

COUNCIL MEETING

7:30 P.M.

DATE: August 4, 1986

AGENDA

- I CALL TO ORDER:
- II ROLL CALL: *ALL PRESENT EXCEPT MATH.*
- III DETERMINATION OF QUORUM:
- IV APPROVAL OF MINUTES:  
Minutes of meeting of July 21, 1986
- V AWARDING OF BIDS AND HEARING
1. Award Bid-Employee Health Insurance
  2. Public Hearing-Home Occupation in R-3 Zone.
  3. Public Hearing-Special Use Permit-Industrial Park-Auto Body Repair.
  4. Public Hearing-Utility and Drainage Easement-Dakota Hills 5th Addition.
  5. Public Hearing-City Administrator duties.
  6. Public Hearing-Council Agenda.
- VI REPORTS FROM CITY STAFF:
- A - City Planner
1. 3rd Reading-Ordinance No. 205-Zoning Malcolm Avenue properties.
  2. 2nd Reading-Ordinance Amendment-Home Occupation in R-3 Zone.
  3. Special Use Permit-Industrial Park-Ken & Dave's Auto Repair/I.B.I., Inc.
  4. Resolution-Vacation of utility & drainage easement-Dakota Hills 5th Addition.
  5. McGoon-time extension.
- B - City Administrator
1. Appoint Election Judges.
  2. Election Equipment Agreement.
  3. 2nd Reading-Charter Amendments.
  4. 3rd Reading-Ordinance No. 205-Wiring of funds.
  5. 2nd Reading-Ordinance Amendment-City Administrator duties.
  6. 2nd Reading-Ordinance Amendment-Council Agenda.
  7. 3rd Reading-Ordinance No. 207-NRRC reduction in membership.
  8. Purchase 2 CB radios for Park Rangers.
  9. Petition for annexation.
  10. Job description-Water Operator.
  11. 3rd Ward Council appointment.
  12. Aeries Building-City Hall-2nd & Sibley Street.
  13. Approve Audit-1986
  14. Extra Cable for Hydro Plant.
- C - City Attorney

D - City Engineer

1. Resolution for hearing on proposed assessments-1986 Improvements.
2. Pine Street change order-sidewalks.
3. Final payment-sanitary sewer reconstruction on Pine Street-Northdale Construction-\$2,616.79.
4. Final payment-1986 Sealcoating-Allied Blacktop-\$39,146.87.
5. Change Order No.1 to the contract for Well No. 5 modifications and electrical controls.

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

XIII ADJOURNMENT

Consent Agenda:

1. Pay all bills as audited.
2. Partial payment No. 3-1986 Improvements-Keller Construction-\$342,212.77.

The City Council of the City of Hastings, Minnesota met in a regular meeting on Monday, July 21, 1986 at 7:30 p.m. in the Council Chambers of the City Hall.

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

Members Absent: Councilmember Werner.

The Mayor called for additions or corrections to the minutes of the meeting of July 7, 1986 and hearing none declared the minutes approved as presented.

The Mayor declared the Public Hearing open at 7:31 p.m. to consider amending various sections of the Charter as submitted by the Charter Commission. The Mayor asked if anyone wished to speak on the issue, no one wished to do so. The Mayor closed the public hearing at 7:32 p.m.

PUBLIC HEARING-  
CHARTER AMEND-  
MENTS

The Mayor declared the Public Hearing open at 7:32 p.m. to consider a Zoning Ordinance amending zoning the Malcolm Avenue Properties (Sunny Acres Plat) to an R-2 Zoning District. The Mayor asked if anyone wished to speak on the matter, no one wished to do so. The Mayor closed the public hearing at 7:33 p.m.

PUBLIC HEARING-  
ZONING MALCOLM  
AVENUE  
PROPERTIES

The Mayor declared the Public Hearing open at 7:33 p.m. to consider Amending Section 2.42, Subdivision 2 of the City Code having to do with the composition of the Natural Resource and Recreation Commission. The Mayor asked if anyone wished to speak on the issue, no one wished to do so. The Mayor closed the public hearing at 7:34 p.m.

PUBLIC HEARING-  
NRRC REDUCTION  
IN MEMBERSHIP

The Mayor declared the Public Hearing open at 7:34 p.m. to consider Amending Section 2.61 of the City Code adding additional restrictions regarding the electronic transfer of funds. The Mayor asked if anyone wished to speak on the issue, no one wished to do so. The Mayor closed the public hearing at 7:35 p.m.

PUBLIC HEARING-  
WIRING OF FUNDS

The Mayor declared the Public Hearing open at 7:35 p.m. to consider declaring the property near the ground storage tank at the North Frontage Road as excess property. The Mayor asked if anyone wished to speak on the issue, no one wished to do so. The Mayor closed the public hearing at 7:36 p.m.

PUBLIC HEARING-  
EXCESS PROPERTY-  
NORTH FRONTAGE  
ROAD

Moved by Councilmember Plan, seconded by Councilmember Nesbitt to pass the 2nd Reading of an Ordinance Amending Section 10.01, Subdivision 1 of the City Code having to do with zoning the Sunny Acres Plat as R-2 Medium Density Residential. 6 Ayes; Nays, None.

2ND READING-  
ZONING MALCOLM  
AVENUE  
PROPERTIES

Moved by Councilmember Berg, seconded by Councilmember Nesbitt to approve the minor subdivision for Lot 2, Block 1 of Westview 2nd Addition -Hertogs Fluegel, Sieben, Poke, Jones and LaVerdiere/IBI, Inc., per the Planning Commission recommendations, that the minor subdivision be approved subject to the Declaration of a Minor Subdivision being recorded against the property which includes a clause pertaining to the Westview 2nd Addition being replatted at a later date by IBI Incorporated. 6 Ayes; Nays, None.

MINOR SUBDIVISION  
-WESTVIEW 2ND  
ADDITION-HERTOGS  
FLUEGEL, JONES  
ET AL/IBI, INC.

Moved by Councilmember Bond, seconded by Councilmember Trautmann to approve the final plat for Highland Hills 3rd Addition subject to the Planning Commissions recommendation as follows:

FINAL PLAT-HIGH-  
LAND HILLS 3RD  
ADDITION

That the Mayor and City Administrator be authorized to enter into a developers agreement to take into consideration, but not limited to, those items of concern which were brought forward during the preliminary plat and final plat review process. The development agreement is to include provisions for the payment of park-land costs, interceptor sewer charges, the improvement by the developer of the Out-lots (walkways) etc. 6 Ayes; Nays, None.

Moved by Councilmember Trautmann, seconded by Councilmember Plan to pass the 1st Reading of an Ordinance Amending Section 10.13, Subdivision 2 and Section 10.02, Subdivision 11 of the City Code having to do with Home Occupation Permits and setting a Public Hearing for the August 4, 1986 regular City Council meeting. 6 Ayes; Nays, None.

1ST READING-  
HOME OCCUPATION  
PERMITS-R3 ZONE

- INDUSTRIAL PARK-SPECIAL USE PERMIT-APPROVE BUILDING CONSTRUCTION-SET PUBLIC HEARING Moved by Councilmember Trautmann, seconded by Councilmember Plan to set a Public Hearing for the August 4, 1986 regular City Council meeting to consider a special use permit for Ken and Dave's Auto Repair Shop in the Industrial Park and to approve the proposed construction/exterior facing for 4 buildings in the Industrial Park at 31st and Millard subject to the approval of the Industrial Park Advisory Board. 6 Ayes; Nays, None.
- VACATION OF UTILITY AND DRAINAGE EASEMENTS-DAKOTA HILLS 5TH ADDITION (PRESENTLY DAKOTA HILLS 6TH ADDITION) Moved by Councilmember Trautmann, seconded by Councilmember Bond to set a Public Hearing for the August 4, 1986 regular City Council meeting to consider a vacation of drainage and utility easements as dedicated in the Dakota Hills 5th Addition Plat now described as Dakota Hills 6th Addition. 6 Ayes; Nays, None.
- 2ND READING-NRRC MEMBERSHIP REDUCTION Moved by Councilmember Berg, seconded by Councilmember Kulzer to pass the 2nd Reading of an Ordinance Amending Section 2.42, Subdivision 2 of the City Code having to do with reducing the size of the Natural Resources and Recreation Commission. 6 Ayes; Nays, None.
- TERRY HUBERTY-MEMORIAL RACE Moved by Councilmember Kulzer, seconded by Councilmember Berg to approve the request for the Terry Huberty Memorial Race and authorizing the use of City Streets on August 9, 1986. 6 Ayes; Nays, None.
- CHARTER AMENDMENTS Moved by Councilmember Kulzer, seconded by Councilmember Plan to table the 2nd Reading of the Charter Amendments until the meeting of August 4, 1986 due to the absence of Councilmember Werner. 6 Ayes; Nays, None.
- 2ND READING-WIRING OF FUNDS Moved by Councilmember Nesbitt, seconded by Councilmember Kulzer to pass the 2nd Reading of an Ordinance Amending Section 2.61 of the City Code adding additional restrictions regarding the electronic transfer of funds. 5 Ayes; Nays, Bond.
- EXCESS PROPERTY-NORTH FRONTAGE ROAD AREA Moved by Councilmember Trautmann, seconded by Councilmember Bond to declare the property located beginning at a point 1718 feet West and 10 feet north of the southeast corner of Section 29 T115N R17W; thence north 300 feet; thence east 300 feet; thence south 70 feet; thence west 160 feet; thence south 230 feet; thence west 140 feet to the point of beginning, excepting the south 60 feet thereof, containing 1.03 acres more or less in the S½ of the NE¼ of said Section 29 as excess property. 5 Ayes; Nays, None.
- Moved by Councilmember Trautmann, seconded by Councilmember Plan to authorize the City Staff to hire a land surveyor to survey the property with the cost of the survey being taken from the water fund. 5 Ayes; Nays, Berg.
- 1ST READING-ORDINANCE AMENDMENT-CITY ADMINISTRATOR DUTIES Moved by Councilmember Kulzer, seconded by Councilmember Trautmann to pass the 1st Reading of an Ordinance Amending Section 2.80 adding additional duties to the City Administrator and setting a Public Hearing for the August 4, 1986 regular City Council meeting. 6 Ayes; Nays, None.
- 1ST READING-ORDINANCE AMENDMENT-COUNCIL AGENDA Moved by Councilmember Bond, seconded by Councilmember Kulzer to pass the 1st Reading of an Ordinance Amending Section 2.52, Subdivision 1 having to do with the placement of items on the Council agenda and setting a Public Hearing for the August 4, 1986 regular City Council meeting. 6 Ayes; Nays, None.
- ORDINANCE AMENDMENT COUNCIL COMMITTEES Moved by Councilmember Bond, seconded by Councilmember Kulzer to take no action on an Ordinance changing the composition of the Council Committees at this time. 6 Ayes; Nays, None.
- PARKS DEPARTMENT EMPLOYEE-DON LANGE Moved by Councilmember Trautmann, seconded by Councilmember Plan to approve the appointment of Don Lange to the Parks Department effective August 1, 1986. 6 Ayes; Nays, None.
- Moved by Councilmember Nesbitt, seconded by Councilmember Kulzer to authorize the posting for the vacancy created in the Water Department and advertisement if needed. The Water Department job description will be revised and submitted to the Council so that the new position will be able to work in conjunction with the Hydro Electric Project. 4 Ayes; Nays, Bond and Berg.

Moved by Councilmember Nesbitt, seconded by Councilmember Berg to have Gary Kramer, CPA, conduct the 1986 audit for the city and direct staff to negotiate a fee with Mr. Kramer. 6 Ayes; Nayes, None.

1986 AUDIT

Moved by Councilmember Trautmann, seconded by Councilmember Nesbitt to accept the resignation of Councilmember Mathiowetz effective July 15, 1986 and declare the seat vacant. 6 Ayes; Nayes, None.

3RD WARD  
VACANCY

Moved by Councilmember Kulzer, seconded by Councilmember Nesbitt to authorize the City Staff to advertise for applications for the vacancy in the 3rd Ward Council seat, with a deadline of August 1, 1986. The Administrative Committee will review the applications and make a recommendation to the City Council. 5 Ayes; Nayes, Trautmann.

Mr. Jim Schneider of the Meyer Company spoke to the City Council regarding the relocation of City Hall. He urged the City Council to consider maintaining the City Hall in the downtown district.

DOWNTOWN  
BUSINESSMEN-  
CITY HALL

Moved by Councilmember Bond, seconded by Councilmember Berg to have a question placed on the November 4th general ballot asking the voters if they would want to build a new City Hall. \$200,000.00 for the construction would come from the general fund and \$400,000.00 would be a bond issue for a 10,000 square foot building. 2 Ayes; Nayes, Nesbitt, Plan, Kulzer and Trautmann. Motion fails.

Moved by Councilmember Kulzer, seconded by Councilmember Plan to have staff obtain the purchase price of the building known as the old 1st National Bank building at the Northwest corner of 2nd and Sibley Street and check the buildings utilization to be used as a meeting hall. 4 Ayes; Nayes, Berg and Bond.

Moved by Councilmember Kulzer, seconded by Councilmember Plan to table the matter of any architectural plans for the current City Hall. 6 Ayes; Nayes, None.

Moved by Councilmember Plan, seconded by Councilmember Kulzer to appoint Cliff Jacobsen to fill the vacancy on the Natural Resources and Recreation Commission with his term expiring 12-31-87. 6 Ayes; Nayes, None.

NRRC APPOINTMENT-  
CLIFF JACOBSEN

Moved by Councilmember Plan, seconded by Councilmember Berg to authorize the hire of Lorraine Matsch effective August 1, 1986 to work as a part-time Secretary/Dispatcher in the Police Department at a starting salary of \$6.25 per hour. 6 Ayes; Nayes, None.

CLERICAL APPOINTMENT-POLICE  
DEPARTMENT

Moved by Councilmember Nesbitt, seconded by Councilmember Kulzer to authorize the Hastings Downtown Association to close Sibley Street from 2nd to the alley going South toward 3rd from 8:00 a.m. to 5:00 p.m. on Saturday, August 2, 1986. The purpose of the closing is for a Downtown Association activity day. 6 Ayes; Nayes, None.

STREET CLOSING-  
DOWNTOWN HASTINGS  
ASSOCIATION

Moved by Councilmember Trautmann, seconded by Councilmember Nesbitt to approve the following depositories. 6 Ayes; Nayes, None.

AUTHORIZE  
DEPOSITORIES

Western Savings - Yatesville, Texas  
Gibraltar Savings - Houston, Texas  
Brentwood Square S/L - Los Angeles, CA  
Investors S/L - Richmond, VA.  
Victoria Savings Assoc. - San Antonio, TX.  
First National Bank of Delaware - Wilmington, Del.  
Portsmouth Savings Bank - Portsmouth, NH.

Moved by Councilmember Berg, seconded by Councilmember Kulzer to authorize the Mayor and the City Administrator to enter into a purchase agreement with Richard and Pamela Thorsen for the Hastings Board and Care building located at 620 Ramsey Street. A copy of the purchase agreement and supplement are on file at the office of the City Attorney. 6 Ayes; Nayes, None.

LATTO HOSPITAL  
SALE

RESOLUTION NO. 63-86  
DECLARING COSTS TO BE  
ASSESSED AND ORDER  
OF PREPARATION OF  
ASSESSMENTS FOR THE  
1986 IMPROVEMENTS

Moved by Councilmember Trautmann, seconded by Councilmember Berg to adopt Resolution No. 63-86 declaring costs to be assessed and ordering preparation of proposed assessments for City projects 1986 - 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13. 6 Ayes; Nayes, None. Copy of resolution on file.

PINE STREET-  
CHANGE ORDER NO. 1

Moved by Councilmember Berg, seconded by Councilmember Nesbitt to approve change Order No. 1 to the specifications for the 1986 Street and Utility Improvements on Pine Street. 3 Ayes; Nayes, Plan, Kulzer, Trautmann and Mayor Stoffel.

Moved by Councilmember Plan, seconded by Councilmember Trautmann to reconsider the installation of sidewalks on Pine Street from T.H. 55 to 2nd Street. 4 Ayes; Nayes, Berg and Bond.

Moved by Councilmember Trautmann, seconded by Councilmember Kulzer to approve installing new sidewalks from T.H. 55 to 2nd Street along Pine and that they be placed along the curb, and if trees are to be removed as a result of the sidewalk installation, the City will replace them with 2 inch or larger trees. The existing sidewalk between 3rd Street and 5th Street shall remain. 4 Ayes; Nayes, Berg, Bond and Nesbitt.

FINAL PAYMENT-  
ACE BLACKTOP

Moved by Councilmember Trautmann, seconded by Councilmember Plan to approve the final payment for the 1986 overlay project to Ace Blacktop in the amount of \$23,258.00. 6 Ayes; Nayes, None.

SIDEWALK PLAN

Moved by Councilmember Nesbitt, seconded by Councilmember Kulzer to direct the City Staff to develop a plan to install sidewalks on all collector streets throughout the city including 2nd Street and the street going to the Hospital. Staff is requested to report back to the City Council within six weeks. 5 Ayes; Nayes, Trautmann.

CONSENT AGENDA

Moved by Councilmember Trautmann, seconded by Councilmember Kulzer to:

1. Pay all bills as audited.
2. Partial payment - Hydrostorage, Inc. - \$48,307.50.
3. Sidewalk reimbursement - Art Zgoda, 1321 Ramsey - \$322.50.

6 Ayes; Nayes, None.

ADJOURNMENT

Moved by Councilmember Trautmann, seconded by Councilmember Bond to adjourn the meeting at 10:40 p.m. 6 Ayes; Nayes, None.

ATTEST

\_\_\_\_\_  
Mayor

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

HASTINGS PLANNING COMMISSION

Monday, July 28, 1986

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

Members Present: Commissioners Ditty, Stevens, Dredge, Folch, Conzemius, Voelker, Kaiser, and Chairman Simacek.

Members Absent: Commissioner Anderson.

Staff Present: Planning Director Harmening

Commissioner Stevens moved, seconded by Commissioner Conzemius, to approve the July 14, 1986 Planning Commission minutes. Voice vote carried unanimously.

