ND READING- AMEND CHARTER 3.10
Moved by Councilmember Johnson, seconded by Councilmember Mathiowetz approving the 2nd Reading of an Ordinance amending Hastings City Charter Section 3.11, Subd. 3, 5, 9 & 11 to clarify that the City Administrator must receive Council approval to appoint or remove division heads, by removing language which allows the City Administrator to be excluded from any meeting in which his or her removal is considered; giving the City Administrator the authority to suspend division heads; and by deleting the requirement that department heads be employed by contract. 7 Ayes; Nays, None.	2ND READING- AMEND CHARTER 3.11
Moved by Councilmember Hicks, seconded by Councilmember Simacek to approve the 2nd Reading of an Ordinance amending Hastings City Charter Section 4.01 by clarifying when regularly scheduled Council meetings may be rescheduled and requiring the Council to use its best efforts to use a voice amplifying or public address system at regularly scheduled Council meeting. 7 Ayes; Nays, None.	2ND READING- AMEND CHARTER 4 . 0 1 - COUNCIL MEETINGS
Moved by Councilmember Trautmann, seconded by Councilmember Hicks to adopt the 2nd Reading of an Ordinance amending Hastings City Charter Section 4.035 by clarifying when agenda items must be submitted to the City prior to a regular or special Council meeting. 7 Ayes; Nays, None.	2ND READING- AMEND CHARTER 4 . 0 3 5 - AGENDA ITEMS

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Moved by Councilmember Simacek, seconded by Councilmember Johnson to approve the 2nd Reading of an Ordinance amending City Charter Section 4.06 by removing a gender specific term. 7 Ayes; Nays, None.	2ND READING-AMEND CHARTER 4.06-REMOVE GENDER TERM
Moved by Councilmember Johnson, seconded by Councilmember Trautmann to approve the 2nd Reading of an Ordinance amending City Charter Section 4.07 by deleting the requirement that copy of City Ordinances be distributed to the public free of charge. 7 Ayes; Nays, None.	2ND READING-AMEND CHARTER 4.07 DELETE FREE OF CHARGE ORDINANCE CHARGES
Moved by Councilmember Hicks, seconded by Councilmember Riveness to approve the 2nd Reading of an Ordinance amending City Charter Section 5.04 by changing the date when the budget for the next fiscal year is to be submitted to the Council and clarifying the staff person who is to submit the budget. 7 Ayes; Nays, None.	2ND READING-AMEND CHARTER 5.04 SUBMISSION OF BUDGET
Moved by Councilmember Simacek, seconded by Councilmember Johnson to approve the 2nd Reading of an Ordinance amending Hastings City Charter Section 5.06(C) by clarifying that current fund balances shall be considered in estimated income for the next fiscal year. 7 Ayes; Nays, None.	2ND READING-AMEND CHARTER 5.06(C)
Moved by Councilmember Trautmann, seconded by Councilmember Mathiowetz to approve the 2nd Reading of an Ordinance amending City Charter Section 5.08, second paragraph, by changing the date when the Council must adopt the budget for the next fiscal year. 7 Ayes; Nays, None.	2ND READING-AMEND CHARTER 5.08-ACTION ON BUDGET
Moved by Councilmember Johnson, seconded by Councilmember Hicks to approve the 2nd Reading of an Ordinance amending City Charter Section 5.09 by changing the date the City Council must adopt the Capital Program. 7 Ayes; Nays, None.	2ND READING-AMEND CHARTER 5.09-ACTION ON CAPITAL PROGRAM
Moved by Councilmember Johnson, seconded by Councilmember Simacek to approve the 2nd Reading of an Ordinance amending City Charter Section 6.03 by deleting the language that states when City owned property is sold for industrial commercial purposes, shall not be exempt from taxation. 7 Ayes; Nays, None.	2ND READING-AMEND CHARTER 6.03-SALE OF CITY OWNED PROPERTY
Moved by Councilmember Johnson, seconded by Councilmember Hicks to approve the 2nd Reading of an Ordinance amending City Charter Section 6.04 by deleting a reference to repeal statute and replacing it with the current citation. 7 Ayes; Nays, None.	2ND READING-AMEND CHARTER 6.04
Moved by Councilmember Simacek, seconded by Councilmember Trautmann to approve the 2nd Reading of an Ordinance amending City Charter 7.13 by clarifying action to be taken against employees who violate this section of the Charter. 7 Ayes; Nays, None.	2ND READING-AMEND CHARTER 7.13
Moved by Councilmember Johnson, seconded by Councilmember Riveness to adopt Resolution No. 69-91 authorizing the Finance Director to make reduction and appropriations of the 1991 City Budget due to Minnesota State Aid reductions to Municipalities. 7 Ayes; Nays, None. Copy of resolution on file.	RESOLUTION NO. 69-91 1991 BUDGET REDUCTION

