

AGENDA

I CALL TO ORDER:

II ROLL CALL:

III DETERMINATION OF QUORUM:

IV APPROVAL OF MINUTES:

Minutes of meeting of April 21, 1986 & Special Meeting April 28, 1986.

V AWARDING OF BIDS AND HEARING

1. Public Hearing-Vacation of drainage & utility easement-Lots 7 & 8, Block 1, Olson's Addition.
2. Public Hearing-Rezoning R-3 to R-1 Bauer View 2nd Addition.
3. Public Hearing-Publication requirement-Vacation Requests.
4. Award Bid-1986 City Improvements.
5. Award Bid-Reconstruction of Sanitary Sewer on Pine.
6. Award Bid-Extension of storm sewer-15th & Hillside.
7. Award Bid-Dutch Elm Program.

VI REPORTS FROM CITY STAFF:

A. City Planner

1. Resolution-Vacation of Drainage & Utility Easement-Lots 7 & 8, Block 1, Olson's Addition.
2. 2nd Reading-Ordinance Amendment-Rezoning R-3 to R-1 Bauer View 2nd Addition.
3. 2nd Reading-Ordinance Amendment-Publication requirement, for vacation requests.
4. 3rd Reading-Ordinance No. 199-Rezoning Agricultural to R-3 PRD & Final Plat-Williams 1st Addition.
5. Shepard of the Valley Lutheran Church-Site Plan Review for Church-West 4th St. & Whispering Lane (1450 W. 4th St; Lot 1, Block 1 Schumacher's 3rd).
6. Minor Subdivision of Lots 3 & 4, Block 120, Original Plat-Al Sieben.
7. Variance Request-corner side setback-1616 Todd Court (Lot 1, Block 3, Sontag's 2nd Addition) Hastings Construction/Jon Speake.
8. Consider calling public hearing on request for variance to Hastings Flood Plan Ordinance.
9. Sale of Bond for Public Improvements-Resolution

B. City Administrator

1. Adopt Personnel Policy.
2. Approval of Elections Judges for Special Election June 24, 1986.
3. Appoint Deputy Clerk of Elections.
4. Approval of Water Department position-Al Herrmann-authorize advertisement.
5. Chamber of Commerce request-Rivertown Days 1986.
6. Chamber of Commerce-Beer license-July 27 (Demo Derby) July 26-27 (Jaycee Park).
7. Lake Isabel Restoration Project.
8. Request for out of State Depositories.
9. Declare excess property-Assistant Fire Chief car.
10. Request from Kevin Henrickson-Softball tournaments.

C. City Attorney

D. City Engineer

1. Resolution-receiving specifications and authorizing advertisement for bids for 1986 street overlays at various locations in the city.
2. Resolution-authorizing stop signs on Malcolm Avenue at 160th Street and Cory Lane at 160th St.

VII COMMENTS FROM AUDIENCE:

VIII UNFINISHED BUSINESS:

IX NEW BUSINESS:

X REPORTS FROM CITY COMMITTEES, OFFICERS, COUNCILMAN

XI COMMUNICATIONS AND MISCELLANEOUS BUSINESS

XII PAYMENT OF CLAIMS

Consent Agenda:

1. Pay all bills as audited
2. Amusement Device Licenses renewal

XIII ADJOURNMENT

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

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

Members Absent: Councilmember Mathiowetz.

The Mayor called for additions or corrections to the minutes of the meeting of April 7, 1986 and special meeting of April 3, 1986 and hearing none declared the minutes approved as presented.

Moved by Councilmember Kulzer, seconded by Councilmember Plan to pass the 3rd Reading of Ordinance No. 196 amending Section 10.23 Footnote G of the City Code establishing interior sideyard setback requirements for attached garages, attached garages with adjoining living space, or detached garages in an R-1 zone. 7 Ayes; Nayes, None.

3RD READING -  
ORDINANCE NO. 196-  
INTERIOR SIDEYARD  
SETBACK REQUIREMENTS

Councilmember Mathiowetz arrived at 7:34 p.m.

Moved by Councilmember Trautmann, seconded by Councilmember Werner to pass the 3rd Reading of Ordinance No. 197 amending Section 10.24 Subdivision 4 of the City Code dealing with the site and building plan review procedure. 8 Ayes; Nayes, None.

3RD READING-  
ORDINANCE NO. 197  
FINANCIAL REQUIRE-  
MENTS-SITE PLAN  
REVIEW

Moved by Councilmember Werner, seconded by Councilmember Berg to pass the 3rd Reading of Ordinance No. 198 amending Section 10.01 Subdivision 1 of the City Code having to do with properties described as Sieben's 3rd Addition, Rezoning from Agricultural to R3 PRD. 8 Ayes; Nayes, None.

3RD READING-  
ORDINANCE NO. 198  
REZONING-  
AGRICULTURAL TO  
R3 PRD - SIEBEN'S  
3RD ADDITION

Moved by Councilmember Werner, seconded by Councilmember Plan to pass the 1st Reading of an Ordinance amending Section 10.01 Subdivision 1 of the City Code Rezoning from R-3 to R-1, approving the preliminary plat of Bauer View 2nd Addition and setting a Public Hearing for the May 5, 1986 regular City Council meeting. The rezoning and the preliminary plat are approved per the Planning Commission and Natural Resources and Recreation Commission recommendations as follows:

BAUER VIEW 2ND  
ADDITION-REZONING  
AND PRELIMINARY  
PLAT-SET PUBLIC  
HEARING

The Planning Commission recommended that the requested/rezoning and preliminary plat be approved because they are consistent with the goals and objectives of the comprehensive plan, because they are consistent with the R-1 zoning requirements, and further that there are adequate sanitary sewer, watermains, storm sewer, and transportation facilities available to accommodate the site. In addition, spot zoning is not a consideration in this case due to the compatibility of the proposed zoning with the zoning adjacent to the property in question and due to consistency with the comprehensive plan. It is recommended that approval be subject to the following conditions and/or understanding being implemented:

- A. That the alternate B or a modified alternate B street design be implemented with a radius not to exceed 50 feet for the proposed Southview Drive and Southview Circle intersection (alternate B layout on file).
- B. The developer will provide \$5,100 cash in lieu of park land dedication requirements. The cash in lieu of park land is to be directed towards the development of the existing park located at 23rd Street and Westview Drive. The developer should note that the NRRC strongly recommends to the developer that when, or if, the property is developed on the south side of the Vermillion River that the NRRC will want land for a trail or park purpose.
- C. The developer is to pay, if applicable, required interceptor sewer charges.
- D. Development and construction within the plat shall conform to flood plain regulations. Fill is not to be placed in the flood plain of the Vermillion River.
- E. Developer shall plan for and install streets/curb and gutter, sewer and water, storm sewer, etc. in accordance with City requirements.

- F. An alternate street name to be considered for Southview Circle.
- G. No homes are to have driveways fronting off of Pleasant Drive. The driveway for lot 2, block 1 should front off of Southview Drive.
- H. Developer should note that the city strongly suggests that the vacant property to the north of the proposed plat be developed under a detached single family concept, which is consistent with the Hastings Comprehensive Plan.
- I. Location of watermain looping and necessary easement sizes to be resolved with city engineering and water departments.
- J. That a developers agreement be formulated to implement the conditions and understandings mentioned above or those that may be recognized at a later date. 8 Ayes; Nayes, None.

MINOR SUBDIVISION  
-BOHLKEN'S 1ST  
ADDITION - JOHN  
HERNLEM

Moved by Councilmember Werner, seconded by Councilmember Mathiowetz to approve the minor subdivision for Lot 11, Block 1, Bohlken's 1st Addition for John Hernlem subject to a Zero lot line being established between two units and the final review and approval by staff for the proposed legal description and a completion, is necessary, of a declaration of a minor subdivision. This approval does not override the restrictive covenants attached to the property. 8 Ayes; Nayes, None.

MINOR SUBDIVISION  
-BAILEY'S ADDITION  
-WILLIAM WALKER

Moved by Councilmember Berg, seconded by Councilmember Plan to approve the minor subdivision for Lot 9 from Lot 10, Block 4, H.G. Bailey's Addition for William Walker. This is subject to the Planning Commissions recommendation informing the applicant that Lots 9 & 10 can only be used for single family home purposes and Lot 9 would require fill and utility service extensions if the home were proposed to be built. 8 Ayes; Nayes, None.

HOME OCCUPATION  
PERMIT-DAVID  
BROWNSON-302  
WEST 17TH

Moved by Councilmember Berg, seconded by Councilmember Mathiowetz to approve a Home Occupation permit for a Locksmith and Alarm Business for David Brownson at 302 W. 17th, subject to the Planning Commission recommendation that Mr. Brownson must reside on the premises in order to operate a Home Occupation permit. 8 Ayes; Nayes, None.

RESOLUTION NO.  
39-86 WILLIAMS  
1ST ADDITION-  
ENVIRONMENTAL  
ASSESSMENT  
WORKSHEET

Moved by Councilmember Nesbitt, seconded by Councilmember Berg to adopt Resolution No. 39-86 which adopts Findings of Facts and Conclusions pertaining to the Williams First Addition Project and determining that an Environmental Impact Statement is not required to be completed for said Project. 8 Ayes; Nayes, None.

1ST READING-  
ORDINANCE  
AMENDMENT-  
PUBLICATION  
REQUIREMENTS-  
VACATION OF STREETS

Moved by Councilmember Werner, seconded by Councilmember Berg to pass the 1st Reading of an Ordinance amending Section 6.09 of the City Code changing publication requirements for notices of hearings on vacation requests and setting a public hearing for the May 5, 1986 regular City Council meeting. 8 Ayes; Nayes, None.

PLANNING  
COMMISSION  
RECOMMENDATION  
-ALTERNATE  
USES FOR HISTORIC  
STRUCTURES

Moved by Councilmember Nesbitt, seconded by Councilmember Berg to accept, and adopt for guidance to the City Staff, the following possible conditions for potential future uses, other than that which is permitted, for large historic structures in R2 zones.

1. The home must be on the Local, State or National Historic Register.
2. Area traffic can not be appreciably increased due to the operation of the business.
3. No auxiliary buildings may be used as part of the business.
4. Adequate off street parking must be available.
5. The use can not appreciably change the character of the neighborhood.

Moved by Councilmember Werner, seconded by Councilmember Trautmann to table the matter of possible uses for large historic structures in R2 zones. 2 Ayes; Nayes, Berg, Kulzer, Bond, Nesbitt, Plan and Mathiowetz. Motion to table fails.

The Mayor then called for the vote on the main motion. 5 Ayes; Nayes, Werner, Kulzer, Trautmann and Plan. Motion passes.

- Moved by Councilmember Berg, seconded by Councilmember Mathiowetz to appoint Pat Orman to fill the Light Equipment Operator position in the Street Department effective May 1, 1986. 8 Ayes; Nays, None. APPOINTMENT OF LIGHT EQUIPMENT OPERATOR-STREET DEPARTMENT
- Moved by Councilmember Werner, seconded by Councilmember Berg to authorize the posting and advertisement of the vacant Water Department Maintenance Operator I position. 8 Ayes; Nays, None. POST VACANCY-WATER DEPARTMENT
- Moved by Councilmember Trautmann, seconded by Councilmember Werner to authorize the Parks Department to operate the concession stand at the ball park on Monday through Thursday evening and authorize the expenditure of approximately \$700 for equipment. Any revenues anticipated from this venture would be used to upgrade the complex. 8 Ayes; Nays, None. VETS PARK-ATHLETIC COMPLEX
- Moved by Councilmember Trautmann, seconded by Councilmember Werner to adopt Resolution No. 40-86 amending the Pledge and Security Agreement, and Reimbursement Agreement, and Disbursing Agreement for the Hydro Electric Facility. 7 Ayes; Nays, Bond. Copy of resolution on file. RESOLUTION NO. 40-86 HYDRO AGREEMENTS
- The City Council set a special Council meeting for Monday, April 28, 1986 at 5:00 p.m. in the Council Chambers of the City Hall to discuss the Hydro Electric Facility at Lock and Dam No. 2. HYDRO UPDATE
- Moved by Councilmember Kulzer, seconded by Councilmember Nesbitt to have the City of Hastings participate in a reforestation program through the Hastings Farm and Market, Tree House, and Berry Land on Friday, May 9 and Saturday, May 10th. The City of Hastings would pay \$5.00 per tree, up to 100 trees, at all nurseries, one tree per resident, for planting in the boulevard within the City of Hastings. 8 Ayes; Nays, None. REFORESTATION PROGRAM
- There was Council discussion regarding the request for funds by the Charter Commission and the Council took no action. CHARTER COMMISSION-REQUEST FOR FUNDS
- Moved by Councilmember Bond, seconded by Councilmember Berg to set the special election for consideration of revision of the Charter for June 24, 1986. 2 Ayes; Nays, Werner, Kulzer, Trautmann, Nesbitt, Plan and Mathiowetz. Motion fails. CHARTER COMMISSION-REVISION OF CHARTER-SPECIAL ELECTION
- Moved by Councilmember Werner, seconded by Councilmember Berg to reconsider the election date. 7 Ayes; Nays, Kulzer. Motion passes.
- Moved by Councilmember Berg, seconded by Councilmember Bond to set the special election for June 24, 1986 to be held at each one of the four wards using the punch card voting system. 3 Ayes; Nays, Kulzer, Trautmann, Plan, Mathiowetz and Werner. Motion failed.
- Moved by Councilmember Werner, seconded by Councilmember Kulzer to set the special election for June 24, 1986 to be held at one polling station, the Junior High School, using paper ballots. 4 Ayes; Nays, Bond, Nesbitt, Mathiowetz, Berg and Stoffel. Motion fails.
- Moved by Councilmember Nesbitt, seconded by Councilmember Berg to set the special election date for June 24, 1986. 7 Ayes; Nays, Mathiowetz. Motion passes.
- Moved by Councilmember Nesbitt, seconded by Councilmember Kulzer to use paper ballots for the special election on June 24, 1986. 6 Ayes; Nays, Mathiowetz and Bond. Motion passes.
- Moved by Councilmember Berg, seconded by Councilmember Nesbitt to have the special election held in each one of the four wards. 3 Ayes; Nays, Plan, Mathiowetz, Werner, Kulzer and Trautmann. Motion fails.
- Moved by Councilmember Kulzer, seconded by Councilmember Plan to have the special election held at one polling location, the Hastings Junior High School, 10th & Vermillion Street. 5 Ayes; Nays, Mathiowetz, Berg, Bond and Nesbitt. Motion passes.

RESOLUTION NO. 42-86  
DECLARING SURPLUS  
PROPERTY FOR  
BICYCLES

Moved by Councilmember Trautmann, seconded by Councilmember Plan to adopt Resolution No. 42-86 declaring 37 bicycles as surplus property and selling them in a public auction to the highest bidder on Tuesday May 13, 1986 at 6:00 p.m. by the Hastings Auction Service. 7 Ayes; Neyes, None. Councilmember Bond was absent for this vote. Copy of resolution on file.

RESOLUTION NO. 41-86  
BONDING FOR COUNTY  
ADMINISTRATIVE  
OFFICES

Moved by Councilmember Plan, seconded by Councilmember Kulzer to adopt Resolution No. 41-86 authorizing the City Administrator/Clerk and the City Attorney to confer on behalf of the City with the County Officials regarding the city funding, by revenue bonds, for the needed County facility in Hastings and to advise the County of the building space available in Hastings to meet the County's needs. 8 Ayes; Neyes, None. Copy of resolution on file.

LEDUC MANSION

Moved by Councilmember Trautmann, seconded by Councilmember Plan to authorize the staff to proceed in the drafting of an Ordinance creating an entity that could raise funds for the preservation of historic buildings. 8 Ayes; Neyes, None.

DECLARING EXCESS  
PROPERTY-ENGINEERING  
DEPARTMENT

Moved by Councilmember Trautmann, seconded by Councilmember Berg to declare the following equipment excess and authorize its sale at the public auction to be held on 5-13-86.

1. TRS 80 model 116K portable computer.
2. (1) TRS DMP 110.D.O.T. matrix printer for above computer
3. (1) FRIDEN Electric automatic calculator
4. (6) ADDOX Electric Adding Machines.

8 Ayes; Neyes, None.

EMPLOYEE ANNIVERSARY  
DATES

Moved by Councilmember Nesbitt, seconded by Councilmember Berg to establish the position that the date an employee is hired by the City Council as the date to be used for the employees anniversary date, for all purposes. 8 Ayes; Neyes, None.

SENIOR TECHNICIAN-  
STEVE PEDERSON

Moved by Councilmember Mathiowetz, seconded by Councilmember Berg to create a new position within the Engineering Department entitled Senior Engineering Technician and to appoint Steve Pederson to the position of Senior Engineering Technician effective May 1, 1986 at an hourly rate of \$12.24. 6 Ayes; Neyes, Nesbitt and Bond.

CONSENT AGENDA

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

ADJOURNMENT

Moved by Councilmember Mathiowetz, seconded by Councilmember Berg to adjourn the meeting at 10:30 p.m. 8 Ayes; Neyes, None.

ATTEST

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

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

Hastings, Minnesota  
April 28, 1986

The City Council of the City of Hastings, Minnesota met in a Special Meeting on Monday, April 28, 1986 at 5:00 P.M. in the Council Chambers of City Hall.

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

Members Absent: Councilmember Berg, Kulzer and Nesbitt.

Councilmember Berg arrived at 5:15 p.m.

The City Administrator, Gary E. Brown, discussed with the City Council the requirement of the United States Army Corp of Engineers, St. Paul District, of having the City of Hastings contract with someone to perform a physical model study of Lock and Dam No. 2 as it specifically relates to the construction of a Hydro Electric Facility and how that facility affects navigation in and out of the locks. The City Administrator indicated that the Army Corps of Engineers was going to withhold approval of the plans and specifications of the Hydro Electric Facility until a model study was agreed to. The City's Consultant, James Hansen, discussed additional background relating to the model study. Professor Heinz Stefan, University of Minnesota, representing the St. Anthony Falls Hydraulic Laboratory answered questions of the Council regarding the model study.

Moved by Councilmember Trautmann, seconded by Councilmember Werner to adopt Resolution No. 43-86 authorizing the Mayor and City Administrator/ Clerk to execute an agreement with the University of Minnesota to construct a physical model of Lock and Dam No. 2 to study effects of navigation relating to the Hydro electric facility being constructed by the City of Hastings. 5 Ayes; Nayes, Bond. RESOLUTION NO 43-86 MODEL STUDY

Motion by Werner, seconded by Bond to adjourn the meeting at 6:30 p.m. 6 Ayes; Nayes, None.

ATTEST

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

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

MINUTES OF HASTINGS PLANNING COMMISSION

Monday, April 28, 1986

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

Members Present: Commissioner Ditty, Dredge, Folch, Kaiser, Conzenius, Anderson, Voalker, and Chairman Simacek

Members Absent: Commissioner Stevens.

Staff Present: Planning Director Harmening

Commissioner Kaiser moved, seconded by Commissioner Anderson, to approve the April 14, 1986 minutes. Voice vote carried unanimously.

APPROVAL OF MINUTES

Chairman Simacek opened the public hearing at 7:30 p.m. The Planning Director briefly reviewed the proposal being made. In this case, the applicant is requesting preliminary plat approval of a residential development encompassing approximately 11.2 acres and generating 34 single family lots. The plat is proposed to be called Highland Hills 3rd Addition. The current zoning of the property is R-1 single family residential. The proposed development density is 3.03 units per acre. The Comprehensive Plan has identified the area in question for single family residential developments. The Planning Director further discussed matters and questions pertaining to park land dedication requirements. The Planning Director also pointed out that the City had not yet received proposed preliminary plans for the sewer, water, storm sewer, or street layouts. The following comments were received from the audience:

PUBLIC HEARING--PRE-LIMINARY PLAT--HIGHLAND HILLS 3RD ADDN. SEWERT CONSTRUCTION

Kevin Swanson, 1755 Brittany Road - discussed water problems he is experiencing in his basement. Presented questions regarding grading.