MINUTES

The Chairman opened the public hearing at 7:35 p.m. Planning Director Harmening indicated that the St. Paul Bank For Cooperative, as current owner of the Grain Elevator and Feed Mill in Hastings, was requesting a minor subdivision of the property at the corner of 2nd & Tyler St. Harmening indicated that apparently the primary purpose of the minor subdivision was to accomodate the prospective sale of the property to two buyers with different interests. He indicated that upon speaking with a representative of the St. Paul Bank For Cooperatives it appeared the proposed use for the property was very similar in nature to what the property is being used for now - a grain elevator on one of the properties and a feed mill on the other. Planning Director Harmening further indicated that the current land owner, and future land owners should be aware of the fact that the city was considering rezoning the site in question in the near future to a commercial designation which may cause, at a minimum, the uses of the subject property to be considered nonconforming.

PUBLIC HEARING  
MINOR SUB-  
DIVISION OF  
GRAIN ELEVATOR  
AND FEED MILL  
SITE-2ND &  
TYLER ST.-ST.  
PAUL BANK FOR  
COOPERATIVES

Mike LaVasseur, representative of the St. Paul Bank for Cooperatives, was present and answered questions of the Planning Commission and the public.

William Sylvander, 315 E. 3rd St., questioned what the proposed use was for the subject property and who the intended owners were. Mr. LaVasseur indicated that to his knowledge the uses would continue as those which presently exist and that the intended land owners are those individuals who currently lease the grain elevator and the feed mill. Mr. LaVasseur also indicated that the property is proposed to be wholly sold and that no contract for deeds were proposed.

Members of the Planning Commission questioned whether the proposed tenants had been made aware of the potential for a zoning change of the subject property. Mr. LaVasseur indicated that although he was aware of the potential change, to his knowledge he was not aware of the intended property owners being informed of a potential zoning change.

Mayor Stoffel provided various comments pertaining to potential parking problems on the subject property as well as the potential for the development of the subject property into a housing site.

There being no further comments from the audience Chairman Simacek closed the public hearing at 7:55 p.m.

After discussion a motion was made by Commissioner Dredge, seconded by Commissioner Kaiser, to table this matter and continue the public hearing until the August 11, 1986 Planning Commission meeting such that additional information could be developed on this matter pertaining to the future land use for the proposed site, the HRAs interest in the subject property, etc. Upon vote taken, Ayes, 5; Nays, Commissioner Ditty, Stevens, Conzemius. The motion was declared approved.

Planning Director Harmening indicated that Irene Burmeister, who owns 80 acres of land in southeast Hastings, has made a request that the necessary action be taken by the city to permit her 80 acre tract, much of it wooded, to be eligible for an agricultural preserves designation. Harmening indicated that to accomodate this request the following action would be required:

ZONING AMENDMENT/  
COMP PLAN AMENDMEN  
AG PRESERVES  
DESIGNATION-IRENE  
BURMEISTER, 2200  
RAVENNA TRAIL

- A. Zoning Ordinance Amendment to create an Ag preserves zoning district.
- B. Comprehensive Plan Amendment such that the Comp plan is consistent with the Zoning Ordinance.
- C. Zoning Ordinance Amendment to rezone the Burmeister property to the Ag preserves zone.
- D. Application by Burmeister to have her land designated as Ag preserves.

Planning Director Harmening explained the general intent of the agricultural preserves statutes and reviewed with the Planning Commission the existing zoning and comprehensive plan language which pertains to the subject property.

Harmening indicated that the zoning currently was Ag and that the Comprehensive Plan has stated that the area in question should stay rural/low density.

Harmening further indicated that staff at this point was taking a negative position on creating an Ag preserves tool within the City of Hastings based primarily on the fact that the city's current land use controls and policies which relate to the Burmeister property as well as other properties in the area should protect the area from urban development intrusions. He further indicated that it would appear that the extension of urban sewer and water facilities into the area would be somewhat unlikely due to topographic and soil conditions. He also indicated that, at this point, with the exception of one property owner the city has not received extensive pressures from other land owners to implement an Ag preserves tool. Harmening suggested that Burmeister consider withdrawing her application for the various proposed amendments and having the \$150.00 fee returned.

The Planning Commission discussed various matters pertaining to Ag preserves with Burmeister. Burmeister indicated that a primary concern pertains to the potential for special assessments to be levied against her property. She felt that by using an Ag preserves tool she would be adequately protected from the potential for special assessments which she felt could have a very negative impact on her land.



The Planning Commission discussed with Burmeister a possible alternative of using the "Green Acres" law in place of the Ag preserves law. Burmeister indicated that she was unfamiliar with this law and would like more time to investigate the matter. The Planning Commission also requested that Harmening provide the Planning Commission with more information on the "Green Acres" statute as well.

After discussion a motion was made by Commissioner Kaiser, seconded by Commissioner Voelker, to table the matter until the next meeting unless Burmeister would opt to withdraw her application, such that Burmeister and staff could further investigate the potential for using the "Green Acres" statutes. Upon vote taken, Ayes, 8; Nays, 0.

The Planning Director informed the Planning Commission that Mr. McGoon has requested that the Planning Commission consider tabling the variance request until the next meeting of the Planning Commission. Motion was made by Commissioner Folch, seconded by Commissioner Conzemius, to table the McGoon variance request until the next meeting of the Planning Commission. Upon vote taken, Ayes, 8; Nays, 0.

TABLE VARIANCE  
REQUEST-MAC MCGOON  
1100 WESTVIEW DR.

A motion was made by Commissioner Conzemius, seconded by Commissioner Kaiser, to order a public hearing as requested by Nettie Bakken, regarding a minor subdivision of lot 16, block 21 of Addition No. 13. The Public Hearing is to be held August 11, 1986 at 7:30 p.m. Upon vote taken, Ayes, 8; Nays, 0.

ORDER PUBLIC  
HEARING-MINOR  
SUBDIVISION OF  
LOT 16, BLOCK 21  
OF ADDITION NO.13  
NETTIE BAKKEN,  
1402 W. 4th ST.

Planning Director Harmening indicated that in 1978 the city approved a plat named the Dakota Hills 5th Addition which was located along 14th Street just west of Pleasant Drive. As a part of this plat drainage and utility easements were platted and dedicated to the public along all lot lines. In 1980, due in part to a Rosemary Ponding Basin project, lots 1 & 2, block 2 and lots 1-5, block 3 of the Dakota Hills 5th Addition were replatted as lots 1-8, block 1 Dakota Hills 6th Addition. During the replatting process the originally dedicated drainage and utility easements should have been formally vacated but in actuality were not. Recently, during an apparent financing or refinancing of a home in what is called the Dakota Hills 6th Addition plat, a title company raised an objection to the location of a previously dedicated and unvacated drainage and utility easement which passed through a home located on a presently existing lot. Due to the current situation Hastings Construction, the original developer, and the current property owners of the affected lots have formally requested that the necessary steps be taken to vacate the utility and drainage easements. Harmening indicated that the City Council had ordered that the required public hearing be held at its next meeting on August 4, 1986. After discussion a motion was made by Commissioner Stevens, seconded by Commissioner Ditty, to recommend that the City Council consider vacating the utility and drainage easements as this matter appears more procedural in nature than anything else and due to the fact that the previous easements would appear to serve no real purpose. Upon vote taken, Ayes, 8; Nays, 0.

VACATION OF UTILITY  
AND DRAINAGE  
EASEMENTS-LOTS 1  
2, BLOCK 2 AND  
LOTS 1-5, BLOCK 3  
OF DAKOTA HILLS  
5TH ADDITION  
PRESENTLY PLATTED  
AS LOTS 1-8, BLK  
OF DAKOTA HILLS  
6TH ADDITION -  
HASTINGS CONST./  
AFFECTED PROPERTY  
OWNERS

Planning Director Harmening indicated that the City was in receipt of the April 1, 1986 Metropolitan Council Population and household estimates for the City of Hastings. The Metropolitan Council has estimated that the citys population has increased in the last year by 407 persons or from 13,430. to 13,837. No further action was taken on this matter.

REVIEW 1986 MET  
COUNCIL POPULATIO  
ESTIMATES

Planning Director Harmening updated the Planning Commission on recent City Council Actions.

OTHER BUSINESS

A motion was made by Commissioner Kaiser, seconded by Commissioner Folch, to adjourn the meeting at 8:30 p.m. Upon vote taken, Ayes, 8; Nays, 0.

ADJOURNMENT

VIAI

MEMO

Date: July 30, 1986

To: Mayor & City Council

From: Tom Harmening, City Planner

Re: 3rd Reading - R-2 Zoning Designation for Sunny Acres Plat  
(Malcolm Avenue Properties).

Attached, for a third reading, is the above stated Zoning Ordinance  
Amendment.

jt

ORDINANCE NO. , SECOND SERIES

An Ordinance of the City of Hastings, Minnesota amending Section 10.01  
Subdivision 1 of the City Code to do with:

OFFICIAL ZONING MAP

BE IT ORDAINED by the City Council of the City of Hastings as follows:

All of those properties contained within and described as Sunny Acres  
are hereby zoned R-2 Medium Density Residential.

ADOPTED BY THE COUNCIL THIS DAY OF 1986.

ATTEST:

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

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

MEMO

Date: July 30, 1986

To: Mayor and City Council

From: Tom Harmening, City Planner

Re: Zoning Ordinance Amendment - Home Occupations in R-3 Zones

Attached, for a second reading, is the above stated ordinance amendment.

jt

ORDINANCE NO. \_\_\_\_\_, SECOND SERIES

AN ORDINANCE OF THE CITY OF HASTINGS AMENDING SECTION 10.13, SUBD 2 ALLOWING HOME OCCUPATIONS AS A PERMITTED USE IN THE R-3 MEDIUM DENSITY RESIDENCE ZONE AND AMENDING SECTION 10.02, SUBD 11 BY ADDING RESTRICTIONS TO THE DEFINITION OF HOME OCCUPATIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HASTINGS AS FOLLOWS:

- A. Section 10.13, Subd. 2 of the Hastings City Code shall be amended to add the following:

Subsection E - Customary Home Occupations but allowed only in single family detached dwellings and two family dwellings and in accordance with Section 10.02, Subd. 11.

- B. Section 10.02, Subd. 11 of the Hastings City Code shall be amended to add the following sentences:

No mechanical or electrical equipment is to be used if the operation of such equipment interferes with the residential environment of the neighborhood. Only articles made or originating on the premises shall be sold on the premises unless such articles are incidental to a permitted Home Occupation.

VIOLATION A MISDEMEANOR. Every person violates a Section, Subdivision, Paragraph or Provision of this Chapter when they perform an act thereby prohibited or declared unlawful, or fails to act when such failure is thereby prohibited or declared unlawful, and upon conviction thereof, shall be punished as for a misdemeanor, except as otherwise stated in specific provisions hereof.

Adopted by the City Council of the City of Hastings this \_\_\_\_\_ day of \_\_\_\_\_, 1986.

This ordinance shall be effective upon passage and seven days after publication.

BY: \_\_\_\_\_  
LuAnn Stoffel, Mayor

ATTEST:

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

## MEMO

Date: July 31, 1986

To: Mayor and City Council

From: Tom Harmening, City Planner

Re: Special Use Permit - Ken & Dave's Auto Repair/I.B.I., Inc.

As required by Section 10.19, Subdivision 3a of the Hastings Zoning Ordinance, Ken & Daves Auto Repair and IBI, Inc. (as owners of the property) are requesting that the City approve a Special Use Permit such that an auto body repair shop may be operated in a proposed building in the Industrial Park to be located at the northwest corner of 160th St. (31st St.) and Millard Avenue. This matter is being brought forward to you as Chapter 2 of the City Code requires that the Industrial Park Advisory Board and City Council review all applications for Special Use Permits in the City's Industrial Park.

The zoning for the subject property is I-1 (Industrial Park) the adjacent zoning is: north-I-1; south - R-2; west - I-1; East - I-1.

Pursuant to City Code, when considering a Special Use Permit the following points are to be examined and adequately addressed by the applicant and/or the eventual conditions attached:

- A. Ingress and egress to the property and proposed structures thereon with particular references to automotive and pedestrian safety and convenience traffic flow and control, and access in case of fire or catastrophe.
- B. Off street parking and loading areas where required, with particular attention to item (A) above, and the economic, noise, glare or odor effects of the Special Use on adjoining properties and properties generally in the district.
- C. Refuse and service areas, with particular reference to items (A) and (B) above.
- D. Utilities, with reference to locations, availability and compatibility.
- E. Screening and buffering with reference to type, dimensions and character.
- F. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district.
- G. Required yards and other open space.
- H. General compatibility with adjacent properties and other properties in the district.

Generally speaking, when reviewing proposed auto body repair operations a primary concern presents itself pertaining to the potential outside storage of automotive parts, damaged cars, equipment, etc. It is felt that if the City places adequate conditions on the special use permit to address this concern it would appear the aforementioned criteria for special use permits would be met and that the permit could be issued. As a point of information related to this matter please note that IBI, Inc. is also placing restrictions within Ken & Daves lease regarding the outside storage of materials.

Recommendation:

As the criteria for the issuance of special use permits appears to be met it is recommended that a special use permit be issued to Ken & Daves Auto Repair such that they may operate an enclosed auto body repair operation in an I-1 zone in building #1 located at the northwest corner of 31st St. and Millard Avenue subject to the following conditions:

- A. That the outside storage of automotive parts is prohibited.
- B. No inoperable ~~car~~<sup>Vehicle</sup> shall be stored overnight outside of the building.

jt



PROJECT: Ken & Doves - Special Use Permit  
 Auto Body Repair in Industrial Park

Department	Reviewed		Date	Name	Comments
	Yes	No			
Fire	✓		7/21/86	Shendahl	approved
Water	✓		7/21/86	Charles Eckels	N/A
Building	✓		7/21/86	M. Klein	N/A
Planning	✓		7/24/86	Tom H.	Approved as per memo <del>for memo</del>
Engineering	✓		7/31/86	Jim Klenschmidt	approved
Parks	✓		7/21/86	Marty McAman	N/A

VIA4

MEMO

Date: July 31, 1986

To: Mayor and City Council

From: Tom Harmening, City Planner

Re: Request for vacation of drainage and utility easements contained within the Dakota Hills 6th Addition as platted by the Dakota Hills 5th Addition - Hastings Construction/Affected Property Owners

In 1978 the City approved a plat named the Dakota Hills 5th Addition which was located along 14th Street just west of Pleasant Drive. As a part of this plat drainage and utility easements were platted and dedicated to the public along all lot lines. In 1980, due in part to the Rosemary Ponding Basin project, Lots 1 & 2, Blk 2 and Lots 1-5, Block 3 of the Dakota Hills 5th Addition were replatted as Lots 1-8, Block 1, Dakota Hills 6th Addition. During the replatting process the originally dedicated drainage and utility easements should have been formally vacated but in actuality were not. Recently, during an apparent financing or refinancing of a home in what is now called the Dakota Hills 6th Addition plat, a title company raised an objection due to the location of a previously dedicated and unvacated drainage and utility easement which passed through a home located on a presently existing lot. Attached, for your review, is a copy of the Dakota Hills 6th Addition Plat which illustrates (shaded areas) the location of the pre-existing and unvacated drainage and utility easements. You will note that some of the easements pass through the middle of the lots in the plat.

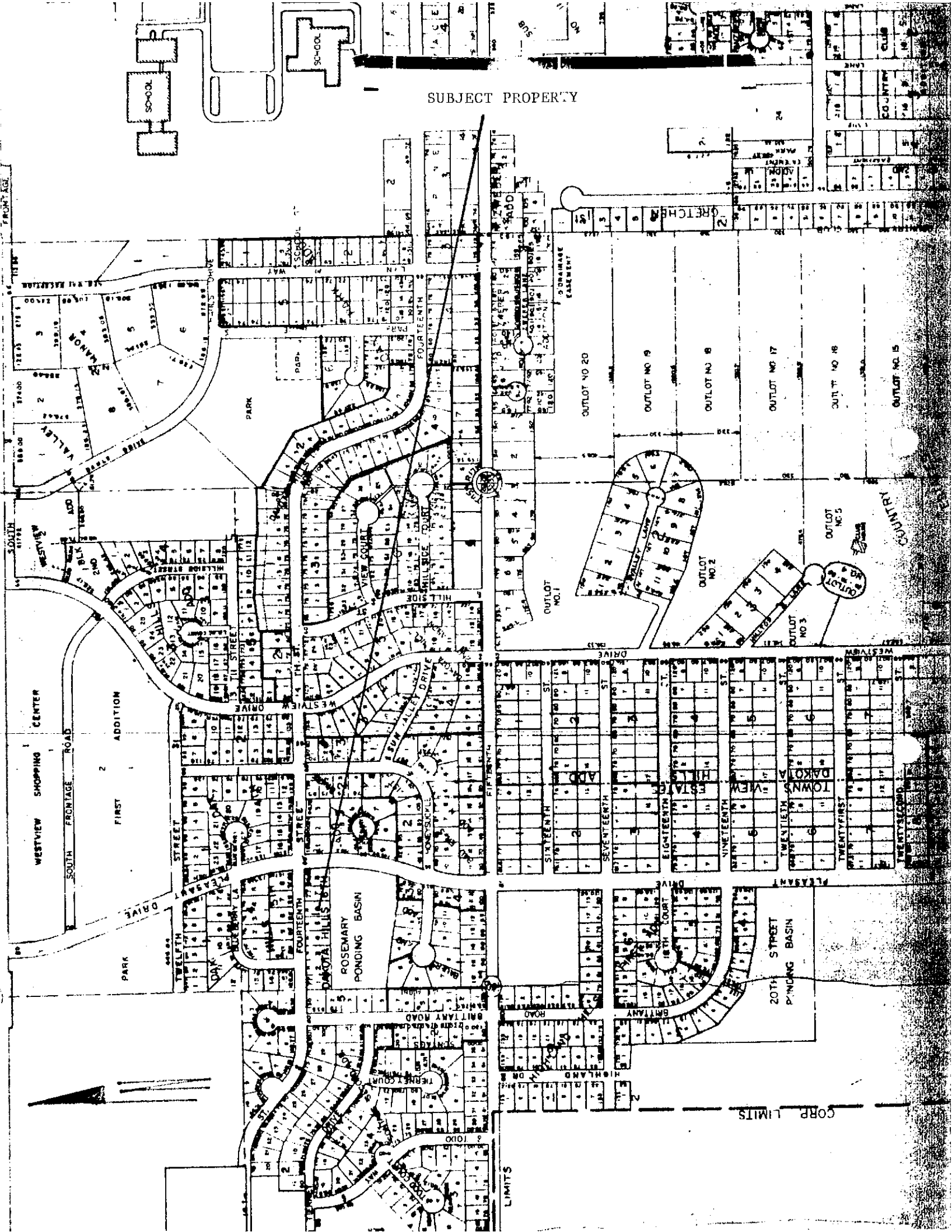
Due to the current situation Hastings Construction, the original developer, and the current property owners of the affected lots have formally requested that the necessary steps be taken to vacate the utility and drainage easements (see attached letters).