July 15, 1991

Moved by Councilmember Simacek, seconded by Councilmember Johnson authorizing City Staff to lift the moratorium on various appropriations of the 1991 City Budget as outlined in Resolution No. 23-91 adopted on March 18, 1991. All expenditures must be in compliance with the 1991 City Budget and subsequent reduction Resolution No. 18-91 and Resolution No. 69-91. 7 Ayes; Nays, None.

LIFT
MORATORIUM-
RESOLUTION
NO. 23-91
OF 3/4/91

Moved by Councilmember Hicks, seconded by Councilmember Riveness to schedule a 1992 City Budget Workshop on Wednesday, August 28, 1991 at 7:00 p.m. in the City Council Chambers. 7 Ayes; Nays, None.

BUDGET
WORKSHOP-
8-28-91

Moved by Councilmember Simacek, seconded by Councilmember Riveness authorizing Merlin Wilbur, Building Official to attend the International Conference of Building Officials Annual Conference in Spokane, Washington in September 1991. 7 Ayes; Nays, None.

APPROVE
ICBO 1991
CONFERENCE

Moved by Councilmember Hicks, seconded by Councilmember Johnson authorizing an agreement with Health Care Insurance Services for consulting services at a cost not to exceed \$4,000 from the 1991 Contingency Account. 7 Ayes; Nays, None.

AGREEMENT-
INSURANCE
CONSULTANTS


Moved by Councilmember Johnson, seconded by Councilmember Trautmann authorizing the Operations Committee, City Attorney and City Administrator and P.C.L. (construction management firm) to meet and confer regarding terms and conditions of a contract for providing construction management services for the City Hall, Police Department and Fire Department facilities projects, and bring back to Council for approval of the contract. 7 Ayes; Nays, None.

OPERATIONS
COMMITTEE
REPORT-CITY
BLDG.
PROJECTS

Moved by Councilmember Hicks, seconded by Councilmember Johnson to negotiate with School District and Developer to fund a market analysis of the Westland Center Project and report back to Council 8-5-91. 7 Ayes; Nays, None.

Moved by Councilmember Simacek, seconded by Councilmember Riveness to adjourn the meeting at 9:40 p.m. 7 Ayes; Nays, None.

