

7:30 A.M. Public Safety Committee Meeting Fire Department Thursday,  
September 4, 1986 Meet with Rural Board to review budget  
7:00 P.M. Early Meeting-Joe Harris  
COUNCIL MEETING 7:30 P.M. DATE: September 2, 1986

AGENDA

I CALL TO ORDER:

II ROLL CALL:

III DETERMINATION OF QUORUM:

IV APPROVAL OF MINUTES:

Minutes of meeting August 18, 1986, Special meeting August 21,  
1986 and Special meeting August 26, 1986.

V AWARDING OF BIDS AND HEARING

1. Public Hearing-1986 Improvement Assessments.
2. Public Hearing-Federal Revenue Sharing.

VI REPORTS FROM CITY STAFF:

A. City Engineer

1. Resolutions (12) adopting assessments for 1986  
Improvements.

B. City Planner

1. Request for Home Occupation Permit-'Arnie's Construction'-  
Arnold Kvam-1349 W. 20th.
- 2a. Minor Subdivision-City owned property-water storage  
tank along North Frontage Road-City of Hastings.
- 2b. Acceptance of Survey and determination of sale process.
3. Sidewalk plan.

C. City Administrator

1. Main Street festival-request.
2. 3rd Reading-Ordinance No. 211-Charter Amendments.
3. Appoint Cable Commissioner-Jim Williams.
4. Formal request-Dakota County HRA-time extension for  
demolition.
5. Request for Block party-Blueberry Lane.
6. Computerized payroll system.
7. Set public hearing-Dutch Elm, utility, weed & junk  
assessments September 15, 1986.
8. Set Public Hearing-Cable Franchise Transfer.
9. Assistant Building Inspector position.
10. Resignation Volunteer Firefighter-Tom Rohlfing.
11. Federal Revenue Sharing expenditures.
12. Set Budget hearings.
13. Latto Hospital.

- VII COMMENTS FROM AUDIENCE:
- VIII UNFINISHED BUSINESS:
- IX NEW BUSINESS:
- X REPORTS FROM CITY COMMITTEES, OFFICERS, COUNCILMEMBERS
- XI COMMUNICATIONS AND MISCELLANEOUS BUSINESS
- XII PAYMENT OF CLAIMS

Consent Agenda:

1. Pay all bills as audited.
2. Partial payment No. 6-new water tower-Hydrostorage, Inc.  
\$19,783.75.
3. Partial payment No. 4-1986 Improvements-Austin P. Keller-  
\$242,913.00.

- XIII ADJOURNMENT

*Adjourn at 11:30*

The City Council of the City of Hastings, Minnesota met in a special early meeting on Monday, August 18, 1986 at 7:30 p.m. In the Council Chambers of the City Hall.

The purpose of the meeting was to appoint a Councilperson to fill the unexpired term of Richard Mathiowetz through the end of the year 1986.

Members Present: Councilmember Berg, Werner, Bond, Trautmann, Nesbitt, Plan and Mayor Stoffel.

Members Absent: Councilmember Kulzer.

Moved by Councilmember Werner, seconded by Councilmember Berg to appoint William Wendler to fill the vacancy created with the resignation of the 3rd Ward Councilmember Richard Mathiowetz, until the end of the calendar year 1986. 7 Ayes; Nays, None. APPOINT 3RD WARD COUNCILMEMBER

Moved by Councilmember Werner, seconded by Councilmember Berg to adjourn the meeting at 7:06 p.m. 7 Ayes; Nays, None. ADJOURNMENT

The City Council of the City of Hastings, Minnesota met in a regular meeting on Monday, August 18, 1986 at 7:30 p.m. In the Council Chambers of the City Hall.

Members Present: Councilmember Berg, Werner, Bond, Trautmann, Nesbitt, Plan, Wendler and Mayor Stoffel.

Members Absent: Councilmember Kulzer.

The Mayor administered the Oath of Office to the newly appointed 3rd Ward Councilmember Bill Wendler. OATH OF OFFICE- BILL WENDLER

The Mayor asked for additions or corrections to the minutes of the meeting of August 4, 1986 and hearing none declared the minutes approved as presented.

Moved by Councilmember Werner, seconded by Councilmember Nesbitt to place the Employee Group Health/Life Insurance on the agenda. 8 Ayes; Nays, None. PLACEMENT OF ITEMS ON THE AGENDA

Moved by Councilmember Werner, seconded by Councilmember Nesbitt to place the Hastings Hawks Funding request on the agenda. 8 Ayes; Nays, None.

Moved by Councilmember Bond, seconded by Councilmember Werner to place Ms. Cassie Paulson's request for funds as Miss Teen for Hastings on the agenda. 8 Ayes; Nays, None.

Moved by Councilmember Werner, seconded by Councilmember Trautmann to pass the 3rd and Final Reading of Ordinance No. 208 Amending Section 10.13, Subdivision 2 allowing Home Occupations as a permitted use in the R-3 Medium Density Residence Zone and Amending Section 10.02, Subdivision 11 by adding restrictions to the definition of Home Occupations. 8 Ayes; Nays, None. 3RD READING- ORDINANCE NO. 208-HOME OCCUPATION

Moved by Councilmember Trautmann, seconded by Councilmember Wendler to award the Employee Group Health Insurance to Blue Cross/Blue Shield, the apparent low bidder meeting specifications, in the amount of \$232.08 for family and \$83.48 for single, effective September 1, 1986. This motion is based upon Blue Cross/Blue Shield providing the same insurance for early retirement employees as those currently employed. 8 Ayes; Nays, None. AWARD BID- EMPLOYEE GROUP HEALTH/LIFE INSURANCE

Moved by Councilmember Nesbitt, seconded by Councilmember Berg to award the bid for Employee Group Life Insurance to Canada Life Insurance the apparent low bid in the amount of .41 cents per thousand. 8 Ayes; Nays, None.

Moved by Councilmember Werner, seconded by Councilmember Nesbitt to refer to the Planning Commission for recommendation to the City Council the interpretation of professional offices in an R-3 zone as well as recommendations on the other zoning requests recently made by Mac McGoon. 8 Ayes; Nays, None. INTERPRETATION OF PROFESSIONAL OFFICES-R-3 ZONE

Moved by Councilmember Werner, seconded by Councilmember Trautmann to approve the Minor Subdivision for the Grain Elevator/Feed Mill located at 2nd and Tyler Street subject to the following conditions. 5 Ayes; Nays, Plan, Stoffel and Berg. MINOR SUBD.- GRAIN ELEVATOR/ 2ND & TYLER

1. That some type of parking agreement be implemented for the two proposed parcels to insure adequate off street parking arrangements will still be available.
2. That the proposed lot line be adjusted to meet required setback requirements from the buildings and metal bins.
3. That the concrete foundations be removed which overlap the proposed lot line.
4. That a declaration of Minor Subdivision be implemented.
5. That a storm sewer easement be obtained by the City.

Moved by Councilmember Werner, seconded by Councilmember Bond to approve the Minor Subdivision of Lot 16, Block 21 Addition 13 Nettie Bakken, 1402 W. 4th Street, subject to the completion of a Declaration of Minor Subdivision, if necessary. 8 Ayes; Nayses, None.

MINOR SUBD.-  
1402 W. 4TH ST.  
NETTIE BAKKEN

Moved by Councilmember Trautmann, seconded by Councilmember Werner to approve the revised site plan for the expansion of Phase I of Westview II Commercial Development-I.B.I. subject to the following conditions. 7 Ayes; Nayses, Nesbitt.

REVISED SITE  
PLAN-PHASE I  
OF THE WESTVIEW  
2

- A. Additional lighting being provided for the parking lot to the south of The Top Do It Center Store with said lighting to be installed so as not to be disruptive to adjacent residential areas.
- B. The Developer is to reduce the grade of the area directly adjacent to the intersection of South Frontage Road and Westview Drive so as to improve sight lines at this intersection. In addition, the two proposed trees at the intersection of So. Frontage Road/Westview Drive are not to be planted.
- C. The calculation of the additional parking spaces for the office building to be verified at the time of final building plan submittal.
- D. The Developer is to provide additional plantings in front of the six parking spaces directly adjacent to the office building which face Westview Drive and a residential area.
- E. That the Developers Agreement currently in place between the Developer and the City regarding the original Phase I proposal be amended to take into consideration the revised site plan and the conditions for approval.
- F. The Planning Commission further recommended that the City Engineer also study the need to make the So. Frontage Road/Westview Drive intersection a 3 or 4 way stop and to also study the need to make the west side of Westview Drive a "No-Parking Zone".
- G. The Developer is to provide more plantings along Westview Drive and for screening purposes.

Moved by Councilmember Werner, seconded by Councilmember Berg to approve the Site Plan for Phase I and concept approval for Phase II of the proposed Dakota County Government Center expansion project subject to the following Planning Commission recommendations. 8 Ayes; Nayses, None.

SITE PLAN FOR  
PHASE I & II  
DAKOTA COUNTY  
GOVERNMENT  
CENTER

1. That the County provide the City with final plans for the proposed adjustment to the ponding berm.
2. That the County should take steps to insure that adequate erosion control measures are implemented during building and parking lot construction.
3. That the County should implement some type of landscaping for screening purposes around the perimeter of the proposed parking lots.
4. That the County should consider providing rip rap, if needed, around the outlet of the retaining pond.
5. Parking lot lighting should be designed in a manner which is not obtrusive to the neighboring properties.

Moved by Councilmember Berg, seconded by Councilmember Werner to approve a Plat correction for Country Estates Addition. 8 Ayes; Nayses, None.

PLAT CORRECTION-  
COUNTRY ESTATES  
ADDITION

Moved by Councilmember Berg, seconded by Councilmember Plan to change the Council meeting of September 1st to September 2nd, 1986 due to the 1st being a legal holiday. 8 Ayes; Nayses, None.

CHANGE MEETING-  
DUE TO HOLIDAY

Moved by Councilmember Werner, seconded by Councilmember Berg to set a special meeting for September 10, 1986 at 5:00 p.m. to canvass the returns of the Primary Election. 8 Ayes; Nayses, None.

SET SPECIAL  
MEETING-CANVASS  
OF ELECTION RETURNS

Moved by Councilmember Werner, seconded by Councilmember Plan to table the 3rd Reading of the Charter Amendments until the September 2, 1986 regular City Council meeting. 8 Ayes; Naves, None.

3RD READING-  
CHARTER AMEND-  
MENTS

Moved by Councilmember Trautmann, seconded by Councilmember Berg to pass the 3rd Reading of Ordinance No. 209 Amending Section 2.80 adding additional duties for the City Administrator. 8 Ayes; Naves, None.

3RD READING-  
ORDINANCE NO.  
209-CITY  
ADMINISTRATOR  
DUTIES

Moved by Councilmember Berg, seconded by Councilmember Wendler to pass the 3rd Reading of Ordinance No. 210 Amending Section 2.52, Subdivision 1 relating to the placement of items on the Council Agenda. 7 Ayes; Naves, Werner.

3RD READING-  
ORDINANCE NO.  
210-COUNCIL  
AGENDA

Moved by Councilmember Berg, seconded by Councilmember Plan to accept the resignation of Juan Pasch as a volunteer firefighter for the City of Hastings. The Council expresses its thanks and appreciation to Mr. Pasch for his services. 8 Ayes; Naves, None.

ACCEPT  
RESIGNATION  
-JUAN PASCH-  
VOL. FIRE-  
FIGHTER

Moved by Councilmember Nesbitt, seconded by Councilmember Werner to approve of the preparation and distribution in water bills for a Waste Hazardous Brochure which will cost approximately \$680,000, however, this expenditure would be refunded by Dakota County. This approval is based on holding the distribution of brochures until handling of the hazardous waste is in place. 8 Ayes; Naves, None.

HAZARDOUS WASTE  
BROCHURE

Moved by Councilmember Trautmann, seconded by Councilmember Plan to set a Public Hearing for the September 2, 1986 regular City Council meeting to consider uses for the Federal Revenue Sharing Dollars. The Fire Department is requesting authorization and funding for two automatic cardiac monitors & defibrillators. Staff has been requested to check the rural contract to determine who the equipment would be owned by if the City of Hastings purchased it. 8 Ayes; Naves, None.

SET PUBLIC  
HEARING-FEDERAL  
REVENUE SHARING  
FUNDS

Moved by Councilmember Werner, seconded by Councilmember Nesbitt to authorize the expenditure of \$1,000.00 from the Contingency Fund in support of the Hastings Hawks due to their traveling to the State tournament in St. Cloud. 8 Ayes; Naves, None.

HASTINGS HAWKS  
SUPPORT FUNDING

Moved by Councilmember Trautmann, seconded by Mayor Stoffel to authorize the expenditure of \$350.00 for a full page ad in support of Ms. Teen Minnesota Cassie Paulson from Hastings. This money would be taken from the Industrial Park advertising fund. 8 Ayes; Naves, None.

SUPPORT MS. TEEN  
MINNESOTA-CASSIE  
PAULSON

Moved by Councilmember Trautmann, seconded by Councilmember Wendler to have the City Staff look into facilities that could be made available to the City of Hastings for public meeting purposes to rent/lease. The facility would need to meet the following criteria: that it would be handicapped accessible, available 4 nights a week, and have adequate parking. There was a further suggestion that an Ad Hoc Committee be appointed to study City Hall for renovation/or construction. 8 Ayes; Naves, None.

CITY HALL  
PROPOSAL

Moved by Councilmember Plan, seconded by Councilmember Werner to:  
1. Pay all bills as audited. 8 Ayes; Naves, None.

CONSENT AGENDA

Moved by Councilmember Plan, seconded by Councilmember Wendler to adjourn the meeting at 9:50 p.m. 8 Ayes; Naves, None.

ADJOURNMENT

\_\_\_\_\_  
Mayor  
ATTEST  
\_\_\_\_\_  
City Administrator/Clerk

Hastings, Minnesota  
August 21, 1986

The City Council of the City of Hastings, Minnesota, met in a Special Joint meeting with the Hastings Housing and Redevelopment Authority on Thursday, August 21, 1986 at 7:30 p.m. in the City Council Chambers of City Hall.

Members Present: Councilmember Werner, Bond, Nesbitt, Plan, and Wendler.

Members Absent: Councilmember Berg, Kulzer, Trautmann, and Mayor Stoffel.

Mayor Stoffel arrived at 7:41 p.m. and Councilmember Trautmann arrived at 7:50 p.m.

Acting Mayor Michael Werner called the meeting to order at 7:35 p.m.

HRA Chairman William Wendler introduced John Grossman who then introduced Mark Kegler, Van Doren Hazard & Stallings, Peter Bruce, James B. McComb & Associates, and Rusty Fifield, Public Financial Systems. These three individuals reviewed the Downtown Hastings Master Plan with the City Council and HRA. All members of both bodies including Representatives of the NRRC and the Planning Commission were given an opportunity to ask questions after the formal presentation. The HRA voted to accept the Plan.

Moved by Councilmember Werner, seconded by Councilmember Plan to accept the Plan (Conceptually) after public input and suggested changes. Ayes; Bond, Nesbitt, Plan, Wendler, Stoffel and Werner. Councilmember Trautmann had previously left the meeting.

Moved by Councilmember Werner, seconded by Councilmember Nesbitt to adjourn at 9:15 p.m. Ayes; 6, Nays, Zero.

ATTEST

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Administrator/Clerk

Hastings, Minnesota  
August 26, 1986

The City Council of the City of Hastings, Minnesota met in a Special Meeting on Tuesday, August 26, 1986 at 5:30 p.m. in the Council Chambers of the City Hall.

Members Present: Councilmember Werner, Bond, Trautmann, Plan, and Wendler.

Members Absent: Councilmember Berg, Kulzer, Nesbitt and Mayor Stoffel.

Acting Mayor Werner called the meeting to order at 5:32 p.m. City Administrator Gary Brown explained the purpose of the meeting which was to consider a request by Loesch's Softball team for funds to help them go to the National Softball Tournaments. Jim Cook representing the team appeared before the City Council and indicated that to his knowledge no other team had ever gone to the National Tournament.

Moved by Councilmember Trautmann, seconded by Councilmember Wendler to appropriate funds from the city's contingency fund to give to Teresa Loesch for a one time payment for usage of her parking lot prior to the city's recently signed agreement. 5 Ayes; Nays, None.

Councilmember Wendler moved to adjourn at 5:40 p.m. seconded by Councilmember Trautmann. 5 Ayes; Nays, None.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
ATTEST  
City Administrator/Clerk

Minutes of Hastings Cable Television Commission  
Tuesday, August 19, 1986  
3:00 PM  
City Hall Council Chambers

Members Present: Rosendahl, Rayner, Siebenaler, Bour, Swanson

Members Absent: Pellant

Also Present: Dianne Latuff, Marie Boldon, Mike Wurm,  
Dave Mattson, Mayor Stoffel, Councilman  
Trautman, James Williams

A quorum being present, Chairman Rosendahl called the meeting to order.

Moved by Commissioner Bour and seconded by Commissioner Rosendahl that the minutes of the meeting of May 13, 1986, be approved as written. Ayes 5, Nays 0.

Application of James Williams to fill the current vacancy on the Commission was presented. Mr. Williams briefly outlined his background and interests. Moved by Commissioner Rosendahl and seconded by Commissioner Swanson that the Commission recommend to the City Council that Mr. Williams be appointed to the Cable Television Commission. Ayes 5, Nays 0.

Diane Latuff passed out informational packets to all Commissioners containing background information on the company which has entered into an agreement to purchase the cable operations of TDS. There followed a lengthy discussion on the steps necessary and the best procedure to effect transfer of the franchise. Since Minnesota statutes require notice within 30 days as to whether a public hearing regarding transfer of the franchise is necessary, it was agreed to give timely notice that such a public hearing will be requested. Several neighboring cable commissions, similarly affected by the proposed sale, have contacted this commission suggesting we join in a group review process sharing information and costs. It was decided that Dianne Latuff should attend the organizational meeting of this group and report back to this commission with an evaluation of the benefits of joining this group before a firm commitment to do so is made.

Marie Boldon was requested to prepare a memo for the Commission explaining billing practices, particularly in reference to the connect charge being billed following down-grade in service.

Dave Mattson complimented the Cable Company on the quality of assistance rendered this summer in hooking up the two-way interactive system in the schools.

Moved by Commissioner Rayner and seconded by Commissioner Rosendahl that the meeting be adjourned. Ayes 5, Nays 0.

Respectfully submitted,

*Mary Ellen Swanson*  
Mary Ellen Swanson, Secretary



HASTINGS PLANNING COMMISSION

Monday, August 25, 1986

The regular meeting of the Hastings Planning Commission was called to order at 7:30 P.M.

Members Present: Commissioners Ditty, Stevens, Kaiser, Anderson, Voelker, and Acting Chairman Folch.

Members Absent: Commissioners Dredge, Conzemius & Simacek

Staff Present: Planning Director Harmening

Commissioner Kaiser moved, seconded by Commissioner Anderson, to approve the July 28, 1986 Planning Commission Minutes. Voice vote carried unanimously.

MINUTES

The Acting Chairman opened the Public Hearing at 7:35 p.m. There being no comment from the audience the Acting Chairman closed the Public Hearing at 7:36 p.m. Planning Director Harmening reviewed with the Planning Commission the requested minor subdivision. In this case the City of Hastings is contemplating the possible sale of City owned property located directly west of the water tank located along the North Frontage Road. At this point the property is one large parcel including the water tank. To accomplish a sale of a part of this property a minor subdivision of the total property is required. Planning Director Harmening reviewed with the Planning Commission the zoning of the property and adjacent zoning. It was noted that the property in questions appears to be zoned C-5 General Commerce but that the apparent zoning needs to be researched further to insure that the proper zoning is in place.

PUBLIC HEARING-  
MINOR SUBDIVISION OF  
CITY OWNED PROPERTY  
ALONG NO. FRONTAGE  
ROAD-CITY OF HASTING

The Planning Commission reviewed the survey of the proposed minor subdivision.

After discussion a motion was made by Commissioner Stevens, seconded by Commissioner Ditty, to recommend that the City Council approve the minor subdivision subject to further research of the current zoning of the subject property. Upon vote taken, Ayes, 6; Nays, 0.

The Planning Director noted that Mr. Kvam is requesting approval of a Home Occupation Permit for his home at 1349 W. 20th St. to allow him to conduct a business out of the home which is proposed to be called Arnies Construction. Harmening noted that according to Kvams application the home occupation would involve the making of cabinetry, designing, home additions and remodeling, etc. with 75% of the business proposed to take place away from the premises and 25% of the business to occur on the subject property. Harmening noted that upon speaking with the applicant the primary activities which would take place on the site would involve the day to day operation of the business, designing of home additions, and the actual construction of cabinets and other related items. It was further noted that the application indicated that approximately 336 sq.ft., out of a total of 1532 sq.ft. in the home, will be used for the home occupation activity and would occur in a 14' x 24' basement shop. Harmening

HOME OCCUPATION  
PERMIT-CONSTRUCTION  
BUSINESS-ARNOLD KVA  
1349 W. 20TH STREET

Informed the Planning Commission that the City's home occupation standards do state that no mechanical or electrical equipment is to be used if the operation of the equipment interferes with the residential environment of the neighborhood. Harmening suggested that the Planning Commission discuss with Mr. Kvam the possible use of saws, drills, etc. on the premises and the potential effect on neighboring properties.

Mr. Kvam was in attendance and answered questions of the Planning Commission regarding the proposed home occupation permit.

Harmening noted that Mr. Kvam was given a copy of the zoning ordinance requirements for home occupations.

After discussion a motion was made by Commissioner Ditty, seconded by Commissioner Anderson, to recommend that based on the application submitted by Kvam the home occupation permit be approved subject to Kvam complying with all standards pertaining to home occupations including the standard regarding the interference to neighboring properties from mechanical or electrical equipment. Upon vote taken, Ayes, 6; Nays, 0.

The Planning Director noted that Mrs. Denn is requesting approval of a home occupation permit for her home at 1010 W. 4th St. to allow her to conduct a ceramic shop business out of her home. According to Mrs. Denn's application the home occupation would involve the teaching of ceramics to other people as well as a possible sale of ceramic pieces which would be made on the premises. Harmening further indicated that Mrs. Denn's application stated that approximately 240 sq. ft., out of a total of 2700 sq. ft. in the home, would be used for the home occupation activity. It was further noted that the application indicates that at the present the property would accommodate parking for approximately three cars. The applicant also indicates that she would be willing to put in additional parking in the backyard of the property. The Planning Director noted that Mrs. Denn was given a copy of the zoning ordinance requirements for home occupations. The Planning Director further noted that the City's home occupation standards state that no traffic should be generated by home occupation in greater volumes than would normally be expected in a residential neighborhood and that any need for parking generated by the conduct of such home occupation must be met off the street. The Planning Director suggested that the Planning Commission discuss with Mrs. Denn the amount of traffic expected to result from the home occupation activity.

HOME OCCUPATION  
PERMIT-CERAMIC SHOP  
MRS. GERALD DENN,  
1010 W. 4TH STREET

Mrs. Denn was not in attendance to discuss her requested home occupation.

The following comments were received from the audience:

A. Arland Siebrecht, 1011 W. 4th St. - Mr. Siebrecht indicated that he was not opposed to the home occupation but did desire answers to questions pertaining to home many classes would be conducted in the home, how many people would be involved in the classes, the time of day the classes would be in session, and the type of kiln proposed to be used as a part of the ceramic process.

- B. Joseph Kriha, 1016 W. 4th St. - Mr. Kriha indicated he was not objecting to the home occupation but did have questions regarding parking, traffic, etc. resulting from the home occupation.
- C. Arden Flaten, 1031 W. 4th St. - Mr. Flaten indicated he was not opposed to the home occupation but did have concerns for parking, traffic, the proposed number of classes, etc. Mr. Flaten also indicated that apparently there were facilities available at the Senior High School in Hastings which could be used for a ceramic shop and class. Mr. Flaten questioned why this facility was not proposed to be used.

After discussion a motion was made by Commissioner Stevens, seconded by Commissioner Kaiser, to table the matter until the next meeting due to the fact that Mrs. Denn was not in attendance to answer questions which were raised regarding her proposed home occupation permit. It was also requested that Planning Director Harmening relay to Mrs. Denn the concerns of the neighborhood and the Planning Commission and the possible alternative of using the High School facilities. Upon vote taken, Ayes, 6; Nays, 0.

Planning Director Harmening informed the Planning Commission that James Storkamp, on behalf of Mac McGoan, had made application to the City for its review of several zoning requests as an attempt to resolve the recent questions pertaining to the Mac McGoan Photography Studio Home Occupation Permit. The requests in order of preference by the applicant were as follows:

ORDER PUBLIC HEARING-REQUEST FOR ZONING AMENDMENTS-MAC MCGOON, 1100 WESTVIEW DRIVE

- A. A request for a rezoning of the Mac McGoan Property at 1100 Westview Drive from the current R-3 zoning classification to a C-1 Neighborhood Commerce zoning classification.
- B. If the above request is denied by the City the applicant then request that the city consider an amendment to Section 10.13, Subdivision 2b of the city zoning ordinance (R-3 standards) by adding photographic studios as a permitted use.
- C. If the aforementioned options are not considered acceptable by the city the applicant then requests that the City provide an interpretation of whether photographic studios are considered to be a professional office which are permitted in R-3 zones.
- D. If the aforementioned options are not considered acceptable by the city the applicant then requests a variance from the provisions of the home occupation standards to allow the continued use of the property, with respect to the existing photography studio, under the auspices of a home occupation permit.

The Planning Director commented very briefly on the zoning requests.

James Storkamp and Mac McGoan were in attendance and briefly reviewed with the Planning Commission the proposed request.

The Planning Commission generally discussed the proposed request.

The Planning Director noted that requests for rezonings and zoning ordinance amendments requires, by law, a public hearing to be held. After discussion a motion was made by Commissioner Kaiser, seconded by Commissioner Voelker, to order that the required public hearings for the rezoning and zoning ordinance amendment be held at the Planning Commissions September 8, 1986 meeting at 7:30 p.m. Upon vote taken, Ayes, 5; Naves, Commissioner Stevens.

The Planning Director noted that Petroleum Equipment Service, Don's Super Valu, and I.B.I., Inc. are requesting a Special Use Permit to allow a 4 pump auto service station to locate on the property between Don's Super Value and the So. Frontage Road. Pursuant to the City's zoning ordinance a Special Use Permit would be required to permit the placement of an Auto Service Station in a C-4 zone. The Planning Director further noted that the applicants will also be required to request a front yard setback variance and site plan approval.

ORDER PUBLIC HEARING  
REQUEST FOR SPECIAL  
USE PERMIT-AUTO  
SERVICE STATION IN  
C-4 ZONE-PETROLEUM  
EQUIPMENT SERVICE,  
DONS SUPER VALU,  
IBI, INC.

The Planning Commission briefly discussed the proposal and expressed concerns regarding traffic movement as a result of the proposed development. Commissioner Stevens requested that the City Engineer study the potential traffic generated from the station and how it would possibly affect ingress and egress onto the So. Frontage Road.

After additional discussion a motion was made by Commissioner Kaiser, seconded by Commissioner Voelker, to order that the required Public Hearing for the Special Use Permit be held on September 8, 1986 at 7:30 p.m. Upon vote taken, Ayes, 6; Naves, 0.

Planning Director noted that just prior to the Planning Commission Agenda being distributed on August 21, 1986 a letter was received from Ken Grund regarding a request for an amendment to the Hastings zoning ordinance to permit a closer setback for garages in mobile home parks. The Planning Director noted that there are no separate setback requirements stated in the zoning ordinance which differentiate between garages or accessory structures and the living units themselves. Therefore, up to this point staff has been requiring all accessory structures to meet the ten foot setback requirement.

REQUEST FOR ZONING  
ORDINANCE AMENDMENT  
SETBACKS IN MOBILE  
HOME PARKS-KEN GRUND  
THREE RIVERS MOBILE  
HOME PARK

The Planning Director noted that a change in the city's zoning ordinance requires a public hearing. The Planning Director requested direction from the Planning Commission regarding possible action on the requested amendment. After discussion a motion was made by Commissioner Stevens, seconded by Commissioner Kaiser, to table the request until such time staff is able to return to the Planning Commission with an amendment to the city's zoning ordinance which completely revises the city's current mobile home standards including the request made by Mr. Grund. Upon vote taken, Ayes, 6; Naves, 0.

OTHER BUSINESS

Bernard Larson, Dakota County Surveyor, was in attendance and discussed with the Planning Commission matters pertaining to surveys and the need for surveys for development within the city. The Planning Commission discussed with Mr. Larson various questions regarding surveys, costs, etc.

Planning Director Harmening reviewed with the Planning Commission recent actions taken by the City Council.

There being no further business a motion was made by Commissioner Voelker, seconded by Commissioner Kaiser, to adjourn the meeting at 8:45 p.m. Upon vote taken, Ayes, 6; Nays, 0.

CITY OF HASTINGS  
DAKOTA COUNTY, MINNESOTA  
RESOLUTION NO. \_\_\_\_\_

RESOLUTION ADOPTING ASSESSMENT  
PROJECT NO. 1986-1

WHEREAS, pursuant to proper notice duly given as required by law, the City Council has met, heard, and passed upon all objections to the proposed assessment for the improvement of Project No. 1986-1 by construction of watermains, concrete curb and gutter, water services, base and bituminous surfacing.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF HASTINGS, MINNESOTA:

1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of ten (10) years, the first of the installments to be payable on or before the first Monday in January, 1987, and shall bear interest at the rate of 8.50% per annum from October 2, 1986. To the first installment shall be added interest on the entire assessment from October 2, 1986 until December 31, 1987. To each subsequent installment, when due, shall be added interest for one year on all unpaid installments.
3. The owner of any property so assessed; may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property with interest accrued to the date of the payment to the City Clerk, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution; and, he may, at any time thereafter, pay to the County Treasurer the entire amount of the assessment remaining unpaid with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before October 15 or interest will be charged through December 31 of the next succeeding year.
4. The clerk shall forthwith, transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax lists of the County, and such assessments shall be collected and paid over in the same manner as other municipal taxes.
5. The amount specially assessed is hereby declared to be \$37,131.56.

Adopted by the City Council this 2nd day of September, 1986.

Ayes:

Nayes:

\_\_\_\_\_  
LuAnn Stoffel, Mayor

ATTEST:

\_\_\_\_\_  
Gary E. Brown, City Administrator/Clerk

CITY OF HASTINGS  
DAKOTA COUNTY, MINNESOTA  
RESOLUTION NO. \_\_\_\_\_

RESOLUTION ADOPTING ASSESSMENT  
PROJECT NO. 1986-3

WHEREAS, pursuant to proper notice duly given as required by law, the City Council has met, heard, and passed upon all objections to the proposed assessment for the improvement of Project No. 1986-3 by construction of storm sewers, concrete curb and gutter, base and bituminous surfacing.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF HASTINGS, MINNESOTA:

1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of ten (10) years, the first of the installments to be payable on or before the first Monday in January, 1987, and shall bear interest at the rate of 8.50% per annum from October 2, 1986. To the first installment shall be added interest on the entire assessment from October 2, 1986 until December 31, 1987. To each subsequent installment, when due, shall be added interest for one year on all unpaid installments.
3. The owner of any property so assessed; may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property with interest accrued to the date of the payment to the City Clerk, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution; and, he may, at any time thereafter, pay to the County Treasurer the entire amount of the assessment remaining unpaid with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before October 15 or interest will be charged through December 31 of the next succeeding year.
4. The clerk shall forthwith, transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax lists of the County, and such assessments shall be collected and paid over in the same manner as other municipal taxes.
5. The amount specially assessed is hereby declared to be \$20,391.61.

Adopted by the City Council this 2nd day of September, 1986.

Ayes:

Nayes:

\_\_\_\_\_  
LuAnn Stoffel, Mayor

ATTEST:

\_\_\_\_\_  
Gary E. Brown, City Administrator/Clerk

CITY OF HASTINGS  
DAKOTA COUNTY, MINNESOTA  
RESOLUTION NO. \_\_\_\_\_

RESOLUTION ADOPTING ASSESSMENT  
PROJECT NO. 1986-4

WHEREAS, pursuant to proper notice duly given as required by law, the City Council has met, heard, and passed upon all objections to the proposed assessment for the improvement of Project No. 1986-4 by construction of storm sewers, streets, sanitary sewers, and watermains.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF HASTINGS, MINNESOTA:

1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of ten (10) years, the first of the installments to be payable on or before the first Monday in January, 1987, and shall bear interest at the rate of 8.50% per annum from October 2, 1986. To the first installment shall be added interest on the entire assessment from October 2, 1986 until December 31, 1987. To each subsequent installment, when due, shall be added interest for one year on all unpaid installments.
3. The owner of any property so assessed; may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property with interest accrued to the date of the payment to the City Clerk, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution; and, he may, at any time thereafter, pay to the County Treasurer the entire amount of the assessment remaining unpaid with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before October 15 or interest will be charged through December 31 of the next succeeding year.
4. The clerk shall forthwith, transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax lists of the County, and such assessments shall be collected and paid over in the same manner as other municipal taxes.
5. The amount specially assessed is hereby declared to be \$52,800.25.

Adopted by the City Council this 2nd day of September, 1986.

Ayes:

Nayes:

\_\_\_\_\_  
LuAnn Stoffel, Mayor

ATTEST:

\_\_\_\_\_  
Gary E. Brown, City Administrator/Clerk



CITY OF HASTINGS  
DAKOTA COUNTY, MINNESOTA  
RESOLUTION NO. \_\_\_\_\_

RESOLUTION ADOPTING ASSESSMENT  
PROJECT NO. 1986-5

WHEREAS, pursuant to proper notice duly given as required by law, the City Council has met, heard, and passed upon all objections to the proposed assessment for the improvement of Project No. 1986-5 by construction of storm sewers, streets, sanitary sewers, and watermains.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF HASTINGS, MINNESOTA:

1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of ten (10) years, the first of the installments to be payable on or before the first Monday in January, 1987, and shall bear interest at the rate of 8.50% per annum from October 2, 1986. To the first installment shall be added interest on the entire assessment from October 2, 1986 until December 31, 1987. To each subsequent installment, when due, shall be added interest for one year on all unpaid installments.
3. The owner of any property so assessed; may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property with interest accrued to the date of the payment to the City Clerk, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution; and, he may, at any time thereafter, pay to the County Treasurer the entire amount of the assessment remaining unpaid with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before October 15 or interest will be charged through December 31 of the next succeeding year.
4. The clerk shall forthwith, transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax lists of the County, and such assessments shall be collected and paid over in the same manner as other municipal taxes.
5. The amount specially assessed is hereby declared to be \$212,392.14.