Recommendation:

The Planning Commission reviewed this matter and recommended that the City Council consider vacating the utility and drainage easements.

jt

SUBJECT PROPERTY



1304 VERMILLION STREET  
HASTINGS, MINNESOTA 55033  
PHONE (612) 437-3010



---

# Hastings Construction Co.

July 7, 1986

Mr. Thomas K. Harmening  
City Engineer Office  
City of Hastings  
100 Sibley Street  
Hastings, Mn. 55033

Dear Mr. Harmening,

Enclosed please find requests signed by all fee owners or contract purchasers of all lots contained in Dakota Hills Sixth Addition, for the purpose of vacating the drainage and utility easements that still remain of record from when the property was part of Dakota Hills Fifth Addition.

Also enclosed is a check in the amount of \$100.00 to cover the cost of vacating said easements.

If there is anything further you require, please let me know.

Sincerely,

Mary Ann Schultz  
HASTINGS CONSTRUCTION CO., INC.

CC: Mr. Chad Lemmons  
Metro Title Co.  
105 Mears Park Place  
405 Sibley Street  
St. Paul, Mn. 55101

COPY

# DAKOTA HILLS SIXTH

HILLS  
BLUEBERRY  
LANE

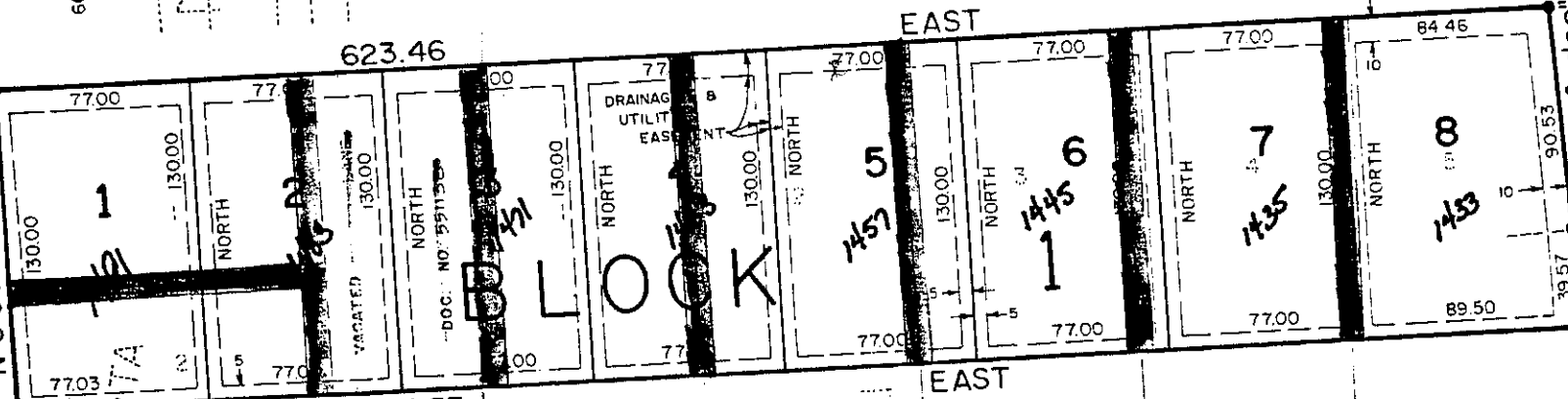
ADDITION

14 TH

STREET

SONTAG'S SECOND ADDITION

N 0°00'40"E 130.00



623.46

EAST

628.53

EAST

90°53' S 2°30'00" E

39.57

39.57

90°53' S 2°30'00" E

123.24

DRIVE

PLEASANT

DRIVE



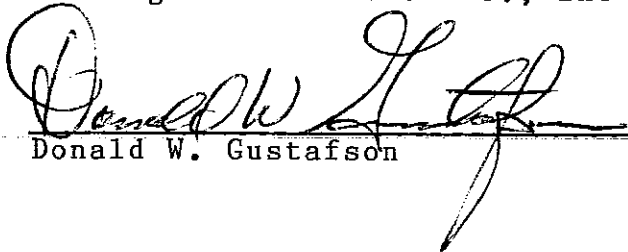
June 16, 1986

Hastings City Council  
City Hall  
100 Sibley Street  
Hastings, Minnesota 55033

Dear Council Members,

The following party /parties hereby request the City of Hastings to vacate the drainage and utility easements that exist now throughout Dakota Hills Sixth Addition, Lots 1 thru 8, Block 1, that were originally drainage and utility easements on the property when the property was contained in Dakota Hills Fifth Addition, before replatted to become Dakota Hills Sixth Addition and the remainder the Rosemary Ponding Basin.

Hastings Construction Co., Inc



Fee Owner

Donald W. Gustafson



June 16, 1986

Hastings City Council  
City Hall  
100 Sibley Street  
Hastings, Minnesota 55033

Dear Council Members,

The following party /parties hereby request the City of Hastings to vacate the drainage and utility easements that exist now throughout Dakota Hills Sixth Addition, Lots 1 thru 8, Block 1, that were originally drainage and utility easements on the property when the property was contained in Dakota Hills Fifth Addition, before replatted to become Dakota Hills Sixth Addition and the remainder the Rosemary Ponding Basin.

Ralph Wochnick Fee Owner  
Ralph Wochnick

Mary Wochnick Fee Owner  
Mary Wochnick

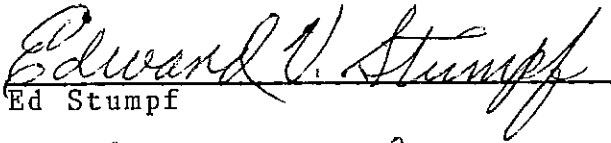


June 16, 1986

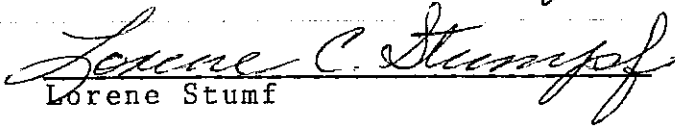
Hastings City Council  
City Hall  
100 Sibley Street  
Hastings, Minnesota 55033

Dear Council Members,

The following party /parties hereby request the City of Hastings to vacate the drainage and utility easements that exist now throughout Dakota Hills Sixth Addition, Lots 1 thru 8, Block 1, that were originally drainage and utility easements on the property when the property was contained in Dakota Hills Fifth Addition, before replatted to become Dakota Hills Sixth Addition and the remainder the Rosemary Ponding Basin.

  
Ed Stumpf

Fee Owner

  
Lorene Stumpf

Fee Owner

June 16, 1986

Hastings City Council  
City Hall  
100 Sibley Street  
Hastings, Minnesota 55033

Dear Council Members,

The following party /parties hereby request the City of Hastings to vacate the drainage and utility easements that exist now throughout Dakota Hills Sixth Addition, Lots 1 thru 8, Block 1, that were originally drainage and utility easements on the property when the property was contained in Dakota Hills Fifth Addition, before replatted to become Dakota Hills Sixth Addition and the remainder the Rosemary Ponding Basin.



Ron Otto

Contract Purchaser

June 16, 1986

Hastings City Council  
City Hall  
100 Sibley Street  
Hastings, Minnesota 55033

Dear Council Members,

The following party /parties hereby request the City of Hastings to vacate the drainage and utility easements that exist now throughout Dakota Hills Sixth Addition, Lots 1 thru 8, Block 1, that were originally drainage and utility easements on the property when the property was contained in Dakota Hills Fifth Addition, before replatted to become Dakota Hills Sixth Addition and the remainder the Rosemary Ponding Basin.

Brad Northrup Fee Owner  
Bradley Northrup

Maureen Northrup Fee Owner  
Maureen Northrup

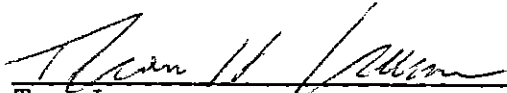
6-28-86

June 16, 1986


Hastings City Council  
City Hall  
100 Sibley Street  
Hastings, Minnesota 55033

Dear Council Members,

The following party /parties hereby request the City of Hastings to vacate the drainage and utility easements that exist now throughout Dakota Hills Sixth Addition, Lots 1 thru 8, Block 1, that were originally drainage and utility easements on the property when the property was contained in Dakota Hills Fifth Addition, before replatted to become Dakota Hills Sixth Addition and the remainder the Rosemary Ponding Basin.

  
\_\_\_\_\_  
Tom Lawrence

Fee Owner

  
\_\_\_\_\_  
Deb Lawrence

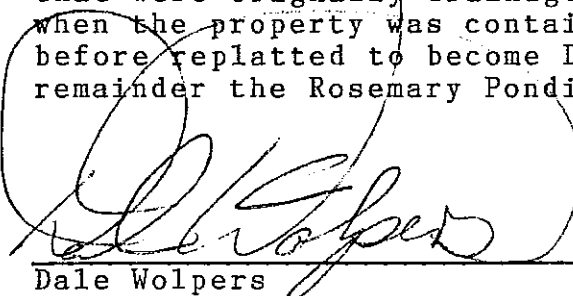
Fee Owner

June 16, 1986

Hastings City Council  
City Hall  
100 Sibley Street  
Hastings, Minnesota 55033

Dear Council Members,

The following party /parties hereby request the City of Hastings to vacate the drainage and utility easements that exist now throughout Dakota Hills Sixth Addition, Lots 1 thru 8, Block 1, that were originally drainage and utility easements on the property when the property was contained in Dakota Hills Fifth Addition, before replatted to become Dakota Hills Sixth Addition and the remainder the Rosemary Ponding Basin.

  
\_\_\_\_\_  
Dale Wolpers

Contract Purchaser

June 16, 1986


Hastings City Council  
City Hall  
100 Sibley Street  
Hastings, Minnesota 55033

Dear Council Members,

The following party /parties hereby request the City of Hastings to vacate the drainage and utility easements that exist now throughout Dakota Hills Sixth Addition, Lots 1 thru 8, Block 1, that were originally drainage and utility easements on the property when the property was contained in Dakota Hills Fifth Addition, before replatted to become Dakota Hills Sixth Addition and the remainder the Rosemary Ponding Basin.

  
\_\_\_\_\_  
Thomas Graham

Fee Owner

  
\_\_\_\_\_  
Kathy Graham

Fee Owner

PROJECT: Vacation of Utility + Drainage Easements

Department	Reviewed		Date	Name	Comments
	Yes	No			
Fire	✓		7/30/86	D. Latch	N/A
Water	✓		7/30/86	Anna Ender	APPROVED
Building					
Planning	✓		7/30/86	T. M. H.	Approved
Engineering	✓		7/30/86	D. J. Kleinschmidt	Approved
Parks	✓		7/30/86		<u>APPROVED</u>

## MEMO

Date: July 31, 1986

To: Mayor & City Council

From: Tom Harmening, City Planner

Re: McGoon time extension

As the City Council is aware, on July 7, 1986 the Council approved a sixty day extension of McGoons home occupation permit (through September 5th) such that the Planning Commission and staff could provide the Council with input on questions pertaining to amending the zoning ordinance to permit home occupations in R-3 zones and a possible request by McGoon for a variance to the citys home occupation standards. As you know, based on a Planning Commission recommendation the Council is now in the process of amending the zoning ordinance to permit home occupations in R-3 zones. Upon request by McGoon the question pertaining to the variance has not been addressed by the Planning Commission. McGoon requested that the Planning Commission not take action on the variance request such that he and his attorney could review other possible options available to them to resolve this matter. It was anticipated by both McGoon and city staff that the Planning Commission would discuss matters pertaining to the McGoon home occupation permit at its meeting on August 11th. Based on a recent letter received from McGoons attorney (see attached) it was requested that the matter be tabled until the Planning Commission meeting of August 25th due to the fact that McGoons attorney was not available for the August 11th meeting. As you will note in the letter it was acknowledged by McGoons attorney that by deferring the Planning Commissions review of the matter until the August 25th meeting it appeared that a resolution to the McGoon home occupation permit could not be made within the 60 day period. Based on this fact and the contents of the letter received by the city the City Council is requested to consider extending the McGoon home occupation permit for an additional 30 days.

jt



MORATZKA, DILLON, KUNKEL & STORKAMP

PROFESSIONAL ASSOCIATION

ATTORNEYS AT LAW

705 VERMILLION STREET

P.O. BOX 489

HASTINGS, MINNESOTA 55033

(612) 437-7740

CANNON FALLS OFFICE

4TH AND MILL

CANNON FALLS, MINNESOTA 55009

(507) 263-4654

TWIN CITIES LINE: 333-6738

TIMOTHY D. MORATZKA

TIMOTHY K. DILLON

PHILLIP L. KUNKEL

JAMES B. STORKAMP

SUSAN A. SCHNEIDER

July 28, 1986

Mr. Thomas K. Harmening  
Planning Director  
City of Hastings  
100 Sibley Street  
Hastings, MN 55033-0097

In Re: McGoon Matter

Dear Tom:

I attempted to call you on Friday to speak to you personally about this matter, but you were not available. In our last discussion on this matter, I failed to realize and take into account that I am going to be on vacation for two weeks, through and including the date of the first Planning Commission meeting on August 11. Mr. McGoon wants me to personally attend to this matter on his behalf and to be able to discuss your recommendation with you prior to the meeting at which they are considered and wants me to be personally present at the Planning Commission meeting to make the presentation in his behalf. Because of my vacation, I simply cannot be available for the meeting on the 11th, and accordingly would ask that consideration of our request contained in the letter of July 24, 1986, be deferred until the 2nd Planning Commission meeting in August, which I understand will be August 25. Mr. McGoon and I both realize that this is going to push us passed the 60 day temporary permit that the City issued, but under the circumstances, we feel we have no choice but to proceed in this manner. If it appears that we cannot accomplish what needs to be done prior to the end of the 60 day extension, we will simply have to apply to the City Council for additional time.

We would submit that the one advantage of waiting until the meeting of the 25th is to give both of us more time to review the matter and discuss same before its presentation to the Planning Commission.

During my absence, if you need us to complete any formal applications or other forms, please contact my partner, Phil Kunkel, who is also familiar with the case. If you have written recommendations or comments, please forward them to my office for him to review and so that I will have same with the file immediately upon my return. As soon as I return from vacation, I will be in touch with you to discuss your recommendation and the meeting on August 25.

Thank you for your consideration and assistance herein.

Very truly yours,

FOR THE FIRM

*James B. Storkamp*

James B. Storkamp

JBS:lmc  
cc: Mac McGoon

TO: Mayor and Council

FROM: Dianne Latuff *Dianne*

DATE: July 30, 1986

SUBJECT: Election Judges

Staff requests Council appoint the following election judges to serve at the Primary and General Election in 1986.

Ward 1

Gloria Stoneberg (head judge)  
 Evelyn Blanchard  
 Joan Moes  
 Pat Fox  
 Lova Dotson  
 Jo Erickson  
 Claire Bieraugel  
 Marcella Bauer  
 Carol Scully  
 Betty Zontelli  
 Helen Biessel

Ward 3

Joanne Dempsey (head judge)  
 Jackie Kane  
 Mary Ann Peterson  
 Janet Niebuhr  
 Helen Smith  
 Helen Ruedy  
 Emiline Hamilton  
 Fern Swanson  
 Janice Burr  
 Ellen Johnson  
 Angela Richter

Counting Center Judges

Pat Pederson  
 Dorothy Swanson

Extra Judges - for fill-in if needed or absentee ballot board if needed.

1 judge from Ward 4 above  
 Barbara Lutz  
 Pat Campbell  
 Evelyn Pufpaff  
 Roberta Klein  
 Kay Harren  
 Betty McWilliams

Because it is required to balance parties as nearly as possible, staff may need to re-assign judges as needed to the wards.

cl

Ward 2

Mary Teuber (head judge)  
 Catherine Wagner  
 Corrine McNamara  
 Lorraine Nolan  
 Joan Grier  
 Grace Sorenson  
 Janelle Wohlfiel (general only)  
 Mickey O'Connor  
 Dorothy Wanke  
 Maxine Hampton (primary only)  
 Marcella Linde  
 Marilyn Peterson

Ward 4

Marilyn Rother (head judge)  
 Marcia Pletcher  
 Jackie Albrecht  
 Pat Gildemeister  
 Lois Milbrandt  
 Marcia Van Vleet  
 Phila Matsch  
 Martha Grosenick  
 Mary Fischer  
 Betty McWilliams  
 Maxine Hall  
 Mary Ann Teuber  
 \*1 judge yet to be  
 determined for Ward  
 4 will be a fill-in.

MEMO

TO: Mayor and Council  
 FROM: Dianne Latuff *ML*  
 DATE: July 30, 1986  
 SUBJECT: Election Equipment Support Agreement

We have been asked by the Election Equipment Company (Thornber), if the City is interested in entering into a maintenance/support equipment agreement for the upcoming elections. What this agreement entails is as follows:

- 1) they come in and check over the equipment prior to the election to make sure it is properly functioning.
- 2) they provide verbal support and back-up equipment on election night if needed. The support or equipment is not on site, but in the area. However, if equipment does break down or need repair this is also covered in the cost.
- 3) Cost = \$1,000 for 2 election's

Staff has contacted Goodhue County (Red Wing), which is running the same type of equipment for the first time this year, about establishing an agreement whereby we would back up each other rather than pay the fees. Since it is Goodhue County's first year, they are getting the equipment support free of charge this year only. Mr. Miller, the Goodhue County Auditor said he would be interested in an agreement such as this with Hastings. Obviously, they wouldn't need our support this year, but he didn't object to their support for us. In discussion with Thornber, it is felt that telephone support may be needed in case the equipment goes down and assistance is needed simply to bring it back on line. They are checking into this for us.