Charles Rizzo, 1750 Brittany Road - discussed water problems he is experiencing in his basement. Presented questions regarding grading of plats.

There being no further comments from the audience the Chairman closed the public hearing at 7:45 p.m.

After further discussion a motion was made by Commissioner Folch, seconded by Commissioner Kaiser, to table action on this matter and continue the public hearing such that questions pertaining to park requirements can be resolved. Also, the developer must provide the city for staff review, preliminary layouts on the sanitary sewer and related elevations, storm sewers, watermains and hydrants, and street profiles. The applicant is also requested to determine an alternate name for Brittany Trail. Upon vote taken Ayes, 8; Nays, 0.

The Chairman opened the public hearing at 7:45 p.m. The Planning Director briefly reviewed the proposal being made. In this case Mr. Sieben is requesting that the City approve a minor subdivision to permit a jog in the common lot line of lots 3 & 4 to take into consideration an existing garage which straddles the existing common

PUBLIC HEARING--MINOR SUBDIVISION OF LOTS 3 & 4, BLOCK 120, ORIGINAL PLAT--AL SIEBEN



lot line. The property in question is located at the south east corner of east Second Street and Bass Street.

Comments which were received from the audience included questions pertaining to the proposed use of the property and the garage which is currently situated on the property. Mr. Sieben responded that he proposes to construct a single family home on each lot in question. The garage will most likely be used by the homeowner who owns it.

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

Commissioner Stevens joined the meeting at this time.

After further discussion Commissioner Folch moved, seconded by Commissioner Ditty, to approve the minor subdivision as each parcel will continue to comply with zoning requirements. This approval is subject to, if necessary, the completion of a declaration of minor subdivision. Upon vote taken, Ayes, 7; Nays, Commissioner Voelker; Commissioner Stevens abstained. The motion was approved.

The Chairman opened the public hearing at 8:00 p.m. The Planning Director discussed matters pertaining to this application. In this case Mr. Shandley is requesting that the city approve the splitting off of approximately 5 acres of land which is located on the north side of the Vermillion River south of east 4th St. The property in question is zoned agriculture which permits single family homes at a density of one unit per five acres of land. At this time there are three or four homes which exist to the east of the Fourth Street bridge. The 4th Street bridge provides the only access to the subject area. Generally speaking the Planning Director pointed out that the request for the subdivision in itself seems acceptable with the exception of provisions contained within the city's flood plain ordinance. In this case the proposed parcel is surrounded on all sides by flood plain. That in itself did not present a major problem except in the case of providing accessibility to the site. The city's flood plain ordinance states in Section 6.1 that "all subdivisions shall have water and sewage disposal facilities that comply with the provisions of this ordinance and have road access to both the subdivision and to the individual building sites no lower than two feet below the regulatory flood protection elevation". The Planning Director noted that the primary purpose for this flood plain ordinance requirement is to insure that proper accessibility is available to the property owners themselves as well as emergency vehicles and other public services. In this particular situation the RFPE is at an elevation of 694. The elevation of the 4th St. bridge even after the proposed reconstruction will be at an elevation of 687.5 which is an elevation related to a ten year flood. (presently the bridge deck is at elevation 685). Therefore, even with the two feet of water depth allowed by the flood plain ordinance the bridge deck would still appear to be at an elevation 4.5 feet lower than allowed by the city's flood plain ordinance. The Planning Director pointed out that the primary reason why the bridge

PUBLIC HEARING- 5  
ACRE SUBDIVISION  
NORTH SIDE OF THE  
VERMILLION RIVER  
LOCATED TO THE SOUTH  
OF EAST 4TH STREET-  
RON SHANDLEY

deck is only being constructed to elevation 687.5 is because its economically unfeasible to build a bridge to an elevation to accomodate the 100 year flood. The Planning Director further pointed out that the subdivision request would not appear acceptable for approval as it now stands. The Planning Director stated that the citys flood plain ordinance did have a variance procedure which Mr. Shandley was interested in pursuing. Comments which were received from the audience were as follows:

Ron Shandley - Mr. Shandley explained his proposal and a variety of matters associated with it.

Peter Likes, 3000 E. 4th Street - Mr. Likes explained that he lives adjacent to the property which Mr. Shandley is interested in. Mr. Likes presented various points of information pertaining to access to Mr. Shandleys proposed home and the area in general.

Commissioner Folch - expressed concerns with access to the property in question and the area in general as related to emergency vehicles and other public services.

The Public Hearing was closed at 8:15 p.m.

After further discussion Commissioner Folch moved, seconded by Commissioner Anderson, that the subdivision request be tabled such that matters may be addressed regarding Mr. Shandleys variance request. Upon vote taken, Ayes, 9; Naves, 0.

After further discussion a motion was made by Commissioner Conzemius, seconded by Commissioner Folch, to order that a public hearing be scheduled on Mr. Shandleys request for a variance to the citys flood plain ordinance to be held May 12, 1986 at 7:30 p.m. Upon vote taken, Ayes, 9; Naves, 0.

The Planning Director presented to the Planning Commission the proposed final plat for the Williams First Addition. The Planning Director noted that it appeared the final plat is consistent with the preliminary plat which was approved by the City in February of 1986. The final plat appears to take into consideration conditions which were required by the city as a part of the preliminary plat approval. Other items of interest which the Planning Director discussed included:

FINAL PLAT-WILLIAMS  
FIRST ADDITION-  
MIKE WILLIAMS

- A. Property line dispute - The Planning Director noted that the owner of the property located at the southeast corner of the Whispering Lane/140th St. intersection is claiming that the property corners as set by Williams surveyor are not correct at that particular location and that a discrepancy of 11 feet exists. The Planning Director noted that generally the city should not become involved in a property line dispute but rather allow the property owners to resolve the matter themselves.
- B. Environmental Assessment Worksheet - The Planning Director informed the Planning Commission that at the last City Council meeting the Council determined that an Environmental Impact Statement is not required to be prepared for this project if certain actions are implemented during project construction. These actions include the

capping of an abandoned well on the project site and the preparation and implementation by the developer of an Erosion and sedimentation control plan.

- C. The Planning Director pointed out that the owner of the property located at the southeast corner of the Whispering Lane/140th Street intersection is concerned with potential dust problems associated with the proposed gravel portion of Whispering Lane.

Comments which were received from the audience included:

Ray Solac, 1403 Featherstone Road - Mr. Solac presented concerns regarding potential dust problems associated with the gravel portion of Whispering Lane. Mr. Solac also presented concerns regarding the survey for the Williams Plat.

Louise Featherstone, 1803 Featherstone Road - Expressed concerns with the survey for the Williams 1st Addition Plat.

After discussion a motion was made by Commissioner Ditty, seconded by Commissioner Kaiser, to recommend approval of the Williams First Addition Plat subject to a developers agreement being entered into to take into consideration, but not limited to, those items of concern which were brought forward during the rezoning and preliminary plat review including matters pertaining to the planned residential development proposal. A developers agreement should also include conditions pertaining to the following:

- A. that the abandoned well on the project site be properly capped and/or filled pursuant to local and state laws.
- B. That the developer submit to the city for approval and implement an erosion and sedimentation control plan for the proposed project.
- C. That a barricade or barricades be placed on the gravel portion of Whispering Lane to discourage everyday traffic and associated potential dust problems.

Upon vote taken, Ayes, 8; Nays, Commissioner Voelker. The motion was approved.

The Planning Director presented to the Planning Commission a proposed site plan for the Shepherd of the Valley Lutheran Church which is intended to be constructed at the northwest corner of west 4th St. and Whispering Lane. The present zoning for the property is R-1 which permits churches. The Planning Director reviewed with the Planning Commission various items of interest pertaining to the proposed site plan including parking requirements, landscaping, fire safety concerns, grading, matters pertaining to the height of the building, access to the site, etc.

SITE PLAN REVIEW-  
SHEPHERD OF THE  
VALLEY LUTHERAN  
CHURCH-W. 4TH STREET  
& WHISPERING LANE

After discussion a motion was made by Commissioner Kaiser, seconded by Commissioner Anderson to approve the site plan for the Shepherd of the Valley Lutheran Church subject to the following conditions:

- A. That the development of the property in question is to be completed as illustrated on the site and grading plan/landscaping plan dated April 21, 1986.
- B. That more extensive screening be provided along the parking spaces facing 4th St. which are located on the south side of the church.
- C. Assuming the estimated location of the hydrant along 4th St. is correct it is recommended that the applicant consider extending a water main northerly into the property and placing a fire hydrant adjacent to the church.
- D. The applicant is to provide erosion and sedimentation control measures (straw or hay bale checks and dams) during the period of construction and grading on the property.
- E. That the access drive off of 4th Street be widened to 28 feet or 30 feet. Access drives may require extra care during winter months.
- F. Additional off street parking facilities to be provided, as applicable, if seating is expanded in excess of 240 seats within the worship area or if the building is expanded.

Upon vote taken, Ayes, 9; Nays, 0.

The applicant is requesting a vacation of the existing ten foot wide utility and drainage easement located on the common lot line of lot 7 & 8, Block 1, Olson's Addition such that title problems may be cleared up pertaining to a recently constructed home which straddles the common lot line.

VACATION OF UTILITY AND DRAINAGE EASEMENTS LOTS 7 & 8, BLOCK 1, OLSONS ADDITION, F. LIEBEG

After discussion a motion was made by Commissioner Conzemius, seconded by Commissioner Ditty, to recommend that the easement be considered for vacation. Upon vote taken, Ayes, 9; Nays, 0.

Hastings Construction, the builder and current owner of the property in question, and Jon Speakes, the prospective home owner, are requesting a two foot corner side yard setback variance to Section 10.23 of the zoning ordinance such that a single family home may be constructed at 1616 Todd Court (lot 1, block 3, Sontags 2nd Addition). The current zoning of the property is R-1.

VARIANCE REQUEST-CORNER SIDE SETBACK 1616 TODD COURT-HASTINGS CONSTRUCTION JON SPEAKES

The applicants are claiming a hardship based on the fact that the proposed homeowner is a handicapped person and at various times is confined to a wheelchair. Because of the handicapped status of the homeowner it is claimed that the type of house proposed to be built will be constructed in a fashion which would accommodate a person in a wheelchair (one level with basement, wider garage, etc.). Because of these unique circumstances the home is generally larger in size which subsequently causes problems in trying to fit the home onto the lot.

General comments which the Planning Director brought forward included:

- A. The proposed homeowner does not yet own the lot in question.
- B. It would appear the proposed home could fit on an interior lot 82 feet by 120 feet in size and still meet all applicable setback requirements. It was further noted that lots of this size are available in the City of Hastings.

Cory Gustafson, representing the applicants, provided the Planning Commission with a general outline of the variance request.

After discussion and review of the criteria which should be met for the granting of variances, a motion was made by Commissioner Folch, seconded by Commissioner Stevens, to recommend that the variance request be denied due to the following reasons:

- A. That special conditions and circumstances do not exist which are peculiar to the land, structure or building involved which are not applicable to other lands, structures, or buildings in the same district.
- B. That literal interpretation of the City Code would not deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the zoning ordinance.
- C. That the special conditions and circumstances result from the actions of the applicant.
- D. That granting of the variance will confer on the applicant special privileges that are denied by the zoning ordinance to other lands, structures, or buildings in the same district.

Upon vote taken, Ayes, 6; Nays, Commissioner Conzemius, & Anderson; Commissioner Ditty abstained. The motion was approved.

Commissioner Voelker moved, seconded by Commissioner Kaiser, to call a public hearing for May 12, 1986 at 7:30 p.m. regarding the request for preliminary plat and rezoning approval from Ag and P-I to R-2 for the proposed Valley West 2nd Addition. Upon vote taken, Ayes, 8; Nays, 0; Commissioner Conzemius abstained. The motion was declared approved.

The Planning Director informed the Planning Commission of recent City Council actions.

Commissioner Anderson moved, seconded by Commissioner Dredge, to adjourn the meeting at 9:15 p.m. Upon vote taken, Ayes, 9; Nays, 0.

ORDER PUBLIC HEARING  
PRELIMINARY PLAT AND  
REZONING-VALLEY WEST  
2ND ADDITION-  
CONZEMIUS

OTHER BUSINESS

ADJOURNMENT

TABULATION OF BIDS - Parts A & C

Bids were received on Thursday May 1, 1986 for 1986 Improvement Program

Projects 1986-1,3,4,5,6,7,8,9,10,11,12 & 13

Bid Proposals were reviewed and corrected as follows:

BIDDER	BID SECURITY	STARTING DATE	COMPLETION DATE	AMOUNT OF BID
1. Richard Knutson Inc. 201 Travelers Trail Burnsville, MN 55337	5% Bid Bond		as specified (Sept. 12, 1986)	\$1,511,937.49
2. Lametti & Sons Inc. 16028 Forest Blvd No. Hugo, MN 55038	5% Bid Bond		Sept. 12, 1986	\$2,142,015.70
3. Austin P. Keller 481 Front Ave. St. Paul, MN 55117	5% Bid Bond		as specified (Sept. 12, 1986)	\$1,398,746.55
4. Northdale Construction 14450 Northdale Blvd. Rogers, MN 55374	5% Bid Bond		Sept. 12, 1986	\$1,525,983.96
5. Barbarossa & Sons, Inc. P.O. Box 367 Osseo, Minnesota 55369	5% Bid Bond		Sept. 12, 1986	\$1,576,191.25
6. Arcon Construction Co.Inc. Mora, Minnesota 55051	5% Bid Bond		Sept. 12, 1986	\$1,426,460.50
7.				
8.				

Authority: Resolution No. 38-86 - Dated April 7, 1986

Council Action: Ordered Bids April 7, 1986

Engineers Estimate: Construction Estimate of \$1,801,891.00

Recommendation: Award to Low bidder Austin P. Keller Construction in the amount of \$1,398,746.55

CITY OF HASTINGS  
DAKOTA COUNTY, MINNESOTA

Minutes of Bid Opening  
Thursday May 1, 1986  
2:00 P.M.

Pursuant to Resolution No. 38-86 passed by the City Council on April 7, 1986 a bid opening was held on Thursday May 1, 1986 at 2:00 P.M. for the purpose of opening bids for the 1986 Improvements.

Attending the meeting were:

Gary E. Brown, City Administrator  
James J. Kleinschmidt, City Engineer  
Thomas Montgomery, Assistant City Engineer  
Steve Pederson, Engineering Technician  
Andrea Gustafson, Engineering Technician

Bids were opened and read aloud as follows:

<u>Bidder</u>	<u>Bid Security</u>	<u>Amount of Bid</u>	<u>Representative Attending</u>
1. Richard Knutson Inc.	5% B.B.	\$1,511,937.49	--
2. Lametti & Sons, Inc.	5% B.B.	\$2,142,015.70	Don Watson
3. Austin P. Keller Const.	5% B.B.	\$1,398,746.55	Joe Chermak
4. Northdale Const.	5% B.B.	\$1,525,983.96	--
5. Barbarossa & Sons, Inc.	5% B.B.	\$1,576,191.25	Robert Arneson
6. Arcon Const. Inc.	5% B.B.	\$1,426,460.50	Karen Kritzeck

ALSO ATTENDING:

Mark Schumacher - North Star Concrete  
George Taylor - Davies Water Equip. Co.  
Terry Tambornino - Elk River Concrete  
Dennis Behnke - Weiser Concrete  
Robert Gartzke - Clay Products Supply

City of Hastings  
Dakota County, Minnesota

Resolution No. \_\_\_\_\_

RESOLUTION RECEIVING BIDS AND AWARDING CONTRACT FOR 1986 IMPROVEMENTS.

WHEREAS, pursuant to an advertisement for bids for the 1986 Street and Utility Construction Program, bids were opened and tabulated according to law and the following bids were received complying with the advertisement:

<u>Bidder</u>	<u>Bid Price</u>
Richard Knutson, Inc.	\$1,511,937.49
Lametti & Sons, Inc.	\$2,142,015.70
Austin P. Keller Const.	\$1,398,746.55
Northdale Construction	\$1,525,983.96
Barbarossa & Sons, Inc.	\$1,576,191.25
Arcon Construction Inc.	\$1,426,460.50

WHEREAS, it appears that Austin P. Keller Const. is the lowest responsible bidder;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hastings, Minnesota.

The City Administrator/Clerk is hereby authorized and directed to enter into a contract with Austin P. Keller Const. in the amount of \$1,398,746.55 for the 1986 street and utility construction, according to the plans and specifications therefore approved by the Council and on file in the office of the City Engineer.

The City Administrator/Clerk is hereby authorized and directed to return forthwith to all bidders the deposit made with their bids, except the deposit of the successful bidder and the next lowest responsible bidder until a contract has been signed.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF HASTINGS, MINNESOTA THIS 5TH DAY OF MAY 1986.

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

ATTEST:

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



TABULATION OF BIDS - Part B

Bids were received on Thursday, May 1, 1986 for Reconstruction of Sanitary Sewers on Pine St. from 3rd St. to 6th Street

Bid Proposals were reviewed and corrected as follows:

BIDDER	BID SECURITY	STARTING DATE	COMPLETION DATE	AMOUNT OF BID
1. Richard Knutson 201 Travelers Trail Burnsville, MN 55337	5% Bid Bond		As specified (June 30, 1986)	\$53,507.50
2. Lametti & Sons, Inc. 16028 Forest Blvd. No. Hugo, MN 55038	5% Bid Bond		June 30, 1986	\$60,221.00
3. Austin P. Keller Cons. 481 Front Ave. St. Paul, MN 55117	5% Bid Bond		As specified (June 30, 1986)	\$87,022.00
4. Northdale Const.Co. 14450 Northdale Road Rogers, MN 55374	5% Bid Bond		June 30, 1986	\$49,648.00
5. Barbarossa & Sons Inc. 201 Travelers Trail Osseo, MN 55369	5% Bid Bond		June 30, 1986	\$72,921.00
6. Arcon Construction Co. Mora, Minnesota 55051	5% Bid Bond		June 30, 1986	\$56,254.30
7.				
8.				

Authority: Resolution No. 38-86 - Dated April 7, 1986

Council Action: Ordered Bids April 7, 1986

Engineers Estimate: Construction Estimate of \$42,000.

Recommendation: Award to Low bidder Northdale Construction Company in the amount of \$49,648.00

CITY OF HASTINGS  
DAKOTA COUNTY, MINNESOTA

Minutes of Bid Opening  
Thursday May 1, 1986  
2:00 P.M.

Pursuant to Resolution No. 38-86 passed by the City Council on April 7, 1986 a bid opening was held on Thursday May 1, 1986 at 2:00 P.M. for the purpose of opening bids for the Reconstruction of sanitary sewers on Pine Street from 3rd Street to 6th Street.

Attending the meeting were:

Gary E. Brown, City Administrator  
James J. Kleinschmidt, City Engineer  
Thomas Montgomery, Assistant City Engineer  
Steve Pederson, Engineering Technician  
Andrea Gustafson, Engineering Technician

Bids were opened and read aloud as follows:

<u>Bidder</u>	<u>Bid Security</u>	<u>Amount of Bid</u>	<u>Representative Attending</u>
1. Richard Knutson Inc.	5% B.B.	\$53,507.50	--
2. Lametti & Sons, Inc.	5% B.B.	\$60,221.00	Don Watson
3. Austin P. Keller Const.	5% B.B.	\$87,022.00	Joe Chermak
4. Northdale Const.	5% B.B.	\$49,648.00	--
5. Barbarossa & Sons, Inc.	5% B.B.	\$72,921.00	Robert Arneson
6. Arcon Const. Inc.	5% B.B.	\$56,254.30	Karen Kritzeck

ALSO ATTENDING:

Mark Schumacher - North Star Concrete  
George Taylor - Davies Water Equip. Co.  
Terry Tambornino - Elk River Concrete  
Dennis Behnke - Weiser Concrete  
Robert Gartzke - Clay Products Supply

City of Hastings  
Dakota County, Minnesota

Resolution No. \_\_\_\_\_

RESOLUTION RECEIVING BIDS AND AWARDING CONTRACT FOR RECONSTRUCTION OF  
SANITARY SEWER ON PINE STREET BETWEEN 3RD STREET AND 6TH STREET.