Adopted by the City Council this 2nd day of September, 1986.

Ayes:

Nays:

\_\_\_\_\_  
LuAnn Stoffel, Mayor

ATTEST:

\_\_\_\_\_  
Gary E. Brown, City Administrator/Clerk

CITY OF HASTINGS  
DAKOTA COUNTY, MINNESOTA  
RESOLUTION NO. \_\_\_\_\_

RESOLUTION ADOPTING ASSESSMENT  
PROJECT NO. 1986-6

WHEREAS, pursuant to proper notice duly given as required by law, the City Council has met, heard, and passed upon all objections to the proposed assessment for the improvement of Project No. 1986-6 by construction of storm sewers, streets, sanitary sewers, and watermains.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF HASTINGS, MINNESOTA:

1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of ten (10) years, the first of the installments to be payable on or before the first Monday in January, 1987, and shall bear interest at the rate of 8.50% per annum from October 2, 1986. To the first installment shall be added interest on the entire assessment from October 2, 1986 until December 31, 1987. To each subsequent installment, when due, shall be added interest for one year on all unpaid installments.
3. The owner of any property so assessed; may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property with interest accrued to the date of the payment to the City Clerk, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution; and, he may, at any time thereafter, pay to the County Treasurer the entire amount of the assessment remaining unpaid with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before October 15 or interest will be charged through December 31 of the next succeeding year.
4. The clerk shall forthwith, transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax lists of the County, and such assessments shall be collected and paid over in the same manner as other municipal taxes.
5. The amount specially assessed is hereby declared to be \$45,712.03.

Adopted by the City Council this 2nd day of September, 1986.

Ayes:

Nayes:

\_\_\_\_\_  
LuAnn Stoffel, Mayor

ATTEST:

\_\_\_\_\_  
Gary E. Brown, City Administrator/Clerk

CITY OF HASTINGS  
DAKOTA COUNTY, MINNESOTA  
RESOLUTION NO. \_\_\_\_\_

RESOLUTION ADOPTING ASSESSMENT  
PROJECT NO. 1986-7

WHEREAS, pursuant to proper notice duly given as required by law, the City Council has met, heard, and passed upon all objections to the proposed assessment for the improvement of Project No. 1986-7 by construction of storm sewers, streets, sanitary sewers, watermains, and right of way acquisition.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF HASTINGS, MINNESOTA:

1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of ten (10) years, the first of the installments to be payable on or before the first Monday in January, 1987, and shall bear interest at the rate of 8.50% per annum from October 2, 1986. To the first installment shall be added interest on the entire assessment from October 2, 1986 until December 31, 1987. To each subsequent installment, when due, shall be added interest for one year on all unpaid installments.
3. The owner of any property so assessed; may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property with interest accrued to the date of the payment to the City Clerk, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution; and, he may, at any time thereafter, pay to the County Treasurer the entire amount of the assessment remaining unpaid with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before October 15 or interest will be charged through December 31 of the next succeeding year.
4. The clerk shall forthwith, transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax lists of the County, and such assessments shall be collected and paid over in the same manner as other municipal taxes.
5. The amount specially assessed is hereby declared to be \$231,267.31.

Adopted by the City Council this 2nd day of September, 1986.

Ayes:

Nayes:

\_\_\_\_\_  
LuAnn Stoffel, Mayor

ATTEST:

\_\_\_\_\_  
Gary E. Brown, City Administrator/Clerk

CITY OF HASTINGS  
DAKOTA COUNTY, MINNESOTA  
RESOLUTION NO. \_\_\_\_\_

RESOLUTION ADOPTING ASSESSMENT  
PROJECT NO. 1986-8

WHEREAS, pursuant to proper notice duly given as required by law, the City Council has met, heard, and passed upon all objections to the proposed assessment for the improvement of Project No. 1986-8 by construction of base, bituminous surfacing and concrete curb and gutter.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF HASTINGS, MINNESOTA:

1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of ten (10) years, the first of the installments to be payable on or before the first Monday in January, 1987, and shall bear interest at the rate of 8.50% per annum from October 2, 1986. To the first installment shall be added interest on the entire assessment from October 2, 1986 until December 31, 1987. To each subsequent installment, when due, shall be added interest for one year on all unpaid installments.
3. The owner of any property so assessed; may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property with interest accrued to the date of the payment to the City Clerk, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution; and, he may, at any time thereafter, pay to the County Treasurer the entire amount of the assessment remaining unpaid with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before October 15 or interest will be charged through December 31 of the next succeeding year.
4. The clerk shall forthwith, transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax lists of the County, and such assessments shall be collected and paid over in the same manner as other municipal taxes.
5. The amount specially assessed is hereby declared to be \$15,975.18.

Adopted by the City Council this 2nd day of September, 1986.

Ayes:

Nayes:

\_\_\_\_\_  
LuAnn Stoffel, Mayor

ATTEST:

\_\_\_\_\_  
Gary E. Brown, City Administrator/Clerk

CITY OF HASTINGS  
DAKOTA COUNTY, MINNESOTA  
RESOLUTION NO. \_\_\_\_\_

RESOLUTION ADOPTING ASSESSMENT  
PROJECT NO. 1986-9

WHEREAS, pursuant to proper notice duly given as required by law, the City Council has met, heard, and passed upon all objections to the proposed assessment for the improvement of Project No. 1986-9 by construction of storm sewers, base, bituminous surfacing, and concrete curb and gutter.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF HASTINGS, MINNESOTA:

1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of ten (10) years, the first of the installments to be payable on or before the first Monday in January, 1987, and shall bear interest at the rate of 8.50% per annum from October 2, 1986. To the first installment shall be added interest on the entire assessment from October 2, 1986 until December 31, 1987. To each subsequent installment, when due, shall be added interest for one year on all unpaid installments.
3. The owner of any property so assessed; may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property with interest accrued to the date of the payment to the City Clerk, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution; and, he may, at any time thereafter, pay to the County Treasurer the entire amount of the assessment remaining unpaid with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before October 15 or interest will be charged through December 31 of the next succeeding year.
4. The clerk shall forthwith, transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax lists of the County, and such assessments shall be collected and paid over in the same manner as other municipal taxes.
5. The amount specially assessed is hereby declared to be \$90,117.47.

Adopted by the City Council this 2nd day of September, 1986.

Ayes:

Nayes:

\_\_\_\_\_  
LuAnn Stoffel, Mayor

ATTEST:

\_\_\_\_\_  
Gary E. Brown, City Administrator/Clerk

CITY OF HASTINGS  
DAKOTA COUNTY, MINNESOTA  
RESOLUTION NO. \_\_\_\_\_

RESOLUTION ADOPTING ASSESSMENT  
PROJECT NO. 1986-10

WHEREAS, pursuant to proper notice duly given as required by law, the City Council has met, heard, and passed upon all objections to the proposed assessment for the improvement of Project No. 1986-10 by construction of storm sewers, base, bituminous surfacing, and concrete curb and gutter.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF HASTINGS, MINNESOTA:

1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of ten (10) years, the first of the installments to be payable on or before the first Monday in January, 1987, and shall bear interest at the rate of 8.50% per annum from October 2, 1986. To the first installment shall be added interest on the entire assessment from October 2, 1986 until December 31, 1987. To each subsequent installment, when due, shall be added interest for one year on all unpaid installments.
3. The owner of any property so assessed; may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property with interest accrued to the date of the payment to the City Clerk, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution; and, he may, at any time thereafter, pay to the County Treasurer the entire amount of the assessment remaining unpaid with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before October 15 or interest will be charged through December 31 of the next succeeding year.
4. The clerk shall forthwith, transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax lists of the County, and such assessments shall be collected and paid over in the same manner as other municipal taxes.
5. The amount specially assessed is hereby declared to be \$42,009.47.

Adopted by the City Council this 2nd day of September, 1986.

Ayes:

Nayes:

\_\_\_\_\_  
LuAnn Stoffel, Mayor

ATTEST:

\_\_\_\_\_  
Gary E. Brown, City Administrator/Clerk

CITY OF HASTINGS  
DAKOTA COUNTY, MINNESOTA  
RESOLUTION NO. \_\_\_\_\_

RESOLUTION ADOPTING ASSESSMENT  
PROJECT NO. 1986-11

WHEREAS, pursuant to proper notice duly given as required by law, the City Council has met, heard, and passed upon all objections to the proposed assessment for the improvement of Project No. 1986-11 by construction of storm sewers, streets and sanitary sewers and sidewalks.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF HASTINGS, MINNESOTA:

1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of ten (10) years, the first of the installments to be payable on or before the first Monday in January, 1987, and shall bear interest at the rate of 8.50% per annum from October 2, 1986. To the first installment shall be added interest on the entire assessment from October 2, 1986 until December 31, 1987. To each subsequent installment, when due, shall be added interest for one year on all unpaid installments.
3. The owner of any property so assessed; may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property with interest accrued to the date of the payment to the City Clerk, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution; and, he may, at any time thereafter, pay to the County Treasurer the entire amount of the assessment remaining unpaid with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before October 15 or interest will be charged through December 31 of the next succeeding year.
4. The clerk shall forthwith, transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax lists of the County, and such assessments shall be collected and paid over in the same manner as other municipal taxes.
5. The amount specially assessed is hereby declared to be \$255,771.18.

Adopted by the City Council this 2nd day of September, 1986.

Ayes:

Nayes:

\_\_\_\_\_  
LuAnn Stoffel, Mayor

ATTEST:

\_\_\_\_\_  
Gary E. Brown, City Administrator/Clerk

CITY OF HASTINGS  
DAKOTA COUNTY, MINNESOTA  
RESOLUTION NO. \_\_\_\_\_

RESOLUTION ADOPTING ASSESSMENT  
PROJECT NO. 1986-12

WHEREAS, pursuant to proper notice duly given as required by law, the City Council has met, heard, and passed upon all objections to the proposed assessment for the improvement of Project No. 1986-12 by construction of storm sewers, streets and sanitary sewers and watermains.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF HASTINGS, MINNESOTA:

1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of ten (10) years, the first of the installments to be payable on or before the first Monday in January, 1987, and shall bear interest at the rate of 8.50% per annum from October 2, 1986. To the first installment shall be added interest on the entire assessment from October 2, 1986 until December 31, 1987. To each subsequent installment, when due, shall be added interest for one year on all unpaid installments.
3. The owner of any property so assessed; may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property with interest accrued to the date of the payment to the City Clerk, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution; and, he may, at any time thereafter, pay to the County Treasurer the entire amount of the assessment remaining unpaid with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before October 15 or interest will be charged through December 31 of the next succeeding year.
4. The clerk shall forthwith, transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax lists of the County, and such assessments shall be collected and paid over in the same manner as other municipal taxes.
5. The amount specially assessed is hereby declared to be \$529,061.62.

Adopted by the City Council this 2nd day of September, 1986.

Ayes:

Nayes:

\_\_\_\_\_  
LuAnn Stoffel, Mayor

ATTEST:

\_\_\_\_\_  
Gary E. Brown, City Administrator/Clerk



CITY OF HASTINGS  
DAKOTA COUNTY, MINNESOTA  
RESOLUTION NO. \_\_\_\_\_

RESOLUTION ADOPTING ASSESSMENT  
PROJECT NO. 1986-13

WHEREAS, pursuant to proper notice duly given as required by law, the City Council has met, heard, and passed upon all objections to the proposed assessment for the improvement of Project No. 1986-13 by construction of sanitary sewers, watermains, and street restoration.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF HASTINGS, MINNESOTA:

1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of ten (10) years, the first of the installments to be payable on or before the first Monday in January, 1987, and shall bear interest at the rate of 8.50% per annum from October 2, 1986. To the first installment shall be added interest on the entire assessment from October 2, 1986 until December 31, 1987. To each subsequent installment, when due, shall be added interest for one year on all unpaid installments.
3. The owner of any property so assessed; may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property with interest accrued to the date of the payment to the City Clerk, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution; and, he may, at any time thereafter, pay to the County Treasurer the entire amount of the assessment remaining unpaid with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before October 15 or interest will be charged through December 31 of the next succeeding year.
4. The clerk shall forthwith, transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax lists of the County, and such assessments shall be collected and paid over in the same manner as other municipal taxes.
5. The amount specially assessed is hereby declared to be \$321,641.50.

Adopted by the City Council this 2nd day of September, 1986.

Ayes:

Nayes:

\_\_\_\_\_  
LuAnn Stoffel, Mayor

ATTEST:

\_\_\_\_\_  
Gary E. Brown, City Administrator/Clerk

## MEMO

Date: August 28, 1986

To: Mayor & City Council

From: Tom Harmening, City Planner

Re: Home Occupation Permit - "Arnies Construction" - Arnold Kvam,  
1349 W. 20th St.

Mr. Kvam is requesting approval of a home occupation permit for the above stated address to allow him to conduct a business proposed to be called "Arnies Construction" out of his home.

According to Kvams application the home occupation would involve the making of cabinetry, desinging, home additions and remodeling, etc. with 75% of the business proposed to take place away from the premises and 25% of the business to occur on the subject property. Upon speaking with the applicant the primary activities which would take place on the site would involve the day to day operation of the business, designing of home additions, and the actual construction of cabinets and other related items. The application further indicates that approximately 336 square feet, out of a total of 1532 sq. ft. in the home, will be used for the home occupation activity and would occur in a 14' x 24' basement workshop.

Mr. Kvam was given a copy of the zoning ordinance requirements for home occupations.

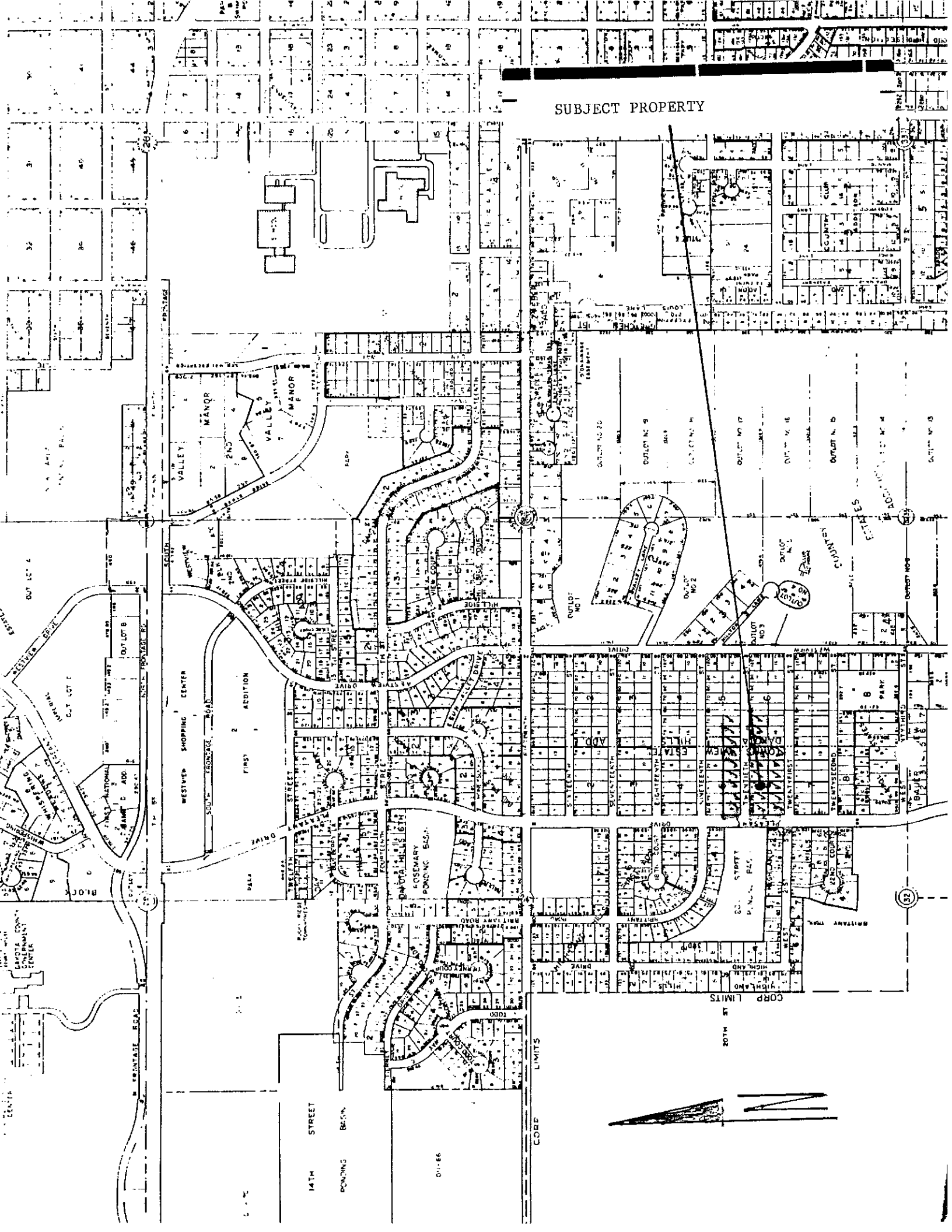
The City Council should note that the citys home occupation standards do state that no mechanical or electrical equipment is to be used if the operation of the equipment interferes with the residential environment of the neighborhood.

Recommendation:

Based on the application submitted by Mr. Kvam and comments made by Kvam at the Planning Commission meeting, the Planning Commission recommended approval subject to Kvam complying with all standards pertaining to home occupations including the standard regarding interference to neighboring properties from mechanical or electrical equipment.

jt

SUBJECT PROPERTY



CITY OF HASTINGS, MINNESOTA  
APPLICATION FOR HOME OCCUPATION PERMIT

APPLICANT ARNOLD A. KVAM PHONE 437-6863

ADDRESS 1349 W. 20<sup>TH</sup> ST. HASTINGS

Do you own this property? YES If not, give name and address of owner     

LOT 3 BLOCK 6 TOWNSVIEW ESTATES  
(Written permission by owner must be attached)

Legal Description of property for which permit is requested     

Present Zoning Classification R1

Describe in detail the Home Occupation under this Permit     

ARNIE'S CONSTRUCTION - CABINETRY,  
DESIGNING, HOME ADDITIONS &  
REMODELING - 75% OF BUSINESS FROM  
MY TRUCK, 25% CABINETRY & DESIGN

How many cars park at your home each week as a result of your Home Occupation? 5-10

What is the average length of time each car is parked? 15-30 Minutes      Hours

Do you provide any Off Street Parking other than your driveway? No

If yes, room for how many cars?      Draw sketch on back as to location on lot.

In what part of your home do you carry on your Home Occupation? BASEMENT  
WORKSHOP - 14'x24'

No. of square feet in your home 1532<sup>sq</sup> No. of square feet used in H.O. 336<sup>sq</sup>

For how long a period of time do you intend to continue this Home Occupation as applied for under this application? INDEFINITE; 10-15 YEARS

How long have you been carrying on this business? JUST STARTING

Signature of Applicant Arnold A. Kvam

Date 8/9/86

ANNUAL FEE - \$10.00  
License Year - July 1 to July 1

Approved by City Council on     

FEE RECEIVED: Date 8/11/86 By T.H.

# Home Occupation Permit

PROJECT:

Arnold Kram, 1349 W. 20th St.

Department	Reviewed		Date	Name	Comments
	Yes	No			
Fire	✓		8/18/86	J. Howard	Approved
Water	✓		8/18/86	Michael Erdos	N/A
Building	✓		8/18/86	Melvin	APPROVED
Planning	✓		8/21/86	T.H.	Approved as per memo
Engineering	✓		8/18/86	J. Kleinbinder	Approved
Parks					

## MEMO

Date: August 28, 1986

To: Mayor and City Council

From: Tom Harmening, City Planner

Re: Minor Subdivision of City Owned Property adjacent to Water Tank  
on the North Frontage Road - City of Hastings

As the City Council is aware, discussion has recently taken place regarding the possible sale of city owned property located directly west of the water tank located along the North Frontage Road. To accomplish a sale a minor subdivision of the total property is required.

Details pertaining to this matter are as follows:

- A. Zoning of Property - It appears the property is zoned C-5 General Commerce. This matter will be researched further to insure the proper zoning is in place. Zoning adjacent to the property is as follows: north - R-3; West C-5; east - C-5; south - C-4.

A survey of the subject property has been completed by Dwyer Surveying and is included within your agenda packet.

The parcel which is considered for a possible sale is Parcel B which is indicated on the enclosed survey.

Recommendation:

The Planning Commission recommended approval of the Minor Subdivision subject to the zoning of the Subject Property being researched further.

jt



SUBJECT PROPERTY

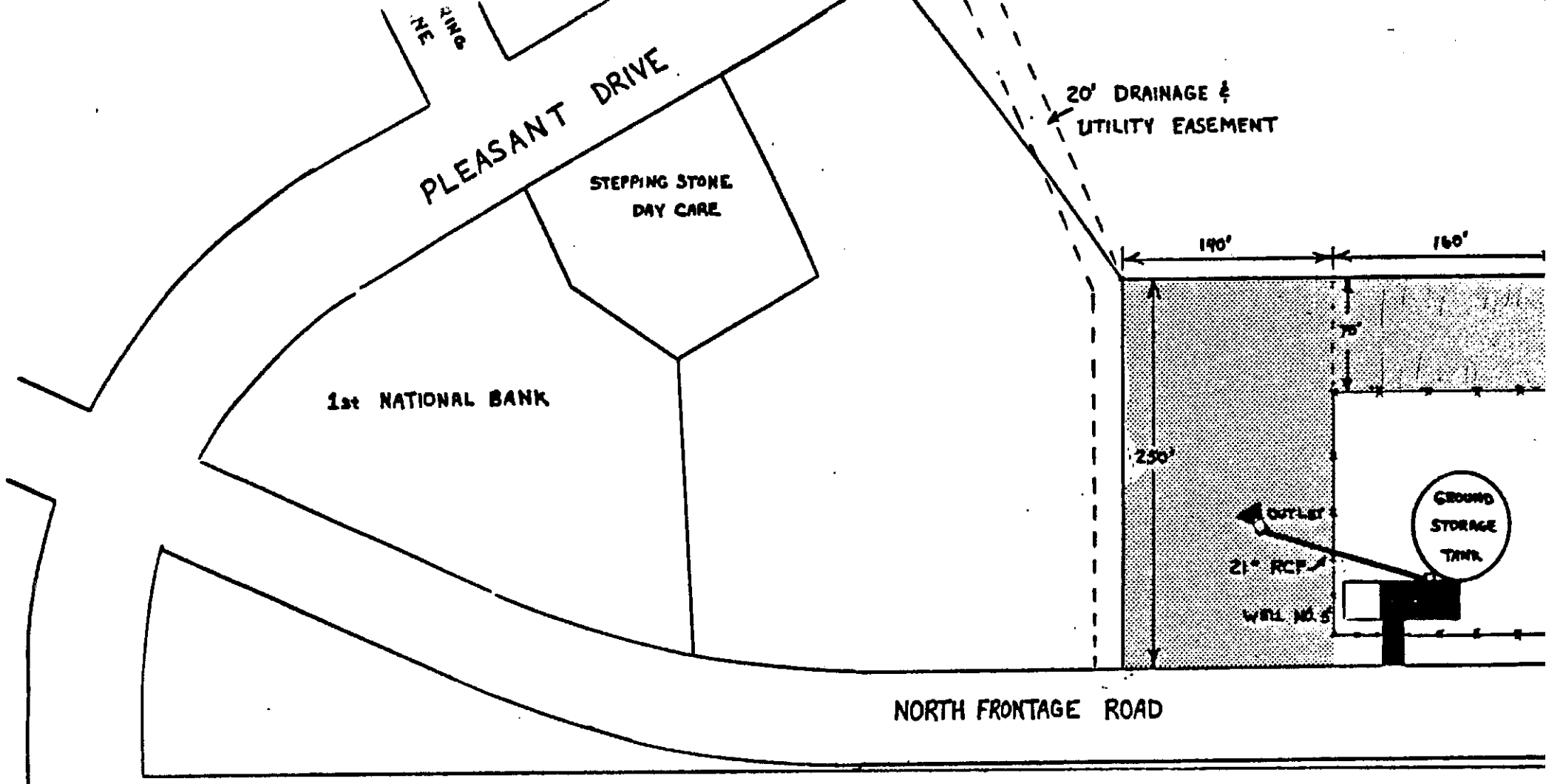
LAKE REBECCA  
LAKE SIDE CEMETERY  
GOVT LOT  
LOT 010-35  
011-80  
011-85  
011-80  
011-80  
011-85

PLEASANT VALLEY 2ND ADD  
JEFFERSON ST  
010-92  
080-92  
010-15  
020-13  
WILLIAMS PARK  
SCHUMACHER 3RD ADD  
011-25

WESTVIEW SHOPPING CENTER  
WESTVIEW MANOR  
VALLEY MANOR  
OUT LOT A  
OUT LOT B  
OUT LOT C  
WESTVIEW DRIVE  
N W AREA PONDING BASIN  
N FRONTAGE ROAD  
14TH STREET  
PONDING BASIN  
CORP LIMITS  
D10-35  
D11-70  
D11-50  
D11-70  
D11-80  
D11-85  
D11-90  
D11-95  
D12-00  
D12-05  
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CORP LIMITS

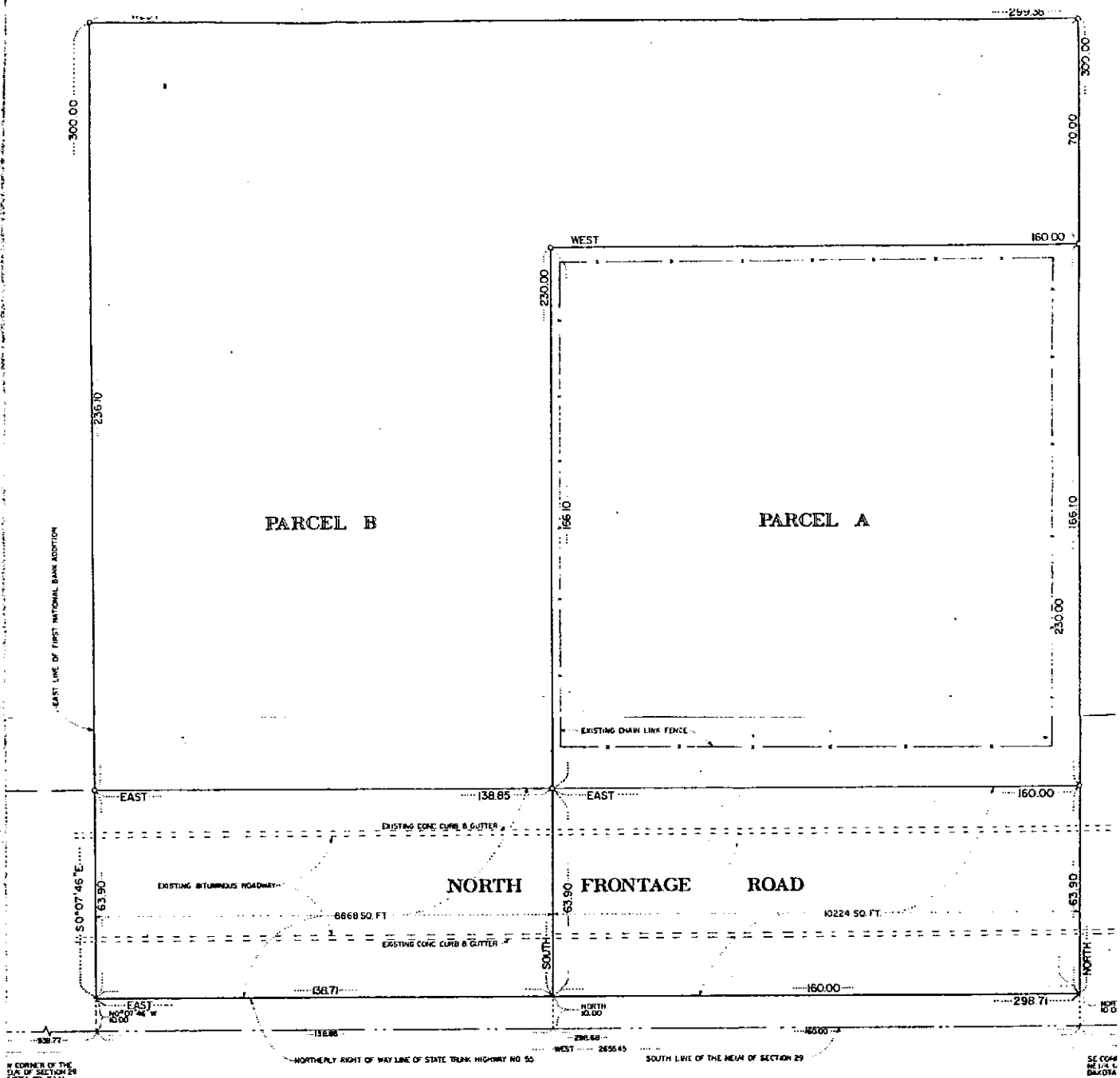
CORP LIMITS



T.H 55

CITY OF HASTINGS
GROUND STORAGE TANK PROPERTY





**PARCEL A**

That part of the South One Half of the Northeast Quarter of Section 29, Township 115 N., Range 17 W., Dakota County, Minnesota, described as follows:

Commencing at the southeast corner of said South One Half of the Northeast Quarter; thence West, bearing assumed, along the south line of said South One Half of the Northeast Quarter, a distance of 1418.00 feet; thence North a distance of 10.00 feet to the point of beginning of the land to be described; thence North a distance of 230.00 feet; thence West a distance of 160.00 feet; thence South a distance of 230.00 feet; thence East a distance of 160.00 feet to the point of beginning.

Subject to an easement for the North Frontage Road over, under and across the South 63.90 feet of the above described property.

Containing 36,806 square feet more or less.

**PARCEL B**

That part of the South One Half of the Northeast Quarter of Section 29, Township 115 N., Range 17 W., Dakota County, Minnesota, described as follows:

Commencing at the southeast corner of said South One Half of the Northeast Quarter; thence West, bearing assumed, along the south line of said South One Half of the Northeast Quarter, a distance of 1418.00 feet; thence North a distance of 10.00 feet to the point of beginning of the land to be described; thence North a distance of 300.00 feet; thence West a distance of 299.36 feet to the east line of FIRST NATIONAL BANK ADDITION, on file and of record in the office of the County Recorder, Dakota County, Minnesota; thence  $89^{\circ}07'46''$  E. along said east line, a distance of 300.00 feet; thence East a distance of 298.71 feet more or less to the point of beginning, except that part described as follows:

Commencing at the southeast corner of said South One Half of the Northeast Quarter; thence West, bearing assumed, along the south line of said South One Half of the Northeast Quarter, a distance of 1418.00 feet; thence North a distance of 10.00 feet to the point of beginning of the land to be described; thence North a distance of 230.00 feet; thence West a distance of 160.00 feet; thence South a distance of 230.00 feet; thence East a distance of 160.00 feet to the point of beginning.

Subject to an easement for the North Frontage Road over, under and across the South 63.90 feet of the above described property.

Containing 52,914 square feet more or less.

W CORNER OF THE  
DIV OF SECTION 29  
MOTA CO. CIM

SE CORN  
NE 1/4 L  
DAKOTA

PROJECT: Minor Subdivision - Water-Tank Property

Department	Reviewed		Date	Name	Comments
	Yes	No			
Fire	✓		8/18/86	J. Randall	Approved
Water	✓		8/18/86	Paul Eides	TANK DRAIN NEEDS RELOCATION,
Building	✓	8/18/86		Melia	Approved
Planning	✓	8/12		T.H.	Approved.
Engineering	✓	8/18/86		J. Klanchinski	Approved subject to easement for existing storm sewer
Parks					

## MEMO

Date: August 28, 1986

To: Mayor And City Council

From: Tom Harmening, City Planner

Re: Sidewalk Plan

During the July 21, 1986 City Council meeting, the Council requested that staff report back to the Council in six weeks with information pertaining to a sidewalk plan for the city. Staff has investigated this matter and has provided the following information for your review.

As a starting point, staff reviewed the city's Main Pedestrian Route System Sidewalk Plan which was developed in 1973. Essentially this plan, which will be available for your review at your meeting, designated on a large map the location of sidewalks which should be constructed throughout the City. The plan as developed in 1973 proposed that sidewalks be placed on the City's collector and arterial streets as well as strategically placed on normal residential streets to provide pedestrian access to existing and proposed schools, parks, etc. Even though the plan is approximately 13 years old many of the areas proposed for sidewalks still appear appropriate although it would seem that the plan should in final form (after review and prioritization by the Planning Commission and Council and possibly the public) delete some sidewalks and propose new locations for sidewalks due to development which has taken place since 1973. A preliminary review would seem to indicate that the possible deletion of sidewalks from the original plan and the addition of sidewalks due to new development should balance each other out.

The next step taken by staff was to inventory the sidewalks existing on the streets which were identified as needing sidewalks in the Main Pedestrian Route System Plan. Please note that staff did not field check every street in the City but only those identified in the original plan. Therefore, there are sidewalks on other streets in Hastings which were not inventoried. Also note that sidewalks were counted as being in place even if they were in a marginal or deteriorated condition. Maps will be available at the Council meeting which identify the streets which have sidewalks on one side or both sides and those streets which do not have sidewalks but should have walks according to the 1973 Main Pedestrian Route System Plan. Based on the inventory and analysis of the existing and proposed system the following findings have been formulated:

A. The original Main Pedestrian Route System, if completed in its entirety, would encompass approximately 164,000 lineal feet or approximately 31 miles of sidewalk (this assumes sidewalk only on one side of the street).