The pros and cons of each agreement:

## Election Equipment Co:

Pros

- 1) Verbal & equipment support on election evening.
- 2) Support more readily available & repairs made.
- 3) Equipment checked before election

Cons

- 1) Support not on-site
- 2) Cost = \$1,000.00
- 3) Staff can determine if equipment is sorting, reading & printing correctly (Malfunctions cannot be handled by staff).

## Goodhue County Agreement

Pros

- 1) Equipment support
- 2) Save cost of agreement

Cons

- 1) Traveling to Red Wing with all supplies in late night.
- 2) Would wait to run Hastings results when Goodhue was completely finished (and visa-versa)

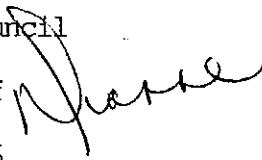
Although we haven't discussed fees yet with Thornber, it is staff's recommendation that (if the fee is reasonable) we enter into an agreement with them for verbal (telephone) support on election evening at the very least.

Staff is requesting Council direction on how to proceed with an election equipment support agreement. You would expect that six year old equipment would perform well, however, if it doesn't, packing up 8 judges and all the equipment and heading for Red Wing at midnight or later is another concern.

cl

MEMO

TO: Mayor and Council

FROM: Dianne Latuff 

DATE: July 31, 1986

SUBJECT: Charter Amendments

Enclosed you will find two (2) copies of the Charter. The first set of copies is how the Charter reads with the changes included from the election and if the housekeeping items are approved. In other words, final form of the Charter, if all items are approved.

The next set of copies are the proposed housekeeping changes from the Charter Commission. You'll need to flip back and forth to see how the old language reads and how it incorporates into the Charter. You also may note that there are some housekeeping changes that don't appear in the new Charter. The reason for this is because the new language from the election has eliminated some parts of the old Charter where they were making changes.

This should help clarify the proposed housekeeping changes, but if not, please feel free to contact me.

cl

CITY OF HASTINGS  
CHARTER COMMISSION  
100 Sibley Street  
Hastings, MN 55033

July 29, 1986

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

Dear Mr. Brown:

On June 24, the voters of Hastings adopted five amendments to the city charter which had been proposed by the Charter Commission. One of those amendments rescinded Section 3.07 of the charter, pertaining to veto power of the Mayor. It was the intent of the Charter Commission that Sections 3.08, 3.09, and 3.10 would be redesignated as Sections 3.07, 3.08, and 3.09, respectively, upon the subsequent recodifying of the Charter.

I understand that some questions have arisen about the two new councilperson-at-large positions vis-a-vis filing for election to those positions, the circumstances requiring a primary election, etc.

It was the intent of the Charter Commission that an individual would file as a candidate for a councilperson-at-large position, not for a specific councilperson-at-large position, that a primary election would be required only if a total of five (5) or more qualified persons filed for the councilperson-at-large positions, that the four (4) persons receiving the highest numbers of votes in the primary would then compete in the ensuing general election, and that the two (2) persons receiving the highest numbers of votes in the general election would become the two councilpersons-at-large.

Very truly yours,



Charles E. Caturia  
Chairman

CEC:dad

cc: Shawn Moynihan

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.

SECTION 3.05. DUTIES OF THE MAYOR IN GENERAL. The Mayor shall be the presiding officer of the City Council. He shall exercise all powers and perform all duties conferred and imposed upon him by this Charter, by City Ordinances, and by laws of the State of Minnesota and the United States of America. He 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. The Mayor shall have no vote, except in the case of a tie in which case he may vote, and shall not be required to do so. 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. The Mayor shall study the operations of the City Government, shall report to the council any neglect, ~~dereliction~~ dereliction of duty or waste on the part of any officer or department, and may periodically report to the Council on the status of City operations.

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. 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.

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 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~~ 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 ~~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, the petitioners may reside anywhere in the City of Hastings: if the office is that of a ~~councilman~~ councilperson, the person nominated shall reside in the Ward from which he or she seeks election, and the ~~signators~~ 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 3.02. ELECTIVE OFFICERS. The elective officers of the City are and shall continue to be a Mayor, and two members of the Council from each Ward of the City who shall be known as ~~Councilmen~~ Councilpersons. All of said elective officers shall be qualified electors and residents in and of the City of Hastings, and in the case of ~~Councilmen~~ Councilpersons, residents of the Ward from which they are elected. Candidates for Council shall be residents of the Ward from which they seek office for at least thirty (30) days prior to the primary election. The Mayor shall serve for a period of two years and until ~~his~~ the Mayor's successor is duly elected and qualified. ~~Councilmen~~ 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 ~~Councilmen~~ Councilpersons.

SECTION 3.03. VACANCIES IN THE OFFICES OF ~~COUNCILMEN~~ COUNCILPERSONS OR MAYOR. A vacancy in the office of ~~Councilmen~~ 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~~ 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~~ his or her qualification, or by reason of failure of any person so elected to perform ~~his~~ 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 ~~Councilmen~~ 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 3.04. ACTING MAYOR. At the first regular Council meeting of the year, and at such other time 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 councilman Councilperson acting as Mayor during the absence or disability of the Mayor shall continue his or her right to vote as a councilman Councilperson.

SECTION 3.05. DUTIES OF THE MAYOR IN GENERAL. The Mayor shall be the presiding officer of the City Council. ~~He~~ The Mayor shall exercise all powers and perform all duties conferred and imposed upon ~~him~~ the Mayor by this Charter, by City Ordinances, and by laws of the State of Minnesota, and the United States of America. ~~He~~ 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. The Mayor shall have no vote, except in the case of a tie in which case he or she may vote, and shall not be required to do so. The Mayor shall sign all warrants and orders drawn upon the behalf of the City Treasurer as well as all bonds, obligations, and contracts on behalf of the City, unless otherwise provided for in this Charter. The Mayor shall study the operations of the City Government, shall report to the council any neglect, ~~dereliction~~ dereliction of duty or waste on the part of any officer or department, and may periodically report to the Council on the status of City operations.

SECTION 3.06. MAYOR - POLICE DEPARTMENT. The Mayor shall be the Chief Executive Officer of the City of Hastings Police Department. The Police Department shall consist of a Chief of Police and such other number and rank of police personnel as may be authorized and budgeted for by the City Council with the consent of the Mayor. The Mayor shall be the Appointing Authority for purposes of appointment and promotion under Civil Service Rules. The Mayor may, but is not required to, appoint or promote persons to vacancies existing in the Police Department, but any person so appointed or promoted shall be a person certified as

qualified by the Police Civil Service Commission of the City of Hastings. Upon appointment or promotion to fill a vacancy in the department, the City Council shall authorized compensation to said person. The Police Civil Service Commission of the City of Hastings shall function in accordance with State statute. The Mayor may, in his or her discretion appoint citizens, including ~~councilmen,~~ Councilpersons, to a committee to advise ~~him~~ the Mayor in police matters, but the authority of said committee shall only be advisory.

SECTION 3.07. MAYOR - VETO POWER. Every ordinance approved by the City Council shall, before it takes effect, be presented to the Mayor for his or her approval. If ~~he~~ the Mayor approves of it, he or she shall sign the ordinance. If ~~he~~ the Mayor disapproves of it, he or she shall return it to the City Council with his or her objections appended thereto by depositing the ordinance with his or her objections with the City Clerk, to be presented to the City Council for further considerations at its next regular meeting. Upon receipt of said ordinance from the Mayor with his or her objections, the City Clerk shall immediately enter said objections and date of receiving said objections in the minute book of the council. Upon the return to the City Council of any ordinance disapproved by the Mayor, the City Council may reconsider the passage of the ordinance notwithstanding the objections of the Mayor. If upon such reconsideration, the City Council shall reapprove the ordinance by an affirmative vote of three-fourths (3/4) of the entire council, it shall have the same effect as if it was approved by the Mayor. If an ordinance is not signed by the Mayor, and also not deposited by ~~him~~ the Mayor with the City Clerk for referral back to the City Council for reconsideration prior to the next regular meeting of the City Council, this nonaction shall have the same effect as if the ordinance was approved by the Mayor.

SECTION 3.08. MAYOR <sup>AND COUNCILPERSONS</sup> (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. or Councilpersons'

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 4.02. APPOINTED OFFICERS. CITY CLERK. The City Council shall appoint a City Clerk who shall hold office under such terms and conditions as the Council may prescribe. ~~The~~ 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 Council shall determine.

CITY ADMINISTRATOR. The City Council may appoint a City Administrator who shall hold office under such terms and con-



ditions as the Council may prescribe. The City Council may charge said City Administrator with administrative or managerial duties and may designate him or her as the person responsible to the council for the proper administration of all affairs relating to the City in which case he or she shall serve as head of the administrative branch of the City government. The City Administrator's duties and responsibilities shall be designated by ordinance adopted by a majority of the entire City Council. The City Administrator may hold any other appointed City office not inconsistent therewith, including the office of City Clerk. The City Council may delegate to the City Administrator all administrative duties and responsibilities (except authority to hire and discharge City Employees which authority shall not be delegated by the City Council, and except for the police department which shall be under the direction of the Mayor as provided in Section 3.06 of this Charter).

CITY ATTORNEY. The City Council shall appoint a City Attorney who shall be an attorney licensed to practice before the highest Court in the State of Minnesota. ~~He~~ The City Attorney shall act as legal advisor to the Mayor and City Council, and to (Department Heads, Commission Heads, and Board ~~Chairman~~ 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 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. All persons so appointed by the City Council shall hold office at the pleasure of 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 ~~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.

ORDINANCE NO. \_\_\_\_\_ SECOND SERIES

AN ORDINANCE OF THE CITY OF HASTINGS AMENDING CITY CODE 2.61 ADDING ADDITIONAL RESTRICTIONS REGARDING THE ELECTRONIC TRANSFER OF FUNDS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HASTINGS AS FOLLOWS:

SEC. 2.61. Disbursements of Funds and Allowance of Accounts.

All disbursements shall be made by either; a check signed by the Mayor, or in the Mayor's absence the acting Mayor, and the City Administrator or City Clerk duly authorized by the Council; or by an electronic funds transfer authorized by the officials listed above, provided that all electronic transfers are made using special codes (changed periodically to provide maximum security). Every such order shall specify the purpose for which the disbursement is made, and indicate that it is to be paid out of the proper fund, and specifically contain the following language "for deposit to the City of Hastings only". A written confirmation of every electronic funds transfer shall be made no later than one business day after the transaction. No such check shall be issued or electronic funds transfer made until there is money to the credit of the fund out of which it is to be paid sufficient to pay the same together with all then outstanding encumbrances upon such fund.

No claim against the City shall be allowed, except as otherwise provided in this Chapter unless accompanied by an itemized account and voucher, payroll or time sheet signed by a responsible officer who has personal knowledge of the facts in the case and certified to the correctness and reasonableness of the claim and that it is a proper claim against the City; provided, however, that the Council may provide for a regular payment without specific individual authorization or filing of an itemized account and voucher, payroll or time sheet of the salaries and wages of regular employees or laborers and any other fixed charges which have been previously duly and regularly authorized. Filing of a separate account verification may be dispensed with by the Council if appropriately similar wording is printed near the endorsement space on the order for payment form.

VIOLATION A MISDEMEANOR. Every person violates a Section, Subdivision, Paragraph or Provision of this Chapter when they perform an act thereby prohibited or declared unlawful, or fails to act when such failure is thereby prohibited or declared unlawful, and upon conviction thereof, shall be punished as for a misdemeanor, except as otherwise stated in specific provisions hereof.

Adopted by the City Council of the City of Hastings this \_\_\_\_ day of \_\_\_\_\_, 1986.

This Ordinance shall be effective upon passage and seven days after publication.

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

ATTEST:

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

## ORDINANCE NO. \_\_\_\_\_ - SECOND SERIES

AN ORDINANCE OF THE CITY OF HASTINGS AMENDING SECTION 2.80 ADDING ADDITIONAL DUTIES FOR THE CITY ADMINISTRATOR

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HASTINGS AS FOLLOWS:

Section 2.80, Subd. 2 B. shall be deleted in its entirety and amended to read as follows:

- B. Exercise control over all departments and divisions of the City except the police department; appoint and remove all employees of the City, except the police department and department heads, upon the basis of merit and/or fitness alone. Department heads may be appointed or removed by the City Administrator only after receiving Council approval. The City Administrator shall make recommendations for the suspension and termination of department heads, except the Police Chief, and may suspend any department head, except the Police Chief, until the next Council Meeting when the Council shall affirm, modify or rescind the suspension. The City Administrator shall act as the Personnel Officer and shall be responsible for the implementation of the City's personnel policy.

Section 2.80, Subd. 2 F. shall be amended to read as follows:

- F. Submit reports to the Council on City finances, budget status and administrative activities on a regular basis, as well as submit to the Council and make available to the public a complete report on the financial and administrative activities of the City at the end of each fiscal year.

VIOLATION A MISDEMEANOR. Every person violates a Section, Subdivision, Paragraph or Provision of this Chapter when they perform an act thereby prohibited or declared unlawful, or fails to act when such failure is thereby prohibited or declared unlawful, and upon conviction thereof, shall be punished as for a misdemeanor, except as otherwise stated in specific provisions hereof.

Adopted by the City Council of the City of Hastings this \_\_\_\_\_ day of \_\_\_\_\_, 1986.

This Ordinance shall be effective upon passage and seven days after publication.

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

ATTEST:

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

## ORDINANCE NO. \_\_\_\_\_ - SECOND SERIES

AN ORDINANCE OF THE CITY OF HASTINGS AMENDING SECTION 2.52, SUBD. 1 RELATING TO THE PLACEMENT OF ITEMS ON THE COUNCIL AGENDA

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HASTINGS AS FOLLOWS:

Section 2.52, Subd. 1 of the City Code shall be amended to add the following sentence:

For any item to be considered at a regular Council Meeting, it must be submitted to the City Clerk at least five days before the regular Council Meeting. No item shall be considered at a Council Meeting unless it has been submitted as required herein or unless all Council members present agree to consider it immediately.

VIOLATION A MISDEMEANOR. Every person violates a Section, Subdivision, Paragraph or Provision of this Chapter when they perform an act thereby prohibited or declared unlawful, or fails to act when such failure is thereby prohibited or declared unlawful, and upon conviction thereof, shall be punished as for a misdemeanor, except as otherwise stated in specific provisions hereof.

Adopted by the City Council of the City of Hastings this \_\_\_\_\_ day of \_\_\_\_\_, 1986.

This Ordinance shall be effective upon passage and seven days after publication.

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

ATTEST:

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

## ORDINANCE NO. \_\_\_\_\_, SECOND SERIES

An Ordinance of the City of Hastings amending Chapter 2, Section 242, Subdivision 2, of the City Code having to do with the composition of the Natural Resource and Recreation Commission;

Be it ordained, by the City Council of the City of Hastings as follows:

Section 2.12 Natural Resource and Recreation Commission.

SUBD. 2. COMPOSITION. The Commission shall consist of seven (7) members, all of whom shall be non-Council persons. They shall be elected as follows: When a vacancy occurs or is about to occur, applications shall be requested from the residents of the City. All applications shall be submitted to the Natural Resources and Recreation Commission for review and recommendation. The majority choice of this Commission shall be presented to the Council for approval. A member or members of this Commission may present a minority choice to the Council for consideration & approval. If the Council by a majority of its total membership is unable to agree upon a person to fill the vacancy, the matter shall be referred back to the Commission for a different recommendation. This process shall continue until the vacancy or vacancies are filled.

Adopted by the City Council of the City of Hastings this \_\_\_\_ day of \_\_\_\_\_, 1986.

This Ordinance shall be effective upon passage seven (7) days after publication.

ATTEST

\_\_\_\_\_  
Lu Ann Stoffel, Mayor

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



## MEMO

TO: Mayor and City Council  
FROM: Marty McNamara *Marty*  
SUBJECT: Purchase Two CB Radios for Park Rangers  
DATE: July 31, 1986

Clarence Rotty, Chairman of the Park Rangers at Lake Rebecca, has asked for permission to purchase two (2) CB radios. The cost would be \$200.00 for both units. In the 1986 Park Rangers budget, \$150.00 was budgeted for radios.

ces

July 29, 1986

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

Dear Gary,

We are writing this letter to you in regard to a certain home located at 16180 Leroy Avenue, Hastings, Mn, that we are trying to purchase. Poor water quality and the fact that the home shares a well with three other homes has caused our mortgage application with FHA to be turned down.

We are asking permission to have our home annexed into the city for purposes of city sewer and water. With this annexation our loan should be approved by the FHA.

We understand that the home of Al Sieben next door does have city sewer and water.

Could you please respond to this matter as soon as possible. Thank you.

Sincerely,

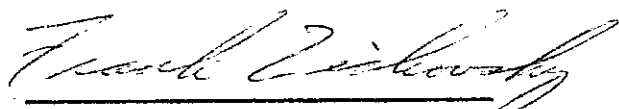
*Tom & Kay Lauwagie*

Tom and Kay Lauwagie

## PETITION FOR ANNEXATION

I the undersigned hereby petition the City Council of the City of Hastings for annexation of the property we are selling at 16160 LeRoy Ave. legally described as: Lot Seven, Block Two, Sieben's First Addition.

Said property is contiguous to the City of Hastings, and contiguous to other property which has recently been annexed to the City of Hastings and hooked up to city sewer and water. During the time this annexation approval is taking place we further request permission to hook up to city sewer and water utilities. Upon completion of the hook up and at the time of closing the sales transaction the assessment amount and hookup charges will be paid in full.