WHEREAS, pursuant to an advertisement for bids for reconstruction of the sanitary sewer on Pine Street between 3rd St. and 6th Street, bids were opened and tabulated according to law and the following bids were received complying with the advertisement:

<u>Bidder</u>	<u>Bid Price</u>
Richard Knutson Inc.	\$53,507.50
Lametti & Sons, Inc.	\$60,221.00
Austin P. Keller Const.	\$87,022.00
Northdale Const. Co.	\$49,648.00
Barbarossa & Sons, Inc.	\$72,921.00
Arcon Const. Co. Inc.	\$56,254.30

WHEREAS, it appears that Northdale Const. Co. is the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hastings, Minnesota.

The City Administrator/Clerk is hereby authorized and directed to enter into a contract with Northdale Const. Co. in the amount of \$49,648.00 for the reconstruction of sanitary sewers on Pine Street between 3rd Street and 6th Street, according to the plans and specifications therefore approved by the Council and on file in the office of the City Engineer.

The City Administrator/Clerk is hereby authorized and directed to return forthwith to all bidders the deposit made with their bids, except the deposit of the successful bidder and the next lowest responsible bidder until a contract has been signed.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF HASTINGS, MINNESOTA THIS 5TH DAY OF MAY 1986.

---

LuAnn Stoffel, Mayor

ATTEST:

---

Gary E. Brown, City Administrator/Clerk

TABULATION OF BIDS

Bids were received on Friday May 2, 1986 for Extension of Storm sewers near 15th St. and Hillside St.

Bid Proposals were received and corrected as follows:

BIDDER	BID SECURITY	STARTING DATE	COMPLETION DATE	AMOUNT OF BID
1. Freiermuth Sanitation 23310 Cannon Falls Blvd. Hampton, MN			May 30, 1986	\$2,070.00
2. Gartzke Construction 1521 Highland Hastings, MN 55033			May 30, 1986	\$2,175.00
3. Austin P. Keller Const. 481 Front St. St. Paul, MN			May 30, 1986	\$2,870.00
4.				
5.				
6.				
7.				
8.				

Authority: City Council motion - Dated December 16, 1985

Council Action: See above

Engineers Estimate: Construction Estimate of \$2,500.00

Recommendation: Award to Low bidder Freiermuth Sanitation in the amount of \$2,070.00

CITY OF HASTINGS  
DAKOTA COUNTY, MINNESOTA

Minutes of Bid Opening  
Friday May 2, 1986  
10:00 A.M.

Pursuant to motion passed by the City Council on December 16, 1985 a bid opening was held on Friday May 2, 1986 at 10:00 A.M. for the purpose of opening bids for the extension of storm sewers near 15th St. and Hillside Street.

Attending the meeting were: James J. Kleinschmidt, City Engineer  
Thomas Montgomery, Assistant City Engineer

Bids were opened and read aloud as follows:

<u>Bidder</u>	<u>Bid Security</u>	<u>Amount of Bid</u>	<u>Representative Attending</u>
1. Freiermuth Sanitation		\$2,070.00	
2. Gartzke Construction Inc.		\$2,175.00	
3. Austin P. Keller Const. Co.		\$2,870.00	
4.			

City of Hastings  
Dakota County, Minnesota

Resolution No. \_\_\_\_\_

RESOLUTION RECEIVING BIDS AND AWARDING CONTRACT FOR EXTENSION OF A STORM  
SEWER IN THE VICINITY OF 15TH AND HILLSIDE STREET

WHEREAS, on December 16, 1985 the City Council did authorize the extension  
of a storm sewer onto the property of the Country Club Golf Course in the  
vicinity of 15th Street and Hillside Street, and

WHEREAS, plans and specifications were prepared for this work and bids  
were requested, and

WHEREAS, bids were received and are tabulated as follows:

<u>Bidder</u>	<u>Bid Price</u>
Freiermuth Sanitation	\$2,070.00
Gartzke Construction Inc.	\$2,175.00
Austin P. Keller Construction Co.	\$2,870.00

WHEREAS, it appears that Freirmuth San. is the lowest responsible bidder.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hastings,  
Minnesota;

That the City Administrator/Clerk is hereby authorized and directed to  
enter into a contract with Freiermuth Sanit. in the amount of \$2,070.00  
for the extension of the storm sewer in the vicinity of 15th Street and  
Hillside Street in accordance with the plans and specifications on file in  
the office of the City Engineer.

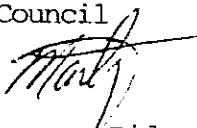
ADOPTED BY THE CITY COUNCIL OF THE CITY OF HASTINGS THIS 5TH DAY OF MAY  
1986.

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

ATTEST:

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

MEMO

TO: Mayor and City Council  
FROM: Marty McNamara   
SUBJECT: Diseased Tree Program Bid  
DATE: April 30, 1986

On Monday, April 28th, at 10:00 a.m., bids were opened for our diseased tree program. We received one bid, that being from Hoffman and McNamara Company for the amount of \$36,000.

ces

FORM OF PROPOSAL

TO THE CITY OF HASTINGS, MINNESOTA

The undersigned, being familiar with local conditions, having made all necessary field investigations and being familiar with all other factors affecting the conditions and cost for the project, hereby proposed to furnish all labor, material, equipment, tools, skills, and all else necessary to completely perform the responsibilities of:

DISEASED SHADE TREE REMOVAL

UNIT 1

Removal of 200 diseased shade trees - price per tree @ 24" diameter

Price per tree 180.00 X 200 trees = 36,000.00

The Bidder shall enter here the incremental increase/decrease in the amount per tree for each 2" deviation in diameter from the above standard 24" tree  $\pm$  (\$15.00) per 2" increment.

Total for Removal of 200 trees \$36,000.00

TOTAL FOR DISEASED SHADE TREE REMOVAL (UNIT 1) \$36,000.00

Contractor must be in accordance with and is responsible for knowledge of all provisions contained in the Specifications for the City of Hastings Diseased Shade Tree Removal, Hastings, Minnesota 1986.

Accompanying this bid is a (Bidder's Bond) (Certified Check) (Cash Deposit) in the amount of 5% (\$ \_\_\_\_\_) which is at least five percent (5%) of the amount of my bid made payable to the City of Hastings, Minnesota and the same is subject to forfeiture in the event of default on the part of the undersigned



or failure on the part of the undersigned to execute the prescribed contract.

It is understood that the City Council reserves the right to retain the deposits, check or bond on the three lowest bidders as determined by the City Council for a period not to exceed thirty (30) days after the date set for the openings of bids.

It is understood that no bids may be withdrawn after the start of the opening of bids.

The undersigned is familiar with the requirements of the Specifications for time of completion. It is understood that the City Council reserves the right to reject any and all bids, to waive irregularities and informalities therein, and to award the Contract in the best interests of the City.

The Contractor understands that the unit bid price remain the same, regardless of the number of trees to be removed and the number of tree removal lists given to the Contractor from time to time during the period of this Contract.

Signature of Bidder (Designate whether Individual, Partnership, or Corporation)

Dennis McNewman

President

Address of Bidder

201 Glenchile Rd  
Hastings, N.Y. 55033

Date: 4-20-86

VIAI

MEMO

Date: May 1, 1986

To: Mayor and City Council

From: Tom Harmening, City Planner

Re: Request for vacation of utility and drainage easement - Lots 7 & 8, Block 1, Olson's Addition -111 W. 25th Street - F. Liebeg, Clarence Olson, Hastings Construction.

In December of 1985 a building permit was issued for the construction of a single family home on lots 7 & 8, block 1 of Olson's Addition.

Recently, the title company for the lender found that a ten foot wide drainage and utility easement was located on the common lot line of Lots 7 & 8 which as it turns out, runs through the home now under construction on the property in question (see attached).

To alleviate this problem the property owners are requesting that the easement be vacated to clear up potential title problems.

It does not appear that the city or the utility companies are using the easement for any purpose nor is it anticipated, based on the development of the property, that the easement will be required in the future.

Recommendation:

The Planning Commission recommended that the easement be considered for vacation.

jt

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



---

# Hastings Construction Co.

April 3, 1986

Hastings City Council  
City Hall  
100 Sibley Street  
Hastings, Mn. 55033

Dear Council Members,

The following parties hereby request the City of Hastings to vacate the drainage and utility easements being 5 feet in width on either side of the common lot lines of Lots 7 and 8, Olson's Addition, City of Hastings (see attached Exhibit A regarding encroachment of house).

Clarence R. Olson, fee owner

*Clarence R. Olson*

Frederic A. Liebeg, contract purchaser

*Frederic A. Liebeg*

Marlys M. Liebeg, contract purchaser

*Marlys M. Liebeg*

Hastings Construction Co., Inc., contractor

*Donald W. Gustafson*

Fee Paid 4/7/86

CITY OF ...

1	2	3	4	5	6	7	8	9	10
11	12	13	14	15	16	17	18	19	20
21	22	23	24	25	26	27	28	29	30
31	32	33	34	35	36	37	38	39	40
41	42	43	44	45	46	47	48	49	50

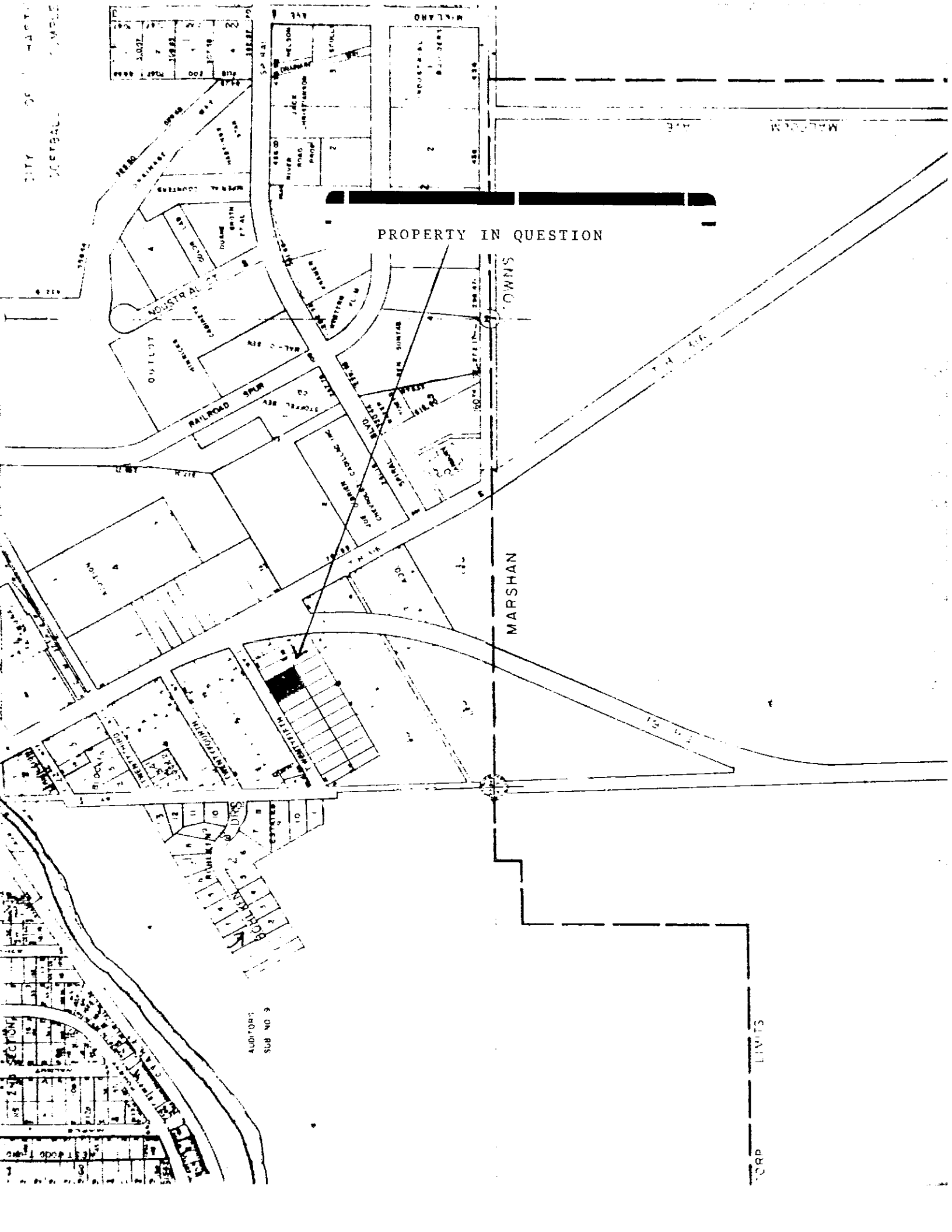
PROPERTY IN QUESTION

TOWN'S

MARSHAN

AUDITORS  
SUB NO 9

CORP  
LIMITS





PROJECT: Easement Vacant Lot 7+8, Block 1, Olsens Addition

Department	Reviewed		Date	Name	Comments
	Yes	No			
Fire	✓		4/21/86	J. Rosenbald	approved
Water	✓	4/	4/21/86	Amelia Ender	APPROVED
Building	✓	4/21/86		Melin	APPROVED
Planning	✓	4/21/86	4/21/86	T.H.	Approved
Engineering	✓	4/21/86	4/21/86	J.J. Bernhardt	approved
Parks	✓		4/21/86	Walter M. H.	

VIA 2

MEMO

Date: May 1, 1986

To: Mayor and Council

From: Tom Harmening, City Planner

Re: Second Reading - Proposed Zoning Ordinance Amendment -  
Rezoning from R-3 to R-1 - Bauer View 2nd Addition

Attached, for a second reading, is the above stated 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:

The Property described as Bauer View 2nd Addition is hereby rezoned  
from R-3 to R-1.

ADOPTED BY THE COUNCIL THIS                      DAY OF                      1986.

ATTEST:

---

Gary E. Brown, Administrator/Clerk

---

LuAnn Stoffel, Mayor



VIA3

MEMO

Date: May 1, 1986

To: Mayor and City Council

From: Tom Harmening, City Planner

Re: Second Reading - Ordinance amending Section 6.09 - vacation of streets, etc. -  
changing publication requirements for notice of hearings on vacation  
requests.

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

jt

ORDINANCE NO. \_\_\_\_\_-86, SECOND SERIES

AN ORDINANCE OF THE CITY OF HASTINGS AMENDING SECTION 6.09 SUBDIVISION 3 OF THE HASTINGS CITY CODE BY ESTABLISHING PUBLICATION REQUIREMENTS FOR PUBLIC HEARING NOTICES PERTAINING TO PROPOSED VACATIONS OF PUBLIC STREETS ALLEYS OR EASEMENTS.

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

Section 6.09, Subdivision 3 of the Hastings City Code is hereby amended to read as follows:

Subd. 3. The City Clerk shall give notice of such hearing by publication once at least ten (10) days in advance of such hearing, and by mail to the last known address of all of the owners of property on the line of such public grounds or streets proposed to be vacated at least ten days in advance of such hearing, such last known addresses to be obtained from the office of the County Auditor. Such notice shall in brief state the object of such hearing, the time, place and purpose thereof, and the fact that the Council, Board, Commission or person designated by them shall hear the testimony and examine the evidence of the parties interested.

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: May 1, 1986

To: Mayor and City Council

From: Tom Harmening, City Planner

Re: Final Plat - Williams First Addition - Mike Williams

Attached, for your review, is the proposed final plat for Williams First Addition. Upon review, it appears the final plat is consistent with the preliminary plat which was approved by the City in February of 1986. The final plat takes into consideration conditions which were required by the City as part of the preliminary plat approval.

Other items of interest pertaining to this matter includes:

- A. Property line dispute - The owner of the property located at the southeast corner of the Whispering Lane/140th St. intersection is claiming that the property corners as set by Williams surveyor are not correct at that particular location and that a discrepancy of 11 feet exists. The City Council should note that the city should not become involved in a property line dispute but rather allow the property owners to resolve the matter themselves.
- B. Environmental Assessment Worksheet - At the last City Council meeting the Council determined that an Environmental Impact Statement is not required to be prepared for this project if certain actions are implemented during project construction. These actions include the capping of an abandoned well on the project site and the preparation and implementation by the developer of an Erosion and Sedimentation Control Plan.
- C. Concerns for potential dust problems associated with the gravel portion of Whispering Lane.

Recommendation:

The Planning Commission recommended approval subject to a developers agreement being entered into to take into consideration, but not limited to, those items of concern which were brought forward during the rezoning and preliminary plat review including matters pertaining to the planned residential development proposal. The developers agreement should also include conditions pertaining to the following:

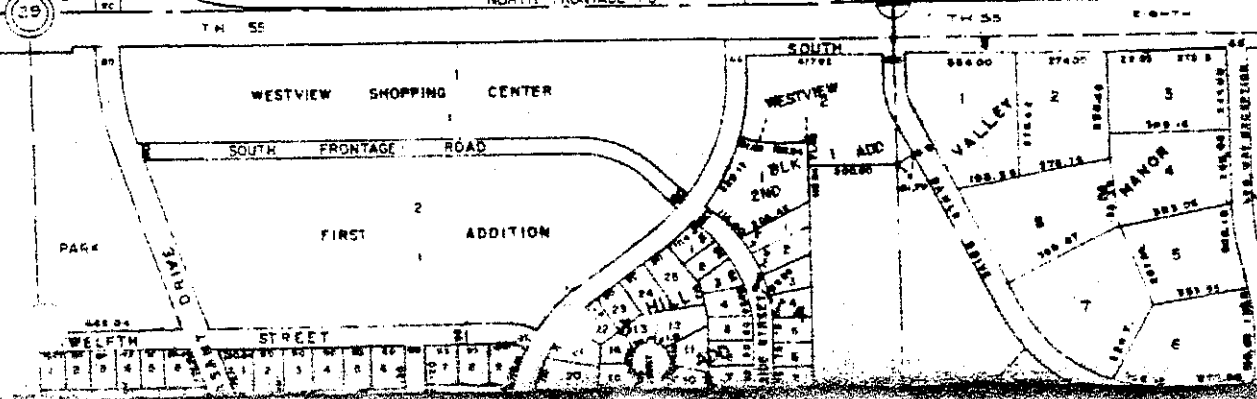
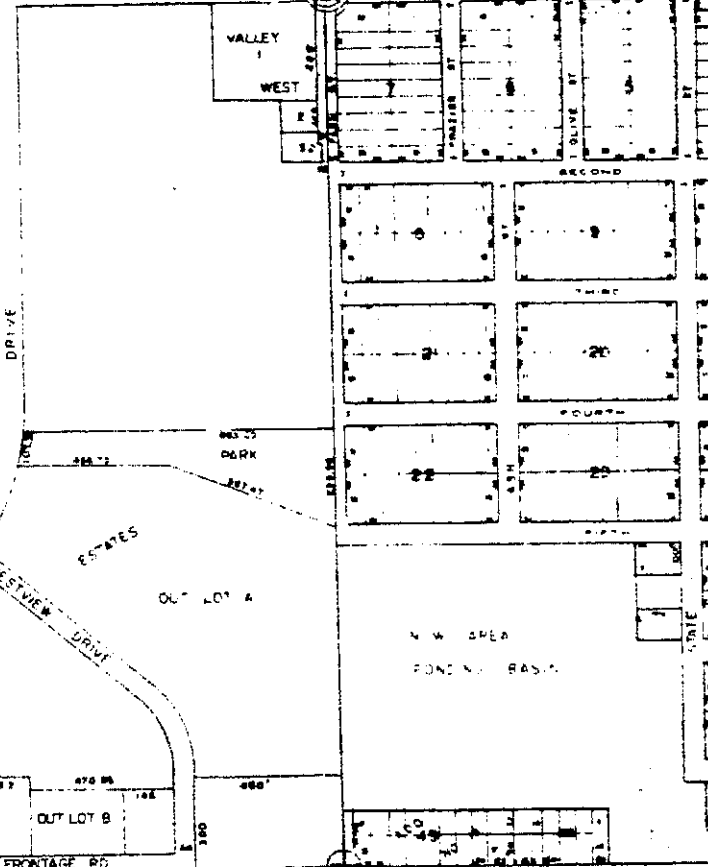
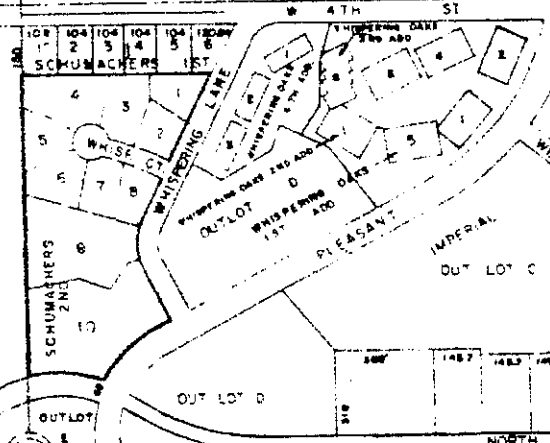
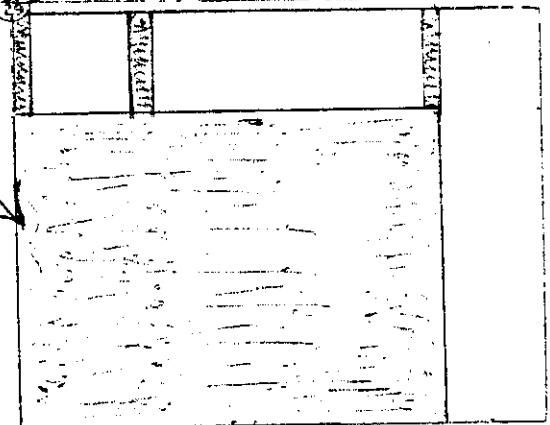
- A. That the abandoned well on the project site be properly capped and/or filled pursuant to local and state laws.
- B. That the developer submit to the city for approval and implement an Erosion and Sedimentation Control Plan for the proposed project.
- C. That a barricade(s) be placed on the gravel portion of Whispering Lane to discourage everyday traffic and associated potential dust problems.