B. Approximately 80,000 lineal feet, or approximately 15 miles of sidewalk on the original Main Pedestrian Route System Plan is completed. Again, this assumes sidewalk only on one side of the street. In reality more actual lineal feet of sidewalk exists as numerous streets, particularly in the older section of the City, have sidewalks on both sides of the street.

C. Approximately 84,000 lineal feet, or approximately 16 miles, of sidewalk of the original Main Pedestrian Route System plan remains to be completed. Again, this assumes that sidewalks would be placed only on one side of the street.

D. Many of the sidewalks identified in the Main Pedestrian Route System Plan for Wards 1 and 2 are in place but in many cases are in a very marginal condition.

E. The City, and in some cases in conjunction with MNDOT, maintains (snow removal) approximately 25% of the sidewalks completed and included in the Main Pedestrian Route System Plan. Please note that the percentage given is probably high given the fact that various streets have sidewalks on both sides. As was stated previously, when calculating lineal feet of total sidewalk in place only one side was counted. Therefore, the precise percentage in this case is not clear but it should still leave the City Council with the impression that the City only maintains a small amount of the existing sidewalks. The maps provided at the Council meeting will illustrate the areas maintained by the City and/or MNDOT.

F. The approximate/ballpark cost to complete the remaining system as identified by the Main Pedestrian Route System Plan would be \$850,000-\$900,000. Please keep in mind that this is a very rough estimate and is subject to change based on final revisions to the Main Pedestrian Route System Plan. The cost estimate does not include the expense for repairs or replacement of the existing system now in place.

Items for consideration by the Council:

Several factors come in to play when studying the sidewalk plan. These are:

A. Financing - It was estimated that approximately \$850,000 to \$900,000 would be necessary to complete the Main Pedestrian Route System Plan. Obviously, the method of financing is of major importance. In addition, it also appears obvious that a sidewalk improvement plan would require an implementation period of 15 years based on a priority basis. Please note \$60,000 a year would construct approximately 6,000 lineal feet of sidewalks (approximately 20 blocks). Options for financing could include one or a combination of the methods outlined below:

- a. standard levy
- b. charges on building permits (this has been used in the past).
- c. developer fees
- d. GO Bond/referendum
- e. Special Assessment/levy (M.S.429)

Staff discussed in length the financing question and determined that a standard special assessment project may be the best way to finance a sidewalk improvement program. In this case the City, on a priority bases, would identify sidewalks which should be completed each year as a part of its capital improvement program. These sidewalk improvements would then be included each year along with the Citys other improvements with the sidewalk construction costs included in the overall bond sale. Although the final formula would need to be worked out the sidewalk project could then be assessed possibly on a 25% basis to each side of the street (50% total)

with the City picking up the remaining 50% through a levy over a period of years. Gary Brown has illustrated the tax impact a yearly levy would have on, for example, a \$70,000 home if the above approach was used based on \$60,000/year of sidewalk construction (50% assessed and 50% paid by the City; see attached exhibit).

I have also attached, for your review, a 1973 memo from the City Engineer which discussed the method of financing sidewalk construction.

With respect to financing, another issue which should be examined is the replacement of existing sidewalk. Currently the City has a policy which requires that the property owner pay half of the replacement cost with the City picking up the other half. Presently, there exists approximately \$50,000 in the Emergency Sidewalk Replacement Fund which has been used for replacement purposes. Under the current policy the balance in the Emergency Sidewalk Replacement Fund would replace approximately 10,000 lineal feet of sidewalk. Within the last several years this fund has been used at a rate of approximately \$5,000 to as much as \$10,000 a year and is gradually declining in balance.

B. Maintenance - As was noted previously in this memo the City provides snow removal services to very little of the overall sidewalk infrastructure in Hastings. To attempt to undertake a City program to maintain all of the sidewalks during the winter months would appear costly in terms of additional man power and equipment. For example, Jim Kleinschmidt has estimated that one standard piece of equipment which would be necessary to undertake a City wide snow removal program would cost approximately \$45,000 plus additional man power to operate the equipment. In many communities, including Hastings, the city has an ordinance which requires the property owner abutting the sidewalk to keep the walk clean. Although this method has apparently not worked well for Hastings in the past it would still seem this method is the most cost effective way to achieve sidewalk maintenance if enforcement of the ordinance could be achieved which again presents somewhat of a man power problem.

Recommendation for Action - At this point staff is looking for comment and direction from the Council regarding the implementation and financing of a sidewalk program. It seems the first task to be completed would be to revise the existing sidewalk plan and prioritize the schedule for implementation of the plan. Therefore, it is suggested that this matter be referred to the Planning Commission or Planning Committee such that direction can be given for revisions to the Plan with the Council then providing the final approval of the revised plan. As a part of adopting a revised plan and implementation schedule it may be appropriate for the Council to hold a public hearing to allow input from the public.

Sidewalk Calculations for Levy

Home with Market Value of	\$70,000
1st 64,000 @ 18% =	11,520
6,000 Remaining @ 29% =	<u>1,740</u>
Assessed Value =	\$13,260
1 Mill in Hastings equals	\$68,920 in 1986
Total cost of Sidewalk Project \$900,000/15 years =	\$60,000/year

ASSUME: Assessed \$30,000 and Levy \$30,000

30,000 included in C.I.P. Bond Issue

Assume principal and interest equal of 6.5% rate.

Therefore,

30,000 over 10 years @ 6.5% equals 6,000 annual levy

Mill Rate =  $\frac{6,000}{68,920} \times \frac{13,260}{1,000}$  (Assessed Value) = \$1.15/year

on a \$70,000 Home.

*City Engineer*

RECORD MEMORANDUM

December 3, 1976

FROM: CITY ENGINEER

RE: REVISED IMPROVEMENT ASSESSMENT POLICY

Article I

STREET CONSTRUCTION

Normally, the assessment for construction of a new street shall be on the basis of abutting frontage. For lots with more than one side abutting frontage, the assessed frontage shall be considered the entire length of the short side frontage and 50% of the abutting frontage of each additional side. For lots with two or more sides of equal length, the short side frontage shall be defined as the side on which the house fronts or will front. If the lot shapes are quite irregular, as in the case of the cul-de-sacs, a per lot assessment basis may be used. For property fronting on State Aid streets, generally 50% of the project cost will be assessed and the remaining 50% paid from State Aid Funds, if available.

For the replacement of local and collector streets, 50% of the project cost shall be assessed. The City's participation shall be the remaining 50% of the project cost by assumption of a corresponding portion of the improvement bond. For replacement of arterial or State Aid Streets, 40% of the project cost shall be assessed against the benefitting property. The remaining 60% of the project cost is City participation coming either from State Aid Funds, if available, or from assumption of a portion of the improvement bond. Whenever special funds, i. e. State Turnback Funds, are specifically designated for the reconstruction of a certain street, the percentage of the cost to be assessed may be less than 50% or 40% respectfully for local or arterial streets. The cost of constructing previously non-existent improvements shall be assessed in accordance with the policy for new construction for those items.

Article II

\*\*      SIDEWALK CONSTRUCTION      \*\*

The method of financing sidewalk construction is detailed in the City's Sidewalk Ordinance, adopted January, 1973. Briefly, it provides that the entire cost for constructing new sidewalks or replacing existing sidewalks on main pedestrian routes is paid from the Main Pedestrian Route Funds. When new sidewalks are constructed along streets not in main pedestrian route systems, the entire cost of the improvement shall be assessed, except when a fee of \$150.00 had initially been paid to the Main Pedestrian Route Fund, the fund then participates in the new sidewalk cost in the amount of \$75. When sidewalks are replaced along streets not in the main pedestrian route system, 50% of the cost shall come from sidewalk funds and 50% of the cost shall be assessed. The City has historically reserved the right to substitute other City monies, such as general funds or federal revenue sharing funds in place of the sidewalk fund expenditures provided by the Sidewalk Ordinance.

## Improvement Assessment Policy

When assessing sidewalk construction abutting frontage for assessment shall be calculated comparably to the method outlined in Article I - Street Construction wherein lots with more than one side frontage shall be assessed for the entire length of the short side frontage plus 50% of the abutting frontage of each additional side.

### Article III

#### SANITARY SEWER

Generally assess the cost of sanitary sewer construction on the basis of abutting frontage. For lots with more than one sided frontage, assess only the first abutting frontage. Additional abutting frontage shall not be assessed. When sanitary sewers which are constructed in the same project abutt more than one side of the lot, only the short side frontage shall be assessed. If the lot shapes are quite irregular, as with cul-de-sacs, the improvement may be assessed on a per lot basis.

Trunk sanitary sewers, defined as a 12" diameter sewer or larger, may have oversizing benefit to distant areas that will ultimately be served and that oversizing benefit shall be assessed on an area basis to the area benefitted. Often the trunk sewer has direct benefit to the lots that it passes as well as an area trunk benefit. If so, an equivalent 8" sanitary sewer direct benefit shall be assessed to the benefitting frontage and the difference of the total trunk sewer cost and the direct benefit shall be assessed over the area as the trunk area benefit.

50% of the cost of re-enforcing or replacing sanitary sewer lines shall be assessed to the abutting properties. The remaining 50% of the cost shall be City participation through assumption of a portion of the improvement bond or in the form of available City funds.

### Article IV

#### WATERMAIN

The policy for assessing the cost of watermain construction is identical of that outlined in Article III sanitary sewer, except that a trunk watermain is defined as a 10" diameter watermain or larger. Re-enforcement of watermain shall not imply large water strengthening mains to upgrade the entire water system. Available City funds for watermains construction may include a portion of the Water Department budget so designated.

### Article V

#### STORM SEWER

The assessment policy for storm sewer is based on benefitted area. Normally the total cost of the improvement is spread directly over the total area benefitted. In special instances, such as with comparatively small project costs or very small benefitted areas, the cost of the improvement may be assessed on the benefitted frontage basis comparable with street construction. On State Aid Streets, when it has been determined that there shall be a participation of State Aid Funds, the cost of the improvement shall be, in part, paid from State Aid Funds in accordance with a percentage benefit ratio as computed by the State Aid Office.



## MEMO

Date: August 27, 1986

To: Mayor & Council

From: John Grossman

Subject: Main Street Festival, September 20, 1986

The Downtown Hastings Association requests permission to use city streets and sidewalks and requests approval for support by the Hastings Police, Police Reserve, Fire Department (emergency aid) and the Street Department for the activities outlined below.

1. Masonic Block Run - 9 to 10 a.m.

This 5 mile run will begin on Sibley in front of the Masonic Block and end on 3rd beside the Block. Course of run shown on attached map.

City Assistance: vehicles leading and following the runners; traffic control at intersections on Sibley at 2nd & 3rd, and on Second at Vermillion, Eddy, Spring and Bailly for first 10-15 minutes of race, and at 10th and 18th at Bailly on Tyler and intersection of Hwy 54 and 291 during the race. Medical vehicle on call.

2. Parade 10 to 11 +/- a.m.

The 5 block parade will begin at Spring and end at Tyler. The route is Second Street. Parade assembly will be on east side of the Dam Road north of Second beginning about 9:15. See map.

City Assistance: vehicles leading and following parade; traffic control during parade at Spring, Eddy, Vermillion (2) Sibley, Ramsey, Tyler and Bailly. Medical vehicle on standby. Fire truck to lead parade. Two-way radios to be borrowed from Engineering.

3. Children's Games 11 to 12 a.m.

Games will be held in HRA lot at 2nd and Tyler.

City Assistance: barricade entire lot 6 a.m. to 12:30 p.m. Sweep lot during week before, clean landscaping, 5 orange traffic cones available for games.

4. Costume Judging: 12 noon.

Held in Sibley Street in front of Armory.

City Assistance: no parking cones on west side of Sibley from 3rd north to alley from 6 a.m. to 3 p.m. Traffic control at 3rd and Sibley from 12 to 12:30.

5. Traveling Dance Concerts: 12:30-1:00; 2:30-3:00 p.m.

To be held at 3 locations in sequence: (1) on Sibley in front of Armory, (2) on Gardner House porch; (3) in Levee Park.

City Assistance: no parking cones as above; traffic control at 3rd & Sibley and alley from 12:30 to 12:45 and from 2:30 to 2:45 p.m.

6. Cloggers Demonstration: 3:00 - 4:00 p.m.

This type of dancing will be demonstrated on Ramsey Street beside the Post Office.

City Assistance: no parking as described below for the bed race. Barricade Ramsey at 2nd Street and at alley. 3:00 - 4:00.

7. Bed Race: 4 to 5 p.m.

The race area will be Ramsey Street from Character Lane to 3rd. Assembly between Gardner and Eddys. Start and finish at 2nd Street. Turn around 2 cones in 3rd Street intersection. See Map.

City Assistance: No parking cones on Ramsey from Character Lane to 3rd, 6 a.m. to 5 p.m. Barricades at Character Lane from 3:30 to 5:00; barricade Second on both sides of 2nd Street intersection and alleys and three sides of 3rd Street intersection from 4:00 to 5:00. String ropes along edge of sidewalks on both sides of Ramsey, 2nd to 3rd. Medical vehicle on standby. Traffic control on 2nd & 3rd at Sibley and Tyler. Two traffic cones at 3rd for turnaround.

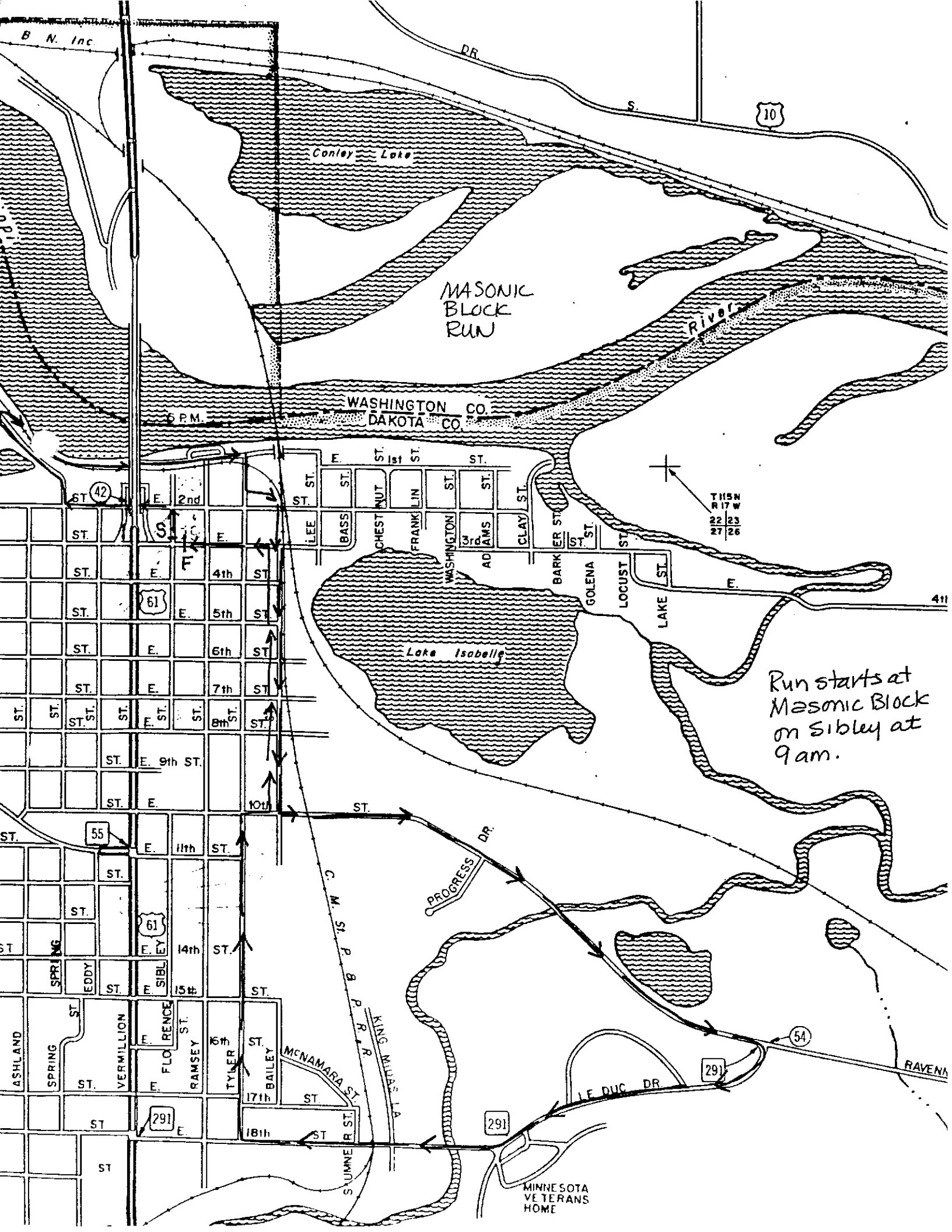
8. Other City Assistance

- a. Put up/take down banner across 2nd, two weeks prior.
- b. Assist committee to put bunting on street lights, one or two days prior.

9. Other activities, City assistance not required, about 9 a.m. to 4 p.m.

- a. Bingo - HRA lot beside Co-op.
- b. Farmers Market - along 2nd/sidewalks
- c. Ugly Pickup Contest - County lot
- d. Canning contest - Spiral Co-op

cc: Chief of Police, Police Reserve  
Street Superintendent  
Fire Chief



B. N. Inc.

MASONIC  
BLOCK  
RUN

WASHINGTON CO  
DAKOTA CO

10

T15N  
R17W  
22 23  
27 26

Run starts at  
Masonic Block  
on Sibley at  
9 am.

MINNESOTA  
VETERANS  
HOME

1st ST.  
2nd ST.  
3rd ST.  
4th ST.  
5th ST.  
6th ST.  
7th ST.  
8th ST.  
9th ST.  
10th ST.  
11th ST.  
12th ST.  
13th ST.  
14th ST.  
15th ST.  
16th ST.  
17th ST.  
18th ST.

LEE ST.  
BASS ST.  
CHESTNUT ST.  
FRANKLIN ST.  
WASHINGTON ST.  
3rd AVE.  
CLAY ST.  
BARKER ST.  
GOLENA ST.  
LOCUST ST.  
LAKE ST.  
SIBLEY ST.  
FLORENCE ST.  
RAMSEY ST.  
TYLER ST.  
BAILEY ST.  
SUMNER ST.

PROGRESS DR.  
LE DUC DR.  
RAVENA

ASHLAND ST.  
SPRING ST.  
VERMILLION ST.  
EDDY ST.  
SPRING ST.  
VERMILLION ST.  
EDDY ST.  
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EDDY ST.

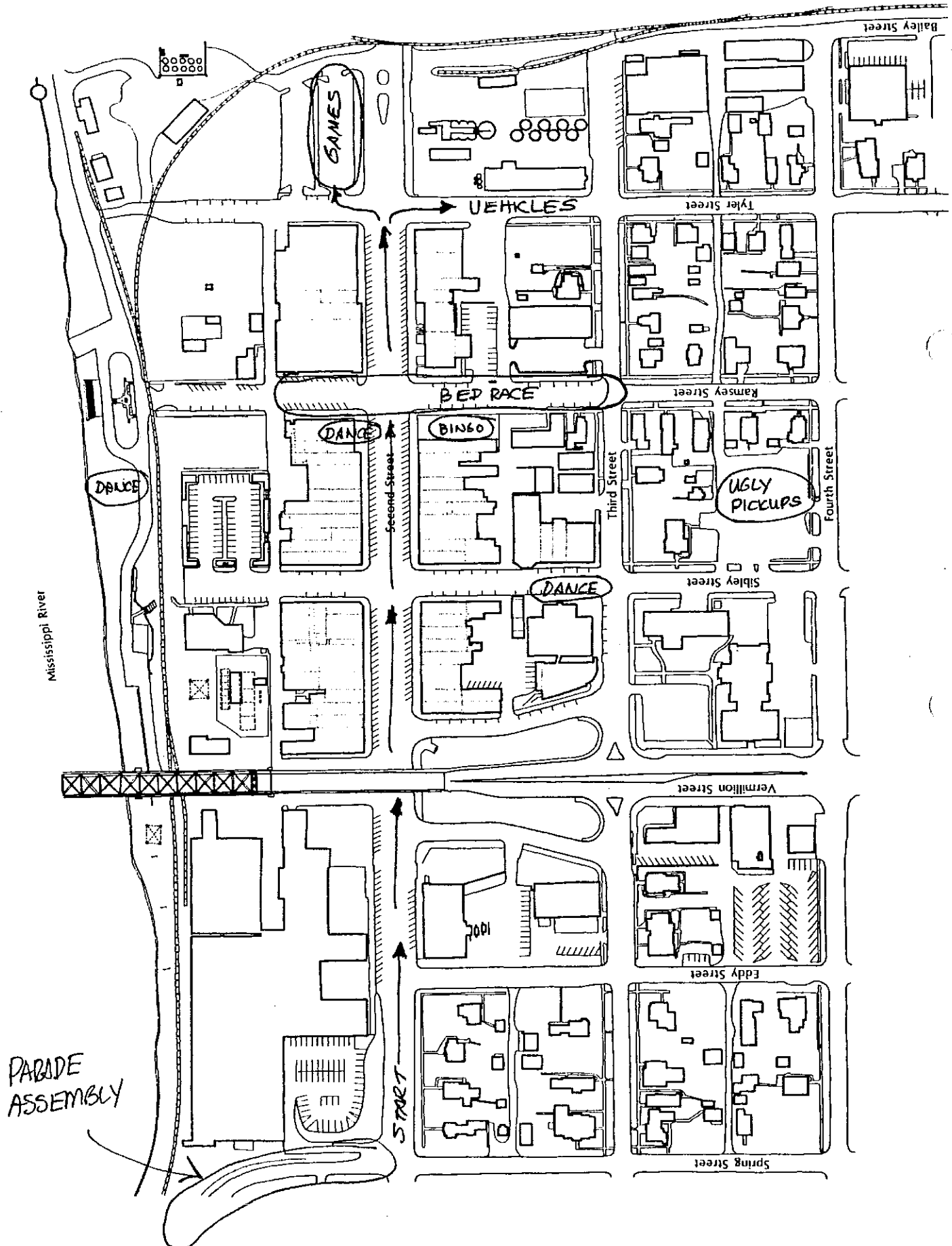
C. M. ST. P. B. P. R. R.  
KING ST. W. I. S. L. A.

ST. 42  
ST. 61  
ST. 55  
ST. 61  
ST. 291

ST. 42  
ST. 61  
ST. 55  
ST. 61  
ST. 291

ST. 411  
ST. 54  
ST. 291

PARADE 10-11  
BED RACE 4-5





**Hertogs Fluegel  
Sieben Polk  
Jones & LaVerdiere**  
PROFESSIONAL ASSOCIATION

August 7, 1986

999 Westview Drive  
Hastings, MN  
55033  
(612) 437-3148

- Samuel H. Hertogs
- Donald J. Fluegel
- \*Michael R. Sieben
- \*Michael S. Polk
- \*Harvey N. Jones
- \*Richard A. LaVerdiere
- Steven D. Hawn
- George L. May
- Kenneth A. Skrien
- Leo F. Schumacher
- Shawn M. Moynihan
- Carol A. Eckersen
- Kathy A. Endres
- Michael R. Strom
- John O. Sonsteng

\*Also admitted in Wisconsin

OFFICES ALSO AT:

Red Wing, MN  
(612) 388-1581

Cottage Grove, MN  
(612) 459-1019

Ms. Dianne R. Latuff  
Administrative Assistant  
100 Sibley Street  
Hastings, Minnesota 55033

Re: Third Reading - Charter Housekeeping Amendments

Dear Dianne:

I am enclosing a copy of the Charter housekeeping amendments which the Hastings Charter Commission has proposed to the City Council. The enclosed copy was prepared by the Charter Commission's attorney and was recently submitted to me. What is enclosed is a draft of the housekeeping amendments which has been conformed to reflect the recent changes approved by the voters. I suggest that the enclosed copy be included in the Council's packet when it considers the third reading on this matter.

If you have any questions, please let me know.

Very truly yours,

CITY OF HASTINGS, by

Shawn M. Moynihan  
Assistant City Attorney

SMM/bap

Enclosures

SECTION 3.05. DUTIES OF THE MAYOR IN GENERAL. The Mayor shall be the presiding officer of the City Council, provided that at the first regular Council meeting of the year following the general municipal election, the Council shall choose from its members an acting Mayor as provided in Section 3.04. The Mayor shall exercise all powers and perform all duties conferred and imposed upon the Mayor by this Charter, by City Ordinances, and by laws of the State of Minnesota and the United States of America. The Mayor shall be recognized as the official head of the City for all ceremonial purposes, by the courts for the purpose of serving civil process, and by the Governor for the purpose of martial law. In time of declared public emergency, the Mayor may, with the consent of the Council, take command of the police, maintain order, and enforce the law. The Mayor shall have a vote as a member of the Council. The Mayor shall sign all warrants and orders drawn upon the City Treasurer as well as all bonds, obligations and contracts on behalf of the City, unless otherwise provided for in this Charter. Provided, however, that the City may make disbursements of funds by an electronic funds transfer when authorized by the Mayor, or in the Mayor's absence the acting Mayor, and the City Administrator or City Clerk duly

SECTION 1.03. WARD BOUNDARIES. The City is, and shall be divided into four (4) wards. The boundaries of said wards shall be as follows, until changed pursuant to this charter, or by operation of law:

WARD 1:

Ward 1 shall consist of the area within the city limits lying east of a line beginning at the intersection of the north boundary of the city in Denmark Township, Washington County, and the Washington - Dakota County line on the Mississippi River, proceeding downstream to Trunk Highway 61; then south along Trunk Highway 61 to Trunk Highway 55; then west along Trunk Highway 55 to 11th Street; then west along 11th Street to Ashland Street; then south along Ashland Street to County Highway 47, together with the area within the city limits lying south of County Highway 47.

WARD 2:

Ward 2 shall consist of the area within the city limits lying west of the Washington - Dakota County boundary on the Mississippi River, proceeding downstream to Trunk Highway 61, and lying west of Trunk Highway 61 from the County boundary to Trunk Highway 55; and lying north of a line ~~from~~ along Trunk Highway 55 from Trunk Highway 61 to Walnut Street; then proceeding south on Walnut Street to 10th Street; then proceeding west on 10th Street to Pine Street; then proceeding north on Pine Street to Trunk Highway 55; then proceeding west on Trunk Highway 55 to the west boundary of the city limits.

WARD 3:

Ward 3 shall be bounded on the north by the south boundary line of Ward 2 described above; on the west by the west boundary of the city limits; on the south by a line along 15th Street from the west city limits to Pine Street; then proceeding south on Pine Street to 18th Street; then proceeding east along 18th Street to Ashland Street; on the east by Ashland Street from 18th Street to 11th Street; then east to Trunk Highway 55.

WARD 4:

Ward 4 shall be bounded on the north by the south boundary of Ward 3 described above; on the west by the west boundary of the city limits between 15th Street and County Highway 47; on the south by County Highway 47 to Ashland Street; on the east by Ashland Street from Highway 47 to 18th Street.

(Council meeting of May 7, 1984).

In the event any territory shall be annexed to the City, it shall become part of the adjoining ward.

The Charter Commission of the City of Hastings shall be responsible for adjusting ward boundaries when necessary to provide equal representation as required by the Federal and Minnesota constitutions, within three months after official announcement of the results of a decennial census, and at such other times as the commission shall determine whether existing ward boundaries provide equal representation. If not, the commission shall adjust ward boundaries so that each ward contains, as nearly as possible, an equal number of qualified residents. The commission shall file with the City Council a report designating the new ward boundaries, which report designating boundaries shall be read at the next regular council meeting and recorded in the minutes of the council. The ward boundary change shall be effective thirty days after said reading, except that no adjustment shall apply to any city election if adopted after the first date for filing for such election. If adopted after the first date of filing for an election, then the ward boundary change shall become effective on the 1st day of the first month after the month in which the general or special election is held. All ~~councilmen~~ Councilperson may serve out the terms for which they were elected, notwithstanding changes in ward boundaries.

Where streets form the boundary lines of wards, the boundary shall be the center of said streets. Renaming of streets shall not ~~effect~~ affect boundary lines, as it is the intent of this charter that the boundary lines are the center of the street as now located, and said boundary lines shall not be affected by renaming or relocating of said street.

SECTION 2.02. REGULAR MUNICIPAL ELECTIONS. A regular municipal election will be held on the first Tuesday after the first Monday in November of each even numbered year. The City Clerk shall give at least two weeks notice of the time and place of holding said election and of the officers to be elected at said election by publishing said notice at least once in a newspaper of general circulation in the City. However, failure to give such notice shall not invalidate said election.

SECTION 2.03. SPECIAL ELECTIONS. The Council may by resolution order a special election and provide all means for holding it. The City Clerk shall give at least two weeks notice of the time and place of holding said election and of the officers to be elected at said election by publishing said notice at least once in a newspaper of general circulation in the City. However, failure to give such notice shall not invalidate said election. The procedure at such special election shall conform as nearly as possible to that prescribed for regular municipal elections.

SECTION 2.04. PRIMARY ELECTIONS. On the Second Tuesday in September preceding any general City election or on the third Tuesday preceding any special election held for the purpose of election of City officials, an election of nominees hereinafter



designated as the "primary election" shall be held in each voting precinct for the selection of candidates for all elective offices within the City of Hastings to be filled at such ensuing election. A primary election shall only be called in the event that three (3) or more qualified persons have filed for any one office. The City Clerk shall cause to be published in a newspaper of general circulation, at least once, a notice of the primary election which shall state the time and place of holding such election and of the officers to be elected at said election. At said primary election there shall be nominated by the qualified electors of the City, two candidates for each office to be filled within the City at the next ensuing general or special election.

SECTION 2.05 PETITIONS FOR ELECTION. At least thirty days before a primary election, any person eligible and desirous of having his or her name placed upon the primary ballot as a candidate for any office to be voted on at said primary election, shall file or cause to be filed with the City Clerk of the City of Hastings a petition on a form prepared and provided by the City and signed by at least fifteen qualified voters of the City of Hastings, which petition shall state the name and address and residence of such person, the office for which he or she desires to be a candidate, that he or she is a qualified voter in the City of Hastings, and a statement that he or she desires to seek said office. If the office sought is that of Mayor, or at large councilperson, the petitioners may reside anywhere in the City of Hastings: if the office is that of a ward councilperson, the person nominated shall reside in the Ward from which he or she seeks election, and the signers of his or her petition must also be residents of the same ward. On or appended to each petition, or to each page thereof if said petition consists of more than one page, there shall be an affidavit of the circulator thereof stating that each signature thereon was made in his or her presence and is the genuine signature of the person whose name it purports to be.

It shall be the duty of the City Clerk thereafter to provide a sufficient number of primary ballots for each voting precinct, such ballots to have printed thereon the names of all persons by or on behalf of whom petitions have been filed as hereinabove provided, together with the designation of the office for which the nomination is sought. When more than ~~one name is~~ two names are presented for nomination for the said office, such names shall be placed on the primary ballot ~~in alphabetical order.~~ according to state law. During the week preceding such primary election the Clerk shall cause a sample ballot to be published in all newspapers of general circulation in the City, provided, however, failure to publish said sample ballot shall not invalidate the election.

The two persons having the highest number of votes for any elective office shall be notified of the fact by the Clerk and

shall be the candidates for such office at the ensuing general election unless within two days after notification they, either or any of them, file with the Clerk a refusal to be a candidate in which event the person or persons having the next highest vote shall be notified by the Clerk and this process shall be continued until two candidates are secured or the list of all those voted for in the primary election shall be exhausted, and the person or persons so finally determined by this process to be the ~~candidates~~ or candidates shall be entitled to have ~~his~~ or their names placed upon the official ballot used in the ensuing election. In case of a tie vote, the nomination shall be determined by the casting of lots in the presence of the Clerk at such time and place and in such manner as ~~he~~ the Clerk may direct.

SECTION 2.06. CANVASS OF ELECTIONS. The Council shall meet and canvass the election returns of any primary, special, or general election within ~~five~~ two days after the holding thereof and shall make full declaration of the results as soon as possible and file a statement thereof with the City Clerk. This statement shall include:

- (A) A total number of good ballots cast for each candidate with an indication of those who were either nominated or elected, as the case may be;
- (B) A true copy of the ballots used in the election;
- (C) The names of the judges and clerks of said election;
- (D) Such other information as may be pertinent.

The City clerk shall forthwith inform all persons elected of ~~the~~ their election.

SECTION 3.01. FORM OF GOVERNMENT. The form of Government established by this charter shall be known as the "Mayor-Council Plan." All legislative powers, all policy making powers, all executive powers and all administrative powers of the City of Hastings shall vest in and be exercised by the City Council; provided, however, the City Council may, by ordinance, delegate to an appointed city employee or employees, all or a portion of the administrative functions and powers (except the authority to hire and discharge city employees which may not be delegated.) Any city employee to whom administrative powers are delegated shall however be responsible to the City Council in all respects and shall be governed by the terms of the ordinance by which administrative powers were delegated to him or her. Further, the City Council may by ordinance create such departments, divisions and bureaus for the administration of the City's affairs as it deems necessary for efficient and responsive government, and from time to time may alter the powers and organization of the same.

BOARDS AND COMMISSIONS. The City Council may establish commissions or boards to advise the Council with respect to any municipal function or activity, or to investigate any subject of interests to the City or to perform quasi-judicial functions. The boards or commissions so created shall be created by the City Council by ordinance, and any board or commission so created may be terminated by the City Council except those boards or commissions that are specifically created by or pursuant to State or Federal Statutes, in which case said board or commission may be terminated in accordance with the applicable State or Federal statute.