Frank Ziskovsky  
Frank Ziskovsky, seller's representative

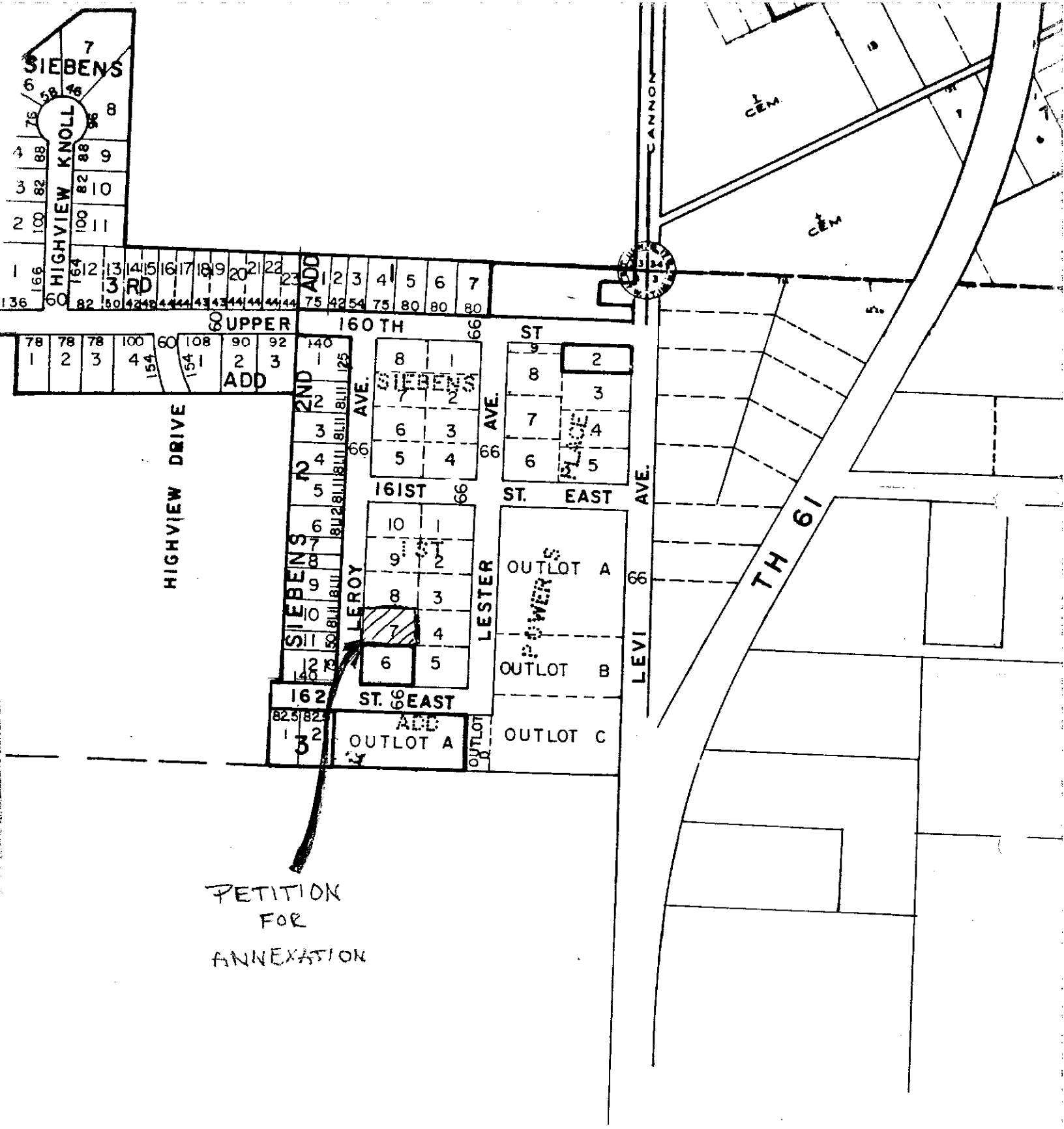
## PETITION FOR ANNEXATION

We the undersigned hereby petition the City Council of the City of Hastings for annexation of the property we are purchasing at 16180 LeRoy Ave. legally described as: Lot Seven, Block Two, Sieben's First Addition.

Said property is contiguous to the City of Hastings, and contiguous to other property which has recently been annexed to the City of Hastings and hooked up to city sewer and water. During the time this annexation approval is taking place we further request permission to hook up to city sewer and water utilities.

Thomas D. Louwagie  
Thomas D. Louwagie

Kay S. Louwagie  
Kay S. Louwagie



PETITION  
FOR  
ANNEXATION

## MEMO

Date: July 31, 1986

To: Mayor & Council

From: Gary Brown 

Re: Water Operator Job Description

Please find attached a copy of an amended Water Department employee job description. As it is totally unclear at this time how many hours each day the individual will have to spend at the hydro electric facility we have left the job description rather vague. Over the next four to six weeks we believe that we will be able to get substantially more specific regarding the requirements of the individual. City staff recommends that an operations committee meeting be set up with the City Engineer, Water Superintendent and City Administrator regarding the proposed operations of the hydro electric facility as they relate to current personnel. City Council is requested to approve the amended job description and authorize the posting and advertisement of this position.

jt

JOB DESCRIPTIONDate: December, 1984- POSITION TITLE: Water Maintenance IIDEPARTMENT: Water - Public WorksACCOUNTABLE TO: Water Superintendent or AssistantPRIMARY OBJECTIVE TO POSITION

Under general supervision, performs skilled work in the repair of water metering equipment; maintains water system maintenance and related records; and performs related work as required.

MAJOR AREAS OF ACCOUNTABILITY

Reads and records daily flow meters and fluoride consumption, and mixes fluoride solution as required in pumphouses. Reads, delivers, replaces and assists with meter maintenance. Tests daily water samples for fluoride verification.

Responds to customer service calls and assists with collection of delinquent accounts, etc.

Does tank inspections and electro-rust proofing rod removal on three tanks. Does general hydrant maintenance. Assists with maintenance and repair to water system, such as new water taps, W.M. breaks, valve repacking and replacing, curb box and valve box straightening; and repairs and operates other equipment, machinery and tools necessary for water system operations. Does general maintenance to water facility buildings, trucks and equipment.

Assists with maintenance and repair to sewer system, such as rodding and flushing in Spring and Fall, installing new sewer taps, repairs M.H.'s. Performs lift station maintenance, including complete cleaning of all lift stations semi-annually, and operates and cares for all other tools, equipment and machinery necessary for sewer system maintenance.

Assists with operation and mechanical maintenance at swimming pool.

Is on call one weekend out of four.

Biennial attendance at three-day A.W.W.A. Water Operators Training Course to maintain State of Minnesota Class "D" Operator's Certificate.

Assists other departments in emergency situations.

Performs other duties and assume other responsibilities as apparent or as delegated by Water Superintendent.

Water Maintenance IIDESIRABLE KNOWLEDGE, SKILLS AND ABILITIES

Good knowledge of the materials, techniques, tools and equipment used in water metering equipment repair.

Good knowledge of office practices and procedures.

Ability to repair water metering equipment.

Ability to establish and maintain effective working relations with others.

Ability to keep office records.

A combination of training and experience substantially equivalent to graduation from high school and three years of water system installation, maintenance and repair work experience.



JOB DESCRIPTION

Date: August 4, 1986

POSITION TITLE: Water & Electric Maintenance

DEPARTMENT: Water - Electric - Public Works

ACCOUNTABLE TO: Water Superintendent or Assistant

PRIMARY OBJECTIVE TO POSITION

Under general supervision, performs skilled work in the repair of water metering equipment; maintains water system maintenance and related records, performs maintenance at Hydroelectric Facility, including the maintenance of the turbines, generators, converters, and bar screen and performs related work as required.

MAJOR AREAS OF ACCOUNTABILITY

Reads and records daily flow meters and fluoride consumption, and mixes fluoride solution as required in pumphouses. Reads, delivers, replaces and assists with meter maintenance. Tests daily water samples for fluoride verification.

Responds to customer service calls and assists with collection of delinquent accounts, etc.

Does tank inspections and electro-rust proofing rod removal on three tanks. Does general hydrant maintenance. Assists with maintenance and repair to water system, such as new water taps, W.M. breaks, valve repacking and replacing, curb box and valve box straightening; and repairs and operates other equipment, machinery and tools necessary for water system operations. Does general maintenance to water facility buildings, trucks and equipment.

Assists with maintenance and repair to sewer system, such as rodding and flushing in Spring and Fall, installing new sewer taps, repairs M.H.'s. Performs lift station maintenance, including complete cleaning of all lift stations semi-annually, and operates and cares for all other tools, equipment and machinery necessary for sewer system maintenance.

Assists with operation and mechanical maintenance at swimming pool.

Is on call one weekend out of four.

Biennial attendance at three-day A.W.W.A. Water Operators Training Course to maintain State of Minnesota Class "D" Operator's Certificate and attend courses in the operation of Hydro Electric Facilities.

Assists other departments in emergency situations.

Reads and records daily kilowatt output meters, temperature readings of turbines, generators, and converters.

Water & Electric Maintenance

Performs general and routine maintenance of hydro electric facility.

Performs other duties and assume other responsibilities as apparent or as delegated by Water Superintendent.

DESIRABLE KNOWLEDGE, SKILLS AND ABILITIES

Working knowledge of electricity, motors and generators.

Good knowledge of materials, techniques, tools and equipment used in water metering equipment repair.

Good knowledge of office practices and procedures.

Ability to repair water metering equipment.

Ability to establish and maintain effective working relations with others.

Ability to keep office records.

Ability to work in and around high voltage areas.

A combination of training and experience substantially equivalent to graduation from high school and three years of water system installation, maintenance and repair work experience.

## MEMO

Date: July 31, 1986

To: Mayor and Council

From: Gary E. Brown

Re: Purchase of Eyries Building

Please find attached a drawing prepared by City staff regarding the Eyries Building in addition to exhibit "B" which is maintenance cost of the building. Also included is exhibit "A" which is a property description of said property. The owners of the building have indicated to city staff that they are willing to sell the building for a cost of \$80,000.00. The building has a rentable second floor for office space. The owners were not willing to divulge rental rates unless the City Council was extremely interested in negotiating the purchase.

The owners have indicated that they are not willing to lease the building to the city as they currently have lessees in the building. Please note that the building has a free standing air conditioner which is somewhat noisy however is able to keep the building cool and has an antiquated boiler. Total additional square footage of this building is 2,546 feet, however because the walls are in excess of one foot thick the building has a usable square footage of substantially less.

jt

EXHIBIT "B"

EYRIES BUILDING

NON-FIXED COSTS

July 1, 1984 - June 30, 1985

	<u>ESTIMATED - 1986</u>	<u>ACTUAL 85</u>
Taxes	\$ 1,883.92	\$ 1,339.54
SPECIAL ASSESSMENT		
Insurance	684.00	660.00
Gas	3,000.00	3,876.50
Electric	600.00	719.97
Water	100.00	205.25
Misc. (repairs, Maint, sewer)	1,800.00	1,552.25
	<hr/>	<hr/>
	\$ 8,067.92	\$ 8,353.51

*1987*  
# 2981.72  
SPECIAL ASSESSMENT 1118.72

*SAS 1118.72*  
*2000*

*2000 Street Assessment*

EXHIBIT "A"

The ground floor, street level portion, of the following described premises:

The East 22 feet of the South 60 feet of Lot 8 and the North 30 feet of the South 90 feet of Lot 8 all in Block 4, Town of Hastings, subject to an easement to Anna M. Birchen for the right to use in common as an alley or passageway to the rear of the above described property from Sibley Street and described as the North 5 feet and the West 4 feet of all that part of Lot 8 in Block 4 commencing at a point which is 60 feet North of the Southeast corner of said Lot 8; thence running North 30 feet; thence West 66 feet; thence South 30 feet; thence East 66 feet to the place of beginning; except the North 7 1/2 feet of the South 90 feet and the West 11 1/2 feet of the North 22 1/2 feet of the South 82 1/2 feet of Lot 8, Block 4, Town of Hastings, according to the recorded plat thereof in the office of the Register of Deeds in and for Dakota County. Subject to an easement for ingress and egress over the entrance, hall and stairway in the Southwest corner of said premises, all of which premises contain approximately 2546.25 square feet.

82 1/2

54.5

REAR STAIR WELLS

ADM	ASST	WARD 3	WARD 4	AT LARGE
COUNCIL TABLE				
ATTN	ENGR	WARD 1	WARD 2	AT LARGE

A.C.

7 CHAIRS

6 CHAIRS

7

7

7

5

5

6

COATS

EXIT TO CORRIDOR

AULT

MFNS

WIPERS

# EYRIES BUILDING

SEATING 48  
(FIRST ROW WITH STAFF)

COST \$80,000

22'

2ND STREET

32 1/2

22 1/2

NOTE: 1/8" = 1 FOOT

NOT ALL EXTERIOR TO SCALE

July 21, 1986

City Council  
City of Hastings  
Hastings, Minnesota 55033

This letter is in response to a request for a proposal to audit of the financial records of the City of Hastings for the year ending December 31, 1986.

We will perform an examination for the purposes of:

Expressing an opinion on the fairness of the presentation of City's general purpose financial statements as of December 31, 1986, in conformity with generally accepted accounting principles applied on a basis consistent with that of the preceding year. But, as in prior years, the opinion will be qualified because the City lacks adequate fixed asset records.

Preparing a report on compliance with statutory, regulatory and contractual compliance that meets the requirements of U.S. Office of Management and Budget (OMB) Circular No. A-128.

Preparing a report on internal accounting control.

This audit is not designed or intended to detect defalcations or irregularities. The City Council and staff have the responsibility for establishing adequate internal and administrative control systems. This audit will be limited to the standard auditing procedures that are necessary to form a professional opinion with regard to the fair presentation of the financial statements. Therefore, a detailed audit of all transactions is not anticipated. If we note anything that appears unusual though, we will bring it to your immediate attention.

Upon completion of the audit, we will also issue a report on any weaknesses that we note in internal accounting controls. The City Council and staff can then review these weaknesses and our suggestions for improvements in the controls.

The schedule for completing the audit is as follows:

- 1) Review of Records and Internal Controls-November 1986
- 2) Confirmations and Inventory Observation-January 1987
- 3) Completion of Audit-May 1987
- 4) Issuance of Report-June 1987

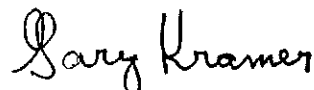
Our fee for the audit will be based upon our standard hourly billing rates for the applicable employees. The maximum fee that will be charged is \$20,000.00. This fee is fixed and not dependent upon the City staff preparing any specific set of information or hiring an comptroller who might be able to provide us with additional information.

Our examination will be made in accordance with generally accepted auditing standards; the provision of "Standards for Audit of Governmental Organization, Programs, Activities and Functions" promulgated by the U.S. Comptroller General, as they pertain to financial and compliance audits; the provisions of the OMB's "Compliance Supplement - Uniform Requirements for Grants to State and Local Governments"; and the provisions of OMB's Circular A-128 and, accordingly, will include such tests of the City's accounting records and other audit procedures as we consider necessary in the circumstances.

If you intend to publish or otherwise reproduce the financial statements and make reference to our Firm name, you agree to provide us with printers' proofs or masters for our review and approval before printing. You also agree to provide us with a copy of the final reproduced material for our approval before it is distributed.

If you accept and agree with the above understanding of the services to be performed, please sign below.

Sincerely yours,



Gary D. Kramer  
Certified Public Accountant

Confirmed by:

---

\_\_\_\_\_, 19\_\_\_\_



## MEMO

To: Mayor and Council  
From: Gary E. Brown  
Re: Extra Cable for Hydro Plant  
Date: July 31, 1986

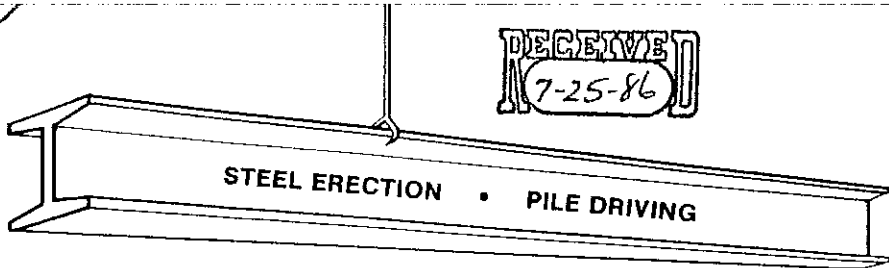
Several weeks ago we met with the Army Corps of Engineers to discuss the possibility of using a specific cable for running the electricity that is produced at the Hydro Electric facility to the NSP lines. During that conversation we discussed the possibility of that line going out either by a blow out or by something destroying it. Although the cable is running most of the time in conduit underneath the lock and dam system the Army Corps of Engineers has found that cables have flaws in them and end up shorting out. Therefore it is their policy always to run cables in parallel as far away from each other as possible.

Since the contract did not anticipate running a second line to insure the conductivity of the electricity to NSP's lines I asked the contractor to provide the city with a cost of a second line (see letter of July 23, 1986). The city expects to receive an average monthly income of approximately \$107,000.00. It is possible that if the line would short out that a jumper could be made however it is also possible that that particular short may be difficult to find.

I would like to recommend to the City Council that they consider a change order (1) to encompass purchasing another cable.

A recent update of our cash flow indicates that we have approximately \$200,000 available for contingency changes. This has resulted from an interest rate substantially less than what was anticipated when the bonds were sold (1½%).

jt



DAMS • MILLWRIGHT • RIGGING  
INDUSTRIAL CONSTRUCTION

July 23, 1986

Twin Cities Office  
P.O. Box N  
Rosemount, MN 55068  
(612) 437-9666

City of Hastings  
100 Sibley Ave.  
Hastings, MN 55033

ATTN: Gary Brown

RE: Hastings Dam  
15 KV Cable

Dear Gary:

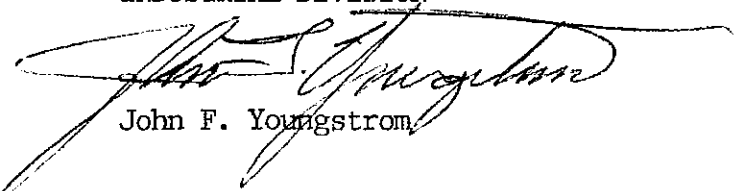
As requested by the Corps of Engineer, we are pleased to quote a price of \$24,090.00 to furnish and install a spare 15 KV coreflex armored high voltage cable cooper size 1/0-3 conductor with ground. This includes reducing the original feeder to this same size.