PROPERTY IN QUESTION

CORP LIMITS

REGINA MEMORIAL HOSPITAL

VALLEY WEST

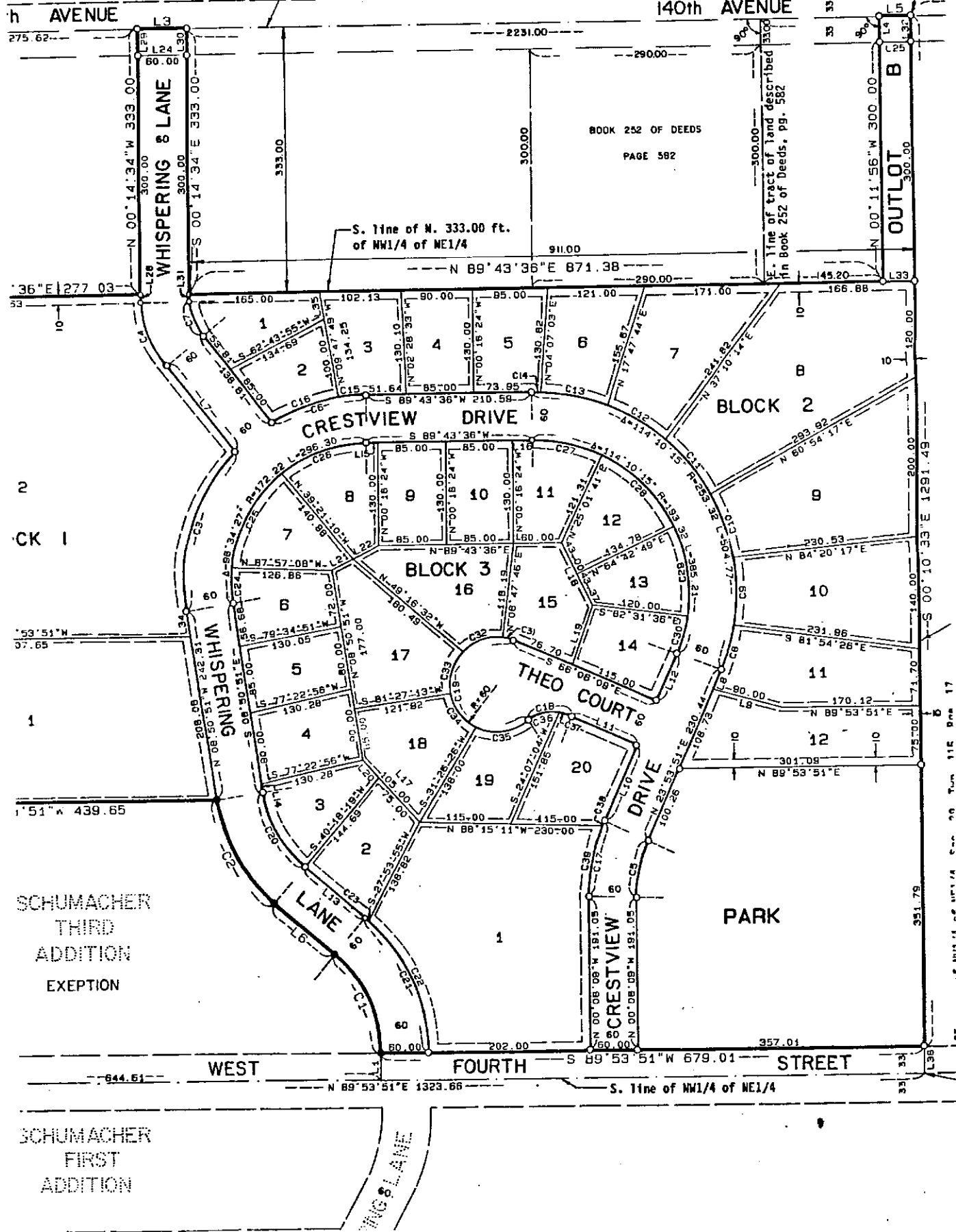


1410 STREET

1/4, Sec. 29, Twp. 115, Rge. 17  
on Monument Found In Place.)

NE. cor., Sec. 29,  
(Dakota County East

NE. cor. of NW1/4 of NE1/4, Sec. 29, Twp. 115, Rge. 17



MEMO

Date: May 1, 1986

To: Mayor and Council

From: Tom Harmening, City Planner

Re: Third Reading - Proposed Zoning Ordinance Amendment -  
Rezoning from Ag to R-3 PRD - Williams First Add.

Attached, for a third reading, is the above stated 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:

The Property described as Williams First Addition is hereby rezoned from Ag to R3 PRD.

ADOPTED BY THE COUNCIL THIS                      DAY OF                      1986

ATTEST:

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

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

MEMO

Date: May 1, 1986

To: Mayor and City Council

From: Tom Harmening, City Planner

Re: Site Plan - Shepherd of The Valley Lutheran Church, 4th & Whispering Lane  
(Lot 1, Block 1, Schumachers 3rd Addition)

Pursuant to Section 10.24 of the Hastings City Code the Shepherd of the Valley Lutheran Church is requesting site plan approval for the construction of a church on the above stated property. Items of information on this matter are outlined below:

- A. Location of Property: Intersection of West 4th Street and Whispering Lane.
- B. Present Zoning: R-1; Churches are permitted uses in R-1 zones; approval for the zoning and plat were given in the fall of 1985. During the rezoning and platting process it was noted that the property was to be used for a church.
- C. Attachments: The first site plan attachment illustrates the location of the proposed structure, parking lot, grading, etc. The second attachment illustrates a landscaping plan. The third attachment gives a perspective of what the building will look like and its floor plan.
- D. Parking requirements: The estimated seating capacity of the worship area, not including the chancel, is approximately 240 seats. The required parking for 240 seats is 69 spaces (1 space per each 3.5 seats). The proposed parking area will accomodate 70 parking spaces.

It should be noted that it is proposed that the parking area and access drives be blacktopped with concrete curbs on the perimeter.

Upon looking at the landscape plan it appears that the parking is sufficiently screened from neighboring properties with the possible exception of the spaces which face 4th Street located to the south of the building. These spaces should be screened more effectively than what is now proposed.

It should be noted that the access drive off of 4th Street has been encouraged by city staff to serve as the primary entrance and exit point to and from the property. Therefore, the access off of 4th Street should be widened to 28 feet to 30 feet to provide for better traffic movement.

- E. Fire Safety Concerns: As you will note in the staff sign-off sheet the fire department indicated that a hydrant should be extended from 4th St. up to the church building. Since that time it has been determined that a hydrant is located along 4th Street (near their proposed entrance) which would appear to be sufficiently placed such that it satisfies the Fire Marshalls concerns. Although not now required it is still recommended



that a water line be extended from 4th Street and a hydrant placed in the vicinity of the church.

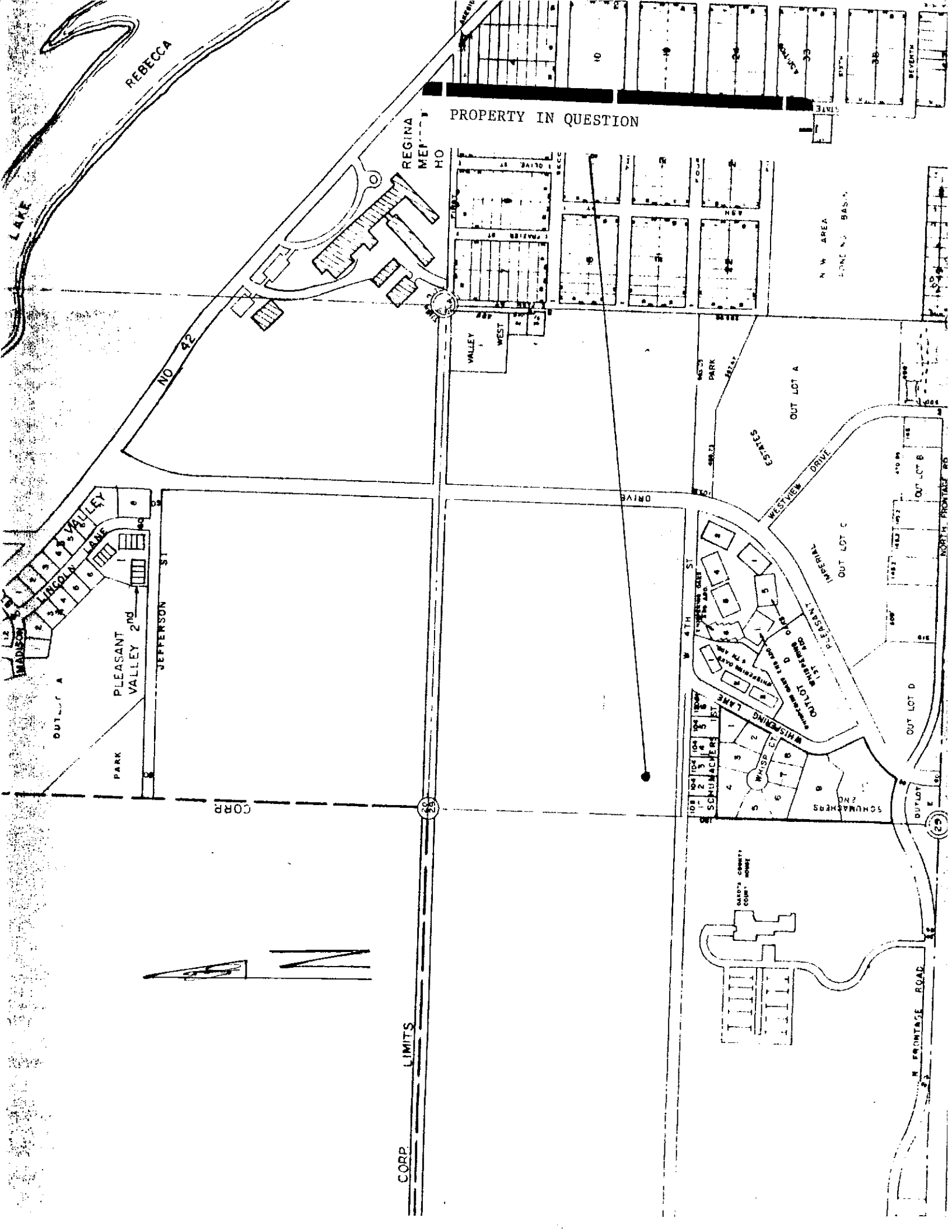
- F. Grading Plan : Generally appears acceptable although the applicant should provide for erosion control measures during construction and grading on the property. Applicant should note that the Whispering Lane access lane is fairly sharp in grade and may require extra care during winter months.
- G. Height of building: When excluding the cupola (which is permitted by the ordinance) which is located on the western side of the building, the structure does not exceed the 25 foot height limitation as outlined in the zoning ordinance (when measured at the entry level grade).
- H. Landscaping plan: Appears acceptable except for the screening issue which was outlined earlier.

Recommendation:

The Planning Commission recommended approval of the site and building plan proposal subject to the following conditions:

- A. That the development of the property in question is to be completed as illustrated on the site and grading plan/landscaping plan dated April 21, 1986.
- B. That more extensive screening be provided along the parking spaces facing 4th Street which are located on the south side of the church.
- C. Assuming the estimated location of the hydrant along 4th Street is correct it is recommended that the applicant consider extending a watermain northerly into the property and placing a fire hydrant adjacent to the church.
- D. The applicant is to provide erosion and sedimentation control measures (straw or hay bale checks and dams) during the period of construction and grading on the property.
- E. That the access drive off of 4th Street be widened to 28 feet or 30 feet. Access drives may require extra care during winter months.
- F. Additional off street parking facilities to be provided, as applicable, if seating is expanded in excess of 240 seats within the worship area or the building is expanded.

jt



LAND USE APPLICATION

CITY OF HASTINGS

Address of Property Involved 1450 West 4th Street

Legal Description of Property Involved Lot 1 Block 1 Williams 1st Add.

Applicant: Name Shepherd of the Valley L.C.

Address 1117 Lyn Way

Hastings, Minn. 55033

Telephone 1-612-437-8853

**Official Use Only**

Date Rec'd \_\_\_\_\_

Case No. #413

Fee Paid \_\_\_\_\_

Rec'd by \_\_\_\_\_

Owner: (If different from Applicant)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Request:

Zone: \_\_\_\_\_

Special Use: \_\_\_\_\_

Site Plan Review X

Subdivision: \_\_\_\_\_

Variance: \_\_\_\_\_

Other: \_\_\_\_\_

Present Zone: Residential

Applicable Ordinance No. \_\_\_\_\_ Section: 10.24 (5.14.)

Description of Request \_\_\_\_\_

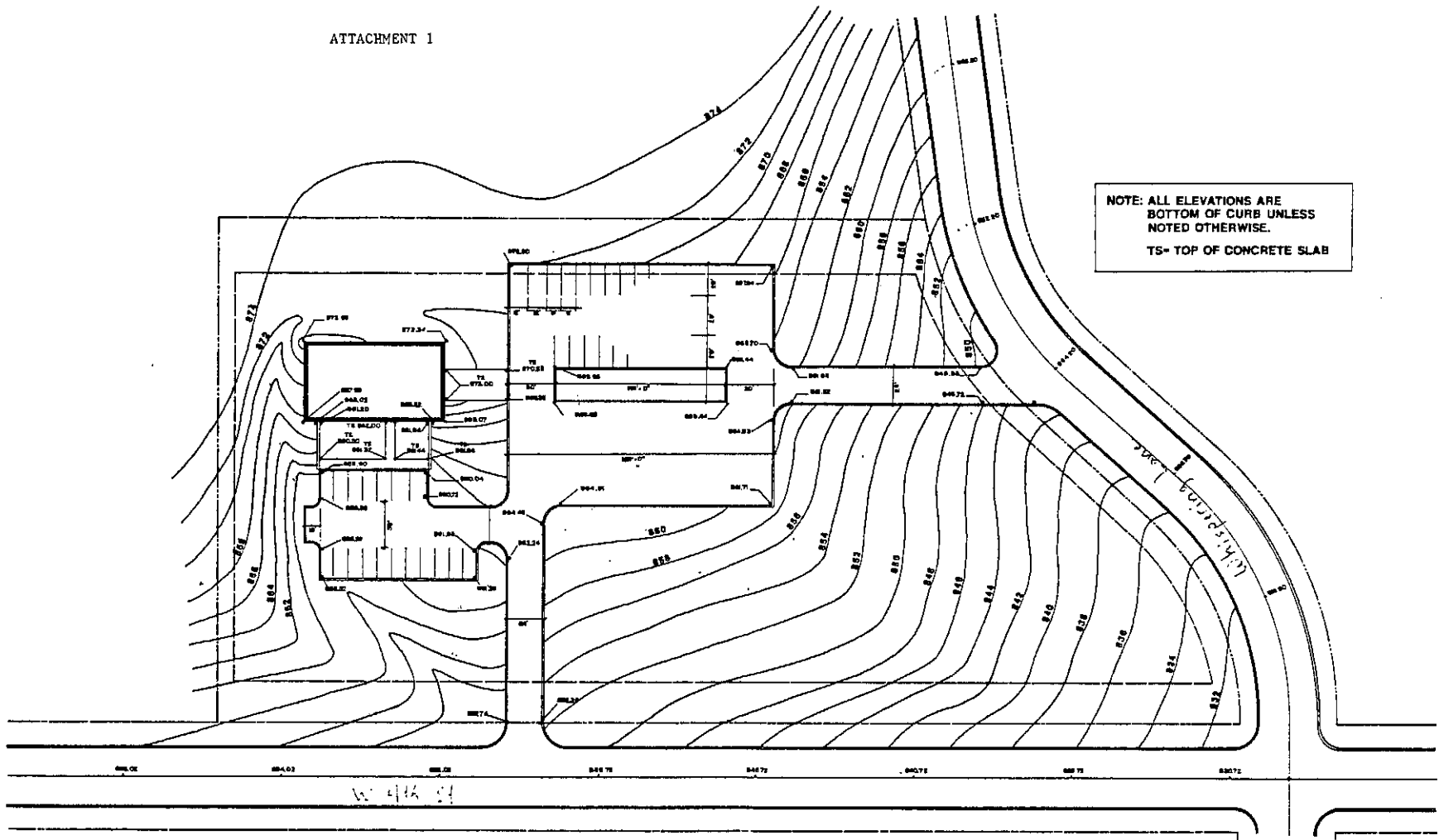
Planning Commission

Approved	Denied	Date
<input checked="" type="checkbox"/>	<input type="checkbox"/>	4/20/96
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Robert S. Mundell, Pastor