SECTION 3.03. VACANCIES IN THE OFFICES OF ~~COUNCILMEN~~ COUNCILPERSONS OR MAYOR. A vacancy in the office of ~~Councilman~~ Councilperson or Mayor shall be deemed to exist when a person elected thereto shall fail to qualify on or before the date of the second regular meeting of the council after the beginning of his or her term, or by reason of the death, resignation, removal from office, removal from the City, or in the case of a ~~councilman~~ Councilperson, removal from the ward from which elected, continuous absence from the City for more than three months, or conviction of a felony after his or her qualification, or by reason of failure of any person so elected to perform his or her duties for a period of three months. The Council shall by resolution determine when a vacancy occurs in the office of Mayor or ~~Councilman~~ Councilperson. When a vacancy occurs in the City Council, the City Council shall forthwith appoint an eligible person to fill the same until the next regular Municipal election, when the office shall be filled by election for the unexpired term.

When a vacancy occurs in the office of Mayor, the Council, by a majority of its complete membership, shall select one of the members of the Council to become Mayor for the balance of the unexpired term. The ~~councilman~~ Councilperson so selected may decline the appointment. Upon the selection of a ~~councilman~~ Councilperson to become Mayor and upon his or her acceptance of the position of Mayor, the Council shall forthwith name a qualified citizen to fill the vacancy in the Council created by the appointment of the ~~councilman~~ Councilperson to the position of Mayor. The new ~~councilman~~ Councilperson shall serve for the balance of the unexpired term of the ~~councilman~~ Councilperson whom he replaced. If the Council is not able to select a Mayor, the Council shall call a special election for the purpose of filling the position of Mayor for the balance of the unexpired term.

SECTION 3.08. MAYOR AND COUNCIL COMPENSATION - MAYOR CONTINGENCY EXPENSE FUND. The Mayor shall receive such compensation as established in accordance with the Minnesota Statutes in such case made and provided. In addition, the Mayor shall also have placed at his or her disposal, a contingency expense fund in an amount to be established by the City Council by resolution. The

Council may increase the Mayor's compensation but any increase so determined shall not be effective until after the next succeeding General Municipal election. Any increase shall be accomplished by ordinance.

SECTION 3.09. INTERIM INVESTIGATION, STUDY AND POLICY COMMITTEES. The Council by a majority vote, or the Mayor, shall have the power to make investigations into all City affairs, to subpoena witnesses, to administer oaths, to compel the production of books and papers, and to demand reports from department heads on their respective departments' operations. The Council shall provide for a biennial audit of all funds, books and accounts of the City to be conducted by the ~~Public Examiner~~ Auditor of the State of Minnesota or by a reliable Certified Public Accountant. In addition, the Council may at any time provide for an examination or audit of the accounts of any officer or department of the City Government.

The Mayor may, ~~at his discretion,~~ appoint Council and/or citizen committees to study specific issues.

SECTION 4.01. COUNCIL MEETINGS. REGULAR MEETINGS. On the first Monday after the first ~~Tuesday~~ Saturday in January following a regular municipal election, the Council shall meet at the Council Chambers in the City Hall at such time as specified by Ordinance for a regular council meeting. At this time the duly elected members of the council shall assume their duties. Thereafter the Council shall meet at such times as may be prescribed by ordinance or resolution except that they shall have at least two regular meetings each month. All meetings of the Council and its committees and subcommittees shall be open to the public in compliance with the provisions of state law. Use of an effective voice-amplifying or public address system shall be mandatory at all such meetings whenever members of the public are in attendance.

SPECIAL COUNCIL MEETINGS. The Mayor, or any three members of the Council may call a special meeting of the council upon at least 24 hours' advance notice to each member of the council. Such notice shall be delivered personally to each member, or shall be left with a person of suitable age and discretion at the usual place of abode of the member.

EMERGENCY COUNCIL MEETINGS. The Mayor or any three members of the Council may call an emergency meeting of the council upon one hours' notice to each member of the council. Such notice shall be delivered personally to each member or shall be left with some person of suitable age and discretion at the usual place of abode of the member. Emergency meetings may be called only to deal with an existing emergency to the public health, safety or welfare of the community or its residents. Only matters relating to said emergency may be considered at said meeting.

SECTION 4.03. RULES OF PROCEDURE AND QUORUM. Unless otherwise ordered and determined by this Charter or by the City Council by ordinance, the rules and order of business of the City Council shall be as prescribed in the latest revision of Robert's Rules of Order. The City Clerk shall keep a journal of the council's proceedings. A majority of all members of the City Council shall constitute a quorum to do business, although a lesser number may adjourn from time to time. The City Council shall provide by ordinance a means by which a minority may compel the attendance of absent members.

SECTION ~~5.03~~ 5.08. COUNCIL ACTION ON BUDGET. The City Council may adopt the budget with or without amendment. In amending the budget it may add or increase programs, or amounts, and may delete or decrease any programs or amounts, except expenditures required by law or for debt service or for estimated cash deficit, provided that no amendment to the budget shall increase the authorized expenditures to an amount greater than the total of estimated income.

The City Council by a majority vote of all of its members, shall adopt the budget on or before the 10th day of October of the fiscal year.

If it fails to adopt the budget by this day, the amount appropriated for current operation for the current fiscal year shall be deemed adopted for the ensuing fiscal year on a month-to-month basis, with all items in it prorated accordingly, until such time as the City Council adopts the budget for the ensuing year. The adoption of the budget shall constitute appropriation of the amounts specified therein, as expenditures from the funds indicated, and shall constitute a levy of the property tax therein proposed.

SECTION 5.12. AMENDMENTS AFTER ADOPTION.

- (A) Supplemental appropriations. If during the fiscal year the Budget Official certifies that there are available for appropriation, revenues in excess of those estimated in the budget, the City Council by resolution may make supplemental appropriations for the year up to the amount of such excess.
- (B) Reduction of appropriations. If at any time during the fiscal year it appears probable to the Budget Official that the revenues available will be insufficient to meet the amount appropriated, he or she shall report to the City Council without delay, indicating the estimated amount of the deficit, any remedial action taken by him or her, and his or her recommendations as to any other steps to be taken. The City Council shall then take such further

action as it deems necessary to prevent or minimize any deficit, and for that purpose it may by resolution reduce one or more appropriations.

- (C) Transfer of appropriations. At any time during the fiscal year the Budget Official may transfer part or all of any unencumbered appropriation amounts among programs within a department, office, or agency, and, upon written request by the Budget Official, the City Council may, by resolution, transfer part or all of any unencumbered appropriations balance from one department, office, or agency to another.
- (D) Limitation. No appropriation for debt service may be reduced or transferred, and no appropriation may be reduced below any amount required by law to be appropriated or by more than the amount of the unencumbered balance thereof.

SECTION 5.14. DISBURSEMENT OF FUNDS. Disbursement shall be made pursuant to procedures prescribed by City Ordinance. No payment shall be made or obligation incurred against any allotment or appropriation except in accordance with appropriations duly made and unless the Budget Official first certifies that there is a sufficient amount of unencumbered balance in such allotment or appropriation and that sufficient funds therefrom are, or will be available to cover the claim or meet the obligation when it becomes due and payable. Any authorization of payment or incurring of obligation in violation of the provisions of this Charter shall be void and any payment so made illegal; such action shall be cause for removal of any officer who knowingly authorized or made such payment, or incurred such obligation, and he or she shall also be liable to the City for any amount so paid. However, except where prohibited by Law, nothing in this Charter shall be construed to prevent the making or authorizing of payments or making of contracts for capital improvements to be financed wholly or partly for the issuance of bonds or by grants or gifts or to prevent the making of any contract or providing for payments beyond the end of the fiscal year, provided that such action is made or approved by resolution.

SECTION 5.16. REPORTS. The Budget Official shall be the chief accounting officer of the City and every branch thereof. He or she shall submit a quarterly statement to the City Council showing the status of all funds, sums spent or chargeable against each of the annual budget allowances and the balances left therein and such other information relative to the finances of the City as the City Council may require on March 1 of each year. The Budget Official shall submit a similar report to the City Council for the entire preceding year.

SECTION 6.01. In addition to the powers otherwise granted by Minnesota Laws and this Charter, the City of Hastings shall have the power to acquire by purchase, gift or devise, and develop, on such terms as the City Council may in its sole discretion from time to time determine, all necessary right, title and interest in and to land, including air rights, and any buildings and equipment thereon, necessary or desirable for the purpose of promoting industry, and providing employment, and in order to promote, attract, encourage and develop economically sound industry and commerce through governmental action for the purpose of preventing so far as possible, the emergence of blight and marginal lands ~~of~~ or chronic unemployment.

SECTION 6.02. The City may pay for the acquisition and development of the property acquired for the purposes and pursuant to the provisions of Section 6.01 above out of such funds as may from time to time be available and appropriated by the City Council for such purposes, including but not limited to funds acquired through the issuance of general or special obligation bonds. If the acquisition and development of lands acquired pursuant to Section 6.01 is paid for from the proceeds of general obligation bonds, the development of such lands may include provision for utility services, including water, sanitary sewers, storm sewers or other drainage facilities, and transportation, power and communications facilities, which are necessary and incidental to the use of such lands for the foregoing purposes, but except with respect to such facilities may not include provision for the construction of structures or buildings on the premises or the furnishing or equipping thereof.

If acquisition and development are paid for from the proceeds of general obligation bonds, such bonds shall be authorized, issued, sold and accounted for in the manner and upon the terms, conditions and provisions prescribed by Chapter 475 Minnesota Statutes and acts amendatory thereof and supplemental thereto. The general obligations bonds authorized by this section shall not be subject to any limitation contained in this City Charter prescribing or fixing any limit upon the bonded indebtedness of this City.

SECTION 7.04. SALES OF REAL PROPERTY. No real property of the City shall be disposed of unless the Council shall first pass a resolution containing specific findings that the public interest requires that the property be disposed of, and only after public notice & hearing of such proposed disposition. The proceeds of any sale of such property shall be used, as far as possible, to retire any outstanding indebtedness incurred by the City in the purchase, construction or improvement of this property. If there is no such outstanding indebtedness, the Council may by resolution designate some other public use for the proceeds. Sales of real property owned by the City shall be conducted in commercially reasonable manners.

SECTION 7.08. STATUTES NOT AFFECTED BY CHARTER. All general laws and statutes of the State applicable to all cities operating under home rule charters, or applicable to cities of the same class as the City of Hastings operating under home rule charters, and not inconsistent with the provisions of this charter, shall apply to the ~~City of Hastings operating under home rule charters, and not inconsistent with the provisions of this charter, shall~~ apply to the City of Hastings and shall be construed as supplementary to the provisions of this charter.



HOME RULE CHARTER

CITY OF HASTINGS, MINNESOTA

CHAPTER I

NAME, BOUNDARIES, POWERS AND GENERAL PROVISIONS

SECTION 1.01. NAME AND BOUNDARIES. The City of Hastings, in the counties of Dakota and Washington, State of Minnesota, is and shall continue to be a City by the name of Hastings; is and shall be a municipal corporation and shall have the same boundaries as they now are or as they hereafter may be established.

SECTION 1.02. POWERS OF THE CITY. The City of Hastings shall have all powers which it may now or hereafter be possible for a municipal corporation in the State of Minnesota to exercise in harmony with the United States Constitution and the Constitution of the State of Minnesota. It is the intention of this Charter that every power which the people of the City of Hastings might lawfully confer upon themselves, as a municipal corporation, by specific enumerations in this Charter shall be deemed to have been so conferred by the provisions of this Section. This Charter shall be construed liberally in favor of the City and the specific mention of particular powers in this Charter shall not be construed as limiting in any way the generality of the power herein sought to be conferred.

SECTION 1.03. WARD BOUNDARIES. The City is, and shall be divided into four (4) wards. The boundaries of said wards shall be as follows, until changed pursuant to this charter, or by operation of law.

WARD 1:

Ward 1 shall consist of the area within the city limits lying east of a line beginning at the intersection of the north boundary of the city in Denmark Township, Washington County, and the Washington - Dakota County line on the Mississippi River, proceeding downstream to Trunk Highway 61; then south along Trunk Highway 61 to Trunk Highway 55; then west along Trunk Highway 55 to 11th Street; then west along 11th Street to Ashland Street; then south along Ashland Street to County Highway 47, together with the area within the city limits lying south of County Highway 47.

WARD 2:

Ward 2 shall consist of the area within the city limits lying west of the Washington - Dakota County boundary on the Mississippi River, proceeding downstream to Trunk Highway 61, and lying west of Trunk Highway 61 from the County boundary to Trunk Highway 55; and lying north of a line along Trunk Highway 55 from Trunk Highway 61 to Walnut Street; then proceeding south on Walnut Street to 10th Street; then proceeding west on 10th Street to Pine Street; then proceeding north on Pine Street to Trunk Highway 55; then proceeding west on Trunk Highway 55 to the west boundary of the city limits.

WARD 3:

Ward 3 shall be bounded on the north by the south boundary line of Ward 2 described above; on the west by the west boundary of the city limits; on the south by a line along 15th Street from the west city limits to Pine Street; then proceeding south on Pine Street to 18th Street; then proceeding east along 18th Street to Ashland Street; on the east by Ashland Street from 18th Street to 11th Street; then east to Trunk Highway 55.

WARD 4:

Ward 4 shall be bounded on the north by the south boundary of Ward 3 described above; on the west by the west boundary of the city limits between 15th Street and County Highway 47; on the south by County Highway 47 to Ashland Street; on the east by Ashland Street from Highway 47 to 18th Street.

(Council meeting of May 7, 1984).

In the event any territory shall be annexed to the City, it shall become part of the adjoining ward.

The Charter Commission of the City of Hastings shall be responsible for adjusting ward boundaries when necessary to provide equal representation as required by the Federal and Minnesota constitutions, within three months after official announcement of the results of a decennial census, and at such other times as the commission shall determine whether existing ward boundaries provide equal representation. If not, the commission shall adjust ward boundaries so that each ward contains, as nearly as possible, an equal number of qualified residents. The commission shall file with the City Council a report designating the new ward boundaries, which report designating boundaries shall be read at the next regular council meeting and recorded in the minutes of the council. The ward boundary change shall be effective thirty days after said reading, except that no adjustment shall apply to any city election if adopted after the first date for filing for such election. If adopted after the first date of filing for an election, then the ward boundary change shall become effective on the 1st day of the first month after the month in which the general or special election is held. All Councilpersons may serve out the terms for which they were elected, notwithstanding changes in ward boundaries.

Where streets form the boundary lines of wards, the boundary shall be the center of said streets. Renaming of streets shall not affect boundary lines, as it is the intent of this charter that the boundary lines are the center of the street as now located, and said boundary lines shall not be affected by renaming or relocating of said street.

SECTION 1.04. CHARTER A PUBLIC ACT. This Charter is and shall be a public act and need not be pleaded or proved in any judicial, legislative, executive, or administrative proceeding. This Charter shall take effect after adoption as provided by Minnesota State Law.

## CHAPTER II

### NOMINATIONS AND ELECTIONS

SECTION 2.01. PROCEDURE AT ELECTIONS. Except as otherwise provided in this Charter or an ordinance adopted pursuant hereto, the general laws of the State of Minnesota pertaining to elections shall apply to Municipal elections. Subject to the provisions of this charter and applicable State laws, the Council may by ordinance and resolution further regulate the conduct of municipal elections.

SECTION 2.02. REGULAR MUNICIPAL ELECTIONS. A regular municipal election will be held on the first Tuesday after the first Monday in November of each even numbered year. The City Clerk shall give at least two weeks notice of the time and place of holding said election and of the officers to be elected at said election by publishing said notice at least once in a newspaper of general circulation in the City. However, failure to give such notice shall not invalidate said election.

SECTION 2.03. SPECIAL ELECTIONS. The Council may by resolution order a special election and provide all means for holding it. The City Clerk shall give at least two weeks notice of the time and place of holding said election and of the officers to be elected at said election by publishing said notice at least once in a newspaper of general circulation in the City. However, failure to give such notice shall not invalidate said election. The procedure at such special election shall conform as nearly as possible to that prescribed for regular municipal elections.

SECTION 2.04. PRIMARY ELECTIONS. On the Second Tuesday in September preceding any general City election or on the third Tuesday preceding any special election held for the purpose of election of City officials, an election of nominees hereinafter designated as the "primary election" shall be held in each voting precinct for the selection of candidates for all elective offices within the City of Hastings to be filled at such ensuing election. A primary election shall only be called in the event that three (3) or more qualified persons have filed for any one office. The City Clerk shall cause to be published in a newspaper of general circulation, at least once, a notice of the primary election which shall state the time and place of holding such election and of the officers to be elected at said election. At said primary election there shall be nominated by the qualified electors of the City, two candidates for each office to be filled within the City at the next ensuing general or special election.

SECTION 2.05. PETITIONS FOR ELECTION. At least thirty days before a primary election, any person eligible and desirous of having his or her name placed upon the primary ballot as a candidate for any office to be voted on at said primary election, shall file or cause to be filed with the City Clerk of the City of Hastings a petition on a form prepared and provided by the City and signed by at least fifteen qualified voters of the City of Hastings, which petition shall state the name and address and residence of such person, the office for which he or she desires to be a candidate, that he or she is a qualified voter in the City of Hastings, and a statement that he or she desires to seek said office. If the office

sought is that of Mayor, or at large councilperson, the petitioners may reside anywhere in the City of Hastings. If the office is that of a ward councilperson, the person nominated shall reside in the ward from which he or she seeks election, and the signers of his or her petition must also be residents of the same ward. On or appended to each petition, or to each page thereof if said petition consists of more than one page, there shall be an affidavit of the circulator thereof stating that each signature thereon was made in his or her presence and is the genuine signature of the person whose name it purports to be.

It shall be the duty of the City Clerk thereafter to provide a sufficient number of primary ballots for each voting precinct, such ballots to have printed thereon the names of all persons by or on behalf of whom petitions have been filed as hereinabove provided, together with the designation of the office for which the nomination is sought. When more than two names are presented for nomination for the said office, such names shall be placed on the primary ballot according to state law. During the week preceding such primary election the Clerk shall cause a sample ballot to be published in all newspapers of general circulation in the City, provided, however, failure to publish said sample ballot shall not invalidate the election.

The two persons having the highest number of votes for any elective office shall be notified of the fact by the Clerk and shall be the candidates for such office at the ensuing general election unless within two days after notification they, either or any of them, file with the Clerk a refusal to be a candidate in which event the person or persons having the next highest vote shall be notified by the Clerk and this process shall be continued until two candidates are secured or the list of all those voted for in the primary election shall be exhausted, and the person or persons so finally determined by this process to be the candidates shall be entitled to have their names placed upon official ballot used in the ensuing election. In case of a tie vote, the nomination shall be determined by the casting of lots in the presence of the Clerk at such time and place and in such manner as the Clerk may direct.

SECTION 2.06. CANVASS OF ELECTIONS. The Council shall meet and canvass the election returns of any primary, special, or general election within two days after the holding thereof and shall make full declaration of the results as soon as possible and file a statement thereof with the City Clerk. This statement shall include:

- (A) A total number of good ballots cast for each candidate with an indication of those who were either nominated or elected, as the case may be;
- (B) A true copy of the ballots used in the election;
- (C) The names of the judges and clerks of said election;
- (D) Such other information as may be pertinent.

The City Clerk shall forthwith inform all persons elected of their election.

SECTION 2.07. PRESENT ELECTIVE OFFICIALS TO CONTINUE TERM. All members of the City Council of the City of Hastings as of the date hereof shall hold their respective offices until their terms of office expire by operation of law. Nothing in this Chapter shall be construed to limit their term of office, except that the terms of office of any elected City official, the number of wards and ward representation may be changed or altered upon the recommendation of a duly appointed Charter Commission and amendment to this Charter as provided by law.

## CHAPTER III.

### FORM OF GOVERNMENT

SECTION 3.01. FORM OF GOVERNMENT. The form of Government established by this charter shall be known as the "Mayor-Council Plan." All legislative powers, all policy making powers, all executive powers and all administrative powers of the City of Hastings shall vest in and be exercised by the City Council; provided, however, the City Council may, by ordinance, delegate to an appointed city employee or employees, all or a portion of the administrative functions and powers. Any city employee to whom administrative powers are delegated shall however be responsible to the City Council in all respects and shall be governed by the terms of this Charter or the ordinance by which administrative powers were delegated to him or her. Further, the City Council may by ordinance create such departments, divisions and bureaus for the administration of the City's affairs as it deems necessary for efficient and responsive government, and from time to time may alter the powers and organization of the same.

BOARDS AND COMMISSIONS. The City Council may establish commissions or boards to advise the Council with respect to any municipal function or activity, or to investigate any subject of interest to the City or to perform quasi-judicial functions. The boards or commissions so created shall be created by the City Council by ordinance, and any board or commission so created may be terminated by the City Council except those boards or commissions that are specifically created by or pursuant to State or Federal Statutes, in which case said board or commission may be terminated in accordance with the applicable State or Federal Statute.

SECTION 3.02. COUNCIL COMPOSITION AND ELECTION. The Council shall be composed of a mayor and six members of the city council, two of whom shall be elected at large for a term of four (4) years at the 1986 City election. One member of the Council shall be elected from each ward of the City for a term of four (4) years at the 1988 City election. All of said elective officers shall be qualified electors and residents in and of the City of Hastings, and in the case of ward councilpersons, residents of the ward from which they are elected. Candidates for ward Council seats shall be residents of the ward from which they seek office for at least thirty (30) days prior to the primary election. Candidates for at large Council seats shall be residents of the City for at least thirty (30) days prior to the primary election. Councilpersons shall serve for a term of four (4) years and until their successors are duly elected and qualified. The term of all elected officers shall begin on the first Monday after the first Saturday in January following a regular Municipal election. The City Council shall be the judge of the election of the Mayor and the Councilpersons.

SECTION 3.025. THE MAYOR. Notwithstanding any provisions of this Charter to the contrary, beginning at the 1986 general city election, the Mayor shall be elected and serve for a period of four (4) years and until his or her successor is duly elected and qualified. The Mayor shall be a qualified elector and resident in and of the City of Hastings for at least thirty (30) days prior to the primary election. The Mayor shall preside at meetings of the Council and shall have a vote as a member. Likewise, the Mayor may act as a member of the Council, make and second motions while presiding at Council meetings.

SECTION 3.03. VACANCIES IN THE OFFICES OF COUNCILPERSONS OR MAYOR. A vacancy in the office of Councilperson or Mayor shall be deemed to exist when a person elected thereto shall fail to qualify on or before the date of the second regular meeting of the council after the beginning of his or her term, or by reason of the death, resignation, removal from office, removal from the City, or in the case of a Councilperson, removal from the ward from which elected, continuous absence from the City for more than three months, or conviction of a felony after his or her qualification, or by reason of failure of any person so elected to perform his or her duties for a period of three months. The Council shall by resolution determine when a vacancy occurs in the office of Mayor or Councilperson. When a vacancy occurs in the City Council, the City Council shall forthwith appoint an eligible person to fill the same until the next regular Municipal election, when the office shall be filled by election for the unexpired term.

When a vacancy occurs in the office of Mayor, the Council, by a majority of its complete membership, shall select one of the members of the Council to become Mayor for the balance of the unexpired term. The Councilperson so selected may decline the appointment. Upon the selection of a Councilperson to become Mayor and upon his or her acceptance of the position of Mayor, the Council shall forthwith name a qualified citizen to fill the vacancy in the Council created by the appointment of the Councilperson to the position of Mayor. The new Councilperson shall serve for the balance of the unexpired term of the Councilperson replaced. If the Council is not able to select a Mayor, the Council shall call a special election for the purpose of filling the position of Mayor for the balance of the unexpired term.

SECTION 3.04. ACTING MAYOR. At the first regular Council meeting of the year, and at such other times as it deems appropriate, the Council shall, by a majority vote of its entire membership, elect one of its members to serve as acting Mayor. The acting Mayor shall serve as Mayor in case of the Mayor's disability or absence from the City, except that the acting Mayor shall not have the right to veto ordinances or vote as Mayor to break a tie. The councilperson acting as Mayor during the absence or disability of the Mayor shall continue his or her right to vote as a councilperson.

SECTION 3.05. DUTIES OF THE MAYOR IN GENERAL. The Mayor shall be the presiding officer of the City Council, provided that at the first regular Council meeting of the year following the general municipal election, the Council shall choose from its members an acting mayor as provided in section 3.04. The Mayor shall exercise all powers and perform all duties conferred and imposed upon the Mayor by this Charter, by City Ordinances, and by laws of the State of Minnesota, and the United States of America. The Mayor shall be recognized as the official head of the City for all ceremonial purposes, by the courts for the purpose of serving civil process, and by the Governor for the purpose of martial law. In time of declared public emergency, the Mayor may, with the consent of the Council, take command of the police, maintain order and enforce the law.

The Mayor shall have a vote as a member of the Council. The Mayor shall sign all warrants and orders drawn upon the City Treasurer as well as all bonds, obligations and contracts on behalf of the City, unless otherwise provided for in this Charter. Provided, however, that the City may make disbursements of funds by an electronic funds transfer when authorized by the Mayor, or in the Mayor's absence the acting Mayor, and the City Administrator or City Clerk duly authorized by the Council.

SECTION 3.06. MAYOR - LAW ENFORCEMENT. The Police Department of the City of Hastings shall be administered and directed by the Chief of Police appointed by the Mayor with approval of the City Council under Civil Service Rules. The Department shall be composed of the Chief of Police and such other, number and rank of personnel as may be authorized and budgeted for by the City Council under Civil Service Rules. The Mayor shall be the appointing authority for purposes of appointment, promotion or dismissal in consultation with the Chief of Police under Civil Service Rules. The Chief of Police shall be responsible to and accountable to the Mayor for the direction, administration, efficiency, effectiveness and discipline of the Police Department, for the deployment of Police Department personnel and for the services of the Police Department to the public in accordance with the Ordinances of the City of Hastings and in accordance with State and Federal Law. All persons appointed or promoted to the Police Department shall be persons qualified and certified by the Police Civil Service Commission of the City of Hastings in accordance with State of Minnesota Statutes. The Mayor may appoint citizens including Council Persons to a Commission or Committee to advise the Mayor on Police matters but the authority of said Commission or Committee shall be advisory only.



SECTION. 3.07. MAYOR AND COUNCIL COMPENSATION - MAYOR CONTINGENCY EXPENSE FUND. The Mayor and Councilpersons shall receive such compensation as established in accordance with the Minnesota Statutes. In addition, the Mayor shall also have placed at his or her disposal, a contingency expense fund in an amount to be established by the City Council by resolution. The Council may increase the Mayor's or Councilpersons' compensation but any increase so determined shall not be effective until after the next succeeding General Municipal election. Any increase shall be accomplished by ordinance.

SECTION 3.08. INTERIM INVESTIGATION, STUDY AND POLICY COMMITTEES. The Council by a majority vote, or the Mayor, shall have the power to make investigations into all City affairs, to subpoena witnesses, to administer oaths, to compel the production of books and papers, and to demand reports from department heads on their respective departments' operations. The Council shall provide for a biennial audit of all funds, books and accounts of the City to be conducted by the Auditor of the State of Minnesota or by a reliable Certified Public Accountant. In addition, the Council may at any time provide for an examination or audit of the accounts of any officer or department of the City Government.

The Mayor may appoint Council and/or citizen committees to study specific issues.

SECTION 3.09. COUNCIL COMMITTEES. The Council may by ordinance, establish committees of the Council and shall set forth the duties of the committees. Said ordinance shall establish a procedure for appointment of council members to serve on the respective committees, which ordinance shall provide for appointment to the committees by the Mayor, subject to council approval.

SECTION 3.10. THE CITY ADMINISTRATOR. The City Administrator shall be the chief administrative officer of the City. He or she shall be chosen by the council solely on the basis of his or her training, experience, executive and administrative qualifications. He or she need not be a resident of the City at the time of his or her appointment but may reside outside the City while in office only with the approval of the council. The City Administrator shall be appointed for an indefinite term and may be removed at any time by an affirmative vote of a majority of the council; but after he or she has served as Administrator for one year, he or she may demand written charges and a public hearing on the charges before the council prior to the date when his or her final removal takes effect. After the hearing, if one is demanded, the council shall have unlimited discretion either to reinstate the Administrator or make his or her removal final. Pending the hearing and removal, the council may suspend the Administrator from office. With the approval of the council,

the Administrator may designate some properly qualified person to perform the duties of the Administrator during his or her absence or disability or while the office is vacant.

SECTION 3.11. POWERS AND DUTIES OF THE CITY ADMINISTRATOR.

Subdivision 1. The City Administrator shall be responsible to the council for the administration of the City's affairs and shall have the powers and duties set forth in the following subdivisions:

Subdivision 2. The City Administrator shall see that this charter and the laws, ordinances and resolutions of the City are enforced.

Subdivision 3. The City Administrator shall appoint and remove upon the basis of merit and/or fitness alone, all employees of the City, other than employees of the Police Department, except that he or she shall receive council approval to either appoint or remove department heads established by either resolution or ordinance.

Subdivision 4. The City Administrator shall exercise control over all departments and divisions of the City Administration created by this charter or by the council, except the police department. Except for the purpose of inquiry the Council and its members shall deal with and control the administrative services solely through the City Administrator, and neither the Council nor any member thereof shall give orders to any subordinates of the City Administrator either publicly or privately.

Subdivision 5. The City Administrator shall attend all meetings of the council and may take part in discussion but not vote, but the council may, in its discretion, exclude him or her from any meeting at which his or her removal is considered.

Subdivision 6. The City Administrator shall recommend to the council for adoption such measures as he or she deems necessary for the welfare of the people and the efficient administration of the City's affairs.

Subdivision 7. The City Administrator shall keep the council fully advised on the financial condition and needs of the City, and shall prepare and submit to the council the annual budget and capital program.

Subdivision 8. The City Administrator shall submit to the council and make available to the public a complete report on the finances and administrative activities of the City at the end of each fiscal year.

Subdivision 9. The City Administrator shall make recommendations for terminating and suspending Department heads, except for the Police Chief, and may suspend any department head, except for the Police Chief, until the next Council meeting when the Council shall affirm, modify or rescind the suspension.

Subdivision 10. The City Administrator shall perform such other duties as are prescribed by charter or may be required by the council.

Subdivision 11. All department heads shall be employed by contract which shall include a job description and be subject to an annual performance review by the appropriate supervisor. Contracts shall be subject to Council approval.

CHAPTER IV  
PROCEDURE OF COUNCIL

SECTION 4.01. COUNCIL MEETINGS. REGULAR MEETINGS. On the first Monday after the first Saturday in January following a regular municipal election, the Council shall meet at the Council Chambers in the City Hall at such time as specified by Ordinance for a regular council meeting. At this time the duly elected members of the council shall assume their duties. Thereafter the Council shall meet at such times as may be prescribed by ordinance or resolution except that they shall have at least two regular meetings each month. Provided that if any regular meeting shall fall on a holiday or if it appears that a quorum of the Council will not be able to be present for a scheduled meeting, the meeting shall be held on a day as close as possible to the regular scheduled meeting date. All meetings of the Council and its committees and subcommittees shall be open to the public in compliance with the provisions of state law. Use of an effective voice-amplifying or public address system shall be mandatory at all such meetings whenever members of the public are in attendance.

SPECIAL COUNCIL MEETINGS. The Mayor, or any three members of the Council may call a special meeting of the council upon at least 24 hours' advance notice to each member of the council. Such notice shall be delivered personally to each member, or shall be left with a person of suitable age and discretion at the usual place of abode of the member.

EMERGENCY COUNCIL MEETINGS. The Mayor or any three members of the Council may call an emergency meeting of the council upon one hour's notice to each member of the council. Such notice shall be delivered personally to each member or shall be left with some person of suitable age and discretion at the usual place of abode of the member. Emergency meetings may be called only to deal with an existing emergency to the public health, safety or welfare of the community or its residents. Only matters relating to said emergency may be considered at said meeting.

SECTION 4.02. APPOINTED OFFICERS. CITY CLERK. The City Administrator shall appoint a City Clerk who shall hold office under such terms and conditions as the City Administrator may prescribe. The City Clerk shall serve as Secretary of the City Council and shall keep such records and perform such duties as may be required by this charter, by ordinance or resolution of the City Council, or by State law. The City Clerk may hold any other City office not inconsistent therewith and may be charged with such administrative or managerial duties as the City Administrator shall determine.

CITY ADMINISTRATOR. The City Administrator may hold any other appointed City office not inconsistent therewith, including the office of City Clerk.

**CITY ATTORNEY.** The City Council shall appoint, or may authorize the City Administrator to appoint, a City Attorney who shall be an attorney licensed to practice before the highest Court in the State of Minnesota. The City Attorney shall act as legal advisor to the Mayor and City Council and to Department Heads, Commission Heads and Board Chairpersons', and shall perform all other legal services as directed or authorized by the City Council or the laws of the State.

**OTHER APPOINTED OFFICERS AND EMPLOYEES.** The City Administrator, upon authorization by the City Council, shall appoint such other and further officers and personnel as may be required to operate the City efficiently and the City Council shall determine the qualifications thereof and prescribe the duties to be performed by each. The terms of office, compensation and conditions of employment of all appointed officers and employees of the City shall be established by the City Council.

**SECTION 4.03. RULES OF PROCEDURE AND QUORUM.** Unless otherwise ordered and determined by this Charter or by the City Council by ordinance, the rules and order of business of the City Council shall be as prescribed in the latest revision of Robert's Rules of Order. The City Clerk shall keep a journal of the council's proceedings. A majority of all members of the City Council shall constitute a quorum to do business, although a lesser number may adjourn from time to time. The City Council shall provide by ordinance a means by which a minority may compel the attendance of absent members.

**SECTION 4.035.** In order to consider an item at a regular meeting of the City Council, the item must be submitted to the City Clerk at least five (5) calendar days prior to the scheduled regular meeting of the City Council. Any item not submitted to the City Clerk at least five (5) calendar days prior to a regular meeting of the City Council shall be deferred until the next regular City Council meeting and referred to committee and staff for study and recommendation unless those members of the City Council present vote unanimously to consider it immediately.