Section 310-4, National Electrical Code, does not allow conductors smaller than 1/0 to be used in parallel. Table 310-77 NEC rates 1/0 15 KV cable at 200 Amps installed in underground raceways. Each cable would handle the 185 Amps full load of 4,000 KW, 12480 volts, cable length approximately 1,200'.

If you have any questions, please feel free to contact us.

Sincerely,

LUNDA CONSTRUCTION COMPANY  
INDUSTRIAL DIVISION

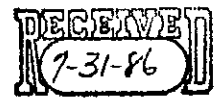


John F. Youngstrom



## DEPARTMENT OF THE ARMY

ST. PAUL DISTRICT, CORPS OF ENGINEERS  
1135 U.S. POST OFFICE & CUSTOM HOUSE  
ST. PAUL, MINNESOTA 55101-1479



July 30, 1986

REPLY TO  
ATTENTION OF

Engineering  
Project Management

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

Dear Mr. Brown:

As requested in your July 18, 1986, letter, we approve the use of Corflex 15-kV armored high voltage cable as the feeder from the hydroelectric plant. Before you install the cable, you should submit an installation plan.

The plan should show how the cable will be routed and supported. You should pay special attention to the routing in the manholes to effectively separate the high voltage cable from other cables. Detailed plans of the installation in the manholes should be submitted for approval.

The 15-kV cable should exit the back side of manhole No.1 as soon as practicable. This measure will limit the length of the run with low voltage cables.

If you have any questions, please contact Dave Raasch, project manager, at (612) 725-7569.

Sincerely,

Peter A. Fischer  
Chief, Engineering Division

CF:  
Mr. John Youngstrom  
Lunda Construction  
P.O. Box N  
Rosemount, Minnesota 55068

CITY OF HASTINGS  
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. \_\_\_\_\_

RESOLUTION FOR HEARING ON PROPOSED ASSESSMENTS - 1986 Improvement Program-City Projects No. 1986-1,3,4,5,6,7,8,9,10,11,12, & 12

WHEREAS, by a resolution of the City Council on Monday August 4, 1986, the City Clerk was directed to prepare a proposed assessment of the cost of the improvements as follows:

1. Project No. 1986-1 Oak St. from 11th St. to 13th St.

Improvement includes excavation, gravel base, bituminous surfacing, concrete curb and gutter, sewer and water services, and storm sewer --- the area proposed to be assessed includes all of the lots fronting on Oak Street between 11th St. and 13th St. including Lots 1 & 2 Block 24 and Lot 4, Block 23 in Allison's Addition; Lots 2,3,& 6 Blk 3 in Hancock Thomas Addition; Lots 1,4 & 5 Blk 4 in Hancock Thomas Addition; Lots 1 & 8 Blk 7 in Hancock Thomas Addition; and Lots 4 & 5 Blk 8 in Hancock Thomas Addition.

2. Project No. 1986-3 Fraizer St. from 1st St. to 2nd St.

Improvement includes excavation, gravel base, bituminous surfacing, concrete curb and gutter, and storm sewer. - - - The area proposed to be assessed includes all of the lots fronting on Frazier St. between 1st St. and 2nd St. including Lots 1-9, Block 7 and Lots 10-18 Block 6 all in Addition No. 13.

3. Project No. 1986-4 Tierney Drive from Todd Way to a point 200' east; also Todd Way from Todd Court to Tierney Drive.

Improvement includes excavation, gravel base, bituminous surfacing, concrete curb and gutter, sanitary sewers, watermain, and sewer and water services. - - - The area proposed to be assessed includes Lots 11-14, Block 2, Sontags 2nd Addition; Lots 1, Block 3 Sontags 2nd Addition; and Lots 19-22, Block 4 Sontags 2nd Addition.

4. Project No. 1986-5-Upper 160th St. west of LeRoy Avenue consisting of Siebens Third Addition.

Improvement consists of excavation, gravel base, bituminous surfacing, concrete curb and gutter, sanitary sewers, watermain, sewer and water services, and storm sewers. - - - The area proposed to be assessed includes all lots fronting on streets in Siebens 3rd Addition including Lots 1-23, Block 1; Lots 1-4 Block 2; and Lots 1-3 Block 3 all in Siebens Third Addition.

5. Project No. 1986-6 Cory Lane from 220' south of 160th St. to 540' south of 160th St.

Improvement consists of excavation, gravel base, bituminous surfacing, concrete curb and gutter, sanitary sewers, watermains, sewer and water services, and storm sewers.

- - - The area proposed to be assessed includes all the properties fronting on Cory Lane from 220' south of 160th St. to 540' south of 160th St. including Lot 1, Block 1 and Lot 1 Block 2 all in Sunny Acres 2.

6. Project No. 1986-7 1st from C.S.A.H. No. 42 to Pleasant Drive.

Improvement consists of excavation, gravel base, bituminous surfacing, concrete curb and gutter, sanitary sewers, watermains, sewer and water services, storm sewers, and right of way acquisition.

- - - The area proposed to be assessed includes all the properties fronting on 1st St. between CSAH No. 42 and Pleasant Drive. Also proposed to be assessed for storm sewers are properties fronting on State St. between 1st St. & 2nd St., certain properties fronting on Olive St. between 1st St. & 2nd St., properties fronting on Frazier St. between 1st St. & 2nd St. and properties fronting on 1st St. between C.S.A.H. 42 and Pleasant Drive more particularly described as follows: Lot 1, Blk 1, Valley West; Lots 11-20, Blk 4 Addn. No. 13; Lots 1-15 Blk 5 Addn. No. 13; Lots 1-4 and 10-18 Blk 6 Addn. No. 13; Lots 1-9 Blk 7 Addn No. 13; and those parcels of land in Sections 20,21 and 29 abutting 1st St. between CSAH No. 42 and Pleasant Drive.

7. Project No. 1986-8 Ash St. from 3rd St. to 4th St.

Improvement consists of excavation, gravel base, bituminous surfacing, and concrete curb and gutter. - - - The area proposed to be assessed includes all the properties fronting on Ash Street between 3rd St. and 4th St. described as Lots 1 & 18, Block 21 Add No. 13 and also Lots 10 & 11 Blk 20, Addition No. 13.

8. Project No. 1986-9 State Street from 4th St. to 7th St.

Improvement consists of excavation, gravel base, bituminous surfacing, concrete curb and gutter and storm sewers.

- - - The area proposed to be assessed includes all the properties fronting on State Street between 4th St. and 7th St. more particularly described as follows: Lots 1 and 20 Blk 23, Addn. No. 13; Lots 10 & 11, Blk 24 Addn. No. 13; Lots 10 & 11 Blk 33 Addn. No. 13; Lots 1 and 20 Blk 34 Add. No. 13; Lots 10 & 11 Blk 38 Addn. No. 13.

9. Project No. 1986-10 Prairie St. from 6th St. to T.H. 55

Improvement consists of excavation, gravel base, bituminous surfacing, concrete curb and gutter and storm sewers.

- - - The property proposed to be assessed includes all the properties fronting on Prairie St. between 6th St. and T.H. 55 more particularly described as follows: Lots 1 & 20 Blk 38 Add. No. 13; Lots 10 & 11 Blk 39 Add. No. 13; Lots 1 & 20 Blk 47 Add. No. 13; and Lots 10 & 11 Blk 46 Add No. 13.

10. Project No. 1986-11 Pine St. from 2nd St. to T.H. 55

Improvement includes excavation, gravel base, bituminous surfacing, concrete sidewalk, sanitary sewer replacement, storm sewers, and concrete curb and gutter.

- - - The area proposed to be assessed includes all the properties fronting on Pine St. between 2nd St. and T.H. 55 more particularly described as follows: Lots 1 & 20 Blk 12; Lots 9 & 10 Blk 13; Lots 9 & 10 Blk 16; Lots 1 & 20 Blk 17; Lots 1 & 20 Blk 26; Lots 9 & 10 Blk 27; Lots 9 & 10 Blk 30; Lots 1 & 20 Blk 31; Lots 1 & 20 Blk 40; Lots 9 & 10 Blk 41; Lots 9 & 10 Blk 44; Lot 1, Blk 45, all of the above lots are in Addition No. 13.

11. Project 1986-12 Williams 1st Addition, Williams Addition lies adjacent to the north side of 4th St. between Whispering Lane & Pleasant Drive..

Improvement includes excavation, gravel base, bituminous surfacing, concrete curb and gutter, sanitary sewers, watermains, sewer and water services and storm sewers.

- - -The area proposed to be assessed includes all the lots in Williams 1st Addition as well as Lot 1 Blk 1 Schumacher 3rd Addition.

12. Project No. 1986-13 Malcolm Avenue From 160th St. to T.H. 316

Improvement includes sanitary sewers, watermains, water and sewer services, and street restoration.

- - -The area proposed to be assessed includes all the lots fronting on Malcolm Ave. between 160th St. and T.H. 316 more particularly described as follows: all of the following lots in Sunny Acres Subdivision; Lots 1-11 Blk 1; Lots 1-14 Blk 2; Lots 1-7 Blk 3; Lot 1 Blk 4; Lots 1-6 Blk 5; Lots 1-7 Blk 6; and the S 150' of N. 1078' of W. 150' of E. 360' of W 1/2 of NE 1/4 of Section 3, T114, R17.

WHEREAS, the City Clerk has notified the City Council that such assessment has been completed and filed in the City Clerk's office for public inspection.

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

1. A hearing shall be held on the 2nd day of September, 1986 in the City Council Chambers at 100 Sibley Street at 7:30 p.m. to pass upon the proposed assessments, and at such time and place all persons shall be given an opportunity to be heard with reference to such assessment.

2. The City Clerk is hereby directed to cause a notice of hearing on the proposed assessments to be published once in the official newspaper and to be mailed to the owner of each parcel described in the assessment roll.

3. The proposed assessment roll is on file in the office of the City Clerk, and is open for public inspection to all persons interested. Written or oral objections to the assessment roll by any property owner will be considered. No appeal may be taken as to the amount of any assessment adopted pursuant to Statute unless a written objection signed by the affected property owner is filed with the City Clerk prior to the assessment hearing or presented to the presiding officer at the hearing. An owner may appeal an assessment to District Court pursuant to Section 429.081 by serving notice of the appeal upon the Mayor or Clerk of the municipality within 30 days after the adoption of the assessment and filing such notice with the District Court within 10 days after service upon the Mayor or Clerk. As of the date of this notice, the City has not adopted any deferrment procedure pursuant to Section 435.193 to 435.195.

4. Assessments shall be proportional to the benefits to be derived by said improvements.

5. The total amount of the proposed assessment is hereby declared to be approximately \$ 1,592,000.

6. Persons desiring to examine the assessment roll or persons having questions regarding their assessment may contact the City Engineers office at 100 Sibley Street and speak with Jim Kleinschmidt or Thomas Montgomery at 437-4127. The office hours are 8:00 A.M. to 4:30 P.M. Monday thru Friday.

Adopted by the City Council of Hastings, Minnesota this 4th day of August, 1986.

Ayes:

Nayes:

---

LuAnn Stoffel, Mayor

ATTEST:

---

Gary E. Brown, City Clerk/Administrator

Publish:

## MEMO

To: Honorable Mayor and Members of the City Council

From: J.J. Kleinschmidt, City Engineer

Subject: Change Order No. 1 to the specifications for 1986 Street and  
Utility Improvements - Pine St. sidewalk

Date: July 24, 1986

Enclosed you will find a copy of Change Order No. 1 and a copy of a sketch showing the sidewalk between 2nd St. & 3rd St. and between 6th St. and 7th St. At its July 21, 1986 meeting, the City Council requested this Change Order. You will note that seven trees will be removed as a result of constructing the sidewalk adjacent to the curb. One tree will be removed near Second St. and six trees will be removed between 6th St. and 7th St. If the City Council approves the Change Order, it is suggested that these seven trees be replaced with new trees under the City's budgeted reforestation program.

Because the property owner at the southeast corner of 6th & Pine (adjacent to the area where six trees are proposed to be removed) objects to the removal of these six trees, we have prepared an Alternate Change Order No. 1. Enclosed you will find a copy of this change order as well as a sketch showing the proposed location of the sidewalk in the block between 6th St. and 7th St. You will note that the sidewalk in the north half of this block is proposed to be located adjacent to the property line while the sidewalk in the south half of this block is proposed to be located adjacent to the curb. We believe this satisfies the concerns of both the property owners in this block.

The action requested from the City Council is to authorize the Mayor and City Clerk to sign one of the enclosed change orders.

*James J. Kleinschmidt*

jt



Change Order No. 1 to the  
Specifications for 1986 Street and Utility  
Improvements - Bid Proposals "A" & "C"

Date: August 4, 1986

Description of Work

This Change Order provides for moving the location of sidewalks on the east side of Pine Street between 2nd Street and T.H. 55. The new sidewalks shall be 4' in width and shall be constructed adjacent to the curb and gutter. This work also includes the clearing and grubbing of trees necessary for the sidewalk construction. The sidewalks that exist on the east side of Pine St. between 3rd St. and 5th St. shall remain and new sidewalks shall be constructed from these existing walks to the new curb and gutter at the 3rd St., 4th St. and 5th Street intersections. The new sidewalk construction changes are as follows:

<u>Change Order Item</u>	<u>Unit</u>	<u>Price</u>	<u>Estimated Quantity</u>	<u>Total Amount</u>
1. 4" Concrete Walk including granular bedding	S.F.	\$1.50	4,700	- \$7,050.00
2. Clear and grub trees	Each	\$380.00	7	+ <u>\$2,660.00</u>
Total Change Order No. 1				
Deduct -				\$4,390.00

Original Contract Amount - \$1,398,746.55  
 This change order - Deduct \$4,390.00  
 Revised contract amount \$1,394,356.55

Approved by: City of Hastings, Minnesota

by \_\_\_\_\_  
 Mayor

by \_\_\_\_\_  
 City Clerk

Date: \_\_\_\_\_

Approved by: Austin P. Keller Cons.Co.

by Leo Otto \_\_\_\_\_

V.P.  
 \_\_\_\_\_  
 Title

Change Order No. 1 to the  
 Specifications for 1986 Street & Utility  
 Improvements -Bid Proposals "A" & "C"  
 (Alternate)

Date: August 4, 1986

Description of Work:

This Change Order provides for moving the location of sidewalks on the east side of Pine Street between 2nd St. and T.H. 55.

The new sidewalks shall be 4' in width and shall be constructed adjacent to the curb and gutter except from 6th St. to a point 150' south where they shall be constructed adjacent to the property line.

The sidewalks that exist on the east side of Pine St. between 3rd St. and 5th St. shall remain and new sidewalks shall be constructed from these existing walks to the new curb and gutter at the 3rd St., 4th St. and 5th St. intersections. The new sidewalk construction changes are as follows:

<u>Change Order Item</u>	<u>Unit</u>	<u>Price</u>	<u>Estimated Quantity</u>	<u>Total Amount</u>
1. 4" concrete walk including granular bedding	S.F.	\$1.50	4700	~ \$7,050.00
2. Clear and grub trees	Each	\$280.	1	+ <u>\$280.00</u>
Total Change Order No. 1				
Deduct =				\$6,770.00

Original Contract Amount - \$1,398,746.55  
 This Change Order-Deduct - \$6,770.00  
 Revised Contract Amount - \$1,391,976.55

Approved by: City of Hastings, Minnesota

Approved by: Austin P. Keller Const. Co.

By: \_\_\_\_\_  
 Mayor

By: Leo Otto  
 V.P.

By: \_\_\_\_\_  
 City Clerk

\_\_\_\_\_ Title

Date: \_\_\_\_\_

SECOND ST

SECOND ST

ST. 10+00

ST. 10+00

EX  
MH11-50

REMOVE  
TREE

19' 17"

BM ELEV. 792.33  
ARROW HYD. 2ND & PINE

34 LF-12" RCP @ 0.50%

71 LF-15" RCP @ 1.00%

PROPOSED SIDEWALK  
ADJACENT TO CURB

ST

THIRD ST

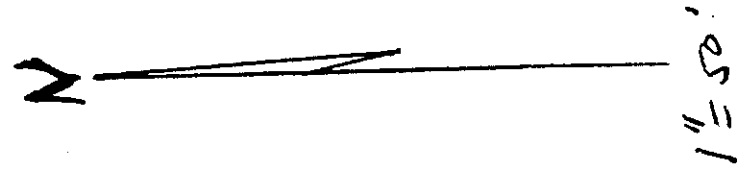
THIRD ST  
(TYP)

MH

CB11-1

CB11-2

ST. 13+66



PROPOSED CHANGE ORDER NO. 1.

REMOVE TREES

SIXTH ST.  
ST. 24+64  
GTH  
36" (TYP)  
34.5  
37.5  
CB11-16  
CB11-17  
MH11-18

34 LF - 12" RCP 1.0%

48 LF - 12" RCP 1.0%

16 LF - SALVAGED 21" RCP 1.45%

22 LF - SALVAGED 15" RCP 10%  
OEX. MH 11-52

20 LF - 15" RCP 1.0%

STEPS REQUIRED  
SEE SPECIAL PROV.

PROPOSED SIDEWALK  
ADJACENT TO CURB

PINE

SEVENTH STREET

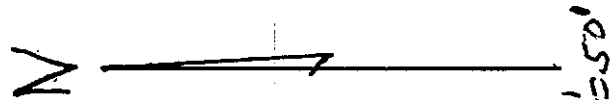
STA. 28+30  
30" (TYP)

STREET

SEVENTH ST.