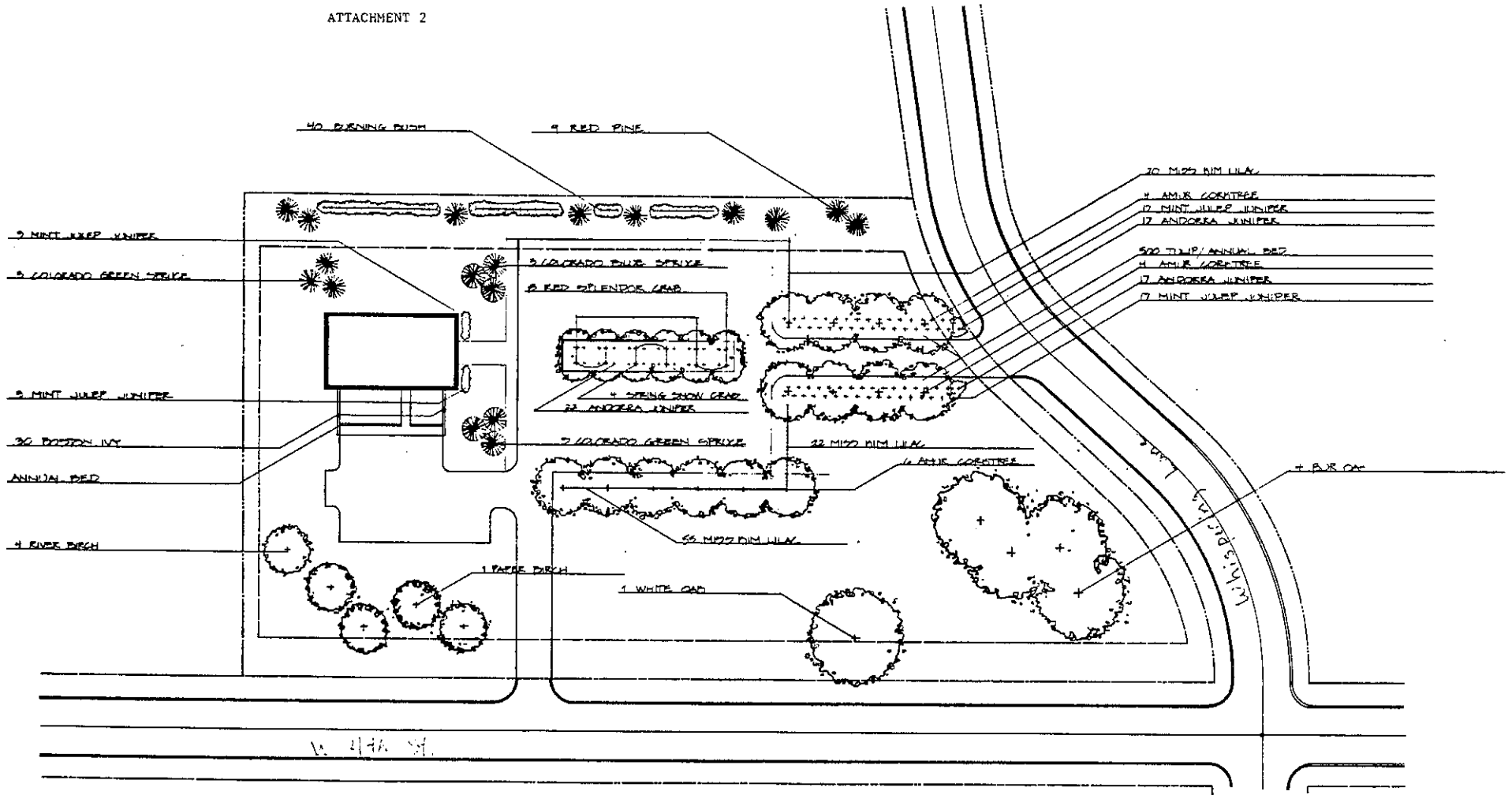
Signature of Applicant

ATTACHMENT 1



**SHEPHERD OF THE VALLEY  
LUTHERAN CHURCH**  
HASTINGS, MINNESOTA

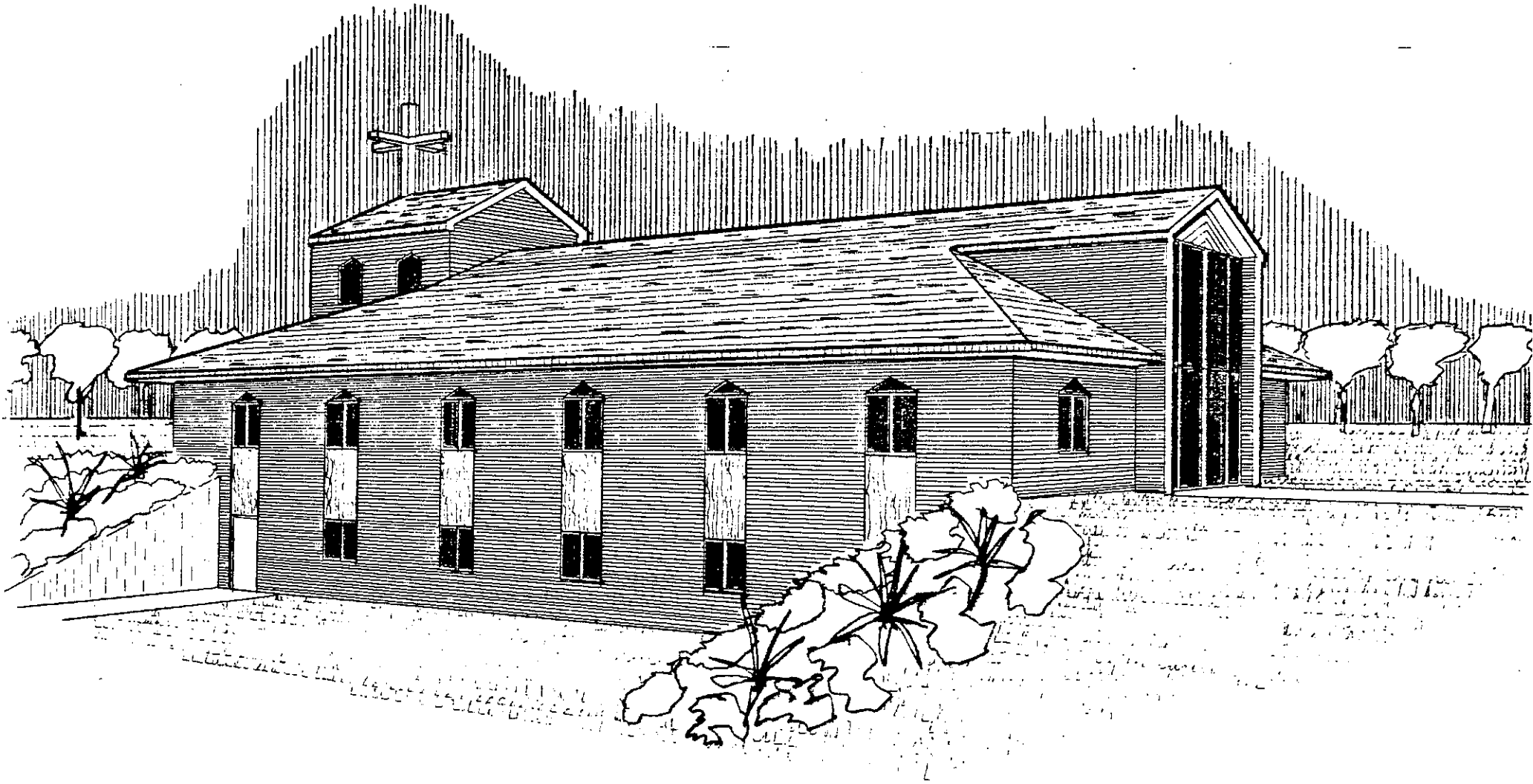
**Sessing - Architects**  
21 P. H. HASTINGS



**SHEPHERD OF THE VALLEY  
LUTHERAN CHURCH**  
HASTINGS, MINNESOTA

**Sessing Architects**  
 S. P. S. A.

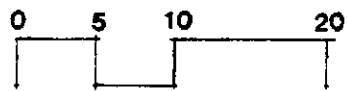
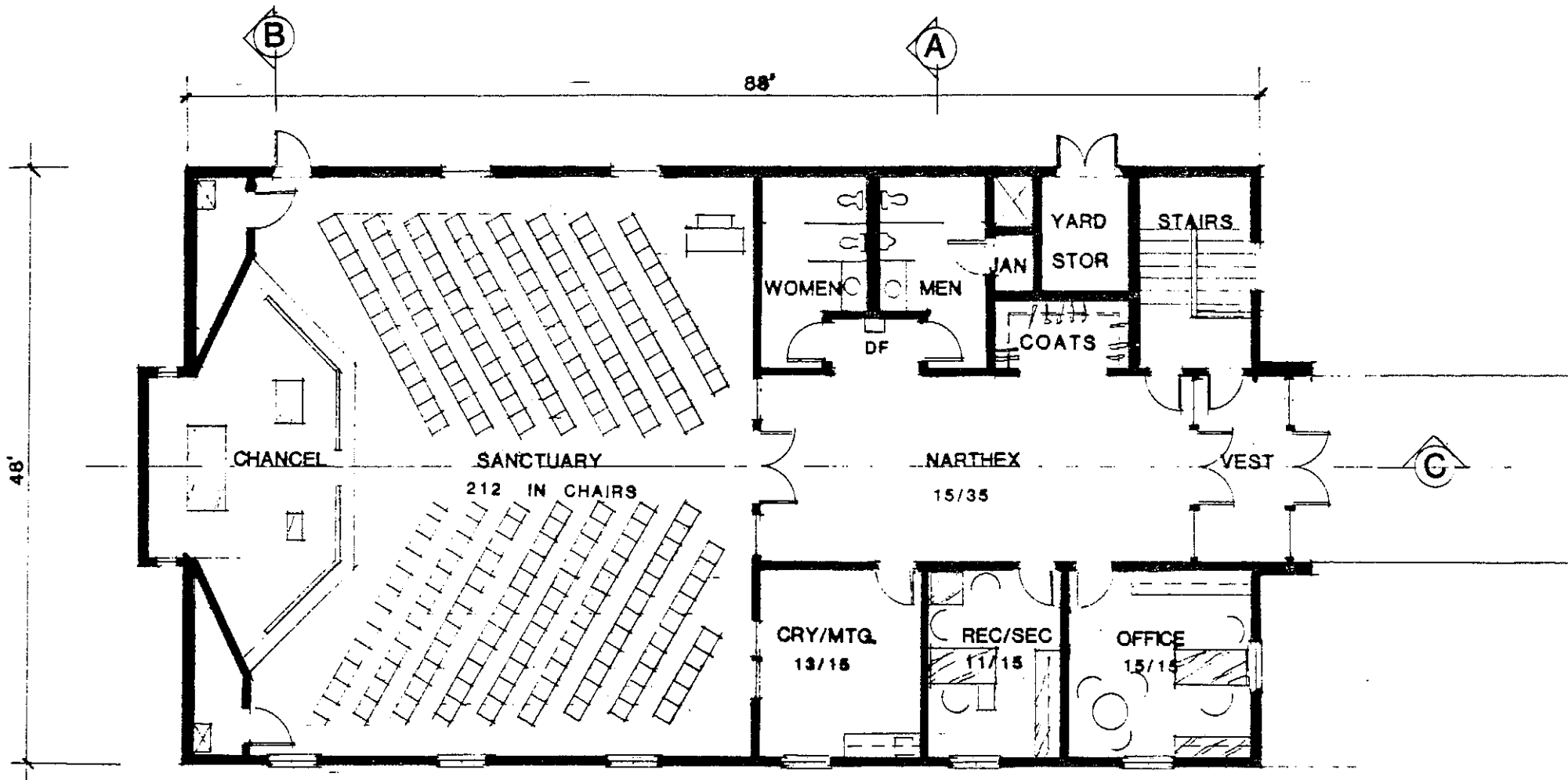
4.21.86



Sessing Architects, Inc. • Hamm Bldg. Suite 424 • 408 S. Tyler St. St. Paul, MN 55102 • (612) 229-1129

**SHEPHERD OF THE VALLEY  
LUTHERAN CHURCH  
HASTINGS, MINNESOTA**

4.21.86

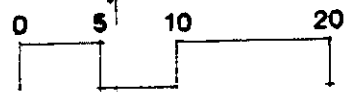
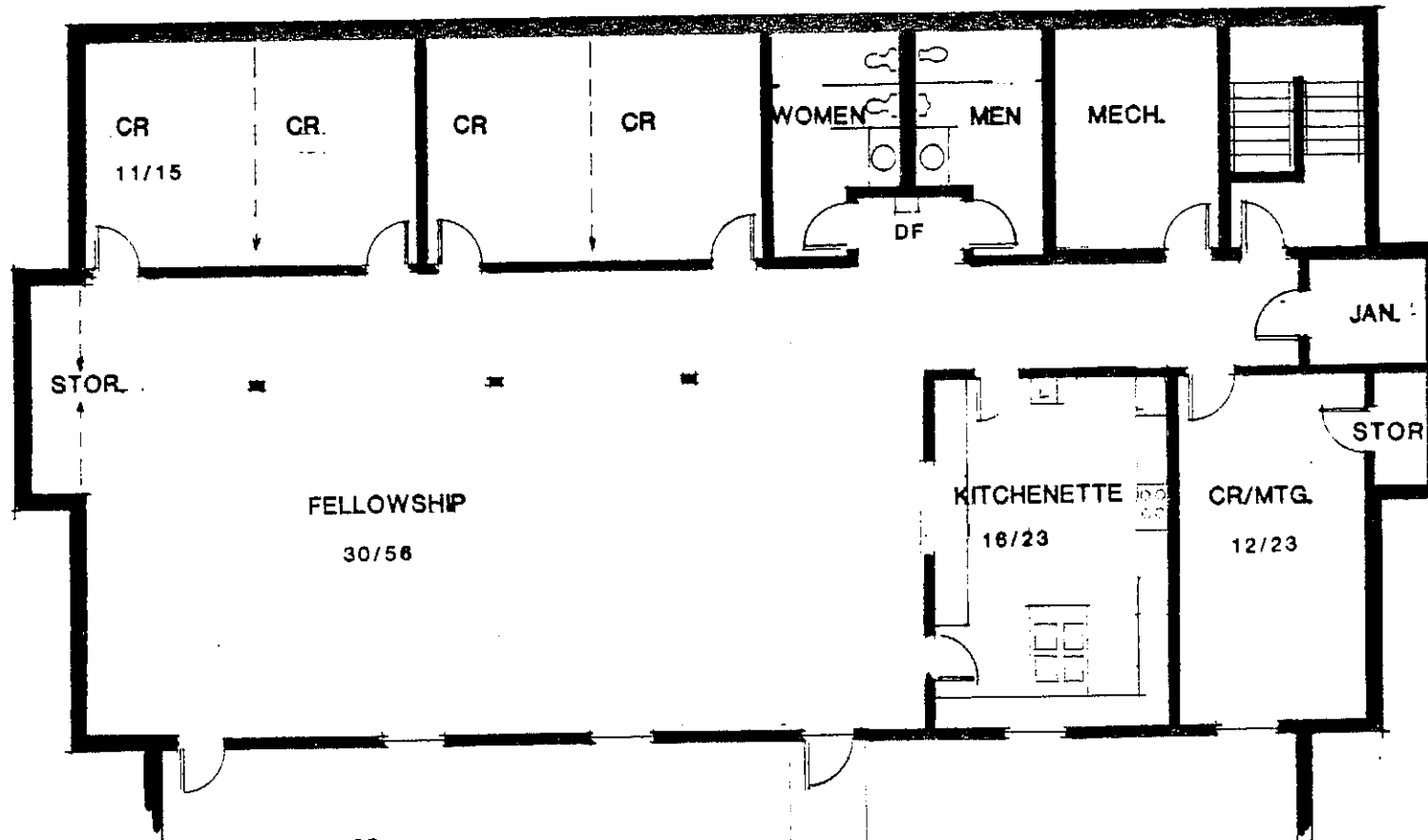


**MAIN LEVEL**  
**SHEPHERD OF THE VALLEY**  
**LUTHERAN CHURCH**  
**HASTINGS, MINNESOTA**

4.21.86



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**LOWER LEVEL**  
**SHEPHERD OF THE VALLEY**  
**LUTHERAN CHURCH**  
**HASTINGS, MINNESOTA**



Sessing Architects, Inc. • Hamm Bldg. • Suite 424 • 408 St. Peter St. • St. Paul, MN 55102 • 651.224.4225

4.21.86



PROJECT: Shepard of the Valley Lutheran Church - Site Plan

4th & Whispering Lane

Department	Reviewed		Date	Name	Comments
	Yes	No			
Fire	✓		4/21/86	J. Randall	Require additional hydrant on site as per Ⓢ on print.
Water	✓		4/21/86	Arnold Ender	APPROVED
Building	✓		4/22/86	M. Merino	APPROVED SUBJECT TO SUBMISSION OF COMPLETE CONSTRUCTION BLUEPRINTS AND FINAL REVIEW OF SAME FOR TOTAL CODE COMPLIANCE
Planning	✓		4/23	T. H.	Approved with conditions as per memo.
Engineering	✓		4/23/86		Provide erosion control structures and plans to control erosion
Parks	✓		4/21/86	<del>Mark Miller</del>	N/A

VIA6

MEMO

Date: May 1, 1986

To: Mayor and City Council

From: Tom Harmening, City Planner

Re: Minor Subdivision - Lot 3 & 4, Block 120, Original Plat - Al Sieben

Mr. Sieben is requesting that the City approve a Minor Subdivision to permit a jog in the common lot line of Lots 3 & 4 to take into consideration an existing garage which straddles the existing common lot line.

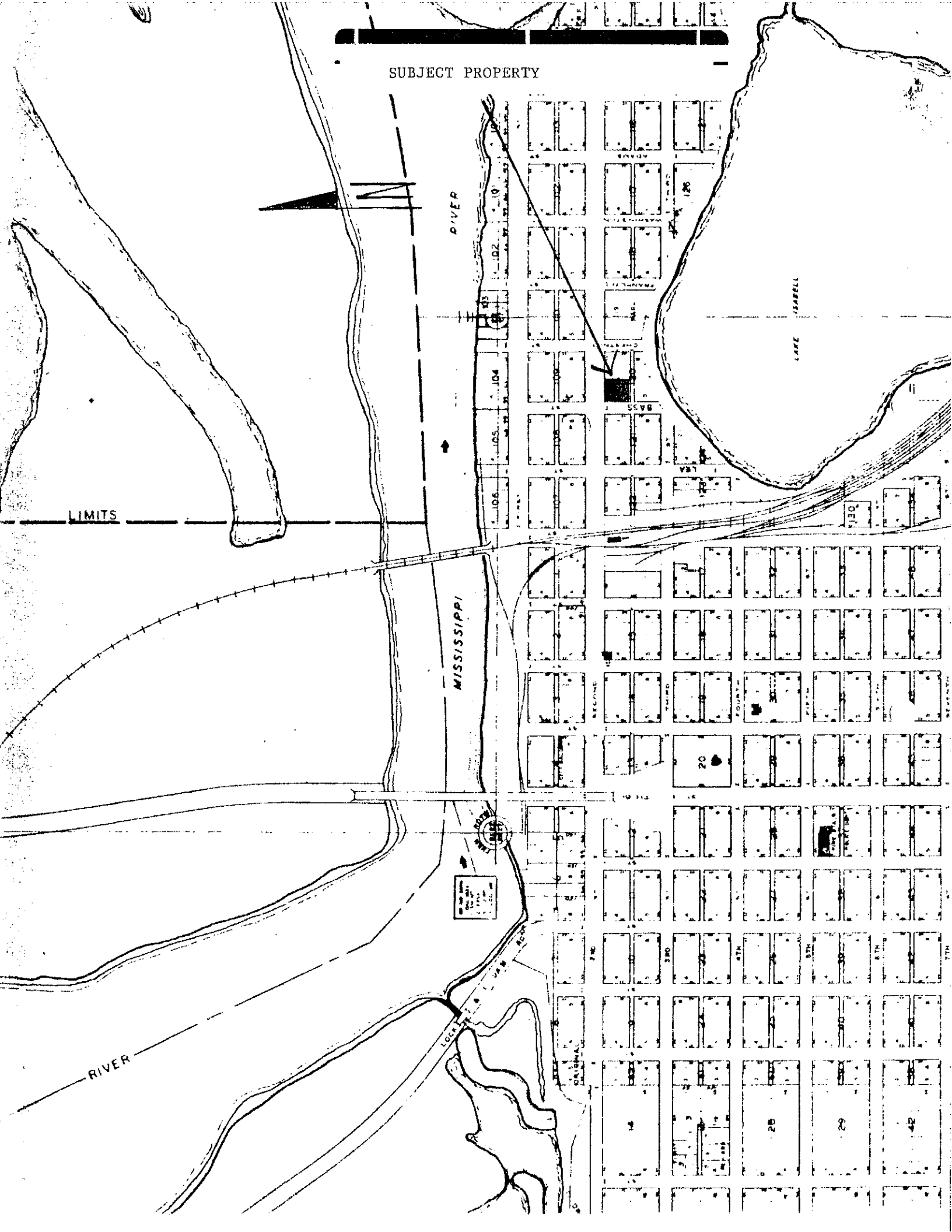
The property in question is located at the southeast corner of east Second Street and Bass Street.