**SECTION 4.04. ORDINANCES (NON-EMERGENCY).** Every legislative act of the Council shall be by ordinance. Prior to the first vote on an ordinance or on an amendment to an ordinance, the proposed ordinance or amendment shall be submitted to the City Clerk in writing for distribution to the Mayor and City Council.

Every ordinance or amendment to an ordinance shall be first voted upon at a regular Council meeting; the second vote on said ordinance or amendment shall be at a subsequent regular or adjourned meeting which shall occur not less than one week after the first vote; the third vote on said ordinance or amendment shall be held and the ordinance may be passed only at a regular or adjourned meeting occurring at least one week after the meeting at which the second vote occurred. No ordinance or amendment to an ordinance shall be passed until it has been favorably voted upon by the Council three times as herein provided. The requirement that an ordinance or amendment to an ordinance be favorably voted upon by the

Council three times does not require three consecutive favorable votes. An ordinance or amendment to an ordinance shall not be amended so as to change its intent after it has been voted upon twice. Any proposed ordinance or proposed amendment to an ordinance which has not passed its third vote within four months after its first favorable vote shall be considered void, and before said proposed ordinance or proposed amendment may be considered passed, there shall occur three affirmative votes thereon within a four month period. Ordinances and amendments to ordinances shall require the affirmative vote of a majority of the entire Council to pass each vote (unless a greater percentage is required by this Charter, by State Statute, or by the subject ordinance itself, in which case each vote shall be passed by the designated percentage).

Every ordinance or amendment to an ordinance shall be published or a notice of the passage of said ordinance must be published before the ordinance or amendment takes effect. Publication of the entire ordinance in a newspaper of general circulation in the City shall constitute publication for this purpose. Publication may also be accomplished by publishing in a newspaper of general circulation in the City, for at least two successive weeks, a notice that the ordinance has been passed which notice shall specify in a general manner the subject matter of the ordinance and shall further state that copies of the ordinance are available at the office of the City Clerk. Publication of a codification of ordinances may be accomplished pursuant to Minnesota Statutes Annotated 415.021. Every ordinance passed under this paragraph shall take effect seven (7) days after publication or at such later date as is fixed therein.

**SECTION 4.05. EMERGENCY ORDINANCES.** An emergency ordinance is an ordinance necessary for the immediate preservation of the public peace, health, morals, safety, or welfare, in which ordinance the emergency is defined and declared in a preamble thereto. An emergency ordinance must be approved by a majority of the entire City Council. An emergency ordinance must be in writing but may be enacted without previous filing or voting, and may be passed finally at the meeting at which it is first introduced and voted upon, by one vote of the Council. An emergency ordinance shall remain in effect for the duration of the emergency and shall become void when the emergency no longer exists. No prosecution shall be based upon the provisions of an emergency ordinance until 24 hours after the ordinance has been filed with the City Clerk after passage and posted in three conspicuous places in the City, or until the ordinance has been published as provided in the preceding paragraph, unless the person charged with violation thereof had actual notice of the passage of the ordinance prior to the act or omission resulting in the prosecution.

**SECTION 4.06. RESOLUTIONS AND MOTIONS.** All powers except legislative powers enacted by ordinance shall be exercised by a resolution or motion. Any Councilman or the Mayor may require the reading in full of a motion or resolution before a vote is taken thereon. Resolutions and Motions shall take effect immediately upon their passage.

SECTION 4.07. REVISION AND CODIFICATION OF ORDINANCES. The City may revise, rearrange and codify its ordinances with such additions and deletions as may be deemed necessary by the City Council. Such ordinance code shall be published in book, pamphlet or continuously revised loose-leaf form and copies shall be made available by the City Council at the office of the City Clerk for general distribution to the public free or at a reasonable charge. Publication in such a code shall be a sufficient publication of said ordinances contained in the codification, including any ordinance provision not previously published, if a notice that copies of the codification are available at the office of the City Clerk is published in a newspaper of general circulation in the City for at least two successive weeks before the effective date of said codified ordinances.

SECTION 4.08. AMENDMENTS OR REPEAL OF ORDINANCES. Every ordinance upon its passage may be codified and recorded in a separate book or books kept for that purpose. Ordinances may be amended, either wholly or partially, or repealed, by reference to their sections, subsections or subparagraphs. It shall not be necessary in the case of amending an ordinance, to completely restate the entire section or sections to be amended.

CHAPTER V  
TAXATION AND FINANCE

SECTION 5.01. TAXATION. The City Council shall have full authority over the financial affairs of the City, except as limited or prohibited by the State constitution, State Laws, or this Charter. This authority shall include the power to assess, levy, and collect taxes on all subjects or objects of taxation, except as limited or prohibited by the State Constitution, State Law, or this Charter.

SECTION 5.02. FISCAL YEAR. The fiscal year of the City shall be the calendar year.

SECTION 5.03. BOARD OF EQUALIZATION. The City Council shall constitute a Board of Equalization and shall meet as such in accordance with the provisions of Section 274.01, Minnesota Statutes, as amended.

SECTION 5.04. SUBMISSION OF BUDGET. On or before the first regular meeting of the City Council in September of each year, the Budget Official (who shall be the City Clerk, unless a different person is designated by the City Council), shall submit to the City Council a budget for the ensuing fiscal year and an accompanying message.

SECTION 5.05. BUDGET MESSAGE. The Budget Official shall explain the budget in detail as follows:

- (A) In fiscal terms, particularly noting financial policies, expenditures, revenues, and debt position.
- (B) In terms of its relationship to work programs and to current capital improvement programs.
- (C) In relationship to prior years, particularly as related to major changes and important features. The reasons for such changes shall be clearly delineated.

SECTION 5.06. BUDGET. The budget shall provide a complete financial plan of all City funds and activities for the ensuing fiscal year and, except as required by Law or this Charter, shall be in such form as the Budget Official deems desirable, or the City Council may require. In organizing the budget, the Budget Official shall utilize the most feasible combination of expenditure classification by fund, organization unit, program, purpose or activity, and object. It shall begin with a clear general summary of its contents: shall show in detail all estimated income, indicating the proposed property tax levy, and all proposed expenditures including debt service, for the ensuing fiscal year; it shall be so arranged as to show comparative figures for actual and estimated income and expenditures of the current fiscal year and actual income and expenditures of the preceding fiscal year. It shall indicate in separate sections:

- (A) Proposed expenditures for current operations during the ensuing fiscal year, detailed by offices, departments and agencies in terms of the respective work programs, and the method of financing such expenditures;
- (B) Proposed capital expenditures during the ensuing fiscal year, detailed by offices, departments and agencies when practicable, and the proposed method of financing each such capital expenditures; and

- (C) Anticipated net surplus or deficit for the ensuing fiscal year of each utility or other income producing property owned or operated by the City and the proposed method of its disposition; subsidiary budgets for each such utility and property giving detailed income and expenditure information shall be attached as appendices to the budget. The total of proposed expenditures shall not exceed the total of estimated income.

SECTION 5.07. CAPITAL PROGRAM. Submission to Council. The Budget Official shall prepare and submit to the City Council a five-year capital program at least three (3) months prior to the final date for submission of the budget. The capital program shall include:

- (A) A clear general summary of its contents.
- (B) A list of all capital improvements which are proposed to be undertaken during the five fiscal years next ensuing, with the appropriate supporting information as to the necessity for such improvements.
- (C) Cost estimates. Method of financing and recommended time schedule for each such improvement; and
- (D) The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

The capital program may be revised and extended each year with regard to capital improvements still pending or in process of construction or acquisition.

SECTION 5.08. COUNCIL ACTION ON BUDGET. The City Council may adopt the budget with or without amendment. In amending the budget it may add or increase programs, or amounts, and may delete or decrease any programs or amounts, except expenditures required by law or for debt service or for estimated cash deficit, provided that no amendment to the budget shall increase the authorized expenditures to an amount greater than the total of estimated income.

The City Council by a majority vote of all of its members, shall adopt the budget on or before the 10th day of October of the fiscal year.

If it fails to adopt the budget by this day, the amount appropriated for current operation for the current fiscal year shall be deemed adopted for the ensuing fiscal year on a month-to-month basis, with all items in it prorated accordingly, until such time as the City Council adopts the budget for the ensuing year. The adoption of the budget shall constitute appropriation of the amounts specified therein, as expenditures from the funds indicated, and shall constitute a levy of the property tax therein proposed.

SECTION 5.09. COUNCIL ACTION ON CAPITAL PROGRAM. The City Council by resolution shall adopt the capital program, with or without amendment on or before the 10th day of October of each year.

SECTION 5.10. PUBLIC RECORDS. Copies of the budget and the capital program adopted shall be public records and shall be made available to the public at the office of the City Clerk.



SECTION 5.11. CERTIFICATION OF TAX LEVY. After the adoption of the budget, the City Council shall by resolution determine the amount to be provided by an ad valorem tax on all taxable property of the City. In addition to the amount required to be provided, the City Council may include not more than five percent thereof for tax delinquencies. The resolution shall be certified to the County Auditor as required by the Laws of the State of Minnesota.

SECTION 5.12. AMENDMENTS AFTER ADOPTION.

- (A) Supplemental appropriations. If during the fiscal year the Budget Official certifies that there are available for appropriation, revenues in excess of those estimated in the budget, the City Council by resolution may make supplemental appropriations for the year up to the amount of such excess.
- (B) Reduction of appropriations. If at any time during the fiscal year it appears probable to the Budget Official that the revenues available will be insufficient to meet the amount appropriated, he or she shall report to the City Council without delay, indicating the estimated amount of the deficit, any remedial action taken by him or her, and his or her recommendations as to any other steps to be taken. The City Council shall then take such further action as it deems necessary to prevent or minimize any deficit, and for that purpose it may by resolution reduce one or more appropriations.
- (C) Transfer of appropriations. At any time during the fiscal year the Budget Official may transfer part or all of any unencumbered appropriation amounts among programs within a department, office, or agency, and, upon written request by the Budget Official, the City Council may, by resolution, transfer part or all of any unencumbered appropriations balance from one department, office, or agency to another.
- (D) Limitation. No appropriation for debt service may be reduced or transferred, and no appropriation may be reduced below any amount required by law to be appropriated or by more than the amount of the unencumbered balance thereof.

SECTION 5.13. LAPSE OF APPROPRIATIONS. Every appropriation, except an appropriation for a capital expenditure, shall lapse at the close of the fiscal year to the extent that it has not been expended or encumbered. An appropriation for capital expenditure shall continue to be in force until the purpose for which it was made has been accomplished or abandoned; the purpose of any such appropriation shall be deemed abandoned if the funds or apportionment are not disbursed during the planned capitalization period.

SECTION 5.14. DISBURSEMENT OF FUNDS. Disbursement shall be made pursuant to procedures prescribed by City Ordinance. No payment shall be made or obligation incurred against any allotment or appropriation except in accordance with appropriations duly made and unless the Budget Official first certifies that there is a sufficient amount of unencumbered balance in such allotment or appropriation and that sufficient funds therefrom are, or will be available to cover the claim or meet the obligation when it becomes due and payable. Any authorization of payment or incurring of obligation in violation of the provisions of this Charter shall be void and any payment so made illegal; such action shall be cause for removal of any officer who knowingly authorized or made such payment, or incurred such obligation, and he or she shall also be liable to the City for any amount so paid. However, except where prohibited by Law, nothing in this Charter shall be construed to prevent the making or authorizing of payments or making of contracts for capital improvements to be financed wholly or partly for the issuance of bonds or by grants or gifts or to prevent the making of any contract or providing for payments beyond the end of the fiscal year, provided that such action is made or approved by resolution.

SECTION 5.15. FUNDS. The City shall maintain such funds as are required by State Statute, or by resolution or ordinance of the City Council.

SECTION 5.16. REPORTS. The Budget Official shall be the chief accounting officer of the City and every branch thereof. He or she shall submit a quarterly statement to the City Council showing the status of all funds, sums spent or chargeable against each of the annual budget allowances and the balances left therein and such other information relative to the finances of the City as the City Council may require on March 1 of each year. The Budget Official shall submit a similar report to the City Council for the entire preceding year.

SECTION 5.17. BORROWING. The City may borrow money for such purposes, in such manner, and to such extent as permitted by the Laws of the State of Minnesota.

Whenever said laws require prior approval of the electors for any borrowing by the City, such approval shall not be required provided that the City Council adopts a resolution by a vote of at least three-fourths (3/4) of all its members determining to undertake such borrowing and unless within ten (10) days after the second publication of such resolution which must be published twice, a week apart, in the official newspaper of the City, a petition, signed by voters of the City equaling not less than 5 percent of the number voting in the last general election held in the City, shall be filed with the City Clerk requesting an election.

CHAPTER VI  
INDUSTRIAL AND COMMERCIAL PROMOTION  
AND DEVELOPMENT

SECTION 6.01. In addition to the powers otherwise granted by Minnesota Laws and this Charter, the City of Hastings shall have the power to acquire by purchase, gift or devise, and develop, on such terms as the City Council may in its sole discretion from time to time determine, all necessary right, title and interest in and to land, including air rights, and any buildings and equipment thereon, necessary or desirable for the purpose of promoting industry and providing employment, and in order to promote, attract, encourage and develop economically sound industry and commerce through governmental action for the purpose of preventing so far as possible, the emergency of blight and marginal lands or chronic unemployment.

SECTION 6.02. The City may pay for the acquisition and development of the property acquired for the purposes and pursuant to the provisions of Section 6.01 above out of such funds as may from time to time be available and appropriated by the City Council for such purposes, including but not limited to funds acquired through the issuance of general or special obligation bonds. If the acquisition and development of lands acquired pursuant to Section 6.01 is paid for from the proceeds of general obligation bonds, the development of such lands may include provision for utility services, including water, sanitary sewers, storm sewers or other drainage facilities, and transportation, power and communications facilities, which are necessary and incidental to the use of such lands for the foregoing purposes, but except with respect to such facilities may not include provision for the construction of structures or buildings on the premises or the furnishing or equipping thereof.

If acquisition and development are paid for from the proceeds of general obligation bonds, such bonds shall be authorized, issued, sold and accounted for in the manner and upon the terms, conditions and provisions prescribed by Chapter 475 Minnesota Statutes and acts amendatory thereof and supplemental thereto. The general obligation bonds authorized by this section shall not be subject to any limitation contained in this City Charter prescribing or fixing any limit upon the bonded indebtedness of this City.

SECTION 6.03. Notwithstanding any other provision of this Charter to the contrary, any properties acquired or owned by the City and not required for municipal purposes may be sold or leased without approval of the electorate to achieve the purposes set forth in Section 6.01 above on such terms and conditions as the City Council in its sole discretion shall determine. When such property is sold or leased to non-governmental corporations or agencies, it shall not be exempt from taxation.

SECTION 6.04. Nothing contained herein shall be construed to restrict the power and authority of the City to develop, lease and sell property acquired pursuant to this Chapter in accordance with the further

provisions of Chapter 474, Minnesota Statutes, as amended or supplemented, or such other laws as may from time to time be adopted, or to restrict in any way the powers granted to the City under Chapter 474, Minnesota Statutes, and acts amendatory and supplemental thereto, or such other laws as may from time to time be adopted.

CHAPTER VII.  
MISCELLANEOUS PROVISIONS

SECTION 7.01. PUBLIC IMPROVEMENTS AND SPECIAL ASSESSMENTS. The City shall have the power to make any and every type of improvement not forbidden by the laws of this State and to levy special assessments to pay all or any part of the costs of said improvements. The amounts assessed to benefited property to pay for such improvements may equal the cost of improvement, including all costs and expenses connected therewith, with interest until paid, but shall in no case exceed benefits to the property. The procedure for making said improvements and levying assessments shall be as provided in Minnesota Statutes.

SECTION 7.02. POWER TO ACQUIRE PROPERTY. The City may acquire by purchase, gift, devise or condemnation, any property, corporeal or incorporeal, either within or without its corporate boundaries, which may be needed by the City for any public use or purpose. Easements for slopes, fills, sewers, building lines, poles, wires, pipes and conduits for water, gas, heat and power may be acquired by gift, devise, purchase or condemnation in the manner provided by law. The procedure for exercise of the power of eminent domain shall be as provided for in Minnesota Statutes.

SECTION 7.03. OFFICIAL PUBLICATIONS. The City Council may annually designate a legal newspaper or newspaper of general circulation in the City as its official newspaper or newspapers in which shall be published ordinances and other matters required by law to be so published as well as such other matters as the council may deem in the public interest to have published in this manner.

SECTION 7.04. SALES OF REAL PROPERTY. No real property of the City shall be disposed of unless the Council shall first pass a resolution containing specific findings that the public interest requires that the property be disposed of, and only after public notice and hearing of such proposed disposition. The proceeds of any sale of such property shall be used, as far as possible, to retire any outstanding indebtedness incurred by the City in the purchase, construction or improvement of this property. If there is no such outstanding indebtedness, the Council may by resolution designate some other public use for the proceeds. Sales of real property owned by the City shall be conducted in commercially reasonable manners.

SECTION 7.05. VACATION OF STREETS AND ALLEYS. The Council may by resolution approved by at least a majority of its entire membership, vacate any street or alley, public way, public ground or public easement or part thereof within the City of Hastings. Such vacation may be made only after published notice and an opportunity for affected property owners and the public to be heard, and upon such further terms and by such further procedures as the Council may prescribe. A notice of completion of such proceedings shall be filed with the County Recorder.

SECTION 7.06. CITY TO SUCCEED RIGHTS AND OBLIGATIONS OF FORMER CITY. The City shall succeed to all the property, rights, and privileges, and shall be subject to all legal obligations of the City under the former Charter.

SECTION 7.07. PRESENT OFFICERS TO CONTINUE IN OFFICE. The present elected officials of the City shall continue in their respective offices and functions for the term which they were elected.

SECTION 7.08. STATUTES NOT AFFECTED BY CHARTER. All general laws and statutes of the State applicable to all cities operating under home rule charters, or applicable to cities of the same class as the City of Hastings operating under home rule charters, and not inconsistent with the provisions of this charter, shall apply to the City of Hastings and shall be construed as supplementary to the provisions of this charter.

SECTION 7.09. EXISTING ORDINANCES CONTINUED. All ordinances and regulations of the City in force when this charter takes effect and not inconsistent with the provisions hereof, are hereby continued in full force and effect until amended or repealed.

SECTION 7.10. PENDING CONDEMNATIONS AND ASSESSMENTS. Any condemnation or assessment proceeding in progress when this charter takes effect shall be continued and completed under the laws under which such proceedings were begun. All assessments made by the city prior to the time when this charter takes effect shall be collected and the lien thereof enforced in the same manner as if this charter had not been adopted.

SECTION 7.11. ORDINANCES TO MAKE CHARTER EFFECTIVE. The council shall by ordinance make such regulations as may be necessary to carry out and make effective the provisions of this charter.

MEMO

TO: Mayor and City Council  
FROM: Dianne R. Latuff *DL*  
DATE: August 28, 1986  
SUBJECT: Cable Commission Vacancy

The Cable Commission voted unanimously to recommend to the City Council that Jim Williams be appointed to the Cable Commission. Mr. Williams would be filling the unexpired term of Beverly Bacon. The term expires December 31, 1987.

MEMO

TO: Mayor and City Council  
FROM: Gary E. Brown  
DATE: August 28, 1986  
SUBJECT: O'Connor Kranz Building

Approximately a year ago the City of Hastings received a grant from the Dakota County HRA for approximately \$90,000 (Community Development Block Grant). The purpose of the grant was to acquire underutilized property, demolish it, and make it ready for new development. The City Council allowed the City of Hastings HRA to combine it with their funds for the acquisition of the O'Connor Kranz building. The acquisition of that building occurred approximately nine months ago. The Dakota County HRA was recently audited by the Federal Government regarding their block grant funds and the Auditors found that the city had not completed its grant agreement by demolishing the building. Dakota County HRA is requesting that we show good faith in that agreement and therefore, need to answer this specific question regarding when the building will be demolished. Indications from the Dakota County HRA Personnel are that the building does not have to be demolished immediately but that we would have to show some sort of good faith. Very shortly Ken and Dave's will no longer be operating out of the building and thus a problem exists. The revenues from the rent of that building was going to the Dakota County HRA as per agreement and they used the revenues to pay the utility bills for the entire building. The Youth Center which occupies the remaining portion of the building has not been paying for the utility bills and they have been averaging \$600 per month.

The city by letter can indicate to Dakota County HRA that we are proceeding with the plans and specifications for demolition however, a commitment will have to be made for the utility bills.

The City HRA has directed John Grossman to prepare the specifications and he is currently working on them so that is not a problem. Therefore, two options are left regarding the utility bills for the building.

- (1.) The City could pay the bills.
- (2.) The Youth Center could pay the bills.

Staff is looking for direction, as to whether or not a time extension of two (2) months or until November 1, 1986 should be requested and how the utility bills are to be paid. If a longer period of time is requested the cost of demolition will increase because footings need to be removed (frost).

cl



## HASTINGS HOUSING &amp; REDEVELOPMENT AUTHORITY

Date: August 20, 1986

To: Gary Brown

From: John Grossman JG

Re: Utilities for O'Connor-Kranz Building, 102-104 Tyler

Dakota County HRA has collected the rent from Ken & Dave and paid all utility bills for the entire building including the part occupied by the Teen Center.

When Ken and Dave move out on September 2, there will no longer be any income. The Teen Center has not been paying rent or utilities. Dakota County will no longer be able to pay the bills. Hastings HRA does not have statutory authority to pay the utility costs of a tenant. Kirk Schmitker, who has handled the building for Dakota County, informs me that the utilities for the Teen Center area have run from \$200 a month in the summer to \$600 a month in the winter.

I have been informed that the Teen Center Directors may ask for an extension of occupancy beyond September 30th.

Because the City Council accepted the CDBG for the purchase of the building, Dakota County HRA will expect any request to extend the Teen Center occupancy beyond September 30th to come from the City. The Teen Center or the City would have to pay utilities during the extension period.

Hastings HRA can delay advertising for bids to demolish the building until requests for extension have been considered by the Council, Dakota County HRA and HUD. A decision by the end of September would be in everyone's interest.

cc: Board of Directors, Hastings Teen Center

VI-C-5  
Q. Reid  
8-21-86

August 20, 1986

Mr. Gary Brown  
City Administrator  
City of Hastings  
100 Sibley St.  
Hastings, Mn. 55033

Dear Gary,

Please accept this as a formal notification of the Blueberry Lane Block Party that you requested per our phone conversation on Tuesday, August 19, 1986.

We, Patricia McCauley and Wendy Norgaard, Blueberry Lane Block Party organizers hereby request approval for permission to utilize the 1400 block of Blueberry Lane for a neighborhood block party. The following information is submitted to facilitate approval.

Blueberry Lane Neighborhood Block Party

Date: September 7, 1986

Time: 12:00 noon to 8:00 pm

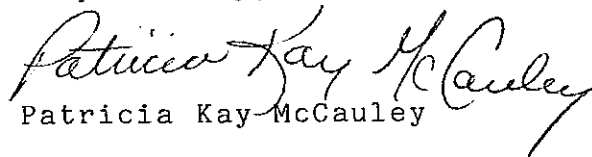
Place: 1400 block of Blueberry Lane

If you request additional information or further explanation please do not hesitate to contact myself or Wendy Norgaard.

Patricia McCauley  
1427 Blueberry Lane  
437-8728

Wendy Norgaard  
1431 Blueberry Lane  
437-3915

Respectfully,

  
Patricia Kay McCauley

MEMO

TO: Mayor and City Council  
FROM: Gary E. Brown  
DATE: August 28, 1986  
SUBJECT: Computerized Payroll System

Attached is a letter from Gary Kramer regarding our payroll. For several years we have looked at two changes to the payroll system. Currently we keep track of six leave and vacation usage manually. We would like to put this on the current check stubs so that employees would know each month how much vacation they have earned, how much they have used, and current balance, along with sick leave. This would be a savings in manual labor and we believe would increase the accuracy of these records. We therefore, would like to request that the City Council authorize the expenditure of \$500 from the finance department (salaries).

We also asked the cost of changing from a bi-monthly to a bi-weekly payroll system. Since the request was made we have reviewed the current work load of the finance department and we feel at this time that we could not go to a bi-weekly payroll system as it will conflict with utility billing and increase the number of times payroll must be done by two. We had originally anticipated putting on our own payroll system on our own computer however, we do not feel we have the personnel to do that until a new Finance Director is hired.

cl

RECEIVED  
7-9-86  
BT  
LH

REAMER AND ASSOCIATES, LTD.

CERTIFIED PUBLIC ACCOUNTANT

100 W. WASHINGTON STREET  
ST. CROIX COUNTY COURTHOUSE  
ST. CROIX, MINN.

July 7, 1986

Mr. Gary Brown  
City Administrator  
City of Hastings  
100 Sibley Street  
Hastings, Minnesota 55033

Dear Mr. Brown:

Pursuant to our conversation with regard to changes in the computerized payroll system, I have called the computer programming company that has done my programming changes before. They estimated that programming fees should not exceed \$500.00 to change our programs so that the amount of sick, vacation, and unused comp time could be printed out on the employee check stubs. You should be aware though, as I discussed with LeAnn, that the amount that would be printed on the check stub would be the amount of time that was available at the beginning of that pay period. The check stub would also then indicate the amount of those pay categories that were utilized during the pay period but would not include the amount that was accrued for that particular pay period. This appears as though this should be acceptable although it would have to be explained to the employees at the onset to eliminate any confusion.

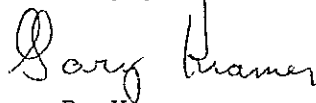
The reason that the information that would print on the check stub is as of the beginning of the pay period is because the computer updates the current pay period information after the checks have been printed. It would be possible for the programmers to change the sequence of the programs so that this information would update before the checks are printed. Therefore, the information on the check stub would be up to date as of the end of the pay period. Unfortunately, this would involve significantly more changes in the programs and result in an additional cost of at least another \$500.00.

As we discussed, no programming changes are necessary to move to a bi-weekly payroll. Therefore, this could be implemented at any time with only a minimal cost. Our cost would probably be \$200.00 to make the necessary changes in the employee personnel files so that their earnings and deductions are

computed properly. After that there would be no additional cost except for the fact that you would have an additional two pay periods per year. There would be approximately an additional 150 checks which would be an additional annual cost of approximately \$100.00.

After you have considered these issues, just let me know how you would like to proceed. We would probably need a lead time of a couple weeks to make the necessary programming changes if this is desired by the City. We would be able to change to a bi-weekly payroll at almost any time that the City desires. If you have any additional questions, just give me a call.

Sincerely yours,

A handwritten signature in cursive script that reads "Gary D. Kramer".

Gary D. Kramer  
Certified Public Accountant

GDK/dg

MEMO

TO: Mayor and City Council

FROM: Dianne R. Latuff *[Signature]*

DATE: August 28, 1986

SUBJECT: Public Hearing - Cable Franchise Transfer

At the Cable Commission meeting on August 19, 1986 the Commission discussed the process for the transfer of franchise which has been requested by TDS and Coaxial Cable.

The Minnesota State Statute sets forth guidelines for the transfer process of a franchise. When the notice is received from the franchisee and the applicant, the city has 30 days to either approve the transfer application or to call for a public hearing. If a public hearing is called it must be conducted within 30 days of its being called. There also is a 14 day notice of hearing requirement. If a public hearing is conducted, the City has 30 days after the public hearing to approve or deny the transfer of franchise.

At the August 19th Cable Commission meeting it was agreed by all that they would recommend that a public hearing be conducted by the City Council.

Due to the time constraints of the law, the earliest a public hearing could be held at a regular City Council meeting is October 6, 1986. This date falls 2 days outside of the statute limitations. I contacted TDS (Telephone & Data Systems) and explained, the city realizes it is not within the time frame as set forth, but is acting in an expeditious manner. Further, we discussed that information necessary for the city's review at the public hearing could not be supplied by Coaxial and TDS and subsequently reviewed by staff much before the last week in September.

On the matter of the review of the transfer application. All six (6) franchise areas are considering submitting a joint transfer application. Gary Brown and I attended a joint franchise area meeting on Friday, August 22, 1986 to discuss the possibility of such an application. The law firm of O'Connor Hannan (South Washington) Cable Attorneys were present, as were staff from all of the franchise areas. O'Connor Hannan has prepared a draft application (copy attached) to be submitted by all those franchise areas which are interested. Any franchise area that has specific questions or points of concern can add those to the document. The reasoning behind a joint transfer application has several valid points.

- 1). The cost of the process would be reduced.  
 (The law firm of O'Connor Hannan has contacted Coaxial and TDS requesting money for the transfer process. The company has agreed that \$3,000 will be provided (up front) to each franchise area to cover initial costs. The law firm felt that this would be adequate, but if not, the Company could be further billed. Plus, South Washington has provided

- for a \$10,000 application fee for the preparation of documents and their subsequent review).
- 2). The law firm would provide a summary of the application, to each community, from the submittal by Coaxial Cable and TDS.  
This would allow an opportunity for each community to discuss points of concern as they affect their specific system, as well as all systems.
  - 3). The law firm would subcontract out the financial portion of the application whereby once again the costs could be shared by several or all affected communities.
  - 4). If even one of the six systems has a problem with the application, it is felt that as a group they would have a better opportunity to obtain any necessary information in a timely fashion.
  - 5). Cost effectiveness and uniformity of responses were cited as the most appealing reasons for submitting a joint application.

The Hastings Cable Commission does not meet again until Tuesday, September 2, 1986 at 3:00 p.m., so therefore they will not have a formal recommendation to you until your meeting that evening. Due to the time constraints we are working under, I have taken the liberty to request the law firm of O'Connor Hannan to submit a joint application on behalf of the City of Hastings. (They are mailing out all the documents on Friday, August 29, 1986.) They are aware that this request is subject to the Cable Commission and City Council's ratification on Tuesday, September 2, 1986.

Allowing for the fact that Coaxial Cable has agreed to pay for our costs as they relate to the transfer process, it goes without saying, that all costs incurred by the Company are eventually passed along to the subscriber, so it would appear to be in the city's best interest to keep costs to a minimum. Due to this concern and based on staff's review of the transfer application, as prepared by the law firm of O'Connor Hannan, staff recommends to the Hastings Cable Commission and City Council:

- 1). The City of Hastings authorize O'Connor Hannan to submit a transfer application with the other 6 affected communities (to date 4 have stated they are doing the same. Hastings meets to confirm September 2, 1986 & Prescott meets September 3, 1986 to confirm)
- 2). The City of Hastings authorize the law firm of O'Connor Hannan to prepare a summary of the document, subcontract the financial portion and provide the City of Hastings with those findings.
- 3). The City of Hastings set a public hearing for October 6, 1986 to consider the transfer application.
- 4). Council authorize staff to prepare system specific questions or concerns to be submitted for response by the company.

If staff's recommendations are approved, I would be looking for direction from the Council on use of Cable Attorney's for the follow through process. Is Council interested in having our Cable Attorneys (Herbst & Thue) present for the public hearing, the Cable Attorney's (O'Connor

Hannan) that prepared and summarized the document, or both. If city staff requires a legal opinion of system specific responses, should Herbst and Thue be contacted or O'Connor Hannan? Staff would recommend that Herbst & Thue be used for any required system specific questions as well as attending the public hearing and O'Connor Hannan attend the public hearing as well to answer any questions on the summary report. Herbst & Thue are most familiar with Hastings franchise and would not be required to do any further research to familiarize themselves with our franchise agreement as it might relate to system specifics.

cl



**DRAFT**

August 11, 1986  
DRAFT I

COMMISSION REQUEST FOR INFORMATION  
REGARDING REQUEST FOR APPROVAL OF TRANSFER  
OF OWNERSHIP OF SOUTH WASHINGTON COUNTY  
CABLE TV COMPANY AND TRANSFER OF A  
CABLE COMMUNICATIONS FRANCHISE ORDINANCE

*Kevin Cattano*

South Washington County  
Cable Communications Commission

Prepared By:

Thomas D. Creighton  
Mark J. Ayotte  
O'Connor & Hannan  
3800 IDS Tower  
Minneapolis, Minnesota 55402  
(612) 343-1298  
(612) 343-1102

# DRAFT

## INTRODUCTION

At the time of awarding the original cable communications franchise, the Commission considered and approved the technical ability, financial capability, legal qualifications and character of South Washington County Cable TV Company. These same qualifications will be considered and reviewed as a part of this transfer request as they relate to the Transferee, Coaxial Communications of St. Croix, Inc.

The parties to this transfer are required to use the following forms in order to inform the Commission of the Transferee's legal, technical and financial qualifications. In addition, the Transferee is requested to identify any and all modifications proposed to the cable communications system now serving the Commission member cities, the operation of that system, or the franchise ordinance.

In considering the requested transfer, the Commission will consider and review the legal, technical and financial qualifications of the Transferee, together with any requested modifications and any other factors which the Commission determines reasonably support a decision regarding the proposed transfer.

Please provide within two weeks of your receipt of this document 25 copies of the COMMISSION REQUEST FOR INFORMATION to the following address:

Thomas D. Creighton  
Mark J. Ayotte  
O'Connor & Hannan  
3800 IDS Tower  
80 South Eighth Street  
Minneapolis, Minnesota 55402  
Telephone: (612) 343-1298

The Commission expressly reserves the right to request additional information of the Transferee.

In the event the parties requesting the transfer approval have any doubts as to any terms, conditions, or provisions of the enclosed forms or the meaning or interpretation thereof, a request for information or clarification may be made in writing to:

Thomas D. Creighton  
Mark J. Ayotte  
O'Connor & Hannan  
3800 IDS Tower  
80 South Eighth Street  
Minneapolis, Minnesota 55402  
Telephone: (612) 343-1298

# DRAFT

A written response to any such request will be made as soon as it is approved by the Commission and will be sent to the parties. Only this type of official response shall be binding upon the Commission. The parties by submitting this Request for Information shall have evidenced the fact that they agree they have no unanswered questions with respect to these questions and shall have no basis for withdrawal or modification of their response on the basis of misunderstanding.