36  
32  
29+60

50' = 1"

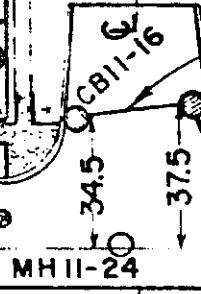


PROPOSED CHANGE ORDER NO 1  
(ALTERNATE)

SIXTH ST.

STREET

SEVENTH ST.



34 LF - 12" RCP 10%

48 LF - 12" RCP 1.0%

MH11-18

16 LF - SALVAGED 21" RCP 1.45%

22 LF - SALVAGED 15" RCP 10%  
OEX. MH 11-52

20 LF - 15" RCP 1.0%

CB11-19  
CB11-20

STEPS REQUIRED  
SEE SPECIAL PROV.

PROPOSED SIDEWALK

36' (TYP)  
STA. 24+64

G.I.H.

30' (TYP)  
STA. 28+30

PINE

SEVENTH

STREET

CITY OF HASTINGS

DAKOTA COUNTY, MINNESOTA

City Project No. 1986-18 - Reconstruction of sanitary sewers on Pine St.  
between 3rd St. and 6th St.

Honorable Mayor and Members of the City Council.

This is to advise that I have reviewed the work under contract to Northdale Construction Company under Project No. 1986-18.

The Contractor has completed the work in accordance with the contract.

It is recommended that final payment be made for said work to the Contractor in the amounts as follows:

Final Amount Due:	\$50,798.13
Previous Payment:	\$48,181.34
Balance Due:	\$2,616.79

Sincerely Yours,  
City of Hastings



James J. Kleinschmidt  
City Engineer

CITY OF HASTINGS

100 SIBLEY STREET  
HASTINGS, MINNESOTA 55033

ESTIMATE NO. 2 (Final) PERIOD ENDING July 16, 1986

CITY NO. 1986-18

SHEET 1 of 1

PROJECT: 1986 PINE STREET SANITARY SEWER REPLACEMENT  
Bid Proposals "B"

ORIGINAL CONTRACT AMOUNT \$49,648.00

CONTRACTOR: *NORTHDAL* CONSTRUCTION CO.

DATE APPROVED: August 4, 1986

ENGINEER: *James J. Kleneschmidt*

ITEM NO.	DESCRIPTION OF ITEMS	UNIT	UNIT PRICE	QUANTITY			EXPANDED TOTAL
				PLAN	PREVIOUS	PRESENT	
BID PROPOSAL "B"							
PINE STREET SANITARY SEWER REPLACEMENT							
1	Remove Existing 6" VCP Sanitary Sewer	LF	3.00	1,098	1134.5	1134.5	3,403.50
2	Remove Existing Sanitary Sewer Manhole	EA	250.00	4	4	4	1,000.00
3	8" ESWCP Sanitary Sewer Pipe, 0'-10'	LF	23.00	175	0	0	0.00
4	8" ESWCP Sanitary Sewer Pipe, 10'-12'	LF	24.00	200	383	383	9,192.00
5	8" ESWCP Sanitary Sewer Pipe, 12'-14'	LF	25.00	203	238.5	238.5	5,962.50
6	8" ESWCP Sanitary Sewer Pipe, 14'-16'	LF	26.00	115	125	125	3,250.00
7	8" ESWCP Sanitary Sewer Pipe, 16'-18'	LF	28.00	115	108	108	3,024.00
8	8" ESWCP Sanitary Sewer Pipe, 18'-20'	LF	30.00	140	237	237	7,110.00
9	8" ESWCP Sanitary Sewer Pipe, 20'-22'	LF	32.00	150	43	43	1,376.00
10	Construct 4' dia Manhole, 0'-8'	EA	850.00	4	4	4	3,400.00
11	Construct Extra Depth of Manhole over 8'	LF	60.00	28	23.68	23.68	1,420.80
12	4" on 8" ESWCP WYE Branches, Type A	EA	80.00	8	4	4	320.00
13	4" on 8" ESWCP WYE Branches, Type B	EA	95.00	5	11	11	1,045.00
14	4" DIP Service Pipe Riser	LF	14.50	10	95.9	95.9	1,390.55
15	4" CISP Service Pipe	LF	12.50	65	47.8	47.8	597.50
16	Connect to Existing Service Line	EA	100.00	14	15	15	1,500.00
WM1	3/4" Corporation Stop	EA	18.00	11	8	8	144.00
WM2	3/4" Type K Copper Service	LF	6.70	355	340.5	340.5	2,281.35
WM3	3/4" Curb Stop with Curb Box	EA	65.00	11	10	10	650.00
WM4	Disconnect and Cap Corp. Stop @ WM	EA	250.00	11	8	8	2,000.00
WM5	Connect Exist Water Service to Curb Stop	EA	150.00	11	11	11	1,650.00
ST1	Bituminous Removal	SY	0.44	36.67	0.00	36.67	16.13
ST2	Concrete Curb & Gutter Removal	LF	1.07	15	0.00	15	16.05
ST3	Fence Removal	LF	3.25	15	0.00	15	48.75

TOTAL, PINE STREET SANITARY SEWER REPLACEMENT 50,798.13  
Bid Proposal "B"

CONTRACTOR: *Chawls*  
NAME  
  
*Estimate*  
TITLE

TOTAL WORK PERFORMED 50,798.13  
LESS 0% RETAINED 0.00  
  
NET EARNED 50,798.13  
LESS PREVIOUS PAYMENT 48,181.34  
  
PAYMENT AUTHORIZED \$2,616.79

## MEMO

To: Honorable Mayor and Members of the City Council

From: J.J. Kleinschmidt, City Engineer

Subject: 1986 Sealcoating Project

Date: July 30, 1986

The 1986 sealcoating work was completed on July 22nd and 23rd. Included in this project was the towing of vehicles from the streets to be sealcoated.

In spite of the fact that the streets proposed for sealcoating were posted for "no parking" some cars remained on the streets and had to be towed to get them off the streets prior to sealcoating. If this were not done, these cars would be sprayed with oil. The owners of the cars that were towed were out of town, so they were not aware of the proposed sealcoating work. The cost of towing these cars is paid by the City and included in the street department sealcoating budget. About a dozen cars were towed.

*James J. Kleinschmidt*

jt



CITY OF HASTINGS

DAKOTA COUNTY, MINNESOTA

City Project No. 1986-17 1986 Sealcoating Work.

Honorable Mayor and Members of the City Council.

This is to advise that I have reviewed the work under contract to Allied Blacktop Company under Project No. 1986-17.

The Contractor has completed the work in accordance with the contract.

It is recommended that final payment be made for said work to the contractor in the amounts as follows:

Final Amount due:	\$39,146.87
Previous Payment:	0.00
Balance Due:	\$39,146.87

Sincerely yours,  
City of Hastings



James J. Kleinschmidt  
City Engineer

Estimate No. 1 and the Final Estimate

Contractor: Allied Blacktop Company

Project No: 1986-17 - 1986 Sealcoating Work

Type of Construction: Sealcoating

Date Approved: July 25, 1986

Original Contract Price: \$41,641.20

Engineer: James J. Kleinschmidt  
James J. Kleinschmidt, City Engineer

Item	Description	Unit	Unit Price	Quantity	
1	Furnish & Spread FA-2 Aggregate	Ton	7.67	1285.62	\$9,860.71
2	Spread only FA-2 Aggregate	Ton	2.67	963	\$2,571.21
3	Furnish CRS-2 Bituminous Material	Gallon	0.61	43,795	\$26,714.95

Total (Items 1-3) \$39,146.87  
 Change Orders NONE  
 Total Work to Date \$39,146.87  
 Less retainage NONE  
 Net Amount earned \$39,146.87  
 Less Previous Payments NONE  
 PAYMENT AUTHORIZED \$39,146.87

Approved for Payment: August 18, 1986

City of Hastings, Owner

City of Hastings

By: \_\_\_\_\_ Mayor

By: \_\_\_\_\_ City Administrator/Clerk

Contractor: Allied Blacktop Company

By: E. J. Capistrano  
VP Pres.  
Title

MEMO

To: Honorable Mayor and Members of the City Council

From: J.J. Kleinschmidt

Subject: Well Pump No. 5 Modifications and Electrical Controls -  
Change Order No. 1

Date: July 30, 1986

Enclosed you will find a copy of Change Order No. 1 to the contract for Well Pump No. 5 Modifications.

The change order includes a deduct for an electric check valve that was not needed. It was not needed because a surge tank was included in the contract and this tank serves as the cushion for the water surges and the electrical check was deemed unnecessary once the surge tank was installed and operating.

Also when the well pump was pulled it was determined that a new strainer was needed at the bottom of the well because the old one was corroded. This was not anticipated.

Finally a new flanged drive connection was needed in the engine drive shaft and this was not included in the original bid.

The net effect of this change order is a deduct of \$3,632.44.

*James J Kleinschmidt*

jt

CHANGE ORDER

DATE: June 13, 1986  
PLACE: Hastings, Minnesota  
PROJECT: Well Pump #5 Modifications & Electrical Controls  
CONTRACTOR: A & K Construction, Inc., 9038 - 110th Street No., Stillwater, Mn. 55082  
CHANGE ORDER NO: 1

FILE NO.: 22204

DESCRIPTION OF WORK:

<u>Change Order Item</u>	<u>Unit</u>	<u>Price</u>	<u>Est'd Quantity</u>	<u>Total Amount</u>
<u>PART I: - Item 1:</u>				
Deduct electric check valve from project	L.S.	-\$4,012.00	L.S.	-\$4,012.00
Total Part I - Deduct.....				-\$4,012.00

PART II: - Item 2:

Install new cone strainer on bottom of well pump and install new flanged drive connection on engine drive shaft for the following added amount:

Cone Strainer	L.S.	\$218.50	L.S.	\$218.50
Male Drive Flange	L.S.	44.00	L.S.	44.00
Female Drive Flange	L.S.	34.00	L.S.	34.00
Taper Lock	L.S.	11.20	L.S.	11.20
Freight	L.S.	22.35	L.S.	22.35
Sub-Total				\$330.05
+ 15% Overhead & Profit				49.51
Total Part II - ADD.....				\$379.56

Total Part I - DEDUCT	-\$4,012.00
Total Part II - ADD	379.56
TOTAL THIS CHANGE ORDER NO. 1 NET DEDUCT	-\$3,632.44

Original Contract Amount	\$62,450.00
Previous Change Orders	0.00
THIS CHANGE ORDER NO. 1 - NET DEDUCT	-3,632.44
REVISED CONTRACT AMOUNT.....	\$58,817.56

CHANGE ORDER - CONT'D

DATE: June 13, 1986  
PLACE: Hastings, Minnesota  
PROJECT: Well Pump #5 Modifications & Electrical Controls FILE NO.: 22204  
CONTRACTOR: A & K Construction, Inc., 9038 - 110th Street No., Stillwater, Mn. 55082  
CHANGE ORDER NO: 1

Approved by: A & K Construction Co.

By *Jeff H. Anderson Pres*

Recommended for

Approval by: BONESTROO, ROSENE, ANDERLIK &  
ASSOCIATES, INC.

By *Richard W. Felt*

Approved by: City of Hastings, Minnesota

By \_\_\_\_\_, Mayor

By \_\_\_\_\_, Clerk

Date: \_\_\_\_\_

Distribution:

- 1 - City
- 2 - Contractor
- 1 - Engineer

## CITY OF HASTINGS

100 SIBLEY STREET  
HASTINGS, MINNESOTA 55033

ESTIMATE NO. 3 PERIOD ENDING July 25, 1986 CITY NO. 1986-1,3-13 SHEET 1 of 6

PROJECT: 1986 STREET & UTILITY IMPROVEMENTS ORIGINAL CONTRACT AMOUNT \$1,398,746.55  
Bid Proposals "A" & "C"

CONTRACTOR: AUSTIN P. KELLER CONST. CO.

DME APPROVED: August 4, 1986

ENGINEER: James J. Kleinschmidt

ITEM NO.	DESCRIPTION OF ITEMS	UNIT	UNIT PRICE	QUANTITY			EXPANDED TOTAL
				PLAN	PREVIOUS	PRESENT	
BID PROPOSAL "A" STREET CONSTRUCTION BID ITEMS							
2101.502	Clearing Trees	TREE	10.00	495	587.0	587.0	5,870.00
2101.507	Grubbing Trees	TREE	9.00	498	601.0	601.0	5,409.00
2104.501	Remove Concrete Curb & Gutter	LF	3.00	200	80.0	94.0	282.00
2104.503	Remove Building Foundations	SF	1.00	1,000	2,182.9	2,182.9	2,182.90
2104.505	Remove Mono Walk or Concrete Driveway	SY	0.50	166	115.6	249.4	124.70
2104.505	Remove Bit. Pmt (incl. Bit. Drwy)	SY	0.40	12,109	8,926.7	10,492.2	4,196.87
2140.521	Remove and Relocate Fencing	LF	3.00	1,015	0.0	0.0	0.00
2104.523	Remove and Relocate Existing Trees	EA	200.00	2	0.0	0.0	0.00
2105.501	Common Excavation	CY	1.15	55,914	43,534.8	48,983.8	56,331.37
2105.521	Granular Borrow (CV)	CY	4.00	352	2,035.8	2,929.1	11,716.40
2105.523	Common Borrow (CV)	CY	0.90	3,109	6,664.8	7,354.1	6,618.69
2211.501	Aggregate Base, Class 5	TON	4.10	19,675	598.5	6,098.2	25,002.54
2341.504	Bituminous Material for Mixture	TON	105.00	375.4	0.0	69.7	7,314.30
2341.508	Wearing Course Mixture - 2" Thickness	TON	15.00	6,060	0.0	1,180.7	17,709.75
2341.521	2" Bituminous Driveway Panels	SY	11.00	840	0.0	0.0	0.00
2506.511	Reconstruct Existing Manhole	LF	100.00	2.0	0.0	0.0	0.00
2506.522	Adjust Frame and Ring Castings	EA	130.00	21	3.0	12.0	1,560.00
0504.602	Adjust Gate Valve Boxes	EA	100.00	12	0.0	7.0	700.00
2521.501	4" Conc. Walk incl. Granular Bedding	SF	1.50	56	0.0	4.5	6.75
2521.503	6" Concrete Step Riser	SF	17.50	3	0.0	1.5	26.25
2531.501	Concrete Curb and Gutter Design B618	LF	4.10	20,710	0.0	5,750.3	23,576.23
2531.503	6" Concrete Driveway Paverent	SF	2.10	7,383	0.0	2,544.7	5,343.85
2535.501	Bituminous Curb - Design B6	LF	1.40	5,580	0.0	0.0	0.00
2575.502	Seed Mixture No. 5	LB	3.80	172	0.0	0.0	0.00
2575.505	Sodding, including topsoil	SY	1.70	14,605	0.0	0.0	0.00
2575.511	Mulch Material, Type 1	TON	217.00	2.9	0.0	0.0	0.00
2575.531	Commercial Fertilizer, Analysis 8-10-30	TON	460.00	0.36	0.0	0.0	0.00
ITEM 28	Baled Hay or Straw Erosion Checks	BALE	5.00	50	0.0	0.0	0.00

SUBTOTAL STREET CONSTRUCTION 173,971.60  
Bid Proposal "A"

PROJECT: 1935 STREET & UTILITY IMPROVEMENTS  
Bid Proposals "A" & "C"

ORIGINAL CONTRACT AMOUNT \$1,398,746.55

CONTRACTOR - AUSTIN P. KELLER CONSTRUCTION CO.

ITEM NO.	DESCRIPTION OF ITEMS	UNIT	UNIT PRICE	QUANTITY			EXPANDED TOTAL
				PLAN	PREVIOUS	PRESENT	
BID PROPOSAL "A"							
SIDRM SEWER CONSTRUCTION BID ITEMS							
2104.501	Remove Existing CMP Storm Sewer	LF	5.00	248.5	69.0	69.0	345.00
2104.509	Remove Exist. Manhole or Catch Basin	EA	200.00	2	2.0	2.0	400.00
2104.523	Remove & Relocate Existing Catch Basin	EA	500.00	1	0.0	0.0	0.00
2501.501	Furnish & Install 18" CMP Culvert	LF	19.00	70	0.0	0.0	0.00
2501.515	Furnish & Install 12" RCP F.E.S.	EA	320.00	1	1.0	1.0	320.00
2501.515	Furnish & Install 15" RCP F.E.S.	EA	350.00	1	0.0	0.0	0.00
2501.515	Furnish & Install 24" RCP F.E.S.	EA	460.00	1	1.0	1.0	460.00
2501.515	Furnish & Install 42" RCP F.E.S.	EA	800.00	1	1.0	1.0	800.00
2503.521	Furnish & Install 22" Span RCP Arch	LF	30.00	68.5	67.5	67.5	2,025.00
2503.541	Furnish & Install 12" RCP CL. III	LF	15.00	1,118.0	386.3	1063.4	15,951.45
2503.541	Furnish & Install 15" RCP CL. III	LF	18.00	1,329.0	101.3	612.4	11,023.20
2503.541	Furnish & Install 18" RCP CL. III	LF	16.00	840.0	357.0	817.4	13,078.40
2503.541	Furnish & Install 18" RCP CL. IV	LF	16.00	762.5	0.0	0.0	0.00
2503.541	Furnish & Install 21" RCP CL. III	LF	19.00	362.0	362.0	362.0	6,878.00
2503.541	Furnish & Install 24" RCP CL. III	LF	21.00	465.0	460.0	460.0	9,660.00
2503.541	Furnish & Install 27" RCP CL. III	LF	23.00	840.0	0.0	0.0	0.00
2503.541	Furnish & Install 30" RCP CL. III	LF	25.00	430.0	0.0	0.0	0.00
2503.541	Furnish & Install 42" RCP CL. III	LF	40.00	727.0	769.0	769.0	30,760.00
2506.506	Construct Extra Depth Manhole Over 8'	LF	70.00	18.2	8.9	8.9	625.80
2506.508	Construct MH or Catch Basin MH, 4' dia	EA	900.00	19.0	4.0	13.0	11,700.00
2506.508	Construct MH Over Exist. Storm Sewer	EA	950.00	2	0.0	2.0	1,900.00
2506.508	Construct MH or Catch Basin MH, 6' dia	EA	1,500.00	7	4.0	4.0	6,000.00
2506.509	Construct Catch Basin, 4' dia	EA	800.00	38	1.0	24.0	19,200.00
2511.502	Random Riprap, Class IV	TON	30.00	40	14.5	39.5	1,185.00
2511.513	Granular Filter Material	TON	20.00	23.5	8.0	23.0	450.00
ITEM 3760	Furnish & Install 4" Insulation Board	SF	1.50	188	352.0	353.0	529.50
ITEM 24	Connect to Existing Storm Sewer System	EA	1,000.00	5	3.0	4.0	4,000.00