Recommendation:

As each parcel will continue to comply with zoning requirements the Planning Commission recommended approval of the requested minor subdivision subject to, if necessary, the completion of a Declaration of Minor Subdivision.

jt

SUBJECT PROPERTY



MISSISSIPPI RIVER

LAKE HABELL

LIMITS

MISSISSIPPI

RIVER

LOCK 10

LOCK 11

MISSISSIPPI RIVER

2ND

3RD

4TH

5TH

6TH

7TH

8TH

9TH

10TH

11TH

12TH

13TH

14TH

15TH

16TH

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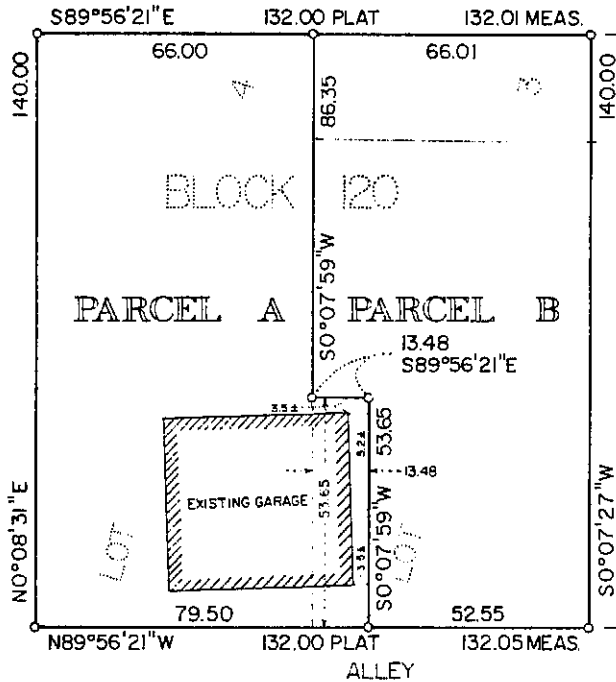
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356

358

EAST SECOND STREET

BASS STREET



BEARING SYSTEM IS ASSUMED

o DENOTES 1/2" IRON PIPE SET, MARKED BY R.L.S. 9294.

PARCEL A

Lot 4 and the South 53.65 feet of the West 13.48 feet of Lot 3, Block 120, TOWN OF HASTINGS, on file and of record in the office of the County Recorder, Dakota County, Minnesota. Containing 9965 square feet.

PARCEL B

Lot 3, Block 120, TOWN OF HASTINGS, on file and of record in the office of the County Recorder, Dakota County, Minnesota, except the South 53.65 feet of the West 13.48 feet thereof. Containing 8519 square feet.

DWYER & ASSOCIATES, INC.

Land Surveyors

875 Spiral Boulevard

Hastings, Minnesota 55033

Bus (612) 437-2909 Res (612) 435-5417



I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

*John J. Dwyer*  
Date 3/26/86 Reg No 9294

BOUNDARY SURVEY

SCALE: 1" = 30'	APPROVED BY:	DRAWN BY C.F.G.
DATE: 3-26-86		REVISED
FOR: AL SIEBEN		
HASTINGS, MINNESOTA.		DRAWING NUMBER 86-012

PROJECT: Minor Subdivision Lots 3+4, Blk 120, Original Plat  
 Al Sieben

Department	Reviewed		Date	Name	Comments
	Yes	No			
Fire	✓		4/21/86	J. Rosenthal	approved
Water	✓	4/21/86	4/21/86	James E. Enclis	APPROVED
Building	✓		4/21/86	M. Miller	approved
Planning	✓		4/21	Don A.	Approval
Engineering	✓		4/22/86	JJ Kleinwachter	Approved
Parks	✓		4/21/86	Marky MSA	n/a

## MEMO

Date: May 1, 1986

To: Mayor and City Council

From: Tom Harmening, City Planner

Re: 86-2 Variance Request - Hastings Construction - Jon Speakes, 1616 Todd Court (Lot 1, Block 3, Sontag's 2nd Addition; located at the intersection of Todd Court and Todd Way)

Hastings Construction, the builder and current owner of the property in question, and Jon Speakes, the prospective home owner, are requesting a two foot corner sideyard setback variance to Section 10.23 of the zoning ordinance so that a single family home may be constructed on the lot in question. A summary of the request and related items are outlined below:

1. Current Zoning - R-1
2. Setback Requirements - Front- 25 feet; rear-35 feet; interior side setback-10 feet except that interior sideyard setbacks may be seven feet where there is an attached garage or attached garage with adjoining living space; corner lot side setback - 15 feet.
3. Purpose of larger corner side setback requirement - The primary purpose for the larger corner side setback requirement versus interior side setback requirements (15 feet versus 10 feet or 7 feet), which it should be noted is very common in most zoning ordinances, is to insure, among other things, that proper site lines are available at street intersections.
4. Requirements for the granting of variances - the citys code states that variances should only be granted if the applicant can demonstrate that:
  - A. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures, or buildings in the same district.
  - B. Literal interpretation of the city code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the zoning ordinance;
  - C. That the special conditions and circumstances do not result from the actions of this applicant;
  - D. That granting the variance requested will not confer on the applicant any special privelege that is denied by the zoning ordinance to other lands, structures, or buildings in the same district. No non conforming use of neighboring lands, structures, or buildings in the same district, and no permitted or non conforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

5. Arguments presented by the applicants - (see attachment) Staffs interpretation is that the applicants are claiming a hardship based on the fact that the proposed homeowner is a handicapped person and at various times is confined to a wheelchair. Because of the handicapped status of the homeowner it is claimed that the type of house proposed to be built will be constructed in a fashion which would accomodate a person in a wheelchair (one level with basement, wider garage, etc.). Because of these unique circumstances the home is generally larger in size which subsequently causes problems in trying to fit the home onto the lot.

6. General Comments -

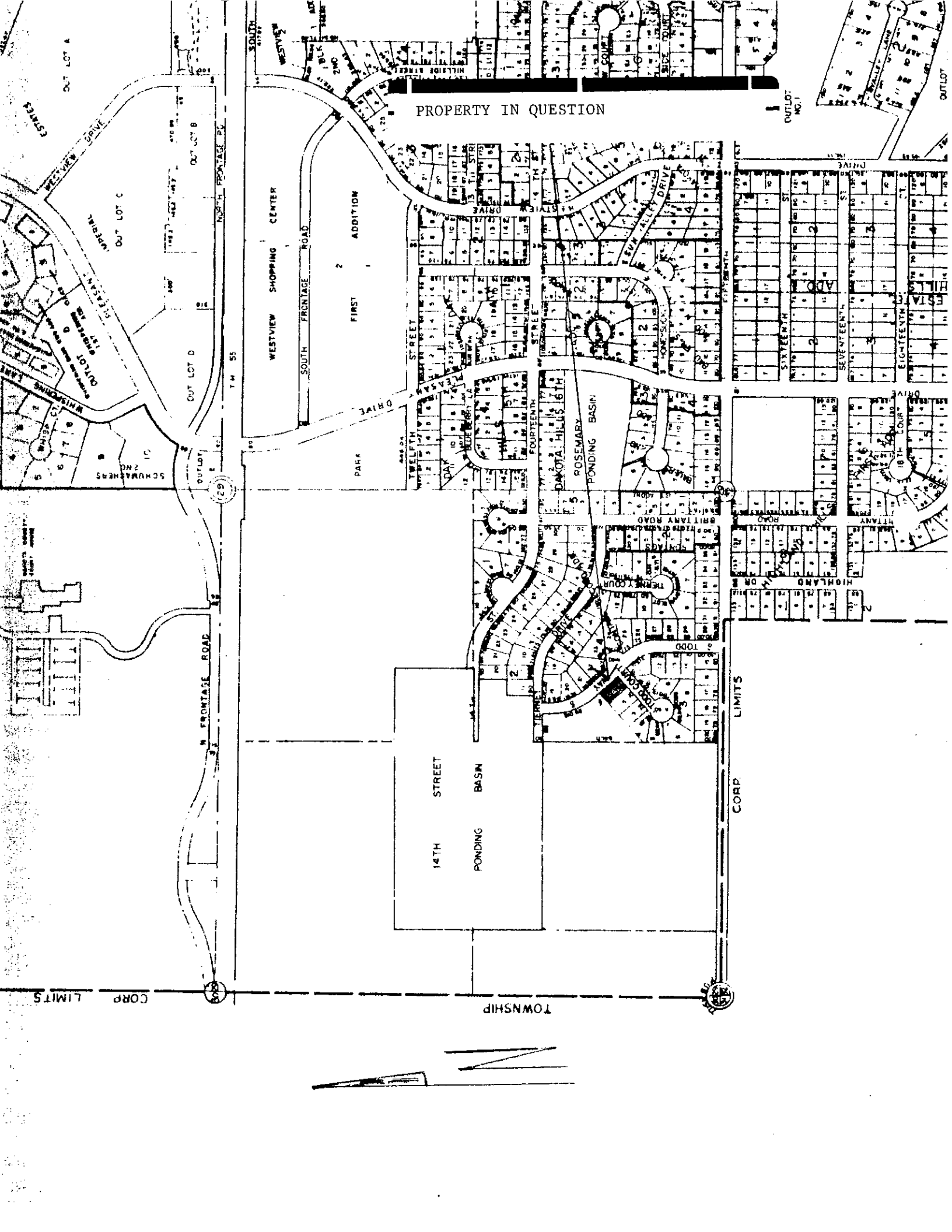
- A. the proposed home owner does not yet own the lot in question.
- B. It would appear the the proposed home could fit on an interior lot 82' x 120' in size and still meet all applicable setback requirements. Lots of this size are available in the City of Hastings.

7. Recommendation -

Based on the information provided by the applicants and based on the criteria for the granting of variances, the Planning Commission recommended that the variance request be denied due to the following reasons (criteria which should be met for the granting of variances):

- A. That special conditions and circumstances do not exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures, or buildings in the same district.
- B. That literal interpretation of the City Code would not deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the Zoning Ordinance.
- C. That the special conditions and circumstances result from the actions of the applicant.
- D. That granting the variance will confer on the applicant special privileges that are denied by the Zoning Ordinance to other lands, structures, or buildings in the same district.

jt





LAND USE APPLICATION

CITY OF HASTINGS

Address of Property Involved 1616 Todd Court

Legal Description of Property Involved Lot 1, Blk 3, Sontag's 2nd <sup>T.H.</sup>

Applicant:  
Name Hastings Construction Co.  
Address 1304 Vermillion St.  
Hastings MN 55033  
Telephone 437-3010

Official Use Only	
Date Rec'd	<u>4/22/86</u>
Case No.	<u>610</u>
Fee Paid	<u>\$30 - 4/24/86</u>
Rec'd by	<u>T.H.</u>

Owner: (If different from Applicant)  
Name: Jon Speakes  
Address: Hastings MN  
Telephone: \_\_\_\_\_

Request:  
Zone: R-1 ~~R-1~~ Special Use: \_\_\_\_\_  
Site Plan Review \_\_\_\_\_ Subdivision: \_\_\_\_\_  
Variance: X - see attached Other: \_\_\_\_\_  
(T.H.) site plan  
Present Zone: R-1

Applicable Ordinance No. \_\_\_\_\_ Section: 10.23 <sup>(T.H.)</sup>

Description of Request The reasons for the variance request  
are as follows: The gentleman who is  
proposing to buy the home to be built is  
handicapped and spends time in a wheelchair (over)

Planning Commission	Approved	Denied	Date

Cory J. Smith  
Signature of Applicant

which necessitates the following changes to the home, which would be a 1-level structure:

1. The mudroom and  $\frac{1}{2}$  bath extend further into the garage than normal in order to obtain access to the bathroom while in a wheelchair.
2. The garage is wider than average in order to have easier access in + out of cars.

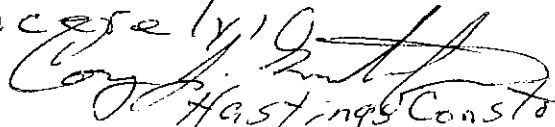
Therefore, the home actually would exceed the side yard setback requirement of 15 ft. by approx. 2 ft. in the front and tapering off in the back.

The lot is level which makes for easier yard maintenance by the handicapped person. There are currently no other lots available to this person that meets the above requirements.

There can be no homes behind this house as I believe that land is dedicated as a park.

Todd Way is not a heavily traveled street and is used mostly by the residents living there.

Hastings Construction Co. is not in the habit of asking for variances, however in this case, we feel in order to provide the necessities asked for by the buyer for his comfort, that this request be given careful consideration and approval. Thank you for your time.

Sincerely,  
  
Coy Hastings Construction Co.

PROJECT: Variance Request 1616 Todd Court  
 Hastings Const. / Gon Speakes

Department	Reviewed		Date	Name	Comments
	Yes	No			
Fire	✓		4/30/86	[Signature]	approved
Water	✓		4/28/86	[Signature]	N/A
Building	✓		4/28/86	[Signature]	APPROVED PER BLDG CODE
Planning	✓		4/25/86	T.H.	Not approved unless Hardship & other variance criteria is met
Engineering	✓		5/1/86	[Signature]	approved
Parks	✓		4/30/86	[Signature]	N/A

MEMO

Date: May 1, 1986

To: Mayor and City Council

From: Tom Harmening, City Planner

Re: Request for Variance to Hastings Flood Plain Ordinance

Recently, the city received a request by Ron Shandley for approval of a five acre subdivision of property which is located on the north side of the Vermillion River located east of the east Fourth Street Bridge. (see attached map).

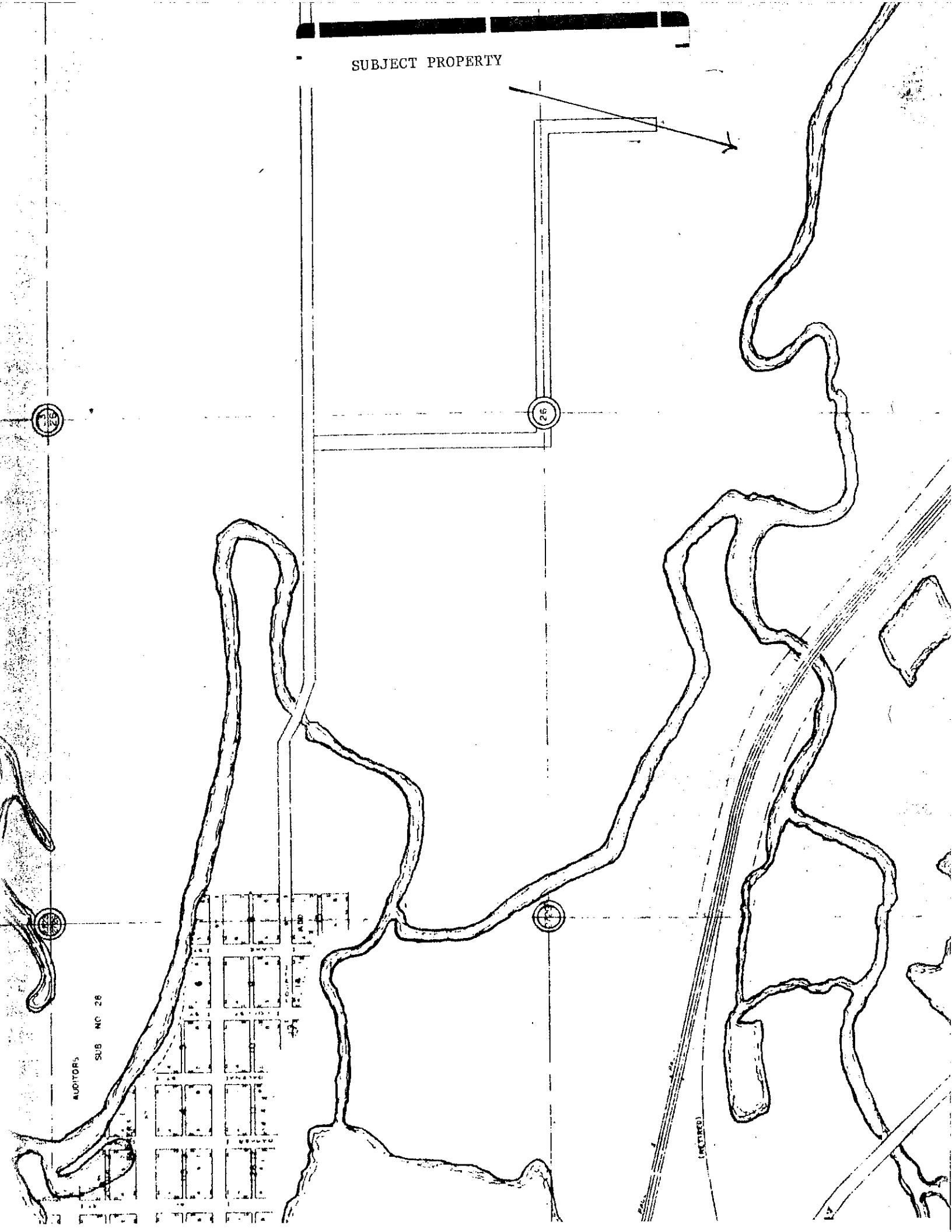
As the Council knows, the east Fourth Street bridge and part of 4th Street further to the east experiences flooding during high water levels in the spring and, during this year for example, is impassable with normal vehicles.

The City's Flood Plain Ordinance states that "all subdivisions shall have water and sewage disposal facilities that comply with the provisions of this ordinance and shall have road access to both the subdivision and to the individual building sites no lower than two feet below the regulatory flood protection elevation" (this is the one hundred year flood elevation). One obvious reason for this requirement is to insure that proper accessibility is available to the property owners themselves as well as accessibility for emergency vehicles and other public services. Even with the proposed replacement of the east 4th St. bridge road access elevations on the bridge would still appear to be approximately 4.5 feet below that permitted by the flood plain ordinance. Therefore, the subdivision request cannot be approved as it now stands. The Planning Commission has tabled action on the subdivision request.

As a method of attempting to circumvent the requirement in the flood plain ordinance, the applicant is requesting a variance which is a process provided for in the flood plain ordinance. As with other variance situations the applicant is required to meet the standard criteria for the granting of variances. The DNR is also involved with the review of the variance request and will make comment.

The Planning Commission has scheduled a public hearing for this matter (to be held 5/12/86). As with other variances the City Council, acting as the board of adjustment and appeals, is a body which makes the final decision on the request. Based on the language contained within the flood plain ordinance it would appear appropriate that the City Council schedule a public hearing on this matter as well. Therefore, if the City Council deems it proper it is proposed that the Council order that a public hearing be scheduled for the Shandley variance request to be held May 19, 1986.

SUBJECT PROPERTY



AUDITORS  
SUB NO 26

(ENCLOSURE)

## PERSONNEL POLICY

Section 1. Purpose

~~It shall be the purpose of this resolution to insure uniform and equitable personnel policy and administration for employees of the City of Hastings.~~ The purpose of this personnel policy is to provide a uniform, comprehensive and efficient system of personnel administration for the City of Hastings. This policy has been written with the realization that the strength and future growth of the City depends directly upon the individual contribution made by every employee. This policy further recognizes that high productivity and efficiency result from individual job satisfaction. All non-union employees shall be considered EMPLOYEES AT WILL. Either the employee or employer may terminate the employment relationship at any time and for any reason not expressly prohibited by law. The terms of this personnel policy do not create a contract of employment. The terms herein may be changed at the discretion of the City Council at any time.

Section 2. Scope of Resolution

This Resolution personnel policy shall apply to all employees of the City, except the following:

- a) All elected officials.
- b) City Administrator and City Attorney.
- c) Members of boards and commissions.
- d) Consultants and others rendering temporary professional services.
- e) Volunteer firefighters.
- f) Volunteer personnel and personnel appointed to serve without pay.