The completed COMMISSION REQUEST FOR INFORMATION must be accompanied by an application fee of Ten Thousand Dollars (\$10,000) to cover the Commission's expenses in reviewing and acting upon the request, as well as any necessary negotiations. In the event expenses exceed the initial application fee, the parties by submission of this application agree to reimburse the Commission for said expenses within 30 days of receipt of an invoice for said expenses as a condition of approval. Any portion of the application fee not expended in the transfer process will be held by the Commission for three (3) months following the date of any approval of the transfer and thereupon returned to the Transferee provided there are no negotiations or enforcement proceedings underway.

**DRAFT**

Request For Approval of Transfer of Ownership  
of a Cable Communications System and  
Cable Communications Franchise Ordinance from  
South Washington County Cable TV Company  
to Coaxial Communications of St. Croix, Inc.

IDENTIFICATION OF TRANSFEROR

Name of Transferor \_\_\_\_\_

Address of Transferor . \_\_\_\_\_  
(Street)

\_\_\_\_\_  
(City, State, Zip Code)

Telephone \_\_\_\_\_  
(Area Code/Number)

Date \_\_\_\_\_

Please give name and telephone number of principal to whom  
inquiries should be made:

Name \_\_\_\_\_

Telephone \_\_\_\_\_  
(Area Code and Number)

Authorized Signature \_\_\_\_\_  
(Name and Title)

Date \_\_\_\_\_

**DRAFT.**

IDENTIFICATION OF TRANSFEREE

Name of Transferee \_\_\_\_\_

Address of Transferee \_\_\_\_\_

(Street)

\_\_\_\_\_  
(City, State, Zip Code)

Telephone \_\_\_\_\_

(Area Code/Number)

Date \_\_\_\_\_

Please give name and telephone number of principal to whom inquiries should be made:

Name \_\_\_\_\_

Telephone \_\_\_\_\_

(Area Code and Number)

Authorized Signature \_\_\_\_\_

(Name and Title)

Date \_\_\_\_\_

Political Subdivisions currently served by Cable System:

Afton, Cottage Grove, Denmark Township, Grey Cloud  
Township, Newport, St. Paul Park, and Woodbury,  
Minnesota

# DRAFT

Request For Approval of Transfer of Ownership  
of a Cable Communications System,  
South Washington County Cable TV Company  
and the Transfer of a  
Cable Communications Franchise Ordinance  
To Coaxial Communications of St. Croix, Inc.

Affidavit of Parties to the Transfer

This Request is submitted to request the approval of the transfer of ownership of a cable communications system from South Washinton County Cable TV Company to Coaxial Communications of St. Croix, Inc., and the transfer to Coaxial Communications of St. Croix, Inc., of a Cable Communications Franchise Ordinance dated January 16, 1984 and currently granted by the South Washington County Cable Communications Commission to South Washington County Cable TV Company. The undersigned have been duly authorized to make the representations herein on behalf of the Parties to the transfer (hereinafter "Parties").

The Parties recognize that all representations are binding on them and that failure to adhere to any such representations may, at Commission's option, result in revocation of any approval or franchise that may be granted, in consequence of this request. The Parties also understand that the obligation to furnish information herein is continuing and shall be supplemented pending the development of any new or additional information. The Parties represent by their submission of all requested financial information herein that such information is true, accurate, and a reasonable representation of the sources and uses of funds related to the acquisition and operation of the cable system based upon circumstances in existence, known or unknown, at the date of submission of this Request for Approval.

Consent is hereby given to the Commission or its designee to make inquiry into the legal, character, technical, financial and other qualifications of Parties by contacting any persons or organizations named herein as references, or by any other appropriate means.

The Parties intend to comply with all applicable Federal and State and Local Laws and the Commission's ordinances. If any portion of this request is irreconcilable and does not comply with the referenced standards, the minimum acceptable standards or requirements set forth in the applicable law, rule, statute, charter, or ordinance shall supercede the portion of the application with which it conflicts and shall be binding on the applicant.

# DRAFT

By this request for transfer, the Transferee hereby agrees to comply with all terms and conditions of the existing South Washington County Cable TV Company cable communications franchise ordinance and the Proposal for the provision of cable communications service to the member of cities of Commission as it has been amended from time to time which is incorporated in and made a part of said franchise. Further, the parties agree to reimburse Commission for all expenses incurred in and associated with this request for approval and transfer.

TRANSFEROR NAME \_\_\_\_\_

TRANSFEROR'S SIGNATURE \_\_\_\_\_

OFFICIAL POSITION \_\_\_\_\_

DATE \_\_\_\_\_

ATTEST \_\_\_\_\_

TRANSFEEE'S NAME \_\_\_\_\_

TRANSFEEE'S SIGNATURE \_\_\_\_\_

OFFICIAL POSITION \_\_\_\_\_

DATE \_\_\_\_\_

ATTEST \_\_\_\_\_

**DRAFT**

**FORM A: OWNERSHIP AND CONTROL INFORMATION OF TRANSFEREE**



**DRAFT**

FORM A

Page 1 of 3

**OWNERSHIP AND CONTROL INFORMATION OF TRANSFEREE**

(Reproduce additional forms if needed.)

To be completed by all principals, officers and directors of transferee, and by beneficial owners of 5 (five) percent or more of the stock or other ownership interest in transferee. Beneficial owners include, but are not limited to, individuals, corporations, partnerships, limited or general partners, joint ventures and unincorporated associations.

Name (if individual) \_\_\_\_\_

(if organization) \_\_\_\_\_

Address \_\_\_\_\_  
(Number) (Street)

(City) (State) (Zip)

Nature of Interest:  General Partner  
 Limited Partner  
 Officer  
 Stockholder/Owner  
 Corporate Director

Profession or Occupation \_\_\_\_\_

Name of Employer \_\_\_\_\_

Address of Employer \_\_\_\_\_

Number of shares of each class of stock or ownership interest (including stock options, stock subscriptions, and partnership options): \_\_\_\_\_

Percentage of ownership of partnership, voting stock or equity interest: \_\_\_\_\_

# DRAFT

FORM A

Page 2 of 3

## OWNERSHIP DISCLOSURE

1. Transferee, including all shareholders and parties with any financial interest in the transferee, must fully disclose all agreements and understandings with any person, firm, group, association or corporation with respect to the franchise and the system. This includes agreements between local investors, attorneys, lobby groups, consultants, etc., and the transferee or its principals, affiliates or parent company. Failure to reveal such agreements will be considered withholding of pertinent information and will be considered cause to withhold or revoke approval of transfer or grant of the franchise.

2. Please append copies of any written agreements made regarding the proposed ownership or control of the system including the sale, transfer or purchase agreement. If the Transferee is a consortium or otherwise associated with other parties to receive an ownership interest, please append all agreements associated with this transfer entered into by and between members of said association. Use the space provided to outline any oral agreements or understandings regarding the proposed ownership or control of the proposed system.

**DRAFT**

FORM A

Page 3 of 3

LOCAL RESIDENTS INVOLVEMENT IN SYSTEM MANAGEMENT  
AND OPERATIONS

1. Describe any opportunities for local residents of the cable service area to be involved in the operational, management and decisionmaking process with respect to the proposed system. Address board of director structures, staff residency requirements, hiring practices, a discussion of staff autonomy in making decisions, etc., in your response. Include an organizational chart, if applicable.

**DRAFT**

FORM B: OWNERSHIP QUALIFICATIONS OF TRANSFEREE

OWNERSHIP QUALIFICATIONS OF TRANSFEREE

1. Does the proposed ownership structure comply with any and all State and Federal restrictions upon ownership of cable communications systems.  Yes  No

(a) If no, please explain \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Is the Transferee a U. S. citizen?  Yes  No

3. Is the Transferee a Minnesota corporation?  Yes  No

(a) If no, please describe in detail.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Is the Transferee a partnership?  Yes  No

(a) If yes, please describe in detail.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. If "no," to any of the above, state any ownership retained by persons or entities which are not a U. S. citizen or Minnesota corporation.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**DRAFT**

FORM C: CHARACTER QUALIFICATIONS OF TRANSFEREE

CHARACTER QUALIFICATIONS OF TRANSFEREE

1. Has the Transferee (including parent corporation if applicable) or any principal\* ever been convicted in a criminal proceeding (felonies or misdemeanors) in which any of the following offenses were charged?
- a. Fraud  yes  no
  - b. Embezzlement  yes  no
  - c. Tax evasion  yes  no
  - d. Bribery  yes  no
  - e. Extortion  yes  no
  - f. Jury tampering  yes  no
  - g. Obstruction of justice (or other misconduct affecting public or judicial officers' performance of their official duties)  yes  no
  - h. False/misleading advertising  yes  no
  - i. Perjury  yes  no
  - j. Anti-trust violations (state and federal)  yes  no
  - k. Violations of FCC regulations  yes  no
  - l. Conspiracy to commit any of the foregoing offenses  yes  no
2. If [yes], attach separate statement providing specifics such as date, court, sentence or fine, etc.

---

\* For purposes of this form, "principal" means any officer or director of applicant, and any person, firm, corporation, partnership, joint venture, or other entity, who or which owns or controls 5 (five) percent or more of the voting stock (or any equivalent voting interest of a partnership or joint venture) of the Transferee.

**DRAFT**

FORM D: EXPERIENCE--CURRENT CABLE HOLDINGS OF TRANSFEREE



# DRAFT

FORM D

Page 1 of 3

## CABLE HOLDINGS OWNED BY TRANSFEREE AND PRESENT SUBSCRIBER RATES

Please list all holdings (franchises and systems) in which Transferee or any principal\* which owns 5 (five) percent or more of equity interest. (If additional pages are needed, please reproduce this form.)

1. Location of System\*\* \_\_\_\_\_
2. Date of Franchise Award or Acquisition (specify Award or Acquisition) \_\_\_\_\_
3. Plant Miles of System (Separate Subscriber and Institutional Networks) \_\_\_\_\_
4. Description of System (Channel Capacity, etc.) \_\_\_\_\_
5. Date First Subscribers Served \_\_\_\_\_
6. Number of Households Passed by Activated Cable Plant \_\_\_\_\_
7. Number of Basic Subscribers \_\_\_\_\_
8. Number of Pay Units \_\_\_\_\_
9. Pay to Basic Ratio \_\_\_\_\_
10. Percentage of System Ownership Held By Transferee \_\_\_\_\_
11. Holder of Controlling Ownership Interest \_\_\_\_\_
12. Current Subscriber Basic Rate (If more than one basic service tier, list all such tiers and describe tier for which rates are listed) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
13. Current Lowest Premium Service and Rate \_\_\_\_\_

**DRAFT**

FORM D

Page 2 of 3

- 14. Current Highest Premium Service and Rate \_\_\_\_\_
- 15. Date Rates were last Changed \_\_\_\_\_
- 16. Name and Address (phone if available) of Local Government Official(s) Responsible for Cable Operations \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- \* For purposes of this form, "principal" means any officer or director of transferee, and any person, firm, corporation, subsidiary, joint venture or other entity, who or which owns or controls 5 (five) percent or more of the voting stock (or any equivalent voting interest of a partnership or joint venture) of the Transferee.
- \*\* Indicate all political subdivisions served by system (political subdivision and State).

# DRAFT

FORM D

Page 3 of 3

## EXPERIENCE--SYSTEM UPGRADING OR DOWNGRADING

1. Provide information about major improvements made to systems owned by the Transferee.\* Include the nature of the system improvement (provision of additional channels or channel capacity, provision of subscriber terminals, rebuild of or addition to distribution system, addition of interactive capacity and/or services, addition or major production facilities, improvements in system maintenance and subscriber service, etc.), the year of the franchise or franchise renewal term that improvements were completed and terms of the system improvement (rate increases, franchise renewal or renegotiation, etc.).

2. Provide similar information regarding major modifications (downgrades or deletions of services or equipment) which have taken place since the transferee's acquisition of the system or within the last three years, whichever is longer.

---

\* If Transferee is a newly formed entity, please respond to this question on behalf of any systems owned or operated by the principals (see definition. p. 14) of Transferee, including but not limited to Coaxial Cable, Inc.

**DRAFT**

FORM E: FUTURE CABLE HOLDINGS OF TRANSFEREE

# DRAFT

FORM E

Page 1 of 1

## FUTURE CABLE HOLDINGS OF TRANSFEREE

Please list all future cable holdings (franchises and systems) which the Transferee or any principal\* which owns 5 (five) percent or more of equity interest will acquire from the Transferor as part of acquiring this franchise. (If additional pages are needed, please reproduce this form.)

1. Location of System\*\* \_\_\_\_\_
2. Proposed Date of Acquisition \_\_\_\_\_
3. Plant miles of System  
(separate subscriber and  
institutional networks \_\_\_\_\_
4. Number of Subscribers \_\_\_\_\_
5. Percentage of System Ownership  
To Be Held by Transferee \_\_\_\_\_
6. Purchase Price of Acquisition \_\_\_\_\_
7. Name and Address of Local  
Government Official(s) \_\_\_\_\_  
Responsible for Cable \_\_\_\_\_  
Operation \_\_\_\_\_

\* For purposes of this form, "principal" means any officer or director of the transferee, and any person, firm, corporation, subsidiary, joint venture or other entity, who or which owns or controls 5 (five) percent or more of the voting stock (or any equivalent voting interest of a partnership or joint venture) of the Transferee.

\*\* Indicate all political subdivisions served by system (including State).

**DRAFT.**

FORM F: FORMER FRANCHISES OR OWNERSHIP  
INTERESTS OF TRANSFEREE

# DRAFT

FORM F

Page 1 of 1

## FORMER FRANCHISES OF TRANSFEREE

The Transferee or any principal\* shall list every community where it has received a cable television franchise or operated a cable system without a franchise and subsequently disposed of all or a majority of the Transferee's interest. (If additional pages are needed, please reproduce this form.)

1. Name of System \_\_\_\_\_
2. Community and State \_\_\_\_\_
3. Date of Franchise Award \_\_\_\_\_
4. Date of Franchise Disposition \_\_\_\_\_
5. Reason and Manner of Disposition  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\* For purposes of this form, "principal" means any officer or director of the transferee, and any person, firm, corporation, subsidiary, joint venture or other entity, who or which owns or controls 5 (five) percent or more of the voting stock (or any equivalent voting interest of a partnership or joint venture) of the Transferee.

**DRAFT**

**FORM G: SERVICE AREAS, CONSTRUCTION SCHEDULES  
AND CONSTRUCTION PRACTICES\***

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\* For purposes of this form, Transferee is directed to review all applicable provisions of the existing Cable Communications Franchise Ordinance. It is presumed that Transferee understands the applicable provisions when referenced herein.





EXISTING SERVICE AREA AND LINE EXTENSION

1. Does Transferee agree to comply with all existing franchise requirements regarding the provision of cable television service to subscribers served by currently constructed cable television plant?  Yes  No

(a) If no, please explain

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2. Does Transferee agree to comply with all existing franchise requirements regarding the expansion of cable television service to areas within the boundaries of the franchising authority which are not currently provided service by existing cable plant?  Yes  No

(a) If yes, please reference with specificity the line item(s) of the attached financial information which indicates such compliance.

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(b) If no, please explain

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**DRAFT**

3. If Transferee proposes a plan different from the existing franchise requirements for line extensions, please append to this form details of your proposed line extension policy (rates, timetable for offering service, and conditions). Show how your policies are based on the cost of the plant needed to reach the areas.

4. Does the Transferee agree to offer those services and rates proposed for the existing service area to any area which reaches or exceeds an average density of 40 homes per street mile. (This requirement shall be construed to require construction in areas of 10 homes per 1/4 street mile, 1 home per 1/40 street mile, etc.)  Yes  No

(a) If yes, please reference with specificity the line item(s) of the attached financial information which indicates the offering of services and rates.

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(b) If no, please explain

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CONSTRUCTION PRACTICES

5. (a) Has Transferee or any of its owners or principals ever been sanctioned or otherwise penalized by any level of government for failure to comply with construction standards applicable to any currently or formerly owned or operated cable systems?  Yes  No

If yes, please explain in detail.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- (b) With regard to individual residential subscriber installations, describe policies for placing cable in homes, including the ability of the subscriber to determine where the drop will enter the dwelling, restoration of property disturbed or damaged during the installation, etc. If any additional fees will be charged for other than standard installations, and such fees are different from those currently in existence in the franchise territory, please list such fees, policies, and procedures.
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

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\* Note: Please reference with specificity the line item(s) of the attached financial information which indicates such policies, plans, and fees.

- (c) Has Transferee or any of its owners or principals ever been sanctioned or otherwise penalized by any level of government for failure to comply with subscriber installation standards applicable to any currently or formerly owned or operated cable systems? [ ] Yes [ ] No

If yes, please explain in detail.

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6. Underground Policy

- (a) Does Transferee agree to construct cable distribution plant underground in any areas where all other utilities are now or hereafter underground? [ ] Yes [ ] No

- (b) Does Transferee agree to construct underground cable plant in newly platted areas at the time that electronic and telephone distribution plants are constructed underground? [ ] Yes [ ] No

- (c) Please explain policies for the construction of underground subscriber drops during winter months, or during otherwise inclement weather. 


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- (d) If yes to (a) or (b) above, please reference with specificity the line item(s) of the attached financial information which indicates such statements. 


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# DRAFT

## FORM H: CHANNEL CAPACITY AND SYSTEM DESIGN\*

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- \* For purposes of this form, Transferee is directed to review all applicable provisions of the existing Cable Communications Franchise Ordinance. It is presumed that Transferee understands the applicable provisions when referenced herein.

CHANNEL CAPACITY AND SYSTEM DESIGN

- 1. Does Transferee propose any modification of the existing cable communications system (both subscriber and institutional networks)? Included in any proposed modification are there any electronics, converter, head-end, etc. changes proposed.  Yes  No

(a) If yes, please explain.

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- 2. Does Transferee plan to modify the channel capacity of the system?  Yes  No

(a) If yes, please explain.

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- 3. Will Transferee agree to assume all existing obligations of Transferor regarding future activation of channel capacity and upstream capabilities (including both subscriber and institutional networks)?  Yes  No

(a) If no, please explain.

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**DRAFT**

CHANNEL CAPACITY AND SYSTEM DESIGN (continued)

(b) If yes, please explain your understanding of such obligations and reference with specificity the line item(s) of the attached financial information which indicates such assumption of obligations.

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4. Will Transferee assume all existing obligations of Transferor to interconnect the system with other systems, both hard cable and microwave?  Yes\*  No

(a) If no, please explain.

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5. Performance Tests

Will Transferee agree to comply with all existing obligations of Transferor regarding on-going performance tests of the system as well as all existing reporting requirements related to such tests?  Yes\*  No

(a) If no, please explain.

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CHANNEL CAPACITY AND SYSTEM DESIGN (continued)

6. System Maintenance

Will Transferee agree to comply with all existing preventive maintenance requirements and procedures currently required of or being implemented by Transferor?

Yes\*       No

(a) If no, please explain.

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7. Customer Complaint Policies

(a) Will Transferee assume all current obligations applicable to and current procedures and policies undertaken by Transferor regarding responding to and resolving customer complaints?

Yes\*       No

(a) If no, please explain.

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(b) Will answering services or automatic answering machines be used at any time?

Yes\*       No

(c) If yes, please explain. (Include company maximum initial response time to such customer inquiries received via answering services.)

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CHANNEL CAPACITY AND SYSTEM DESIGN (continued)

(d) Will Transferee maintain a business office within the geographic boundaries of the municipalities currently served by the existing cable communications system which will be open during regular business hours?

[ ] Yes\* [ ] No

(e) If no, please explain.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. Please describe in detail Transferee's plans for utilizing and promotion of the institutional network, including proposed allocation of band width.\*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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\* If yes to question 4, 5, 6, 7 or 8 above, please explain your understanding of the existing obligations and reference with specificity the line item(s) of the attached financial information which indicates such assumption of obligations.

# DRAFT

## FORM I: PROPOSED SIGNAL CARRIAGE AND CHANNEL ALLOCATIONS\*

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\* For purposes of this form, Transferee is directed to review all applicable provisions of the existing Cable Communications Franchise Ordinance. It is presumed that Transferee understands the applicable provisions when referenced herein.

# DRAFT

FORM I

Page 1 of 1

## PROPOSED SIGNAL CARRIAGE AND CHANNEL ALLOCATIONS

1. Does Transferee propose the addition or deletion of any programming services (including data, audio, or video)?

Yes       No

(a) If yes, please explain.

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**DRAFT**

FORM J: LOCAL PROGRAMMING\*

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\* For purposes of this form, Transferee is directed to review all applicable provisions of the existing Cable Communications Franchise Ordinance. It is presumed that Transferee understands the applicable provisions when referenced herein.

**DRAFT**

LOCAL PROGRAMMING

1. Does Transferee agree to assume all local programming/public access commitments of Transferor (including franchise requirements and procedures, channel capacity, equipment, facilities and staff)?  Yes  No

(a) If yes, please reference with specificity the line item(s) of the attached financial information which indicates such assumption of the commitments.

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(b) If no, please explain.

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2. Will Transferee agree not to propose any modifications of the local programming/ public access commitments which it assumes in the transfer for at least three (3) years from the effective date of the transferred franchise (including franchise requirements and procedures, channel capacity, equipment, facilities, and staff)?  Yes  No

(a) If no, please explain.

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**DRAFT**

LOCAL PROGRAMMING (continued)

3. Does Transferee propose any additions to the local programming/public access commitments described in 1 and 2, above?  Yes  No

(a) If yes, please explain and reference with specificity the line item(s) of the attached financial information which indicates such additions.

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4. Describe plans and budget for promotion of local programming/public access.
5. Please specify your allocation of channel time and programming support to leased access users if different from current policies of Transferor. Please state all company policies and procedures for the leasing of channel time or entire channels by individuals, corporations, associations, or the like, if different from current policies of Transferor.

**DRAFT**

**FORM K: PROPOSED RATES\***

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\* For purposes of this form, Transferee is directed to review all applicable provisions of the existing Cable Communications Franchise Ordinance. It is presumed that Transferee understands the applicable provisions when referenced herein.

# DRAFT

FORM K

Page 1 of 2

## PROPOSED RATES

### PERIOD OF RATE STABILITY

1. Will Transferee assume all existing Transferor rates and charges?  Yes  No
2. Will Transferee guarantee that no increases in any rates will be made for one year from the effective date of the transferred franchise?  Yes  No

If "no" to either 1 or 2 above, please answer questions in rest of Form K.

### RATES - SUBSCRIBER NETWORK

3. (a) List proposed installation and monthly subscriber rates for all tiers and types of basic service.  
  
Include rates for all tiers, additional outlets, FM and audio service (with and without cable service).
- (b) Specify installation rates for those homes/businesses/industries located under 200' from the distribution system and those located 200' or more from the distribution system (aerial and underground).
- (c) State policies regarding unusual or difficult connections of service.

### OTHER RATES

4. (a) If deposit is required for converter, state amount and describe conditions relating to ownership, use, repair and replacement.
- (b) If any other deposit is required, please state amount, purpose and terms and conditions of such deposit.



# DRAFT

FORM K

Page 2 of 2

## PROPOSED RATES (continued)

### Other Rates (cont.)

5. (a) Pay Cable: Detail proposed rates that will be charged for pay cable services. Include charge, if any, for lockout devices and equipment installation. Indicate whether charges are monthly or assessed on a one-time basis.

### 6. Studio and Equipment Usage

Describe studio and equipment usage rates for commercial and noncommercial users. Include rates for:

- (a) studio production time;
- (b) remote production time;
- (c) supervision and instruction;
- (d) leased channel costs;
- (e) system playback costs;
- (f) editing costs;
- (g) rental of studios; and
- (h) rental of equipment.

# DRAFT

## FORM L: EMPLOYMENT PRACTICES\*

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\* For purposes of this form, Transferee is directed to review all applicable provisions of the existing Cable Communications Franchise Ordinance. It is presumed that Transferee understands the applicable provisions when referenced herein.

# DRAFT

FORM L

Page 1 of 1

## EMPLOYMENT PRACTICES

1. Will Transferee comply with all federal, state and local laws pertaining to discrimination, equal opportunity employment programs and affirmative action programs?  Yes  No

(a) If no, please explain.

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2. Will Transferee assume all existing staff position obligations of Transferor?  Yes  No

(a) If no, please explain.

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3. Please explain any proposed changes in management or staff positions of system.

4. If no staff position changes are proposed, please explain any plans you have for analysis of existing staff positions for the purpose of proposing such changes after the franchise is transferred.

5. Will the system have:

(a) local manager  Yes  No

(b) regional manager  Yes  No

If yes, location of local and/or regional managers.

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**DRAFT**

FORM M: FRANCHISE MODIFICATIONS  
AND MISCELLANEOUS

1. Does Transferee agree to execute the existing franchise between South Washington County Cable TV Company and Commission, to comply with all terms and conditions of said franchise, and secure the signature and guarantee of Transferee's parent corporation on said franchise.

[ ] Yes      [ ] No

(a) If Transferee has no parent corporation, please identify the person or entity who will guarantee the performance of said franchise.

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2. Please list with specificity any franchise modifications Transferee will request of franchise authority. Please attach proposed franchise language for any such requested modifications.

# DRAFT

## CABLE SYSTEM FINANCIAL MODEL

### CONTENTS

EXHIBIT I	FINANCIAL PRO FORMAS
EXHIBIT II	FINANCIAL RESOURCES

Kevin P. Cattoor  
2224 73rd Court North  
Minneapolis, MN 55444

(612) 566-5294  
(612) 370-0688

# DRAFT

## EXHIBIT I

### FINANCIAL PRO FORMAS

#### SCHEDULE

- |       |       |  |
|-------|-------|--|
| I.    |       | OPERATIONAL ASSUMPTIONS                                  |
| II.   |       | REVENUE ASSUMPTIONS                                      |
| III.  |       | EXPENSE ASSUMPTIONS                                      |
| III.  | 1 & 2 | COMPENSATION ANALYSIS                                    |
| IV.   |       | PLANT EXPENSE ASSUMPTIONS                                |
| V.    |       | ORIGINATION EXPENSE ASSUMPTIONS                          |
| VI.   |       | GENERAL, SELLING & ADMINISTRATIVE<br>EXPENSE ASSUMPTIONS |
| VII.  |       | RETURN ON INVESTMENT ANALYSIS                            |
| VII.  | 1     | COMPUTATION OF TAX DEPRECIATION                          |
| VIII. |       | SUMMARY OF CAPITAL EXPENDITURES                          |
| IX.   |       | DOCUMENTATION  |

#### NOTE:

The forms included herein as Exhibit I have been designed to illustrate the basic financial information required by the Commission. The Transferee is not restricted to submitting their financial plan in this exact format. The Transferee should however, submit enough documentation of the financial and operating assumptions so that the forms in Exhibit I can be completed by the Commission. The Commission reserves the right to request additional information from the Transferee as deemed necessary.

XYZ CABLE COMPANY  
OPERATIONAL ASSUMPTIONS

EXHIBIT I

SCHEDULE 1

	YEAR															TOTAL	AVERAGE		
	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000				
<b>HOUSEHOLDS IN FRANCHISE AREA-</b>																			
XYZ Cable (13)																	0	0	
<b>RATE OF GROWTH IN HOUSEHOLDS-</b>																			
XYZ Cable (13)	N/A	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	
<b>AVERAGE BASIC SUBSCRIBERS-</b>																			
XYZ Cable																		0	0
Tier I	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Tier II																		0	0
Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
<b>BASIC PENETRATION-average</b>																			
XYZ Cable (14)																		N/A	0.02
<b>AVERAGE PAY TV SUBSCRIBERS</b>																			
XYZ Cable	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
<b>PAY PENETRATION-average</b>																			
XYZ Cable (14)																		N/A	ERR

NOTES-

- (1)
- (2)
- (3)
- (4)

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NYE CABLE COMPANY  
REVENUE ASSUMPTIONS

EXHIBIT I

SCHEDULE II

		YEAR														TOTAL	AVERAGE	
		1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000		
<b>AVERAGE MONTHLY RATES-</b>		-----																
NYE Cable																	N/A	\$9.00
Mini Basic		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	N/A	\$9.00
Basic	(1)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	N/A	\$9.00
Pay TV	(1)(3)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	N/A	\$9.00
<b>PERCENT INCREASE IN RATES-</b>		-----																
NYE Cable		N/A	N/A	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR
Mini Basic		N/A	N/A	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR
Basic		N/A	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR
Pay TV		N/A	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR
<b>ANNUAL REVENUE- (000 \$)</b>		-----																
NYE Cable		\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
Mini Basic		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Basic		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Pay TV		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Pay per view	(5)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Install/reconnect		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Second sets		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Advertising	(5)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Other		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
		\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0

- NOTES-
- (1)
  - (2)
  - (3)
  - (4)
  - (5)

DRAFT

EYE CABLE COMPANY  
EXPENSE ASSUMPTIONS

EXHIBIT B

SCHEMATIC 111

	YEAR															TOTAL	AVERAGE
	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000		
<b>EXPENSES BY CATEGORY- (1000'S)</b>																	
COMPENSATION	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10
PAY SERVICE FEES	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
FRANCHISE FEES	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OTHER	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>

		1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	TOTAL	AVERAGE
<b>EXPENSES BY DEPARTMENT- (1000'S)</b>																		
PLANT	IV	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10
ORIGINATION	V	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
GENERAL, SELLING AND ADMINISTRATIVE-	VI	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>TOTAL</b>		<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>

INFLATION RATE STARTING IN 1986- 7%

DRAFT

XYZ CABLE COMPANY  
COMPENSATION ANALYSIS

EXHIBIT 1

SCHEDULE III-1

POSITION	YEAR														
	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000
<b>PLANT- (1)</b>															
Preventative Maintenance Tech.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Converter Control/Programmer	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Installer	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dispatcher	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Installer	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Installer	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Line Tech	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Service Tech	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Installer	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Installer	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Conv. Cont. Foreman	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Service Technician	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Plant Manager	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Preventative Maint. Tech	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
UNLOCATED DIFFERENCE (2)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>ORIGINATION- (1)</b>															
Prod. Asst./Master Cont.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Prod. Asst./Mobile Van Oper.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Video Maintenance/Production	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Education Access Liason	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Access-Coord./Prod. Asst.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Program Director	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
UNLOCATED DIFFERENCE (2)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

NOTES-

- (1)
- (2)

DRAFT

YYZ CABLE COMPANY  
COMPENSATION ANALYSIS

EXHIBIT I  
SCHEDULE III-2

POSITION	YEAR														
	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000
<b>GENERAL, SELLING, AND ADMINISTRATIVE-(1)</b>															
General Manager	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Office Supervisor	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Customer Sales Rep	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Customer Sales Rep	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Customer Sales Rep	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Customer Sales Rep	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Customer Sales Rep	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Customer Sales Rep	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Customer Sales Rep	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sales Representative	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sales Representative	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sales Representative	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sales Representative	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sales Representative	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sales Representative	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
UNLOCATED DIFFERENCE (2)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Commission Expense (3)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Overtime	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total Compensation Before Fringe Benefits</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fringe Benefits	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Fringe Benefits %</b>	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR
<b>Total Compensation Per Schedule III</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

NOTES-  
(1)  
(2)  
(3)

DRAFT

EYE CABLE COMPANY  
PLANT EXPENSE ASSUMPTIONS

EXHIBIT 1

SCHEDULE IV

CATEGORY (DOLLARS)	YEAR															TOTAL	AVERAGE	
	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000			
GALVANIES	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80
OVERTIME	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
FRINGE BENEFITS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>TOTAL COMPENSATION</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>
MAINTENANCE (1)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
CONVERTER MAINTENANCE (4)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
POLE AND SITE RENTAL (5)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MICROWAVE SERVICE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
POWER-PLANT (6)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
VEHICLE EXPENSE (7)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
RENT (8)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PAYROLL AND EXPENSE CAPITALIZED	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OTHER (9)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>TOTAL PLANT</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>	<b>80</b>

INFLATION RATE STARTING IN 1986 - 7%

NOTES-

- (1)
- (2)
- (3)
- (4)
- (5)
- (6)
- (7)
- (8)
- (9)

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TV7 CABLE COMPANY  
ORIGINATION EXPENSE ASSUMPTIONS

EXHIBIT I

SCHEDULE V

CATEGORY 1000 \$1	YEAR															TOTAL	AVERAGE	
	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000			
SALARIES	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10
OVERTIME	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
FRINGE BENEFITS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL COMPENSATION	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10
MAINTENANCE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
VEHICLE EXPENSE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TAPE STOCK	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
FILM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MISCELLANEOUS PROGRAM SUPPLIES	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
BATELL (10) SIGNAL R-	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
INDEPENDENTLY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PAY CABLE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OTHER (INCL PPV COST) GRANTS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL ORIGINATION	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10

INFLATION RATE STARTING IN 1986- 7%

NOTES-

- (1)
- (2)
- (3)
- (4)
- (5)
- (6)

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BYT CABLE COMPANY  
 GENERAL, SELLING & ADMINISTRATIVE  
 EXPENSE ASSUMPTIONS  
 YEAR

EXHIBIT I

SCHEDULE VI

CATEGORY (000'S)	YEAR															TOTAL	AVERAGE	
	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000			
SALARIES	90	90	90	90	90	90	90	90	90	90	90	90	90	90	90	90	90	90
OVERTIME	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
COMMISSION EXPENSE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
FRINGE BENEFITS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL COMPENSATION	90	90	90	90	90	90	90	90	90	90	90	90	90	90	90	90	90	90
LIGHT AND POWER	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
VEHICLE EXPENSE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
RENT	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TRAVEL AND ENTERTAINMENT MOVING DUES	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
CONTRIBUTIONS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PROFESSIONAL SERVICES	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
STATIONARY AND SUPPLIES	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
POSTAGE AND FREIGHT COMPUTER BILLING	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ADVERTISING PROMOTION GUIDES	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TELEPHONE AND TELEGRAPH	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OTHER INCL ADVER SALES EIP	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
INSURANCE (INCL IN PLANT)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
BAD DEBT EXPENSE 1.5% OF TOTAL REV	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
STATE AND LOCAL TAXES	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
FRANCHISE FEES 3.0% TOTAL REV	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
LICENSE AND PERMIT FEES	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
COPYRIGHT PAYMENTS 2.3% OF BASIC REV.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
CORPORATE OVERHEAD	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL GENERAL, SELLING & ADMINISTRATIVE	90	90	90	90	90	90	90	90	90	90	90	90	90	90	90	90	90	90