ADJOURNMENT



Mayor

ATTEST



City Clerk

CLAIMS

✓-1

JULY

15,

1991

CLAIM	NO.	DISPOSITION	AMOUNT
Postmaster	11734	Bulk mail permit	75.00
P.O.S.T. Board	11735	License apps	17.50
First Nat'l. Bank	11736	Federal WH	13,791.39
First Nat'l. Bank	11737	FICA	10,547.39
First Nat'l. Bank	11738	Medicare	341.03
Commissioner of Revenue	11739	State WH	5,446.76
State Capitol Credit Union	11740	Payroll ded	2,689.48
Misc PR ded	11741	Payroll ded	340.00
PERA	11742	Payroll ded	69.20
PERA	11743	PERA	13,587.71
Minnegasco	11744	Mo billing	47.13
NSP	11745	Mo. Billing	1,484.25
Dakota Electric Assn	11746	Mo. billing	321.93
United Telephone	11747	Mo billing	2,634.15
Commissioner of Trans	11748	City Share Cty Rd 91	36,463.78
Am. Nat'l. Bank	11749	Bond pymt	141,977.50
First Trust	11750	Bond pymt	53,076.25
First Trust	11751	Bond pymt	40,466.26
Norwest Bank Mn N.A.	11752	Bond pymt	21,905.00
Norwest Bank Mn NA	11753	Bond pymt	390,049.30
Norwest Bank Mn N.A	11754	Bond pymt	260,718.75
Michael McMenomy	11755	Reimburse clothing	349.00
Postmaster	11756	Stamps	29.00
Kurt Pederson	11757	Services	51.00
Vincent Buysse	11758	Overpymt water bill	24.70
Coast to Coast	11759	" "	22.53
Shawn Coorod	11760	" "	30.62
Herbert Reller	11761	" "	73.99
Robert Kraftson	11762	" "	18.30
Lester Jones	11763	" "	5.96
Gary Lubowicz	11764	" "	23.60
Richard Andrews	11765	" "	14.90
Jerry Lucking	11766	" "	21.61
Robert Snyder	11767	" "	46.98
Vance Willis	11768	" "	88.60
Sylvester Girgen	11769	" "	26.11
Ken Richmond	11770	" "	99.35
Linda Borchers	11771	" "	20.15
Alexander Const	11772	Pay est #1-1991-A	167,476.46
Acme Lock & Key Service	11773	Supplies	28.00
American Linen	11774	Supplies	157.16
American Photo Copy	11775	Supplies	16.41
E.F. Andersen & Assoc	11776	Supplies	940.00
Ron Becker	11777	Repairs	319.92
Carlson Auto Truck	11778	Repairs	69.00
Carlson Tractor & Equip	11779	Repairs	88.40
City of St. Paul	11780	Services	7.80
Color Lab Inc	11781	Supplies	14.77
Copy Equip	11782	Supplies	44.63
Dis Com of Mn	11783	Maint. contract	115.50
Doerers	11784	Supplies	58.91
DPC Industries	11785	Supplies	304.46
Eddys Pharmacy	11786	Supplies	67.47
EPA Audio Visual	11787	Supplies	143.81
Fair Book	11788	Supplies	74.40
Feed Rite Controls	11789	Supplies	278.70
Finley Bros Enterprises	11790	Tennis nets	603.00
First Am. Investment Group	11791	Fees	493.00
Fleet Tech	11792	Parts	50.33
Folsom's Communications	11793	Repairs	170.85
Gopher State One Call	11794	Mo. charges	257.50
Gopher Welding Supply	11795	Supplies	58.50
Gordy's Glass	11796	Supplies	7.00
Graphic Design	11797	Supplies	517.00
Hastings Optical	11798	Supplies	94.10
Hastings Star Gazette	11799	Services	79.87
Hastings True Value	11800	Supplies	50.64
Hoffman Radio & TV	11801	Repairs	2.00
Iverson's Ace Hdw	11802	Supplies	61.49
Johnson's Hdw	11803	Supplies	92.78
King Videocable	11804	Mo charges	3.00
Koch Refining	11805	Supplies	3,931.23
Kramer & Assoc	11806	Services	862.49
Labor Relations	11807	Services	568.75
Laerdal Mfg Corp	11808	Repairs	107.38

CLAIM	NO	DISPOSITION	AMOUNT
Local Oil	11809	Supplies	14.00
Maintenance Engineering LTD	11810	Supplies	359.91
Midwest Children's Resource	11811	Supplies	20.00
Midwest Pool Care	11812	Supplies	99.00
Mn. Safety Council	11813	Supplies	41.00
Moody's Investors	11814	Services	3,200.00
Most Appraisals & Assoc	11815	Services	1,250.00
MotorParts	11816	Supplies	62.43
Mn Ice Arena Managers Assn	11817	Dues	75.00
O'Brien Chev	11818	Part	8.51
Pamida	11819	Supplies	8.99
Dennis Partington	11820	Services	125.00
Pine Bend Paving	11821	Supplies	425.10
Precision Computer Systems	11822	Services/supplies	3,500.00
Radke Electric	11823	Repairs	36.00
Ray's Paint & Wallpaper	11824	Supplies	62.82
Mark Redding	11825	Reimburse regis	10.00
S & S Tree Service	11826	Services	2,303.00
Sanders Walker et al	11827	Services	350.00
Schneider Pontiac	11828	Repairs	193.39
Lee Shaykhet	11829	Services	225.00
Sherwin Williams	11830	Supplies	167.02
Solberg Aggregate	11831	Supplies	663.92
Springsted	11832	Services	10,536.47
VOID	11833	VOID	VOID
Dave Tkachenko	11834	Services	100.00
Tree House	11835	Supplies	61.20
Top Do It	11836	Supplies	26.23
Uniforms Unlimited	11837	Supplies	285.65
United Bldg Center	11838	Supplies	22.64
James Vaessen Co.	11839	Services	200.00
Water Products	11840	Supplies	144.67
Wonder Wash	11841	Services	80.00