~~These regulations~~ The provisions of this personnel policy supercede all previous regulations policies applying relating to personnel matters.

~~These regulations~~ This personnel policy may be modified by written employment contracts between the City and recognized collective bargaining units.

~~These regulations may be modified if they conflict with Minnesota Statutes, Chapter 419 or the rules of the City Policy Civil Service Commission.~~ In the event any provisions of this personnel policy shall conflict with state or Civil Service Commission, the conflicting provision shall be superceded by the applicable state or Civil Service Commission. All other provisions not in conflict with state or federal law shall remain in effect.

Section 3. Administration

The City Administrator is authorized and directed to administer ~~these rules and regulations~~ the provisions of this policy. He may issue administrative directives and instructions, not inconsistent with ~~these rules and regulations~~ this policy, as which are necessary to explain and clarify its the provisions. ~~thereof, and to facilitate their use.~~

Section 4. Definitions

- a) "Benefits" means vacation, paid holidays, and any other benefits approved by the City Council.
- b) "Classification plan" means an orderly plan under which positions, on the basis of duties and responsibilities, are grouped into classes, each class designated by a descriptive title and defined by a class specification.
- c) C.O.L.A.: 'Cost of living adjustment' as determined by Hastings City Council on an annual basis.
- d) Department Head: That non-union employee that is given the responsibilities of the entire operation of the department and answers directly to the City Administrator.

e) "Employee" means a person legally holding a position in the City-Service. employed by the City.

1. "Permanent Regular full-time employee" means one who has successfully completed the required 6 month probationary review period and who is employed on a full-time basis, which consists of at least 2,080 work hours in a year.
2. "Permanent Regular part-time employee" means one who has successfully completed the required probationary period review period and is employed on a schedule of less than 40 hours a week, but a minimum of 20 hours per week.
3. "Probationary Review Status employee" means one who has been assigned to a full-time or part-time position, but who has not completed the probationary review period.
4. "Temporary Casual employee" means one who has been appointed for full-time or part-time work on a temporary casual or seasonal basis and is compensated on an hourly basis.

f) First Line Supervisor: That non-union employee that is given the responsibility of supervising subordinates and is not considered a department head.

g) "Fiscal Year" is the period January 1 ~~to~~ through December 31 inc.

h) Grievance - An employment related complaint.

i) Longevity Bonus Incentive: An incentive that is designed primarily for compensating the employee that has given the City of Hastings service for several years or as determined at the discretion of the City Council.

j) Staff Personnel: Those non-union employees that do not fit in the classifications listed above.

Equitable Compensation: The present average of the (Stanton-Survey) until a better means of determining comparable worth is determined.

k) Step Plan: An adopted wage adjustment in 2% increments over a period of 10 years, based on an approved standard, adjusted annually according to the Council approved cost of living percentage.

l) Step Wage Increase: The City of Hastings realizes that Employees learn through experience, and as this experience level increases their worth to the City increases, and they should be compensated for this experience annually, on the employees anniversary month, according to the adopted step plan. Annual compensation on the anniversary month, according to the adopted step plan.

## Section 5. Adopting the Classification Plan

The position classification plan shall become a part of this Personnel Policy. The official copy of the classification plan shall be available for review in the City Hall. The City Administrator shall be responsible for maintaining and updating the classification plan as may be required.

## Section 6. Contents of the Classification Plan

The Classification Plan consists of:

a) A grouping of the classes of all those permanent regular full-time positions in with the City service which are sufficiently alike in duties and responsibilities to be accorded the same pay scale and to require substantially the same qualifications on the part of incumbents of all its members.

b) Written class specifications containing a description of the duties of positions in the class. Specifications shall be considered as descriptive only, and shall not be interpreted to exclude others not mentioned that are of similar kind and level. Qualifications expected of all incumbents of positions (such as a valid driver's license if the position requires driving; good physical condition; freedom from disabling defects which the City Administrator finds would adversely affect work performances; honesty; sobriety; courtesy; and industry) shall be deemed to be implied in the qualification requirements of each class even though not specifically mentioned in the class specifications.

Section 7. Maintaining the Classification Plan

The Classification Plan shall be maintained by the City Administrator as follows:

- a) Each new position as it is created will be studied and placed in the appropriate class. If a suitable class does not exist, a new class shall be established.
- b) Anytime a new class is established or an existing class is changed a class specification shall be written and incorporated in the existing plan. In the case of an existing class being changed the old class title shall be deleted from the class specification.
- c) The City Administrator may require department heads or employees to submit position descriptions on a periodic basis, or anytime he has reason to believe that there has been a change in the duties and responsibilities of one or more positions.
- d) Any employee may request a review of the classification on his position. This request is to be submitted through the employee's department head. When the department head receives such a request he shall review it and forward it, with a statement of his recommendation, to the City Administrator for study and analysis. The City Administrator will review the request and submit a report of his findings to the employee through the department head. The findings of the City Administrator shall be considered final, forwarded to the City Council for final approval.

Section 8. Amendments to the Classification Plan.

The Classification Plan may be amended from time to time, and such changes and amendments shall become official when approved recommended by the City Administrator and approved by the City Council.

Section 9. Filing of Classification Plan

There is no plan on file at City Hall at this time.

Section 10. Salary Schedule

- a) Employees will be slotted in the compensation schedule in the fairest and most equitable manner. (E.E.O.).
- b) It is the policy of the City to pay its employees equitable compensation. Equitable compensation shall be determined by referencing the Stanton Survey.
- c) All First Line Supervisors should, as a minimum, receive a base salary that is five percent (5%) above the highest paid (base salary) employees that he/she is given the responsibility of supervising.
- d) All Department Heads should, as a minimum, receive a base salary that is ten percent (10%) above the highest paid (base salary) employees that he/she is given the responsibility of supervising (excluding the First Line Supervisors).
- e) Any employee may be hired at a wage that is above the schedule of salaries but ~~not~~, upon employment, be frozen at the associated step with only C.O.L.A. raises until such time that his/her years

*many*



of service meet the step wage that is presently being paid.

f) Changes or adjustments to an employee's salary based on their performance reviews shall not affect their longevity incentive, but should be compensated for, in the step program. If an employee is beyond a progression of the step program then he/she will be adjusted on the C.O.L.A. adjustment, but this order of priority will be enforced.

g) If an employee can justify to the City Administrator and to the City Council that added job responsibilities since the inception of this program, have caused the employee to perform the like duties of another position then he/she can request a classification change, and the City Administrator and the City Council shall review this request.

h) Any merit increase or decrease for an employee shall be set by Council within 30 days after the adoption of the City budget. The only exception of this will be for the annual C.O.L.A. adjustment.

i) The Hastings City Council will rarely implement a merit increase, an employee would have to be performing at an extraordinary level for an extended period of time to be considered for a merit increase, however; the Hastings City Council will annually consider merit increase or decreases. Merit increases or decreases shall consist of, as a maximum, one-step raise. If any employee performance is to the point that he/she is recommended to receive a merit decrease that exceeds one-step, then the employee will be considered for termination.

The Hastings City Council has the ability to adjust by quarters (Three months, six months, nine months, twelve months) the anniversary date of the employee for the year in consideration. This adjustment would relate to both merit increases or decreases, i.e. an employee's step adjustment could be delayed based on performance.

j) Effective January 1, 1985

Longevity bonus shall be as follows on the employee's anniversary month:

1% monthly base pay - after 5 years employment

2% monthly base pay - after 10 years employment

3% monthly base pay - after 15 years employment

*Add Section 26 here as*  
K) Wages  
Section 40 11. Appointment Procedure

All probationary review status and regular appointments to municipal service shall be recommended by the City Administrator and must be confirmed by the City Council on the basis of merit and fitness, and without regard to race, religion, creed, color, national origin, political affiliation, disability, marital status, status with regard to public assistance, sex or age. Seasonal and temporary Casual appointments may be made by the City Administrator.

Section 44 12. Provisional Appointment

Provisional appointments may be made by the City Administrator. A provisional employee is one who is appointed by the City Administrator to prevent the stoppage of public business or to prevent inconvenience to the public. A provisional appointment shall terminate (a) by action of the City Administrator; or (b) by expiration of the period during which any such appointment is limited by civil service or any other law or; (c) by the effective date of a regular appointment to the position or; (d) by order of the City Council. -i.e.- This section might may be used when several City employees are sick or on vacation and the City has a natural or man-made emergency which must be addressed promptly requires immediate action.

Section 42 13. Physical Examinations

All new ~~permanent~~ regular employees shall be required to have a physical examination by a licensed physician approved by the City. Such examinations shall include an evaluation of the applicant's general fitness for the position in question with particular emphasis on detecting the presence of latent trouble in time for the applicant to take corrective action or to prevent the employment of a person whose condition would deteriorate or be aggravated by the position under consideration. The cost of the examination shall be borne by the City and a report thereof shall be made to the City. This physical examination shall be ~~required~~ completed anytime within the six month ~~probationary~~ review period.

Section 43 14. Probationary Review Period

All ~~original~~ appointments shall be ~~probationary and subject to a probationary period of six months of service after appointment~~ subject to a six-month review period. During this period, the work of the employee shall be closely examined to ensure that it is satisfactory. This period shall also be used to allow the employee to adjust to the new position. At any time during the probationary review period, a probationary review employee may be terminated by the City Council (upon recommendation of the employee's department head and the City Administrator) from service with the City without right of appeal or hearing unless action was taken and can be substantiated as an act of discrimination based on: race, color, creed, national origin, sex, marital status, age, political affiliation, or mental and/or physical handicap.

Section 44 15. Benefits During Initial-Probationary-Review Period

During the ~~initial~~ probationary review period, sick leave and vacation leave shall be earned as established in sections 45 29 and 28 46, respectively. Sick leave may be used as earned, if necessary, but vacation leave shall not be available to the employee until successful completion of the probationary review period. ~~Benefits eligibility-Eligibility for benefits~~ shall be determined from the employment date. If employment terminates prior to completion of the ~~initial~~ probationary review period, no payment for accrued sick or vacation leave shall be allowed.

Section 45 16. Completion of Probationary Review Period

At least three weeks prior to completion of the probationary review period, the department head shall review the performance of a probationary review employee and notify the City Administrator of his recommendations. Failure of the City Administrator to act on the recommendations shall result in the employee becoming a regular part-time or full-time employee.

Section 46 17. Grievance Policy

It is the policy of the City ~~insofar as possible~~ to prevent occurrence of grievances and to deal promptly with those which occur. Every effort shall be made to ~~adjust~~ address grievances in such a manner as to be satisfactory to employees and their supervisors. Employees shall be free from restraint, interference

discrimination or reprisal in the presentation of their grievances. When any grievance ~~comes or is directed to the attention of any~~ is presented to the employee's supervisor, the ~~immediate~~ supervisor shall promptly (within two days) discuss ~~all relevant circumstances~~ with the employee and or his representative ~~if he so desires~~ all relevant circumstances regarding the grievance, consider and examine the causes of the grievance and attempt to resolve it to the extent ~~that he possesses authority~~ of the Supervisor's authority. ~~Failure at that level~~ Upon failing to resolve the grievance at that level, the grievance ~~will~~ shall be ~~carried~~ delivered to the employee's department head within 3 additional working days for another attempt to resolve the grievance. ~~Failure at that level, the grievance will~~ Upon failing to resolve the grievance at the department head level, it shall then be forwarded to the City Administrator within three (3) additional working days for another attempt at resolving it. ~~Failure at that level~~ Upon failing to resolve at the City Administrator's level, the grievance ~~will~~ shall be forwarded to the City Council within 14 additional days. In the event that the City Administrator fails to submit the employee's grievance to the City Council within the 14-day period, the employee has the right to present the grievance to the City Council and shall be free from restraint, interference, discrimination, or reprisal in presentation of his/her grievance. All time deadlines herein shall be calculated to begin from the first day following the expiration of the time deadline for the previous level.

Any grievance brought by an employee shall be in writing ~~as will~~. The decision made ~~on said grievance~~ at each level of review shall be in writing and placed in ~~his or her~~ the employee's personnel file. (Copy of grievance form is attached).

#### Section 47 18. Disciplinary Actions

Any employee ~~in the service~~ of the City may be subject to disciplinary action appropriate to the particular circumstances, including termination without notice in cases involving serious misconduct. The method ~~of~~ and procedures for disciplinary action shall be determined by the City Council. The methods of disciplinary actions available are shall include, but not be limited to, the following:

a) Reprimand. An employee may be <sup>(after consultation with supervisor)</sup> given an oral or written reprimand by his supervisor or the City Administrator, whenever his performance falls below expected standards or whenever the employee is guilty of misconduct or disobedience in any matter.

b) Suspension. The City Administrator in consultation with the department head and with approval of City Council may suspend an employee without pay for disciplinary reasons. Such suspension shall not exceed 30 working days for any one offense, and shall be confirmed by the City Council at its next regular meeting.

c) Demotion. An employee may be demoted by the City Council after receiving a recommendation from the City Administrator, for inefficient performance of his duty, for disciplinary reasons, or other reasons as determined by the discretion of the City Council ~~or for good and sufficient reasons.~~

d) Dismissal. Officers and employees subject to the provisions of this resolution personnel policy, may be removed from City employment by the City Council, ~~for with or without cause.~~ Dismissal ~~for cause~~ shall be grounds for denial of the employee's termination benefits including accumulated vacation leave, sick leave or other severance pay.

*for just cause*

e) Causes for Disciplinary Action. Evidence, ~~such-as-but-not-limited~~ to of the following acts shall be cause grounds for disciplinary action including but not limited to, reprimand, suspension, demotion or dismissal: This list shall not be considered as being exhaustive.

1. Incompetency, inefficiency or ~~negligency~~ negligence in the performance of ~~duty~~ an employee's duties.
2. ~~Insubordination~~ Disobedience, such as, but not limited to, refusal to obey an order which a superior is entitled to give and have obeyed, or refusal to do assigned work which the employee is capable of doing which has resulted or reasonably might be expected to result in loss or injury to the municipality or to the public. There is one exception. An employee can refuse to obey if he believes and can prove that the order he was given will jeopardize his safety or the safety of others.
3. Public statements which are slanderous or libelous.
4. Repeated tardiness after warning.
5. Unauthorized absence or abuse of leave privileges.
6. Being under the influence of intoxicating liquor or ~~prohibited~~ narcotics controlled substances while on duty.
7. Wanton use of offensive conduct or language towards the public, ~~or~~ City officials or employees.
8. Conviction of a criminal offense ~~or-misdemeanor~~ involving moral turpitude.
9. Carelessness or negligence in the handling ~~or-control~~ of City property.
10. ~~Prevent~~ Dishonesty in the performance of an employee's duties.
11. Violation of the provisions of ~~law-or-of-this-resolution~~ this personnel policy.
12. Violations of written ~~personnel-or~~ departmental regulations.

f) Right of Appeal. In all cases of reprimand, suspension, demotion, or dismissal, the reasons for such action must be presented in a dated, written statement to the employee affected. If the affected employee wishes to appeal the action, the following must be done.

1. Upon receipt of the dated written statement the affected employee must submit within 3 working days to the City Administrator, a written statement requesting a hearing before the City Council. Failure to do this step within the allotted time shall be interpreted to mean that the affected employee does not wish to appeal.
2. If the affected employee has complied with step one and submitted a dated written statement requesting a hearing before the City Council, such hearing shall be held not later than fourteen days from the date of filing the request for hearing.
3. The Council may affirm, overrule, or modify the action of the City Administrator.

Section 48 19. Resignation

Any employee wishing to leave ~~the municipal service in good standing~~ their employment with the City shall file with the City Administrator, at least 14 days before leaving, a written resignation stating the affective day of the resignation and the reason for leaving. Upon receipt of the written resignation the City Administrator will schedule an exit interview ~~to be given with~~ the employee. Failure to comply with this procedure may be ~~considered cause grounds~~ for denying such employee future employment by the municipality and City as well as denying any severance pay and pay for accrued vacation leave to which the employee may be entitled. Unauthorized absence from work for a ~~period of 3~~ consecutive working days may be considered as a resignation without benefits.

Section 49 20. Retirement

The mandatory retirement age for all municipal employees shall be ~~65~~<sup>70</sup> years of age. In special cases, work extensions to employees may be granted by the Council after the age of ~~65~~<sup>70</sup> on a year to year basis, ~~except that no employee shall work in a municipal position after the age of 70.~~ Extensions will be granted beyond the age of ~~65~~<sup>70</sup> when it is in the best interest of the municipality to do so. Extension requests will be dealt with on the basis of the facts in each individual case. Department Heads shall be consulted and any pertinent facts regarding the work performance of the employee requesting an extension of retirement age may be considered in determining disposition of his request. Employees desiring a work extension past the age of ~~65~~<sup>70</sup> shall submit the request in writing to the Council not less than 6 months prior to their ~~65th~~<sup>70th</sup> birth-date. In the absence of approved work extensions, employees shall retire from employment not later than December 31 following their ~~65th~~<sup>70th</sup> birth-date.

Section 20 21. Force Reductions

The City Council may lay off any employee whenever such action is made necessary by reason of shortage of work, ~~or funds, the abolition of a position~~ or because of changes in a department's organization. provided, however, that Four (4) weeks advance written notice shall be given to an employee laid off as part of a force reduction. No ~~permanent regular full-time or part-time~~ employee shall be laid off while there are ~~temporary casual, provisional or probationary review status~~ employees serving in the same class of positions for which the ~~permanent regular~~ employee is qualified, eligible, and available. A reduction of work force will be accomplished on the basis of seniority. Employees shall be recalled from layoff on the basis of seniority. Employees who have been laid off shall not be entitled to benefits. Employees who have been recalled from a lay off shall be entitled to benefits based upon their actual time in service, as calculated from their most recent date of hire and excluding any layoff period.

~~Section 21. --~~ Prohibitions

~~No person shall knowingly make any false statement, certificate, or mark, rating, or report in regard to any test, certificate or appointment held or made under the municipal personnel system or in any manner commit or attempt to commit any fraud preventing the impartial execution of the provisions of this resolution. No person seeking employment or promotion in the municipal service shall either directly or indirectly give, render, or pay any money, service, or other valuable consideration to any person for or on account of or in connection with his test, proposed appointment, promotion, or proposed promotion.~~

Section 22. Political Activity.

a) Any employee who desires to file for an elective office of the City shall take a leave of absence when he formally announces his candidacy. Such leave shall terminate with his withdrawal from the campaign, his defeat, or his resignation from that political office.

b) No employee of the City shall, directly or indirectly, during his/her hours of employment solicit or receive funds or at any time use his/her authority or official influence to compel any employee to apply for membership in or become a member of any organization, or to pay or promise to pay any assessment, subscription, or contribution, or to take part in any political activity.

Section 23. Conflict of Interest

~~It is expected that every employee shall exercise good judgement in avoiding becoming involved with conflicting outside business interest. All employees shall avoid involvement with conflicting outside business interests. These include, but are not limited to: the following:~~

*Statute language attached*

~~a) These~~ Any business in which an employee has financial interest in, or receives benefits from, and which also does business with the city.  
~~a business in which he occupies a position which may enable him to influence the placing of City business either inside or outside the City government.~~

~~b. These in which an employee accepts full or part time work elsewhere, where such activity~~ Any work outside their City employment which interferes or may interfere with their duties with the city. and job performance.  
Any full-time employee who wishes to hold another job at the same time he is employed by the City must ~~have prior approval of the City Administrator.~~  
<sup>inform</sup>

c) Performing any work involving privileged information, not available to the public, which the employee has access to because of their employment with the City.

Section 24. Fringe Benefits - General

Benefits shall begin to accrue on the first day of employment.

Section 25. Employee Reimbursement

1) Mileage:

If an employee is using his personal vehicle for City business and there is no City vehicle available to use, he shall be reimbursed at a rate to be set by resolution of the Council; however, if there is a City vehicle available for his use and he chooses to use his personal vehicle, he shall be reimbursed at a different rate to be set by resolution of the Council.