INFLATION RATE STARTING IN 1986- 7%

NOTES-

- (1)
- (2)
- (3)
- (4)

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TYE CABLE COMPANY  
RETURN ON INVESTMENT ANALYSIS

EXHIBIT 1

SCHEDULE VII

(000 'S)	EQUITY INVESTMENT	YEAR														TOTAL	AVERAGE		
		1984	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999			2000	
REVENUES (SCHEDULE III)		80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80
EXPENSES (SCHEDULE III)		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OPERATING INCOME		80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80
OPERATING MARGIN		ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR	ERR
TAX DEPRECIATION (SCHEDULE VII-1)		(0)	(0)	(0)	(0)	(0)	(0)	(0)	(0)	(0)	(0)	(0)	(0)	(0)	(0)	(0)	(0)	(0)	(0)
INTEREST PAYMENTS		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
INC BEFORE TAX		80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80
INCOME TAXES (PAYABLE)/BENEFIT	(1)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
EQUITY INVESTMENT	(2)	0																	
DEBT PROCEEDS		0																	
DEBT REPAYMENT		0				0	0	0	0	0	0	0	0	0	0	0	0	0	0
CAPITAL EXPENDITURES	(3)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TAX DEPRECIATION		0																	
CASHFLOW PER YEAR		80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80	80
CUMULATIVE CASHFLOW		0	80	160	240	320	400	480	560	640	720	800	880	960	1040	1120	1200	1280	1360
CASHFLOW USED FOR RETURN CALCULATION ASSUMING VALUE OF SYSTEM IN YEAR 15 0 0 1 CASHFLOW PLUS CASH BALANCE LESS 8300.000 FOR CLOSING COSTS		(0)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	(300)
PRESENT VALUE OF CASHFLOWS		(0)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	(351)
RATE OF RETURN AFTER TAX		ERR																	

NOTES-

- (1)
- (2)
- (3)

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LYZ CABLE COMPANY  
COMPUTATION OF TAX DEPRECIATION

EXHIBIT B  
SCHEDULE M-1

(000 \$)	ADDITIONS	YEAR															TOTAL
		1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	
<b>5 YEAR PROPERTY</b>																	
1983	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1984	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1985	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1986	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1987	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1988	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1989	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1990	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1991	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1992	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1993	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1994	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1995	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1996	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1997	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1998	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1999	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>15 YEAR PROPERTY</b>																	
1983	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1984	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1985	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1986	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1987	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1988	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1989	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1990	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1991	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1992	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1993	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1994	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1995	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1996	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1997	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1998	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1999	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>TOTAL</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

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XYZ CABLE COMPANY  
SUMMARY OF CAPITAL EXPENDITURES

EXHIBIT I  
SCHEDULE VIII

DESCRIPTION	YEAR														TOTAL	
	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999		2000
Antenna and towers																
Regional Interconnect																
Headend																
Earth Station																
Distribution-																
Aerial																
Underground																
Drops																
Converters																
Buildings																
Leasehold Improvements																
Land																
Origination Equipment-																
Studios																
Mobile Vans																
Equipment																
Test Equipment																
Vehicles																
Pre-Operating Expenses																
Other																
<b>Total Capital Expenditures</b>																

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EXHIBIT II  
FINANCIAL RESOURCES

1. SOURCES OF FINANCING
2. TERMS OF FINANCING
3. DOCUMENTATION
4. ADDITIONAL DATA REGARDING  
LOCAL INVESTORS
5. NATIONAL BUILDING COMMITMENTS --  
NEW PLANT
6. COMMITMENTS TO REBUILD --  
REBUILDING PLANT
7. POTENTIAL BUILDING COMMITMENTS --  
CURRENT FRANCHISE APPLICATIONS

**FINANCIAL RESOURCES**

Please describe in detail the financing plan to fulfill the Franchise requirements for the construction and operation of the cable communications system. Proof of financial capability shall include the following:

1. Source of financing:

- a. Equity--What is the source and amount of equity capital? \* \_\_\_\_\_  
\_\_\_\_\_
- b. Primary Debt--What is the primary source and amount of debt? \_\_\_\_\_  
\_\_\_\_\_
- c. Secondary Debt--What is the secondary source and amount of debt? \_\_\_\_\_  
\_\_\_\_\_
- d. Name and title of officer in bank or lending institution who has authorized the financing for this project: \_\_\_\_\_  
\_\_\_\_\_

2. Terms of financing:

- a. Amount--Primary \$ \_\_\_\_\_ Period \_\_\_\_\_  
Amount--Secondary \$ \_\_\_\_\_ Period \_\_\_\_\_
- b. Under what conditions is the financing to be made available? \_\_\_\_\_  
\_\_\_\_\_
- c. What interest rates? \_\_\_\_\_
- d. What collateral is involved? \_\_\_\_\_
- e. Who are guarantors? \_\_\_\_\_
- f. Are there related agreements made in connection with financing of this project? \_\_\_\_\_  
\_\_\_\_\_

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\* / If any portion of equity contribution is borrowed, describe collateral and terms of the loan.

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FINANCIAL RESOURCES (continued)

- g. Are there any limitations on the sale of stock by individual holders in this project? Describe.

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- h. Are there any buy-out or buy-back stock provisions? Describe.

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- i. Are there any assignments or intended assignments of stock voting rights? If so, describe.

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- j. If Transferee is (or includes) a multiple system operator, will it agree to countersign the franchise agreement if asked by the city?

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- k. Is Transferee organized as an IRS Subchapter S corporation? If yes, what depreciation rate will be used for tax purposes?

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FINANCIAL RESOURCES (continued)

3. Documentation: Supply correspondence that assures Transferee's financial viability, such as letters of commitment from financial institutions, which will demonstrate the availability of sufficient funds to complete the franchise requirements as it relates to additional construction of the cable communications system.

If Transferee is a multiple system operator, give evidence of the portion of the company's line of credit that is presently uncommitted, and will be applied to the franchise requirements as it relates to additional construction of the cable system.

If Transferee is a division of subsidiary of an MSO, provide the proposed debt instrument describing terms of payment.

If capital is to be raised by a parent company, provide an annual report for the parent company.

# DRAFT

EXHIBIT II  
Page 4 of 7

## FINANCIAL RESOURCES (continued)

### 4. ADDITIONAL DATA REGARDING LOCAL INVESTORS

If local investors are involved, these additional questions must be answered. Failure to answer this question fully may adversely affect the evaluation of a Transferee's request.

- a. List the amount of equity contribution to be provided by each investor, plus the method by which the contribution is paid (e.g., cash, cash plus credit, services, etc.) Services contributed in lieu of dollar investment are to be described and made quantifiable.
- b. State how each investor intends to fund its contribution. If the money is to be borrowed, state what will be the collateral.
- c. Include financial commitment data for each investor.
- d. If the percentage of ownership is not comparable to the equity contributions, state how ownership will be allocated among the investors.
- e. Submit data showing how profits and losses will be shared among franchise investors.
- f. How will investment tax credits be shared among the investors?
- g. How will depreciation deductions be shared among the investors?
- h. Disclose any agreements for repurchase of the local investor's ownership interest by the applicant company or its parent(s).

# DRAFT

EXHIBIT II  
Page 5 of 7

## NATIONAL BUILDING COMMITMENTS -- NEW PLANT

To be completed by Transferee and parent organizations with whom pending franchise transfers exist in other communities. If additional space is needed, please reproduce this form.

NOTE: This form also relates to ANY new plant commitments to which Transferee or parent is currently committed.

Miles and Cost of Committed Plant (give name of community)	Committed Total Capital Costs				
	1986	1987	1988	1989	Completion Date
Transferred System	Miles				
	Cost				
Community 1:	Miles				
	Cost				
Community 2:	Miles				
	Cost				
Community 3:	Miles				
	Cost				
Community 4:	Miles				
	Cost				

NOTE: New plant includes the miles of committed plant and construction costs for all recently awarded franchises which may not have started construction and also older franchises where building program is not yet complete, including line extensions.



# DRAFT

EXHIBIT II  
Page 6 of 7

## COMMITMENTS TO REBUILD -- REBUILDING PLANT

To be completed by the Transferee and parent organizations franchised in more than one community. If additional space is needed, please reproduce this form.

Miles and Cost of Committed Plant (give name of community)	Committed Total Capital Costs				Completion Date
	1986	1987	1988	1989	

Community 1:

\_\_\_\_\_ Miles

\_\_\_\_\_ Cost

Community 2:

\_\_\_\_\_ Miles

\_\_\_\_\_ Cost

Community 3:

\_\_\_\_\_ Miles

\_\_\_\_\_ Cost

Community 4:

\_\_\_\_\_ Miles

\_\_\_\_\_ Cost

Community 5:

\_\_\_\_\_ Miles

\_\_\_\_\_ Cost

\_\_\_\_\_  
New Plant (including the transferred system)

\_\_\_\_\_  
Rebuilding Plant

\_\_\_\_\_  
Total Committed  
Capital Costs

# DRAFT

EXHIBIT II  
Page 7 of 7

## POTENTIAL BUILDING COMMITMENTS -- PENDING FRANCHISE TRANSFERS

To be completed by Transferee and parent organizations with whom pending franchise transfers exist in other communities. If additional space is needed, please reproduce this form.

Community in which franchise is to be transferred	Expected date of Transfer	Estimated Plant Mileage	Estimated Cost
Community 1: _____ _____			
Community 2: _____ _____			
Community 3: _____ _____			
Community 4: _____ _____			
Community 5: _____ _____			
Community 6: _____ _____			
TOTAL ESTIMATED MILEAGE AND COST			

MEMO

TO: Mayor and City Council  
FROM: Gary E. Brown *GEB*  
DATE: August 28, 1986  
SUBJECT: Assistant Building Inspector

Attached is a letter from Jon Ludwig resigning his position as Assistant Building Inspector so that he may work for the City of Bloomington. Staff requests Council authorization to fill this position.

cl

# CITY OF HASTINGS

100 SIBLEY STREET, HASTINGS, MINNESOTA 55033-0097  
Phone (612) 437-4127



August 22, 1986

TO: Gary Brown

FROM: Jon Ludwig

This is to notify the city of Hastings that effective September 5, 1986, I will resign my position as Assistant Building Inspector.

Respectfully yours,

*Jon Ludwig*  
Jon Ludwig

August 22, 1986

Chief Donald Latch  
City Council Members  
Members of  
Hastings Fire Dept.

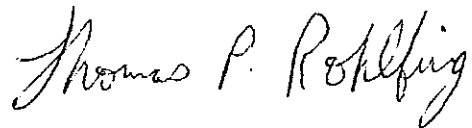
To all,

It is with much regret, that I have to submit my resignation from such a fine dept. The experience and training I have gained here I consider invaluable. I will be returning to my home town in Cleveland Mn. where I hope to continue as a Firefighter.

Please accept my resignation effective August 22nd. 1986.  
Again, Thank You for the invaluable experience.

Sincerely,

Thomas P. Rohlfing



My forwarding address is:

Thomas P. Rohlfing  
P.O. Box 326  
Cleveland Mn. 56017

AUGUST 28, 1986

DEPARTMENT REQUESTS TO USE FEDERAL REVENUE SHARING FUNDS:

1. Streets	Heated Bituminous Mix Trailer	\$ 3,500
2. Building Inspector	Portable Radio	1,100
3. Dutch Elm	1987 Program (\$2,000 for reforestation)	22,000
4. Fire/Ambulance	2 Defibrillators	19,000

*Six Portable radios for police* →

\$ 45,600  
~~6,600~~  
52,200

Amount of Revenue Sharing Funds available \$55,000

*Trenton - Park Improvements*  
*Nesbit - Sidewalk Project*  
*Elderly*

## MEMO

To: Mayor and City Council

From: Keith Rosch, Street Superintendent

Subject: Request to use Federal Revenue Sharing Funds

Date: August 28, 1986

Enclosed you will find a print of a brochure showing the Heated Bituminous Mix Trailer I would like to purchase for the street departments use in patching streets. This would enable us to better patch streets using hot mix instead of the mix we presently use. The hot mix patch is more durable and would be more cost effective. When we currently buy mix it gets cold soon and hardens. With this proposed equipment we can patch all day with hot mix.

It is requested that Federal Revenue Sharing Funds be used to purchase this equipment which is estimated to cost \$7,500. The 1986 budget includes \$4,000 for this equipment. So Revenue Sharing Funds in the amount of \$3,500.00 are requested.

jt

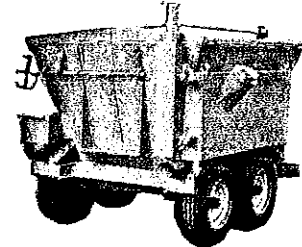
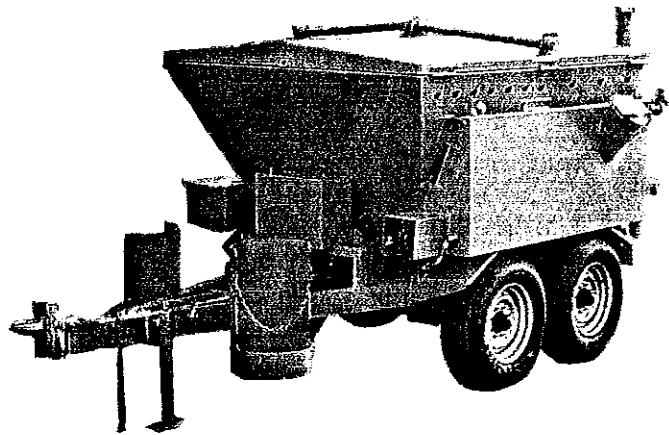
**IMPROVE  
EFFICIENCY**

Send your road repair crew out with enough asphalt mix for a full day's work.

## **HEATED BITUMINOUS MIX TRAILER**

Designed and Used by  
the Minnesota Department  
of Transportation

- Heavy Duty All Welded Construction
- 8 Hour Capacity Load
- Heat on Job Site
- Completely Self Contained
  - Heated Main Hopper
  - Heated Liquid Asphalt Tank
  - Shovel Cleaner and Tool Box



## **MODEL 2700**

This **HEATED BITUMINOUS MIX TRAILER** was designed by the Minnesota Department of Transportation for use in repairing roads. It is basically a unit that is used to transport bituminous mix and asphalt and is designed to heat the material on the job site. This machine is loaded at the mixing site either from an overhead chute or it can be loaded with a front end loader. The unit is towed to job site and heating units are put in operation to bring the mix up to the temperature necessary to make a bond with the road surface. The machine is designed with a hopper for bituminous mix and a tank to hold liquid asphalt which is used to bond the mix to the old surface. Both units have separate heating units.

Primary usage of this machine would be for repair and maintenance of bituminous road and parking lot surfaces - City, County, and State Highway Departments.

**REASONABLY  
PRICED**



Contact: **Tom Moerke** Minnesota Correctional Industries  
**Sales Manager** P.O. Box 55, Stillwater, Minnesota 55082  
Tel: 612-439-1910 ext. 325

# HEATED BITUMINOUS MIX TRAILER

## Items

## Model 2700 Specifications

### Hopper

- Capacity - 2.7 cubic yards
- 10 gauge steel double wall construction with 1/4" bottom plate.
- Equipped with two 200,000 BTU removable propane burners with manual controls.
- Heat up time approximately 20 minutes.
- Loading doors - 2 top hinged, opening 63 1/2" x 78" including two telescoping lifting arms to assist opening and closing
- Unloading door - 1 sliding door 22 1/2" x 26" with safety lock.
- Tank holders for two 100 lb. propane tanks.

### Liquid Asphalt Tank

- Capacity - 55 gals.
- 12 Gauge steel construction.
- Equipped with one 200,000 BTU propane burner with temperature control and safety shut-off.
- 8" loading opening with locking cover.
- 2" bung faucet for unloading liquid asphalt.

### Tool Storage

- Steel tool storage and shovel cleaning box. Holds 3 shovels and hand tools.

### Running Gear & Frame

- Tandem Prior coal axles with torsion spring accessory kit.
- 4 wheel hydraulic surge brakes.
- 8 bolt hubs
- 9.50 x 16.5 E. load range tires.
- Frame - all welded channel iron 5" x 2" x 5/16".
- Tail and turn signal light package.

### Hitch

- Choice of ring hitch or ball hitch
- Surge brake control
- Hitch adjustment range from 16 1/2" to 23" drawbar height.
- Equipped with screw type swing away jack stand.

### Height - Doors Closed

- 83 1/2"

### Height - Doors Open

- 105"

### Length

- 150"

### Width

- 87 1/2"

### Net Weight

- 4270 lbs. less tank.

### Gross Weight

- 10,000 lbs.

### Ground Clearance

- 12"

## MEMO

To: Honorable Mayor and Councilors

From: Merlin Wilbur *mw*.

Subject: Radio Purchase from Revenue Sharing Funds

The Building Department currently pays the Assistant Inspector mileage to drive his own vehicle on inspections. We could maximize cost effectiveness of these mileage costs with a hand held portable radio for direct contact from City Hall to the inspector. The radio cost will be approximately \$1100.00 purchased under State Cooperative Guideline buying.

I therefore respectfully ask the Council to authorize the purchase of one portable hand radio unit at the above estimated cost.

jt



# HASTINGS POLICE DEPARTMENT

107 West 5th Street  
Hastings, Minnesota  
612-437-4126



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DARYL A. PLATH  
Chief of Police

August 28, 1986

MEMO TO: Mayor Stoffel  
City Council Members

FROM: Daryl A. Plath, Chief of Police *DAP*

RE: Request for Use of Additional Revenue Sharing Funds

Mr. Brown, City Administrator, has indicated that there are some additional Revenue Sharing Funds available for the purchase of equipment.

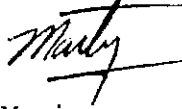
I am hereby requesting monies for six (6) portable radios at a cost of approximately \$6,600.00. I have been experiencing considerable maintenance problems with our present portable radios and I am proposing to issue each officer a portable radio and charger. Experience has indicated that portable radios have a longer life and require less maintenance under a program such as this.

DAP/dj

## MEMO

TO: Mayor and City Council

FROM: Marty McNamara



SUBJECT: Federal Revenue Monies

DATE: August 28, 1986

I would like the Council to consider funding both the Natural Resources and Recreation Commission and the Diseased Tree Program with Federal Revenue Sharing monies.

The Natural Resources and Recreation Commission is currently in the process of updating the Parks Systems Plan. We expect the plan to be completed by the end of September. From speaking with the consultant (Tom Loucks) who is preparing the plan, our Parks System is in great need of upgrading its facilities and equipment. Right now I do not know what the estimated cost will be to upgrade our system, but it will be substantial and we will have an estimate by the end of September.

The Diseased Tree Program has been funded in the past with Federal Revenue Sharing dollars. We anticipate that the program will cost \$20,000 in 1987, similar to 1985 and 1986. We would also like the Council to set aside an additional \$2,000.00 for reforestation. This would be a total of \$22,000.

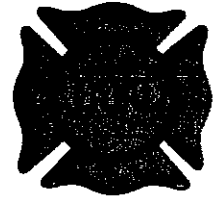
Thank you for considering these projects.

ces

VIC12



# HASTINGS FIRE DEPARTMENT



DONALD C. LATCH, CHIEF  
115 West 5th Street  
Hastings, Minnesota 55033

Business Office (612) 437-5610

TO: Mayor Stoffel  
City Council Members

FROM: D. C. Latch - Fire Chief *[Signature]*

SUBJECT: Request for Federal Revenue Sharing Funds

DATE: August 13, 1986

I respectfully request \$19,000 of unallocated Federal Revenue Sharing funds for the purpose of purchasing two Cardiac Monitors/Defibrillators for our Ambulance Service. An explanation on this request is provided in Mr. Mark Holmes' attached memo.

Also attached are supporting letters from Dr. L. G. Erickson (Hastings Ambulance Service Medical Director) and the Regina Memorial Hospital Emergency Room Committee.

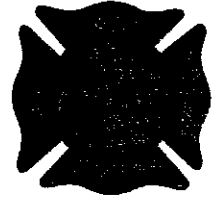
This addition of the Automatic Cardiac Monitors/Defibrillators will obviously upgrade the level of service we are now providing. This seemed to be the intent of the Council's Safety Committee and Rural Fire Association when upgrading to Advanced Life Support was tabled last October. This additional knowledge, training and equipment will help bridge the gap between our current level of service and Advanced Life Support Service.

Attachments

ces



# HASTINGS FIRE DEPARTMENT



DONALD C. LATCH, CHIEF  
115 West 5th Street  
Hastings, Minnesota 55033

Business Office (612) 437-5610

TO: Mayor Stoffel  
City Council Members

FROM: Mark J. Holmes - Ambulance Training Coordinator

SUBJECT: Request For Authorization And Funding For Two Automatic  
Cardiac Monitors And Defibrillators

DATE: July 28, 1986

Approximately two years ago, we had the opportunity to review a new piece of equipment called the "Heart Aid". This portable unit has the ability to read and interpret fatal cardiac arrhythmia and defibrillate in the field. After careful consideration, we decided to wait until field testing was complete, sufficient information was available, and the decision was made to allow emergency medical technicians (EMT's) to use this equipment in the field (at that time only paramedics were allowed to use).

With the above requirements now being satisfied (EMT's are now allowed to use the Heart Aid in the field), we have again studied the equipment and test results and found the following: The Minnesota Department of Health now allows EMT's to defibrillate in the field; initially as little as four hours of training is required to successfully use the Heart Aid; early defibrillation (up to 8 minutes after arrest) successfully reduces the mortality rate in cardiac arrest victims; and automatic defibrillators bypass costly radio and telemetry equipment.

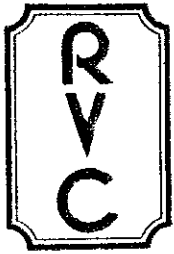
With the recent recommendation by the committee appointed to study advanced life support in our community to continue to upgrade within our means, we ask the following:

- Authorization be given to upgrade our service to include the Heart Aid.
- Appropriation of \$19,000.00 for the purchase of two Heart Aids. (One would not allow us to provide this valuable service 100% of the time.)

I will be attending the August 18th Council meeting with the Heart Aid to answer any questions.

Thank you for your consideration.

MJH:lh



# RIVER VALLEY CLINIC

955 Highway 55  
Hastings, Minnesota 55033  
(612) 437-7287

1320 Frontage Road South  
Hastings, Minnesota 55033  
(612) 437-1044

119 Broad Street North  
Prescott, Wisconsin 54021  
(715) 262-3649

LESEY ATWOOD, M.D.  
Family Practice  
L.G. ERICKSON, M.D.  
Family Practice  
LEA R. HOGAN, M.D.  
Family Practice  
PAUL KERESTES, M.D.  
Family Practice  
GARY MOODY, M.D.  
Family Practice  
ROBERT H. NELSON, M.D.  
Family Practice  
JENNIE ORR, M.D.  
Family Practice  
RALPH RAYNER, M.D.  
Internal Medicine  
THOMAS SCHWINGHAMER, M.D.  
Family Practice  
WILLIAM SPINELLI, M.D.  
Family Practice  
MARK ZIPPER, Ph. D.  
Psychology

July 31, 1986

Mark Holmes  
Hastings Ambulance Service  
Hastings, MN 55033

Dear Mark,

As Medical Director of the Hastings Ambulance Service, I am writing you this letter to fully endorse the purchase of the Heart Aid Monitor/Defibrillator. I feel that this would be a significant upgrading of the basic life support service that we now have in our community.

In addition, I have had the opportunity to review this equipment as Medical Director of the Emergency Room at Regina Memorial Hospital and also as a member of the Emergency Room Committee. It is our feeling from the hospital standpoint and the Emergency Room standpoint that this new equipment would be a great benefit to our ambulance service in their efforts to save lives within our community.

I look forward to working with the Hastings Ambulance Department, and in particular the EMT's in the training and in the use of this Heart Aid Monitor/Defibrillator. If I can be of any further help in regards to this matter, please feel free to contact me.

Yours truly,

L. G. Erickson, M.D.

LGE:rm

# Regina

MEMORIAL HOSPITAL  
NURSING HOME — RESIDENCE  
Hastings, Minnesota 55033  
Phone: (612) 437-3121  
July 16, 1986

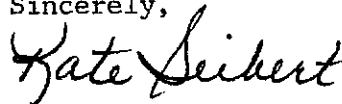
Mark Holmes  
Hastings Ambulance Service  
Hastings, Minnesota  
55033

Dear Mark,

As members of the Emergency Room Committee, we were pleased to have had the opportunity to review the new Heart Aid Monitor/Defibrillator. Drs. Erickson and Schwinghamer were familiar with the monitor but were very impressed with the advanced capabilities of the newest model. They believe it will be of significant value to the community with the probability of saving additional lives by the use of such updated equipment.

The Committee members, as listed below, wish to extend their support to the Hastings Ambulance Service EMT's in the training and use of the Heart Aid Monitor/Defibrillator.

Sincerely,

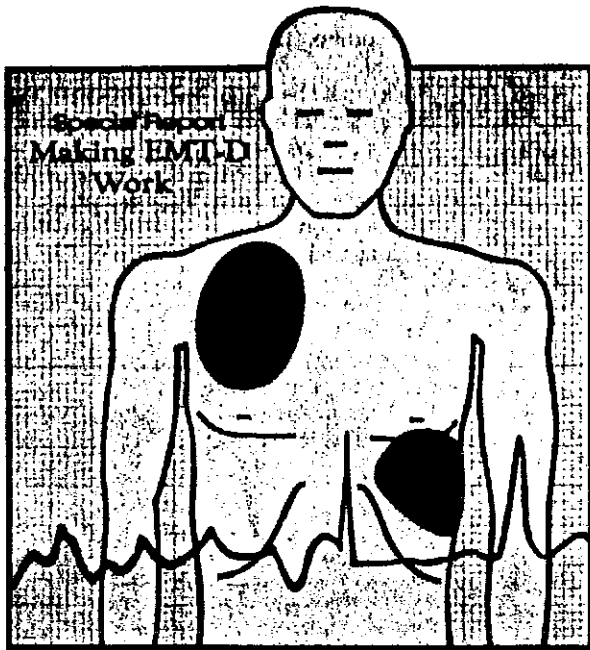


Kate Seibert, RN  
Director of Nursing Service

Emergency Room Committee Members:

Dr. L. Erickson  
Dr. T. Schwinghamer  
John W. Junkman, Administrator  
Barb Becker, Executive Secretary  
Kay Mayer, Head Nurse of E.R.  
Kate Seibert, Director of Nursing Service





# Making EMT-D Work Part II

## Proceedings from the University of Iowa Workshop

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**Editor's Note:** *The first part of the Proceeding of the Iowa Workshop on EMT-Defibrillation appeared in the February issue of Jems and focused on the current status of EMT-D and on training methods.*

*Part Two of the Proceedings discusses the concept of medical control and how it can be established in an EMT-D program; Ken Stults provides an insightful discussion on how to maintain quality in an EMT-D program and the valuable idea of using time trends to improve a program; and finally a detailed comparison of automatic and manual defibrillators is presented to help programs make the decision about which type of defibrillator they should choose.*

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### Medical Control

by Richard O. Cummins, MD

The American Heart Association, in the 1980 Standards and Guidelines for Emergency Cardiac Care, defined medical control in the following way:

"Medical control is defined as the authority exercised by a designated physician (medical director) to direct the medical care provided by any and all personnel involved in the EMS system."<sup>25</sup>

*The concept of medical control.* An EMT who performs a medical procedure other than transportation in an emergency is technically engaged in the practice of medicine. Over the past decade EMTs have been permitted by law to perform more and more medical procedures in their efforts to save lives and reduce disabilities. In performing these procedures, EMTs are acting as agents of medical doctors. The American College of

Emergency Physicians states this concept clearly:

"All prehospital medical care may be considered to have been provided by one or more agents of the physician who controls the prehospital system, for this physician has assumed responsibility for such care."<sup>26</sup>

In many parts of the country, however, basic EMTs operate independently of physician contact, and medical review of their performance seldom, if ever, occurs. In the past, this situation arose most often when programs were started in communities where no physicians were available, interested, or qualified to offer assistance. Lack of medical leadership has frequently limited the contribution of EMTs to emergency care.

Even though it is highly recommended by many experts on prehospital care, basic life support units are not uniformly required to have a formal medical control relationship with a physician. In some states, such as Minnesota, rules and regulations require basic life support ambulance services to have a physician medical advisor. For an EMT-defibrillation program, however, the situation is different—every EMT-D program *must* have formal medical control.

**Features required to establish Medical Control.** Although the details required by emergency medical service programs may differ from state to state, formal medical control should be established through the following features:

1. **Medical Director.** A designated physician must understand and accept the responsibility of being the medical director of an EMT or first responder defibrillation program.

2. **Training Program.** A physician must approve the content and the presentation of the training program. The instruction should be provided by the physician or by a representative of the physician.

3. **Standing Orders.** The medical director must approve the standing orders that will be used by the EMTs or first responders.

**4. Certification.** The medical director must approve the certification process. This means the methods used to test the students and includes written examinations and demonstrations of practical skills.

**5. Authorization.** After certification, the medical director must then issue formal "authorization" to operate the defibrillator according to the standing orders.

**6. Case-by-case review.** Every event in which EMT-Defibrillators or first responders used (or potentially should have used) the defibrillator must be reviewed by the medical director or his designated representative. In King County, Washington, this has meant medical review of every incident in which cardiopulmonary resuscitation was performed. These so-called "CPR Cases" were not limited to cardiac arrest due to heart disease but include drownings, traumatic arrest, drug overdoses, and respiratory failure. There are two ways in which case-by-case review occurs: first by written documentation, and second by review of the tape recordings made by the voice/electrocardiographic tape recorders attached to the portable defibrillators.

**7. Performance evaluations/Practical skills reviews.** At intervals of 30-90 days EMT-Ds must be evaluated and graded on their practical skills of patient assessment, defibrillator operation, and (if using manual defibrillators) rhythm recognition.

**8. Recertification.** At intervals of two to three years, in most states, the performance of the EMT-D is reviewed and a decision is made whether or not that EMT will remain authorized to perform defibrillation. This review can take the form of a written and practical skills exam or, in some areas, a review of the performance of practical skills.

#### Requirements for Medical Control

- |                     |                            |
|---------------------|----------------------------|
| 1. Medical director | 5. Authorization           |
| 2. Training program | 6. Case-by-case review     |
| 3. Standing orders  | 7. Performance evaluations |
| 4. Certification    | 8. Recertification         |

**Prospective, Direct and Retrospective Medical Control.** The figure shows that medical control of EMT-Defibrillation programs is established *prospectively* through state EMS authorities, the training program, and the standing orders and protocols that EMT-Ds learn in their training course. Medical control is established *retrospectively*, that is after actual field events, by case-by-case review performed by the medical direc-

tor or his representative. EMT-D programs *must not* depend on *direct medical control* through telemetry.

**Standing orders versus telemetry.** Virtually all EMT-D programs use standing orders rather than telemetric transmission of an ECG recording to a base station physician. This is because quickness is so important during a cardiac arrest and because telemetry frequently causes long decision-making delays. Standing orders and protocols, in effect, are a direct order from the program medical director to perform certain tasks for a patient. The standing orders must be memorized and practiced by the EMT-D. The EMT-D operates under the authority of the medical director's medical license. When EMT-Ds successfully complete their training course, they receive a Certificate of Authorization. This certificate is a "prescription" from the medical director that legally authorizes the EMT to use the defibrillator *in certain situations and in a prescribed manner*. Standing orders present exactly what these "certain situations" and "certain manners are."

**Relationships among training, medical control and quality assurance.** In EMT-defibrillation there is a great deal of overlap among the concepts of training, medical control and quality assurance. The figure displays these relationships graphically, and Ken Stults discusses them further in the next section. Prospective medical control affects training directly in the form of the standing orders and protocols that the EMTs must learn. Case-by-case review is the primary technique for quality assurance, as well as the primary technique for maintaining retrospective medical control. Problems identified during quality assurance reviews are addressed through either retraining, changes in the initial training, or even changes in the standing orders and protocols. Similarly, insights gained through long-term outcome assessments can be used to modify and "fine-tune" the entire system. These interrelationships must be remembered in any discussion of EMT-defibrillation.

### Quality Assurance: The Key to a Safe and Effective Program

by Kenneth R. Stults, BS, PA-C

Demonstrating that EMT-Ds *can* improve survival following out-of-hospital cardiac arrest is, unfortunately, no assurance that in any given community they *will*. Improved patient outcome cannot be guaranteed simply by providing a defibrillator

### Making EMT-D Work

#### Proceedings from the University of Iowa Workshop

**Editor's Note:** This exclusive two-part series is a summary of the proceedings of a workshop organized by Ken Stults and held in Des Moines, Iowa, December 6, 1985. The proceedings were prepared by the following workshop participants: Roger D. White, MD, Judith Reid Graves, RN, EMT-P, Kenneth R. Stults, BS, PA-C, and Richard O. Cummins, MD.

#### Part 1: February 1986 edition of *jems*

- EMT-Defibrillation: Time to Implement Using National Standards by Roger White, MD
- Is EMTD Right for You? by Richard Cummins, MD
- EMT-D Background by Kenneth R. Stults, BS
- Current Status of EMT-D: by Richard Cummins, MD
- Training EMTs to Use Manual Defibrillators by

Kenneth R. Stults, BS

- Training EMTs to Use Automatic Defibrillators by Judith Reid Graves, RN

#### Part 2: March 1986 edition of *jems*

- Medical Control by Richard Cummins, MD
- Quality Assurance: The Key to a Safe and Effective Program by Kenneth R. Stults
- The Coming of Automatic External Defibrillation by Richard O. Cummins, MD, Judith Reid Graves, RN and Kenneth R. Stults, BS

#### Author Affiliations

Roger D. White, MD, is Associate Professor of Anesthesiology, Mayo Medical School, and Medical Director of Gold Cross Ambulance Service, Rochester, Minn.; Judith Reid Graves, RN, EMT-P was formerly Research Coordinator for EMT-Defibrillation programs in the King County, Wash. EMS Division, and is presently Assistant Clinical Instructor in Emergency Medicine at the East Carolina University School of Medicine; Kenneth R. Stults, BS, PA-C is the Director of the EMS Learning Resources Center, University of Iowa; Richard

O. Cummins, MD is an Associate Professor of Medicine at the University of Washington, and the Medical Director of the King County Washington EMT-Defibrillation Program.