SUBTOTAL SIDRM SEWER CONSTRUCTION  
Bid Proposal "A"

137,301.35

PROJECT: 1986 STREET & UTILITY IMPROVEMENTS  
Bid Proposals "A" & "C"

ORIGINAL CONTRACT AMOUNT \$1,398,746.55

ITEM NO.	DESCRIPTION OF ITEMS	UNIT	UNIT PRICE	Q U A N T I T Y			EXPANDED TOTAL
				PLAN	PREVIOUS	PRESENT	
BID PROPOSAL "A"							
SANITARY SEWER CONSTRUCTION BID ITEMS							
1	8"ESVCP Sanitary Sewer Pipe 0'-14'	LF	15.00	5,215.8	3,319.3	5,262.7	78,940.95
4	8" DIP Sanitary Sewer Pipe, 10'-12'	LF	18.00	40.0	42.0	42.0	756.00
5	10" ESVCP Sanitary Sewer Pipe, 10'-22'	LF	34.00	1,664.0	1,704.0	1,704.0	57,936.00
11	10" CI 52 DIP San. Sewer Pipe, 18'-28'	LF	39.00	965.0	965.0	965.0	37,635.00
16	Construct 4' dia Manhole, 0'-8'	EA	800.00	38	26.0	37.0	29,600.00
17	Construct Extra Depth of Manhole over 8'	LF	70.00	191.5	145.1	145.1	10,153.50
18	Connection Into Existing Manhole	EA	1,000.00	4	4.0	4.0	4,000.00
19	Connect to Existing Stub	EA	1,000.00	2	1.0	2.0	2,000.00
20	4" on 8" ESVCP WYE Branches, Type A	EA	50.00	69	30.0	72.0	3,600.00
21	4" on 8" ESVCP WYE, Type A, Core & Tap	EA	60.00	4	6.0	6.0	360.00
22	4" on 8" ESVCP WYE Branches, Type B	EA	60.00	5	5.0	3.0	180.00
23	6" on 8" ESVCP WYE Branches, Type A	EA	50.00	1	1.0	1.0	50.00
24	4" ON 10" ESVCP WYE Branches, Type A	EA	60.00	8	8.0	8.0	480.00
25	4" on 10" ESVCP WYE Branches, Type B	EA	70.00	21	21.0	21.0	1,470.00
26	4" on 10" MJ WYE Branches, Type B	EA	280.00	16	16.0	16.0	4,480.00
27	4" DIP Service Pipe Riser	LF	14.00	419.2	569.0	564.5	7,903.00
28	4" CISP Service Pipe	LF	11.00	3,733.0	1,914.5	3,016.5	33,181.50
29	6" CISP Service Pipe	LF	12.00	60.0	62.0	62.0	744.00
30	Rock Excavation, incl Granular Backfill	EA	50.00	340	1,352.7	2,260.7	113,035.00

SUBTOTAL SANITARY SEWER CONSTRUCTION 386,504.95  
Bid Proposal "A"



PROJECT: 1936 STREET & UTILITY IMPROVEMENTS  
Bid Proposals "A" & "C"

ORIGINAL CONTRACT AMOUNT \$1,393,746.55

ITEM NO.	DESCRIPTION OF ITEMS	UNIT	UNIT PRICE	QUANTITY			EXPANDED TOTAL
				PLAN	PREVIOUS	PRESENT	
BID PROPOSAL "A"							
WATER MAIN CONSTRUCTION BID ITEMS							
1	Live Tap including 6" Gate Valve	EA	1,200.00	1	1.0	1.0	1,200.00
2	Live Tap including 8" Gate Valve	EA	1,400.00	4	4.0	4.0	5,600.00
3	6" DIP CL. 52 WM	LF	12.00	1,909	942.2	1545.2	18,541.92
4	8" DIP CL. 52 WM	LF	13.00	7,487	5341.8	5815.1	75,596.43
5	6" DIP CL. 52 Branch Service	LF	14.00	396	233.3	386.3	5,408.20
6	6" MJ Gate Valve	EA	300.00	29	18.0	27.0	8,100.00
7	8" MJ Gate Valve	EA	400.00	13	11.0	14.0	5,600.00
8	6" MJ Hydrant w/ 4" Steamer	EA	1,000.00	20	13.0	17.0	17,000.00
9	Connect to Existing Watermain	EA	500.00	10	4.0	6.0	3,000.00
10	MJ CIP Fittings	LB	1.00	8,160	4710.0	7095.0	7,095.00
11	3/4" Corporation Stop	EA	10.00	139	54.0	107.0	1,070.00
12	1" Corporation Stop	EA	15.00	9	2.0	7.0	105.00
13	2" Corporation Stop	EA	140.00	2	2.0	2.0	280.00
14	3/4" Type K Copper Service	LF	4.00	4,632	1871.5	4128.5	16,514.00
15	1" Type K Copper Service	LF	5.00	220	40.0	140.0	700.00
16	2" Type K Copper Service	LF	12.00	40	40.0	40.0	480.00
17	3/4" Curb Stop with Curb Box	EA	50.00	137	54.0	104.0	5,200.00
18	1" Curb Stop with Curb Box	EA	60.00	9	2.0	7.0	420.00
19	2" Curb Stop with Curb Box	EA	100.00	2	2.0	2.0	200.00
20	Rock Excavation, incl Granular Backfill	CY	40.00	165	284.3	1002.8	40,112.00
21	Disconnect and Cap Corp. Stop @ WM	EA	150.00	1	1.0	1.0	150.00
22	Remove Exist. 6" CIP WM	LF	5.00	410	0.0	0.0	0.00
23	Remove Existing 6" Hydrant	EA	400.00	1	0.0	0.0	0.00
24	Connect to Existing WM Service	EA	250.00	2	0.0	0.0	0.00
SUBTOTAL WATER MAIN CONSTRUCTION Bid Proposal "A"							212,372.55

PROJECT: 1986 STREET & UTILITY IMPROVEMENTS  
Bid Proposals "A" & "C"

ORIGINAL CONTRACT AMOUNT \$1,398,746.55

ITEM NO.	DESCRIPTION OF ITEMS	UNIT	UNIT PRICE	QUANTITY			EXPANDED TOTAL
				PLAN	PREVIOUS	PRESENT	
BID PROPOSAL "C" PENE ST STATE AID PROJ SAP 130-122-08 STREET CONSTRUCTION BID ITEMS							
2101.502	Clearing Trees	TREE	10.00	6	10.0	10.0	100.00
2101.507	Grubbing Trees	TREE	9.00	15	15.0	16.0	144.00
2104.501	Remove Concrete Curb & Gutter	LF	3.00	1,935.5	0.0	970.0	2,910.00
2104.505	Remove Mono Walk or Concrete Driveway	SY	0.50	635	0.0	32.1	16.05
2104.505	Remove Bit. Pmnt (incl. Bit. Drwy)	SY	0.40	8,080	0.0	7,272.0	2,908.80
2140.521	Remove and Relocate Fencing	LF	5.00	300	0.0	0.0	0.00
2105.501	Common Excavation	CY	2.00	4,985	0.0	0.0	0.00
2105.521	Granular Borrow (CV)	CY	4.00	120	0.0	0.0	0.00
2211.501	Aggregate Base, Class 5	TON	4.10	7,205	0.0	101.4	415.86
2331.504	Bituminous Material for Mixture	TON	105.00	53.0	0.0	0.0	0.00
2331.514	Base Course Mixture - 2" Thickness	TON	13.70	1,105	0.0	0.0	0.00
2341.504	Bituminous Material for Mixture	TON	105.00	68.5	0.0	0.0	0.00
2341.508	Wearing Course Mixture - 2" Thickness	TON	15.00	1,105	0.0	0.0	0.00
2341.521	2" Bituminous Driveway Panels	SY	11.00	190	0.0	0.0	0.00
2357.502	Bituminous Tack Coat	GAL	1.30	460.0	0.0	0.0	0.00
2506.522	Adjust Frame and Ring Castings	EA	130.00	2	0.0	0.0	0.00
0504.602	Adjust Gate Valve Boxes	EA	100.00	8	0.0	0.0	0.00
2521.501	4" Conc. Walk incl. Granular Bedding	SF	1.50	10,525	0.0	0.0	0.00
2521.503	6" Concrete Step Riser	SF	18.00	7	0.0	0.0	0.00
2531.501	Concrete Curb and Gutter Design B618	LF	4.10	4,215	0.0	0.0	0.00
2531.503	6" Concrete Driveway Pavement	SF	2.10	2,460	0.0	0.0	0.00
2575.505	Sodding, including topsoil	SY	1.70	3,530	0.0	0.0	0.00

SUBTOTAL STREET CONSTRUCTION  
Bid Proposal "C"

6,494.71

PROJECT: 1936 STREET & UTILITY IMPROVEMENTS  
Bid Proposals "A" & "C"

ORIGINAL CONTRACT AMOUNT \$1,393,746.55

ITEM NO.	DESCRIPTION OF ITEMS	UNIT	UNIT PRICE	Q U A N T I T Y			EXPANDED TOTAL
				PLAN	PREVIOUS	PRESENT	
BID PROPOSAL "C"							
PINE ST STATE AID PROJ SAP 130-122-03							
STORM SEWER CONSTRUCTION BID ITEMS							
2104.501	Remove Existing C/P Storm Sewer	LF	5.00	809	0.0	809.0	4,045.00
2104.509	Remove Exist. Manhole or Catch Basin	EA	250.00	5	0.0	6.0	1,500.00
2501.501	Salvage 15" RCP Storm Sewer	LF	5.00	22.0	0.0	22.0	110.00
2501.501	Salvage 21" RCP Storm Sewer	LF	5.00	16.0	0.0	16.0	80.00
2501.501	Salvage 24" RCP Storm Sewer	LF	5.00	36.0	0.0	0.0	0.00
2104.523	Remove & Relocate Existing Catch Basin	EA	300.00	1	0.0	1.0	300.00
2501.515	Furnish & Install 27" RCP F.E.S.	EA	550.00	1	0.0	1.0	550.00
2503.541	Furnish & Install 12" RCP CL. III	LF	20.00	433.0	0.0	446.9	8,938.00
2503.541	Furnish & Install 15" RCP CL. III	LF	21.00	119.0	0.0	118.5	2,488.50
2503.541	Furnish & Install 18" RCP CL. III	LF	23.00	10.0	0.0	10.0	230.00
2503.541	Furnish & Install 18" RCP CL. IV	LF	23.00	353.0	0.0	353.0	8,119.00
2503.541	Furnish & Install 21" RCP CL. III	LF	22.39	635.0	0.0	649.5	14,542.98
2503.541	Furnish & Install 21" RCP CL. IV	LF	24.00	376.0	0.0	376.0	9,024.00
2503.541	Furnish & Install 27" RCP CL. III	LF	27.00	18.0	0.0	14.0	378.00
2503.571	Install Salvaged 15" RCP	LF	10	22.0	0.0	22.0	220.00
2503.571	Install Salvaged 21" RCP	LF	10	16.0	0.0	16.0	160.00
2503.571	Install Salvaged 24" RCP	LF	10.00	36.0	0.0	0.0	0.00
2506.506	Construct Extra Depth Manhole Over 8'	LF	70.00	10.4	0.0	10.6	741.30
2506.508	Construct MH or Catch Basin MH, 4' dia	EA	900.00	4	0.0	4.0	3,600.00
2506.508	Construct MH Over Exist. Storm Struct	EA	3,500.00	1	0.0	1.0	3,500.00
2506.509	Construct Catch Basin, 4' dia	EA	800.00	15	0.0	14.0	11,200.00
ITEM 21	Connect to Existing Storm Sewer System	EA	1,000.00	3	0.0	2.0	2,000.00

SUBTOTAL STORM SEWER CONSTRUCTION  
Bid Proposal "C" 71,726.78

Subtotal Street Construction Bid Proposal "A" 173,971.60

Subtotal Storm Sewer Construction Bid Proposal "A" 137,301.35

Subtotal Sanitary Sewer Construction Bid Proposal "A" 386,504.95

Subtotal Watermain Construction Bid Proposal "A" 212,372.55

Subtotal Street Construction Bid Proposal "C" 6,494.71

Subtotal Storm Sewer Construction Bid Proposal "C" 71,726.78

CONTRACTOR: Les [Signature]

TOTAL WORK PERFORMED 988,371.93  
LESS 5% RETAINED 49,418.60

NAME

NET EARNED 938,953.33

V.P.

LESS PREVIOUS PAYMENT 596,740.56

TITLE

PAYMENT AUTHORIZED \$342,212.77

MEMO

**Information**

Date: July 31, 1986

To: Mayor and City Council

From: Tom Harmening, City Planner

Re: 1986 Met Council Population estimates

The City is in receipt of the April 1, 1986 Metropolitan Council Population and Household estimates for the City of Hastings. The Metropolitan Council has estimated that the citys population has increased in the last year by 407 persons or from 13,430 to 13,837. I've also attached, for your review, a summary of the population estimates for all cities and townships in Dakota County and Washington County.

jt

APRIL 1, 1986  
POPULATION ESTIMATES

<u>DAKOTA COUNTY</u>	<u>Persons Per Household</u>			
	<u>April 1, 1980 Census</u>	<u>April 1, 1986 Estimate</u>	<u>April 1, 1980 Census</u>	<u>April 1, 1986 Estimate</u>
Apple Valley	21,818	28,538	3.42	3.16
Burnsville	35,674	42,583	2.94	2.75
Castle Rock Twp.	1,340	1,428	3.39	3.28
Coates	207	198	3.18	2.91
Douglas Twp.	614	620	3.74	3.56
Eagan	20,700	35,311	3.02	2.80
Empire Twp.	1,224	1,400	3.40	3.32
Eureka Twp.	1,268	1,362	3.40	3.28
Farmington	4,370	5,010	2.85	2.82
Greenvale Twp.	641	669	3.38	3.32
Hampton	299	322	2.96	2.88
Hampton Twp.	848	936	3.80	3.70
Hastings (Pt.)	12,811	<del>13,732</del>	2.95	<del>2.74</del> 2.78
Inver Grove Heights	17,171	19,549	3.06	2.91
Lakeville	14,790	17,865	3.41	3.12
Lilydale	417	480	1.88	1.83
Marshan Twp.	1,655	1,777	3.82	3.72
Mendota	219	223	2.74	2.59
Mendota Heights	7,288	8,195	3.29	2.94
Miesville	179	176	3.65	3.48
New Trier	115	118	3.71	3.47
Nininger Twp.	774	826	3.85	3.73
Northfield (Pt.)	13	20	4.33	4.33
Randolph	351	357	3.19	3.08
Randolph Twp.	385	426	3.26	3.20
Ravenna Twp.	1,683	1,816	3.89	3.79
Rosemount	5,083	6,548	3.49	3.27
Sciota Twp.	242	265	3.23	3.31
South St. Paul	21,235	20,489	2.72	2.56
Sunfish Lake	344	356	3.21	3.02
Vermillion	438	520	3.56	3.40
Vermillion Twp.	1,070	1,164	3.81	3.74
Waterford Twp.	486	483	2.96	2.82
West St. Paul	18,527	18,134	2.43	2.22
COUNTY TOTAL	194,279	231,896	3.01	2.83

APRIL 1, 1986  
POPULATION ESTIMATES

<u>WASHINGTON COUNTY</u>	April 1, 1980 <u>Census</u>	April 1, 1986 <u>Estimate</u>	<u>Persons Per Household</u>	
			April 1, 1980 <u>Census</u>	April 1, 1986 <u>Estimate</u>
Afton	2,550	2,570	3.29	3.13
Bayport	2,932	2,820	2.54	2.67
Baytown Twp.	851	878	3.59	3.36
Birchwood	1,059	1,031	3.25	3.04
Cottage Grove	18,994	20,753	3.70	3.57
Dellwood	751	784	3.37	3.05
Denmark Twp.	1,140	1,212	3.58	3.45
Forest Lake	4,596	5,360	2.53	2.40
Forest Lake Twp.	5,331	5,680	3.42	3.23
Grant Twp.	3,083	3,364	3.68	3.40
Grey Cloud Twp.	351	340	3.13	2.88
Hastings (Pt.)	16	12	4.00	3.25
Hugo	3,771	3,976	3.49	3.34
Lake Elmo	5,296	5,935	3.14	3.06
Lakeland	1,812	1,995	3.29	3.27
Lake St. Croix Beach	1,176	1,177	2.96	2.94
Lakeland Shores	171	185	2.63	2.26
Landfall	679	653	2.04	1.97
Mahtomedi	3,851	4,291	3.11	2.83
Marine on St. Croix	543	550	2.70	2.58
May Twp.	2,076	2,276	3.40	3.24
Newport	3,323	3,526	2.88	2.67
New Scandia Twp.	2,858	3,077	3.36	3.23
Oakdale	12,123	14,168	2.99	2.83
Oak Park Heights	2,591	3,392	2.95	2.66
Pine Springs	267	419	3.47	3.49
St. Mary's Point	348	351	3.05	2.90
St. Paul Park	4,864	4,797	3.22	3.03
Stillwater	12,290	13,116	2.95	2.83
Stillwater Twp.	1,599	1,872	3.57	3.33
West Lakeland Twp.	1,318	1,383	3.71	3.30
White Bear Lake (Pt.)	10	266	3.33	2.99
Willernie	654	670	2.77	2.63
Woodbury	10,297	14,181	3.14	2.77
COUNTY TOTAL	113,571	127,060	3.18	2.99
METROPOLITAN AREA TOTAL	1,985,873	2,117,727	2.69	2.56