### EMT-D National Conference

A national EMT-D conference sponsored by the National Council of State EMS Training Coordinators will be held in San Francisco, April 26-27, 1986 at the Westin St. Francis Hotel. The program will be chaired by Roger White, MD and will focus on the establishment of standards for the training, medical control and quality assurance of EMT-D programs.

Interested readers are invited to share ideas, experience and research. For more information contact Nels Sanddal, National Council of State EMS Training Coordinators, P.O. Box 150, Boulder, MT 59632; 406/225-4224. □

and 10-20 hours of training on how to use it. Many variables contribute to determining the likelihood of survival for any given patient. The importance of whether or not the presenting rhythm is ventricular fibrillation is obvious. Other variables, however, such as the quality of the technique of defibrillation, are more subtle. An effective community program capable of significantly improving survival following cardiac arrest must address as many of these variables that determine outcome as possible. The more variables that are effectively addressed, the higher will be the likelihood of success. Some, such as a patient's age or whether someone saw or heard the patient collapse, have been appropriately termed "fate factors," and are not amenable to improvement by any known community effort.<sup>27</sup> Many can be influenced on a community-wide basis, however. If an EMT-D program is to enjoy maximum success, each of these variables must be known, must be frequently, or even continuously, monitored and, when indicated, must be specifically targeted for improvement.

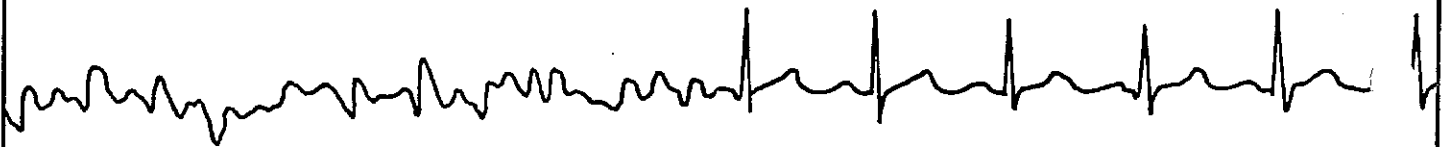
**Case-by-Case Review.** Due to the wide range of variables involved, including many related to the actual field performance of the EMT-Ds, a fairly elaborate mechanism for information retrieval and analysis is necessary. At a minimum, this must include a written ambulance run report and a continuous voice/ECG tape recording of the resuscitation attempt. Each tape, in turn, must be analyzed for a variety of information including the presenting rhythm, accuracy of interpretation of the presenting rhythm (organized vs. VF vs. asystole), appropriateness of decision regarding defibrillation, elapsed time from arrival to shock, pulse checks, and performance of CPR when indicated. A constructive critique of each resuscitation must be provided to the EMT-Ds as soon after the event as possible. Major performance errors must be identified and corrected as they occur, while good performance must be acknowledged.

As Richard Cummins discussed in the previous section, case-by-case review contributes a great deal to the quality assurance program, and can be considered a component of medical control. In practice, medical control of EMT-Ds is never "on line." The only way for the physician medical director to determine whether his standing orders are carried out in a given case is to review the cassette tape.

**Periodic Trend Analysis: The importance of data collection.** Case-by-case review provides information about adherence to the performance protocol for a particular patient. It is not possible, however, to determine with certainty whether or not a given patient should have survived, irrespective of the quality of management. Measuring the overall success of an EMT-D program requires review of many patients. The patient survival rate, and all of the variables which influence it, must be monitored over time. Complete data on each event must be serially logged and periodically evaluated for trends in both patient outcome and EMT-D performance. For example, if survival to hospital discharge in a community improves only minimally or not at all following implementation of an EMT-D service, it will be critically important to determine why. This will depend on how well the important contributing variables are known. Are ambulance response times consistently too long? Are defibrillations consistently delayed? Are patients consistently converted out of VF, or do shocks often appear to be ineffective (an indirect measure of defibrillation technique)? If this information, and more, cannot be determined reliably, there is little chance that the needed corrections can be made and the success rate improved.

Collecting and analyzing detailed data concerning prehospital emergency medical services, and EMT-D in particular, cannot be neglected on the grounds that it is a research activity. It simply cannot be assumed that because EMT-D works in rural Iowa,

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it will work anywhere as long as training is adequate and skills are maintained in some acceptable manner. Though EMT-D is a proven concept, what has been "proven" is that EMT-Defibrillation works in systems which participate in an on-going, comprehensive quality assurance program similar to that described here. It has yet to be demonstrated that a program without such quality control can succeed. What we do know is that when EMT-D is not effective in improving survival in a given community, and such a monitoring program has not been installed, it is impossible to determine what went wrong or what corrective action is required.

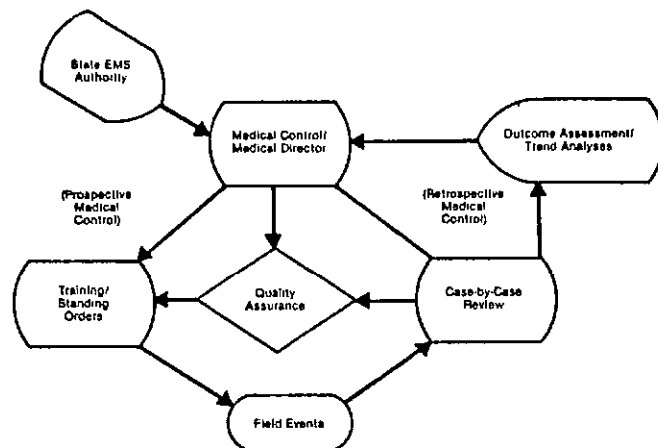
**Practical Application.** Training, review of EMT-D performance and patient outcome trends and periodic retraining are four components of a continuous loop comprising an on-going quality assurance program (see EMT-Defibrillation figure). When an EMT-D program is first established, the initial training program will encompass all that is currently known about how the EMS system and the EMT-Ds themselves must function for it to succeed. Only rarely will the realities of a given EMS system mirror the ideal. The system's shortcomings must be searched out through case-by-case performance review and long-term trend analysis. The case-by-case review can identify individual performance problems, such as delayed time from ambulance arrival to defibrillation, misinterpretation of rhythms and other deviations from the established protocol. When such performance problems are noted, the EMT-Ds involved in the case must receive whatever remedial training is necessary to assure that those particular problems do not recur. It is beneficial to review the case with the other members of the ambulance squad as well so that they learn from the mistakes of their peers. Thorough case-by-case review and follow-up should result in consistent EMT-D adherence to the performance protocol. It cannot, however, guarantee success or even, by itself, provide adequate information to judge whether a program has been successful.

When a case is reviewed, predefined data must be collected in an orderly manner to help generate periodic summaries of key variables. This data list should include:

- |                                     |   |
|-------------------------------------|---|
| 1. <i>Patient</i>                   |   |
| Age                                 | Unwitnessed arrest                                |
| Sex                                 | Distance of collapse from ambulance               |
| Witnessed arrest                    | Initial cardiac rhythm                            |
| 2. <i>The EMS System</i>            |   |
| Time from collapse to call for help | Ambulance response time                           |
| Time from collapse to CPR           | Scene-to-hospital transport time                  |
| 3. <i>EMT-D Performance</i>         |   |
| Completeness of patient assessment  | Time between defibrillation attempts              |
| Accuracy of rhythm interpretations  | Appropriate management of each rhythm encountered |
| Time from arrival to defibrillation | General adherence to the protocol                 |
| 3. <i>Patient Outcome</i>           |   |
| Rhythm after each shock             | Hospital admission                                |
| Return of a pulse in the field      | Survival to hospital discharge                    |

It can then be determined, over time, whether the patient survival to hospital discharge rate (the ultimate measure of EMT-D success) is acceptable. If not, a summary analysis is performed of all factors known to influence survival. If the average age of the cardiac arrest population in a community is 75 years, and only 25 percent of all arrests are witnessed, it will be difficult to design any strategies which are likely to improve outcome. But if the so-called "fate factors" are in line with national norms, then system or performance deficiencies or both are likely to be responsible. It may be discovered that ambulance response times are averaging 8.0 minutes (they need to be close to 4.0 minutes), or that the average time from EMT-D arrival to defibrillation is three minutes or more (it should be less than 2.5

## EMT-Defibrillation: Relationships Among Training, Medical Control and Quality Assurance



minutes). It might be discovered that no more than 50 percent of patients found in ventricular fibrillation are being successfully defibrillated into some other rhythm. If this is the case, various components of defibrillation technique must be examined—paddle placement, paddle pressure and use of conductive medium. If enough data are collected on enough patients, it should be possible to identify one or more contributing reasons why an acceptable long-term survival rate has not been achieved.

**Correction of Discovered Problems.** The next step is to apply this information and correct the deficiencies. If the average time from arrival to defibrillation is too long, or the overall VF conversion rate is too low, then it can be concluded that the problem involves most, if not all, members of the ambulance service. A remedial training program which specifically targets the deficiencies identified in the trend analysis must be developed and conducted for the entire service. Further, the critical components of this remedial training program must be incorporated into future primary EMT-D training programs conducted for new trainees.

Once retraining is complete, case-by-case review and periodic trend analysis is continued to monitor for improvement—both in EMT-D performance and in patient outcome. This continuous cycle of training, monitoring and targeted retraining must never be allowed to end.

**Special Case of the Small Community.** Special consideration must be given to low-volume ambulance services operating in small communities. Developing and maintaining a quality assurance program such as we have described here would be difficult in a small town for several reasons. First, such a program would obviously require a significant investment of time and energy on the part of the local physician medical director. However, medical directors of small community ambulance services are almost invariably busy general practitioners or surgeons who have little time for extensive involvement in such activities.

Second, the incidence of cardiac arrest in a small community may not be sufficient to allow identification of important trends over a reasonably short span of time. A good example is conversion from ventricular fibrillation. It is impossible to know how any given patient should respond to a defibrillation attempt—too many potentially predisposing factors are unknown. Therefore, the type and strength of conclusions one could draw from observing that three of six patients in ventricular fibrillation in

the past year were successfully converted and one survived to hospital discharge, are far different from the perspective gained from observations of 100 patients in VF, 50 of whom were successfully converted, but only ten survived to hospital discharge. In the first case, it would be difficult to conclude that things were not going about as well as could be expected considering natural statistical variation. In the second case, which can be seen as an extension of the first, one should be seriously concerned about the low conversion rate and the low survival to discharge rate. Further investigation may well reveal a need for remedial training or some alteration of the defibrillation protocol. It would take years to appreciate this trend if one were looking just at the cases from a single small community.

A solution to the differences of effective quality assurance in the low-volume environment is regionalization of case review, data collection and analysis. Regional hospitals, regional EMS councils, state health department EMS sections and statewide university hospitals are all potential providers of such a centralized program. Three basic conditions must be met to assure maximum effectiveness of a regional review system. 1) A committed individual or small group of individuals is required which must include a physician with considerable expertise in emergency cardiac care. Good public relations skills and a positive attitude are a must; 2) The capacity to collect, store, retrieve and analyze key data from large series of cardiac arrest runs must be available; 3) Through cooperation with the local medical director, the central group must have the authority to act on performance deficiencies in a constructive, corrective manner that will foster improved performance and assure the safety of patients, bystanders and fellow EMTs.

## The Coming of Automatic Defibrillation

by Richard O. Cummins, Judith Reid Graves and Kenneth R. Stults

**Automatic external defibrillators.** Automatic external defibrillators represent the addition of techniques for analysis and interpretation of surface electrocardiographic signals to the already available, portable, direct-current defibrillators.<sup>28,29</sup> Presently available devices incorporate sophisticated digital software with rhythm algorithms that analyze multiple features of the heart's electrical signal. The devices record the signal from the heart through two adhesive electrode pads, placed on the chest in the same positions in which standard manual defibrillator pads are placed. Defibrillatory shocks are also delivered through these electrodes.

When an automatic external defibrillator is used in a cardiac arrest, the rescuer must cease contact with the patient while the device assesses the rhythm, charges the capacitor, and delivers countershocks. Depending on the manufacturer, the time required for rhythm analysis can range from six to 20 seconds and capacitor charge time from four to 11 seconds. There are two general types of automatic external defibrillators, a "fully automatic" and a "semi-automatic" device. The fully automatic devices, once attached and turned on, assess the rhythm, charge the capacitors and deliver countershocks as long as the rhythm remains ventricular fibrillation (VF) or rapid pulseless ventricular tachycardia, or until the device is switched off. The semi-automatic devices require responses by the operator, guided by messages displayed on a liquid crystal screen. If the rhythm is ventricular fibrillation or rapid pulseless ventricular tachycardia, a final step is required in which the operator is "advised" to press the shock button.

**Evaluations of Automatic External Defibrillators.** Unlike much equipment used for prehospital emergency care, automatic external defibrillators have been extensively evaluated.<sup>28,29</sup> The overall evaluation approach has, in effect, followed this sequence:

1. testing detection algorithms against rhythm collections;<sup>30</sup>
2. testing detection algorithms on actual patients in controlled hospital settings;
3. testing actual devices first in hospital settings and then in prehospital settings with immediate manual defibrillator backup;<sup>31</sup>
4. testing actual devices in prehospital settings without immediate manual defibrillator backup;<sup>32</sup>
5. conducting formal, controlled clinical trials that compare outcomes from EMT use of automatic external defibrillators to EMT use of standard manual defibrillators.<sup>33,34</sup>

The first two formal, controlled clinical trials of automatic external defibrillators stopped data collection in mid and late 1985. These studies, like the first controlled evaluations of EMT use of standard manual defibrillators, were conducted in King County, Washington and in small communities in Iowa. The results have not yet been published. There have, however, been preliminary presentations of some results from these trials at the Scientific Sessions of the American Heart Association's 1985 Annual Meeting. The general conclusion from these published abstracts has been that automatic external defibrillators are an *acceptable alternative* to manual defibrillators when used by basic EMTs either with or without EMT-paramedic backup.<sup>33,34</sup> Additional, uncontrolled data presented at the AHA Meeting suggested that AEDs can improve survival when used by (responders, not just EMTs).<sup>32</sup>

The controlled clinical trials in Iowa and King County have looked at the clinical outcomes of defibrillation [removal of VF], admission to hospital, and survival to hospital discharge. Actual clinical "saves" do not depend on the type of defibrillator used, but on the combined effect of patient and system factors, a point that has already been confirmed in these trials.<sup>35</sup> If the preliminary findings presented in scientific sessions continue to hold true, there appear to be no significant *clinical differences* between EMTs using automatic defibrillators or using manual defibrillators. As accurate "detectors of VF," and as delivery systems for electrical countershocks, automatic defibrillators appear to perform as well as EMTs when the EMTs function as "detectors of VF" and operate manual defibrillators.

There are, however, *program differences* between EMT use of manual defibrillators and EMT use of automatic defibrillators, as discussed in detail in the next section.

**A comparison of automatic and manual defibrillators for EMTs (See Table 1).** The relative advantages and disadvantages of automatic versus standard manual defibrillators are highlighted by drawing one distinction, a person interprets the cardiac rhythm with manual defibrillators, whereas a machine interprets the rhythm with automatic defibrillators. This distinction introduces several points for an EMT-D program to consider before making the choice between manual and automatic defibrillators:

**1. Initial Training: rhythm recognition.** In a manual program much time must be devoted to teaching EMTs to recognize cardiac rhythms. In an automatic program little if any time is needed to teach rhythm recognition. Training can be done without visual displays of rhythms. Some automatic defibrillators have a monitor display of the rhythm and can be operated in either an automatic or manual mode. Consequently, some programs may elect to start with an automatic EMT program and operate the defibrillator only in the automatic mode. Later, the program can change to a manual program by additional classes in rhythm recognition.

**2. Initial training: operation of the device.** Automatic defibrillators require attachment of adhesive electrode pads to the patient's chest. Through these pads the rhythm is recorded, analyzed and the electrical shocks are delivered. Because an automatic defibrillator internally recognizes the rhythm, it is programmed to charge the capacitors and, depending on which manufacturer's device is used, to deliver a shock with virtually no additional action from the EMT-operator.

Use of a manual defibrillator is more complicated. To provide

the EMT with a clear picture of the rhythm, the manual defibrillators first require calibration of the monitor (a step not required on all brands) and then attachment of monitor electrodes. The manual EMT must:

1. calibrate the machine;
2. select an energy level;
3. gel the defibrillator paddles;
4. charge the capacitors;
5. apply them to the chest;
6. assess the rhythm again; and
7. press the shock-delivery buttons.

Of necessity, the initial training classes are longer and more involved.

**3. Initial training: treatment protocols.** The treatment options available to EMTs using automatic and semi-automatic defibrillators are more limited and consequently, the treatment protocols are simpler and easier to learn and to use.

**4. Maintenance of skills.** In King County, Washington, EMT-Ds trained in the manual program have attended four one- to two-hour continuing education classes per year. In Iowa, manual EMT-Ds must demonstrate practical knowledge of device operation and treatment protocols every month. As more and more states adopt EMT-defibrillation programs, exact requirements for maintenance of skills in each state will be specified. Automatic defibrillators, by not requiring rhythm recognition, will have more simple, though not necessarily less frequent, continuing education classes.

**5. Field performance: ventricular fibrillation detection.**<sup>36</sup> The electrical circuitry for the detection of ventricular fibrillation in AEDs has been extensively field-tested and is under constant refinement. There is not 100 percent accuracy in the detection of ventricular fibrillation. Automatic defibrillators occasionally fail to identify and shock extremely fine ventricular fibrillation and have had some trouble with coarse ventricular fibrillation. It must be remembered, however, that the "VF detector" to which the automatic defibrillator is being compared is not a medical doctor, sitting quietly in the office, but rather the EMT in the field, trying to read the cardiac rhythm on a small monitor screen and to perform several complicated tasks at the same time.

In general, we have observed that a really good defibrillation-trained EMT is better than an automatic defibrillator at the detection and countershock of ventricular fibrillation. Unfortunately, not all EMTs are the same and their performance can be highly variable. Automatic defibrillators, on the other hand, are relatively constant in performance. Clinical trials have established that overall this performance level is comparable to manual defibrillators.

**6. Field performance: non-ventricular fibrillation detection.**<sup>36</sup> The term "specificity" means the ability to detect and respond appropriately to normal rhythms, or at least rhythms that should not be shocked. The currently available automatic external defibrillators have, so far, displayed virtually 100 percent specificity. EMTs, operating manual defibrillators, have not done so well. Depending on the program, EMTs can be instructed to be "aggressive" in their approach to rhythms that might be ventricular fibrillation. This means they occasionally shock rhythms that are asystole or slow, idioventricular rhythms. This degree of specificity has probably not had significant clinical consequences and has remained acceptable in programs that have close medical control.

**7. Speed of operation.** Because of their ease of attachment and operation, and their speed of decision-making, automatic external defibrillators are clearly faster than manual defibrillators. In both Iowa and King County, Washington, EMTs can deliver a countershock with an automatic defibrillator an average of 60 seconds faster than they can with a manual defibrillator. In theory, this should make a significant clinical difference, though such a difference has not yet been observed in clinical studies.

**Table One:**  
Comparison of features of EMT-Defibrillation Programs: Automatic versus Manual

Feature	Automatic Program	Manual Program
<i>Initial training:</i>		
rhythm recognition:	not required	required
device operation:	simple	more complicated
treatment protocols:	simple	more complicated
<i>Maintenance of skills:</i>	simple	more complicated
<i>Field performance:</i>		
VF detection:	good/constant	variable
non-VF detection:	excellent	variable
speed of operation:	fast	variable
defibrillation ability:	good to excellent	excellent
<i>Need for documentation:</i>	required	required
<i>Medical control (case-by-case review):</i>	required	required.

**8. Defibrillation ability.** Technically "defibrillation" means the removal of ventricular fibrillation. It does not mean conversion of ventricular fibrillation to normal sinus or other perfusing rhythms. The electrical energy delivered by automatic defibrillators, even through their adhesive electrodes, has proven to be equally effective at "defibrillation" as the electrical energy delivered through the paddles of manual defibrillators. Manual defibrillators have one theoretical advantage in that the energy level of the countershocks can be increased if the initial shocks do not defibrillate the heart. In the Table, defibrillation ability is therefore listed as "excellent" though the true clinical advantage of increasing the energy level of the shocks has not been established.

**9. Need for documentation and case-by-case medical review.** As discussed in the sections on medical control and quality assurance, the key to the success of an EMT-Defibrillation program is accurate documentation and close medical review of every case in which a defibrillator is used. This requirement is the same whether an automatic or a manual defibrillator is used. There must be no misunderstanding that use of an automatic defibrillator removes the need for close medical supervision and case-by-case review.

**The final choice between manual or automatic defibrillators: a program question.**<sup>36</sup> There are many apparent advantages to automatic external defibrillators: training is shorter and easier; skill maintenance and quality assurance is shorter and easier; rhythm interpretation is standardized; operation and shock delivery is faster. Iowa, King County and several other locations have embarked upon the clinical trials mentioned above, in order to confirm or disprove these many advantages. As noted, final conclusions from these projects have not yet been published. It may be prudent for EMT programs giving serious consideration to starting an EMT-D program to think seriously about using automatic external defibrillators. When all factors are considered, especially long-term medical control, standardized performance, skill maintenance and overall patient survival, automatic external defibrillators may work best

for many EMT-D programs.

There are many steps to setting up an EMT-D program that must be completed before final purchase of defibrillators. Though we hesitate to suggest that starting a lifesaving program such as EMT-D be delayed, 1986 will witness many rapid developments in the field of automatic defibrillators. These developments will include final publications from the clinical trials, continued refinement of present products and probably the appearance of new devices.

Finally, consideration should be given to the dual approach now used in both King County, Washington, and in Iowa. In these locations fire departments or ambulance services are permitted to select either manual or automatic defibrillators for the EMT-Ds to use. Final choices are left to individual fire departments or ambulance services who base their decisions on their staffing and training needs and their service demands. In King County, the general pattern appears to be selection of automatic defibrillators by the more rural, less busy units where volunteer EMTs are more common, and by those fire departments where fire suppression, rather than emergency medical services, receives more emphasis. In Iowa, the EMTs have generally preferred to not surrender decision-making to a device; instead, they have preferred the sense of a more direct clinical involvement given by manual defibrillators.

### Acknowledgments

Research performed by the King County, Washington Emergency Medical Services Division has been supported by a series of grants from the National Center for Health Services Research. Research performed by the Emergency Medical Services Learning Resources Center, University of Iowa, has been supported in part by a grant from the Southeast Iowa EMS Council with funds provided through a grant (07 00374-01-0) from the United States Public Health Service. The Cardiac Resuscitator Corporation of Portland, Oregon and the Physio-Control Corporation of Redmond, Washington

have generously supported much of the research referred to in these proceedings. Donald Brown, MD of the University of Iowa, chaired the Iowa Workshop on EMT-Defibrillation, and Mickey S. Eisenberg, MD reviewed the manuscript.

### REFERENCES

25. American Heart Association, National Academy of Sciences. Standards and Guidelines for Cardiopulmonary Resuscitation and Emergency Cardiac Care. *JAMA* 1980; 244:401-502.
26. American College of Emergency Physicians, Emergency Medical Services Committee. Medical Control of Prehospital Emergency Medical Services. *Ann Emerg Med* 1982; 11:387.
27. Eisenberg MS: Who Shall Live, Who Shall Die, in Eisenberg MS, Bergner L, Hallstrom AP (eds): Sudden Cardiac Death in the Community. Philadelphia, Praeger Scientific Publications, 1984, pp 44-58.
28. Cummins RO, Eisenberg MS, Bergner L, Hallstrom AP, Hearne T, Murray JA: Automatic External Defibrillation: Evaluations of effectiveness in the home and in emergency medical systems. *Ann Emerg Med* September, 1984 (Part 2); 13:798-801.
29. Cummins RO, Eisenberg MS, Moore JE, Hearne TR, et al. Automatic external defibrillators: clinical, training, psychological and public health issues. *Ann Emerg Med* 1985; 14:755-760.
30. Rozkovec A, Crossley J, Walesby R, Fox KM, Maseri A. Safety and effectiveness of a portable external automatic defibrillator-pacemaker. *Clin Cardiol* 1983; 6:527-533.
31. Cummins RO, Eisenberg MS, Bergner L, Murray JA: The sensitivity, accuracy and effectiveness of an automatic external defibrillator: Report of a field evaluation by paramedics. *Lancet* 1984; ii:318-320.
32. Weaver D, Hill DL, Copass MK, et al. Improved survival rates from cardiac arrest using automatic external defibrillators. *Circulation* 1985; 72(Suppl III):8.
33. Cummins RO, Eisenberg MS, Graves JR, et al. Automatic external defibrillators used by emergency medical technicians: a controlled clinical trial. *Circulation* 1985; 72(Suppl III):8.
34. Stults K, Brown D, Kerber R. Performance of automated external defibrillators in rural communities. *Circulation* 1985; 72(Suppl III):9.
35. Cummins RO, Eisenberg MS, Hallstrom AP, Graves JR, et al. What is a "save?" Outcome measures in clinical evaluations of automatic external defibrillators. *Am Heart J* 1985; 110:1133-1138.
36. Cummins RO, Eisenberg MS, Stults KR. Automatic External Defibrillators: Clinical Issues for Cardiology. *Circulation* 1986; 73(March):[in press].

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I was working the first shift. It had been a quiet afternoon.

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We got an alarm. "Middle-aged male collapsed at work. Possible heart attack." We were rolling.

## 14:50 HOURS

We were lucky, traffic was light. We arrived on-site. The arrest had been witnessed and called in immediately. CPR was being administered by a co-worker.

## 14:51 HOURS

Patient was a male, about 220 lbs., 5'10", middle 50's. The patient was clammy and cyanotic, with no respirations, no pulse, no B.P.

In the seven years I've been an EMT, I've seen a lot of cardiac arrest victims. Most of them never got a chance. No matter how long or hard we administered CPR, it wasn't enough. CPR just buys a few extra minutes. The fact is CPR is only 25% as effective as the heart's normal perfusion. CPR won't restart the arrested heart; that takes a defibrillatory shock.

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I opened the HEART♥AID, our Fully Automatic External Defibrillator, put the two adhesive, pre-gelled electrode pads on my patient's chest, stopped CPR and turned on HEART♥AID. Within seconds, HEART♥AID's voice instruction said, "Stand back, stand back." The patient's body jumped as the life saving defibrillation was delivered... less than 15 seconds after I turned the unit on. HEART♥AID again said, "Stand back, stand back." The patient's body again jumped, as another automatic defibrillation was administered.

## 14:53 HOURS

I checked for a pulse. It was weak, but it was there. Respirations had also returned. The pulse was getting stronger, and skin color was returning to normal.

## 14:54 HOURS

Less than ten minutes had passed since we had received the alarm. The victim was now breathing on his own and we were getting ready to transport. Thanks to HEART♥AID, this one had made it.

When the Department purchased HEART♥AIDs for our EMT unit, they said it would increase our chances of saving cardiac arrest victims, reduce the cost and time of training, and allow all of us to help save lives. They were right.

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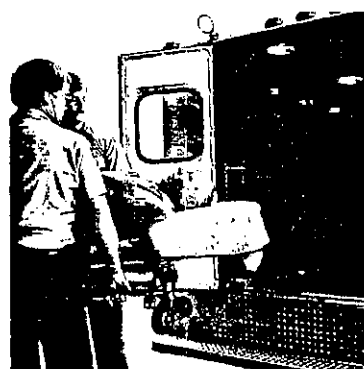
The HEART♥AID gives the EMTs fully automatic diagnosis and defibrillation for ventricular fibrillation and severe tachycardia. HEART♥AID also has optional pacing, for those cases where the patient is in asystole or severe bradycardia.

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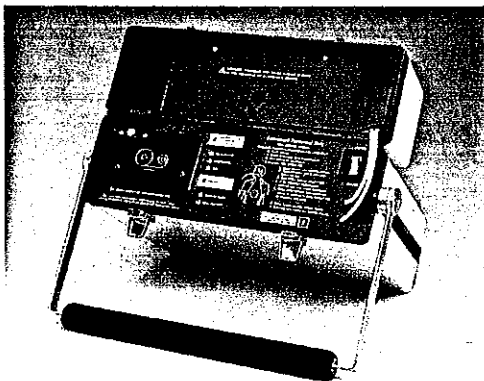
If you enjoy being an EMT as much as I do, and if you're as disheartened with losing patients as I was, then find out for yourself about the portable, rugged HEART♥AID.

\*Data available upon request.



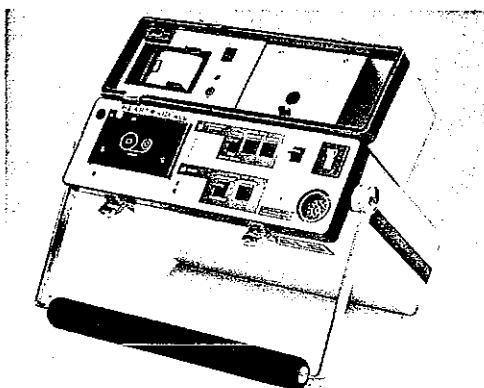
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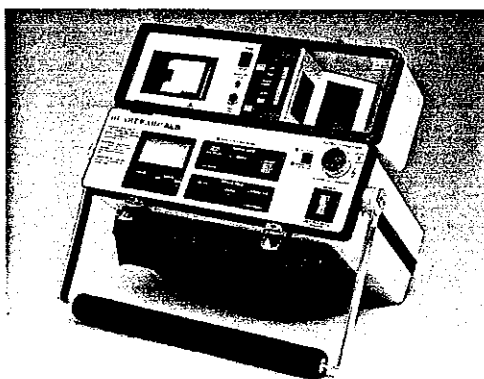
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Litho USA 5/85

MEMO

TO: Mayor and City Council  
FROM: Gary E. Brown  
DATE: August 28, 1986  
SUBJECT: Budgets

Staff would like to recommend that the City Council set Special meetings on the 8, 22, & 29, 1986 to consider budget hearings for 1987. City Staff has completed the review of these budgets and we believe that our task is considerably easier than it was one year ago. City Staff further suggests that the meetings be held at the Library or some other facility as the Planning Commission will be occupying the City Council Chambers. If the Council agrees with these staff will make arrangements for notification and meeting sites.

cl

MEMO

TO: Mayor and City Council

FROM: Gary E. Brown *G. E. Brown*

DATE: August 28, 1986

SUBJECT: Request from Pam and Dick Thorsen

Attached is a letter from Pam and Dick Thorsen regarding the Latto Hospital. They are requesting a 60 day extension to the current purchase agreement for the Latto Hospital. They have been struggling with the financing of this project as a number of Financial Institutions hesitate from financing a business of this nature however, it appears that they will be able to put together a finance package for the construction of three apartments in addition to seven bed and breakfast units. As previously indicated to the Council these apartment units will be occupied by people who will service the bed and breakfast operation. Staff recommends that City Council grant the request for extension of the purchase agreement.

cl

## Thorwood Proposal for the Latto Building

Our intention for the adaptive reuse of the Latto Building as a Bed & Breakfast expansion of Thorwood has always been assuming we were finished with our building. For several months we have been attempting local financing in pursuit of this goal. We have held off using our other investments as collateral for our building because we saw a future need for them for Latto. It now appears we will need them as interim collateral for our present building so we can get our construction completed this season. At the point of closing (with a bank outside the Hastings area), they will be released and we can then use them as collateral for the Latto Building. As you probably realize the Latto Building does not in itself offer much collateral until it is completed or at least has some income generated.

We never imagined this financing pursuit would take so long or that our local banks would not be supportive.

We are asking that our September 1 deadline for closing be extended the legal 60 day extension allowed by law.

Our plan is to secure the Latto Building this year (1986) with the absolute necessity of a new roof, also we intend to make use of the HRA rental rehab program to rehab the portion of the building for our live-in employees. This will also benefit us by producing some cash flow before the Bed & Breakfast rehab will be financed and started.

The attached documents are financial background for our intentions.

Thank you for your consideration.

Dick and Pam Thorsen

# Information

MEMO

Date: August 28, 1986

To: Mayor and City Council

From: Tom Harmening, City Planner

Re: Mac McGoon Photography Studio

Please be advised that in response to the requested zoning amendments made by Mac McGoon regarding the above stated matter the Planning Commission will be holding the required public hearing during its meeting of September 8, 1986. It is anticipated that a recommendation will be made at that time and will be available for the Council meeting of September 15, 1986. Currently, Mr. McGoons home occupation permit extends through the first part of October.

jt

# Information

## MEMO

TO: Mayor and City Council

FROM: Gary E. Brown

DATE: August 28, 1986

SUBJECT: Properties at 110 and 108 West 5th Street.

Several years ago, the City Council expressed interest in acquiring the properties at 108 and 110 West 5th Street which is immediately across from the Police and Fire Departments. The purpose of the city interest was to acquire the properties, demolish the homes that are currently standing there, and construct a parking lot. Since that time the city has entered into an agreement with Teresa Loesch for the use of the parking lot provided that the city furnish minor maintenance of the lot along with striping and some snow removal of piles when all streets and other snow removal has been completed, in turn for allowing city employees to park in the lot during their off peak hours. Mr. Bud Groth owner of the two buildings indicated that he might be interested in selling them to the city as the laws that pertains to Real Estate will substantially change with the adoption of House File 3838. I told him that I did not think the city was interested in the properties due to the recent agreement however, I thought I would inform the City Council if there is some other type of interest.

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