Monthly mileage reimbursement claims are to be submitted to Council for the first regular meeting of the month.

2) Expenses:

a) Lodging - An employee will be reimbursed for the cost of overnight accommodations when they are required. The City will reimburse for the cost of a single room only, unless two or more employees are attending the same function

Section 23. Conflict of Interest

All employees shall avoid involvement with conflicting outside business interests. These include, but are not limited to: ~~the following:~~

- (a) When an employee believes the potential for a conflict of interest exists, it is the employee's duty to avoid the situation. A conflict of interest shall be deemed to exist when a review of the situation by the employee, his/her immediate supervisor or the City Administrator determines any one of the following conditions to be present:
- (1) The use for private gain or advantage of City time, facilities, equipment or supplies or badge, uniform, prestige or influence of City office or employment;
  - (2) Receipt or acceptance by the employee of any money or other thing of value from anyone other than the City for the performance of an act which the employee would be required or expected to perform in the regular course or hours of City employment or as part of the duties as an employee;
  - (3) Employment by a business which is subject to the direct or indirect control, inspection, review, audit or enforcement by the employee;
  - (4) The performance of an act in other than the employee's official capacity which may later be subject directly or indirectly to the control, inspection, review, audit or enforcement by the employee.

and it is feasible for them to share accommodations or if it should occur that no single accommodations are available.

b) Meals - The maximum an employee will be reimbursed for the cost of single meals, while on City business, is as follows:

Breakfast	\$6.00
Lunch	\$8.00
Dinner	\$14.00

To a maximum of \$28.00 per day for meals, when overnight accommodations are required.

The above maximum meal allotments are intended to be used as guidelines and are not intended to suggest that an employee should spend up to this amount for each and every meal. Where possible, an employee must provide receipts for all expenses to be reimbursed.

If an employee is attending a function for the City whereby the registration fee does not include the meal and the employee has no selection of the meal, the City will reimburse the cost of this meal. No alcoholic beverages will be reimbursed by the City.

Reimbursement claims for expenses will be paid upon submission with department head approval.

~~Section 26.~~ Wages - put into Section 10 (K)

Wages Any Cost of living increases shall be determined annually by the City Council. Step increases shall not be automatic, but rather based on adequate performance of duties and responsibilities.

<sup>26</sup> Section 27. Overtime and Compensatory Time

~~Employees that have salaries that exceed \$20,000.00 annually are considered exempt under the Fair Labor Standards Act are entitled to compensatory time off when assigned work in excess of the work day or the normal work week. They shall receive compensatory time off at a rate of one and one half (1½) hours for each hour worked to be banked by the employee to a maximum of forty eighty (40)(80) hours, The City Administrator may allow an excess of forty eighty (40)-(80) hours to be banked with prior approval.~~

~~Employees that have salaries that are below \$20,000.00 annually are considered non-exempt under the Fair Labor Standards Act are entitled to compensatory time off when assigned work by their department head in excess of the normal work day or the normal work week. They shall have the option of compensatory time off or pay at a rate of one and one half (1½) hours for each hour worked. Compensatory time may be banked by the employee to a maximum of forty eighty (40) (80) hours, The City Administrator may allow an excess of forty eighty (40)-(80) hours to be banked with prior approval. except the Arena Manager who may bank (120) hours.~~

It is not the intent of this section to compensate an exempt employee for every hour worked in excess of a ~~an eight (8) hour day or~~ forty (40) hour week.

All employees must request the use of compensatory time off in the same manner as they request vacation. If an employee is terminated from his/her employment he/she will be compensated for accumulated compensatory time earned, up to the above stated maximums.



Documentation must be kept for all hours earned and used, and must be approved by immediate supervisor.

Exempt

Main Street Project Manager  
Administrative Assistant  
Accountant  
Building Inspector  
Assistant Building Inspector  
Planner  
Engineer  
Assistant Engineer  
Parks and Recreation Director  
Street Superintendent  
Water Superintendent  
Fire Chief  
Assistant Fire Chief  
Police Chief

Non-Exempt

Administrative Secretary  
Technical Secretary  
Senior Accounting Clerk  
Water/Payroll/Assessment Clerk  
Arena Manager  
Police Secretary  
Fire Secretary  
All 49ers  
All 320 Police & Fire

Section <sup>27</sup>/<sub>28</sub>. Sick Leave Plan

~~Permanent~~ Regular full-time and ~~permanent~~ regular part-time employees are eligible for sick leave benefits whereby they will be paid in full for absences from work due to illness or injury.

The City Administrator shall determine, in any particular instance, whether an employee is eligible for benefits under the Sick Leave Plan.

All ~~permanent~~ regular full-time employees of the City shall be entitled to accumulate one day (8 hours) of sick leave for each month of employment and allowed accumulation of sick leave up to a one hundred twenty (120) days. Employees shall bank an additional one-half day per month after the accumulation of 120 days, to be used in cases of very prolonged illnesses and only after all other accumulated sick leave has been used. Employees shall also accrue an additional one-half ( $\frac{1}{2}$ ) day per month of vacation leave after the accumulation of the 120 days sick leave mentioned above. The one-half ( $\frac{1}{2}$ ) day vacation shall be added to the current accumulation of vacation leave. Sick leave will be granted for actual sicknesses, temporary physical disability and quarantine. ~~Permanent~~ Regular part-time employees working less than 40 hours per week but a minimum of 20 hours per week shall receive one-half the above mentioned benefits.

Section <sup>28</sup>/<sub>29</sub>. Administration of Sick Leave Plan

In cases of absence where an employee received compensation benefits under Workman's Compensation and is receiving sick leave benefits, he/she shall reimburse the City to buy back sick leave. The intent of this paragraph is that an employee can not receive more compensation by not working than he/she would receive working.

The use of sick leave will be prorated in units of not less than one-half day. An employee that absents himself from work for any period of time more than one-half their normal workday will be charged for one full day. If the employee absents himself from work for one-half or less of their normal workday he/she will be charged with one-half sick day.

After all accrued sick leave is used, vacation leave may be used, and payment made therefore, to the extent the employee is entitled to such leave.

Sick leave will be allowed in case of personal illness or physical incapacity of an employee. However, sick leave will not be allowed when absence is due to the following; Use of intoxicants, willful misconduct, or any illness or injury incurred while self-employed or employed by other than the City.

To receive credit for sick leave, an employee must communicate with his immediate supervisor not later than thirty minutes after the time set for beginning work, or as provided by departmental rules. Employees are also responsible for keeping their supervisors advised of their illness status to remain eligible for sick leave, unless hospitalized.

When an employee uses three or more continuous days of sick leave, a physician's statement may be required on the first day of return to work indicating the nature of the sickness, and attesting to the employee's ability to return to work. No employee who has been asked to provide such a statement shall be allowed to return to work until he complies with this provision.

Accumulated sick leave cannot be transferred from one employee to another employee.

An employee who makes a false claim of sick leave will be subject to disciplinary measures, including discharge, which in the opinion of the Administrator, are justified by the circumstances involved.

Employees hired between the first and fifteenth of the month will receive sick leave credit for that month. Employees hired after the fifteenth of the month will not receive sick leave credit for that month.

Section <sup>29</sup> 30. Personal Leave

All ~~permanent~~ regular full-time employees of the City shall be entitled to three personal leave days per occurrence, per calendar year which shall not accumulate. Personal leave for purposes of this paragraph includes and is limited to: Death in the immediate family, death of spouse, parent, brother, sister, child, grandparent or grandchild; and spouse's parent, brother, sister, child, grandparent, or grandchild; and critical illness of immediate family. If more time is needed due to distance or unusual circumstances which may occur, Section 34 could be applied if approved by the City Administrator. All ~~permanent~~ regular part-time employees shall receive one-half the above mentioned benefits.

Section <sup>30</sup> 31. Military Leave

The reinstatement rights of any employee who enters the Military Service of the United States by reason of an Act of Law enacted by Congress of the United States, or who may voluntarily enlist during the effective period of such law shall be determined in accordance with the provisions of the law granting such rights.

~~Permanent~~ Regular full-time and ~~permanent~~ regular part-time employees who are members with active status of an armed forces reserve unit shall at their request, be granted military leave when called to active duty for a period not to exceed 15 days annually. For further information dealing with this section refer to Minnesota Statutes, Chapter 192.

Section <sup>21</sup>~~32~~. Maternity Leave

~~Permanent~~ Regular full-time and ~~permanent~~ regular part-time employees may be granted maternity leave upon the approval of the Administrator. Maternity leaves of absence shall not exceed 6 months duration. Employees returning from maternity leave must furnish evidence from a medical doctor that they are capable of resuming their normal duties. Sick leave will be allowed to be used for maternity leave up to a maximum of 20 days.

Section <sup>32</sup>~~33~~. Jury Leave

Employees shall be granted an amount of compensation which will equal the difference between the employee's regular pay and compensation paid for jury duty. Employees shall notify their supervisor as soon as possible after receiving notice to report for jury duty. The employee will be responsible for insuring that a report of jury duty and pay form is completed by the Clerk of Court each week so the City will be able to determine the amount of compensation due for the period involved.

Section <sup>33</sup>~~34~~. Leave of Absence - Without Pay

The City Administrator may authorize regular employees to be absent without pay for personal reasons for a period, or periods not to exceed a total of 10 working days in any calendar year. Leaves of absence without pay in excess of 10 days in a calendar year must be submitted to, and approved by, the City Council. Employees shall request such leaves of absence without pay in writing as far in advance as possible, of the date so desired. In the case of a death or a critical illness (Section 30) it may not be possible to request such leave well in advance and so each request will be judged individually by the City Administrator.

Leaves of absence will not be given for the purpose of enabling any employee to work for another employer or to engage in any form of self-employment and any employee who obtains a leave of absence by misrepresenting the purpose therefore shall be discharged.

Section <sup>34</sup>~~35~~. Absence Without Leave

Any absence of an employee from duty, including any absence for a single day or part of a day, that is not authorized by a specific grant or leave of absence under the provisions of this policy, will be deemed to be absent without leave. Any such absence shall be without pay and the employee will be subject to disciplinary action, including discharge. Any employee who absents himself for 3 working days within one year without leave shall be discharged.

Section <sup>35</sup>~~36~~. Cancellation of Leave

The City Administrator may cancel any leave of absence, except jury duty and military leave, for just cause at any time upon prior written notice to the employee specifying a reasonable date for returning to work.

Section <sup>36</sup>~~37~~. Severance Pay

If an employee retires at age 65, or as otherwise provided by law, or is forced to retire due to physical condition, including death, not allowing him to continue gainful employment, or voluntarily terminates employment with the City after due notice, with the consent of the City, but not if discharged or resigns by the request of the City, all and in each case after ten (10) years of service, they or their descendents will receive fifty percent (50%) of unused sick leave, based on their current hourly rate, as severance pay. The one-half day per month accumulated after the 120 days, will not be considered for severance pay purposes.

Section <sup>37</sup>~~38~~. Holidays

The following shall be official holidays for all employees subject to this ~~resolution~~: personnel policy:

- New Year's Day
- Martin Luther King (3rd Monday in January)
- Washington and Lincoln (3rd Monday in February)
- Good Friday
- Memorial Day (Last Monday in May)
- Independence Day
- Labor Day (1st Monday in September)
- ~~Columbus Day (2nd Monday in October)~~
- Veteran's Day (November 11th)
- Thanksgiving Day
- Floating Holiday (day after Thanksgiving)
- Christmas

If Christmas Day, New Year's Day, <sup>✓</sup>Veteran's Day or Independence Day falls on a Saturday, the preceding Friday will be considered a holiday. If Christmas Day, New Year's Day, Memorial Day or Independence Day falls on a Sunday, the following Monday will be considered a holiday. Employees shall observe the days herein designated as official holidays and receive compensation as though worked, but essential operations shall be maintained by such skeleton crews as the department head deems necessary. An employee working on a holiday shall receive his regular pay in addition to the holiday compensation herein given. Department Heads working on a holiday or part of a holiday are entitled to compensating time off.

If an official holiday falls on a permanent regular part-time employees regularly scheduled day of work, that employee shall be paid for the holiday at their regular day rate.

If an official holiday falls within an employee's scheduled vacation, the employee may be permitted to add an additional day to his vacation, since holidays are not counted as vacation days.

Section <sup>38</sup>~~39~~. Lunch Periods

The specified lunch periods shall begin and end at the employee assigned work area. Department Heads are responsible for scheduling lunch periods so as not to interfere with regular City work. City Hall lunch periods are scheduled so there is no interruption in service to the public.

Section <sup>39</sup>40. Pay Day

The regular pay day for all City employees shall be the 15th and 30th of each month, except for February when they shall be the 15th and the last day of the month. When a pay day would fall on an official holiday, employees shall receive their checks the preceding day.

Section <sup>40</sup>41. Personal Record of Employees

The City Administrator shall maintain a personnel record of each employee. These personnel records shall be the official personnel ~~recording-~~ records of the City and are, therefore, important to all employees. It is the responsibility of each employee to check with the Administrator's Office at least annually to insure that the data is correct, and reflects current information about the employee. It shall be the employee's responsibility to see that the following items are kept current at all times.

- Correct home address and telephone number.
- Changes in dependents.
- Person to contact in case of emergency.
- Beneficiary changes (Group Life Insurance and Pension)

Section <sup>41</sup>42. Group Insurance - Long Term Disability & Early Retirement

As the Council may direct, all ~~permanent~~ regular part-time and ~~permanent~~ regular full-time employees will ~~continue to~~ be covered under the hospital-medical surgical insurance plan adopted by the City. Full cost of employee coverage ~~to be~~ will be paid by the City, and depending upon the negotiating unit the City will pay varying amounts towards the dependent coverage. Also, the City will provide a long-term disability insurance policy with no cost to the employee, as follows:

Eligibility: Each active, full-time employee who works a minimum of 30 hours per week, except ~~temporary~~ casual employees.

Qualifying Period: Benefits accrue with respect to any one period of total disability after the expiration of a qualifying period of three consecutive months.

Benefit Period: Monthly benefits are payable during the continuance of total disability as follows, but in no event are benefits payable beyond the attainment age of 65.

- a) Total disability due to sickness to age 65.
- b) Total disability due to accident to age 65.

Monthly Schedule Amount: Sixty percent (60%) of normal monthly earnings to a maximum benefit of \$2,500.00

Early Retirement: An employee that elects early retirement can pay the entire cost of their insurance under the City's group plan until age 65. Any employee that elects early retirement shall have been employed by the City for at least ten (10) years. The employee shall pay the City in advance on a monthly basis for the cost, the City will then remit payment to the insurance company.

Section <sup>42</sup>43. Life Insurance

The City shall pay the cost of Life Insurance for all ~~permanent~~ regular full-time employees. All ~~permanent~~ regular full-time non-union employees shall receive \$15,000 of life insurance.

Section <sup>43</sup>~~44~~. Performance Review

A performance review system shall be established for the purpose of having supervisors and department heads periodically appraise the performance of their employees, using the prescribed form for this purpose. The performance review will be used by department heads and the Administrator as a basis for more effective personnel control. The quality of performance rendered by the employee in the past will, ~~in every case~~, receive due consideration in such personnel matters as promotions, transfers, demotions, terminations, and salary adjustments. Performance review ratings shall be reviewed by the employee, but such ratings will not be available to unauthorized persons. An employee shall be reviewed mid-way through the probationary review period, at the end of the ~~probationary review~~ period, and annually thereafter.

Performance review forms shall be retained as part of the employee's personal file.

An employee has the right to appeal to the Administrative Committee if he or she feels that the performance review is unfair.

Section <sup>44</sup>~~45~~. Vacation Leave

Eligibility for Vacation Leave: Vacation leave is authorized absence from duty, with pay, granted all permanent regular employees. New employees shall not begin to use vacation leave until they have completed their probationary review period. Permanent Regular part-time employees will receive vacation benefits in ratio to the number of hours worked in relationship to a full-time employee. No employee shall be granted vacation leave until after it has been earned. Vacation years of service and amount of vacation shall be determined from anniversary year to anniversary year, from last date of hire, in accordance with the following schedule:

Rate of Accumulation

<u>Years of Service</u>	<u>Vacation</u>			
	<u>Days</u>	or <u>Hours</u>	or <u>Hours/Pay Period</u>	or <u>Hours/Month</u>
0 to 5	(10)	80	3.33	6.66
6	(11)	88	3.66	7.33
7	(12)	96	4.00	8.00
8	(13)	104	4.33	8.66
9	(14)	112	4.66	9.33
10	(15)	120	5.00	10.00
11	(16)	128	5.33	10.66
12	(17)	136	5.66	11.33
13	(18)	144	6.00	12.00
14	(19)	152	6.33	12.66
15	(20)	160	6.66	13.33

Vacation leave shall not be earned by an employee during a leave of absence without pay, or time otherwise not worked or paid, or absent due to a work related injury if such absence exceeds thirty(30) days in the employee's anniversary year. This means that an employee who is entitled to 12 days of vacation a year would receive only 11 days of vacation if he took a 31 day

leave of absence without pay within that year. If he took only a 29 day leave of absence without pay within that year he would still be entitled to his 12 days of vacation. If he took a three month leave of absence without pay he would be entitled to only 9 days vacation.

Administration of Vacation Leave: The following procedures will be followed in administering the vacation policy of the City.

Official holidays occurring during a vacation may be added to the vacation.

Accumulated vacation leave cannot be transferred from employee to another employee.

~~Temporary, provisional or seasonal~~ Casual or Provisional employees are not entitled to vacation leave.

Vacation Pay on Termination of Employment: An employee who terminates his employment with less than six months of service shall receive no vacation pay upon termination; an employee who terminates his employment after six months of service, shall receive upon termination, all unused vacation pay earned, provided that such unused vacation pay is approved by the City Administrator upon the basis that such employment was not terminated for unsatisfactory performance.

Vacation Time: All vacations, in excess of three (3) days, must be arranged at least 30 days in advance, and the times of such vacations shall be subject to the approval of the department head. Employees will be given opportunity to select vacation periods insofar as it is practical.

Vacation times shall be subject to the approval of the individual department heads.

In the case of unforeseen circumstances which may arise an employee may change his vacation time after the deadline if he receives approval from his department head.

Carry-over and Waiver of Vacation Leave: No employee shall be permitted to carry over more than  $\frac{1}{2}$  the previous years vacation allocation from one employment anniversary year to the next; provided, that if in the opinion of the City Administrator, unusual circumstances exist, he may approve a carry over of more than  $\frac{1}{2}$  of the previous year's vacation.

Section <sup>45</sup> 16. In Service Training

The Administrator shall assist and coordinate the efforts of department heads in establishing and maintaining a system of employee training. Such training will be designed to assist employees to qualify for positions of increasing difficulty, skill and responsibility. The department head may encourage employees to take correspondence courses, or courses in colleges, universities, and/or in night schools. The Administrator may suggest programs of supervisory training; provide for necessary facilities to educate and keep the employees in the department informed on activities and functions of the

department and of the City government. Reimbursement of course fee shall be paid by City when course is related to field of work, but course shall require prior approval of City Administrator and proof of satisfactory completion shall be required prior to reimbursement.

<sup>46</sup>  
Section 47. Suggestions and Amendments

The Administrator welcomes suggestions from employees for improving the personnel program of the City. Such suggestions may be presented to the Administrator by letter or memorandum. If it becomes apparent that changes in any part of the personnel program are necessary, such changes will be made.

<sup>47</sup>  
Section 48. Service Awards

Employees who receive letters of merit or commendation shall have a copy of such letter entered in their personal file.

Employees who successfully complete training courses shall have proof of such completion entered in their personal file.

<sup>48</sup>  
Section 49. Departmental Rules

A department head who wishes to ~~provide~~ impose additional City personnel rules for use in his department shall submit them in writing to the Administrator for review and final ~~determination~~ approval. ~~and they~~ All proposals submitted to the Administrator shall become effective upon his approval. In the event of a any conflict between the ~~department~~ departmental rules and the personnel policy, the personnel policy shall take precedence.

<sup>49</sup>  
Section 50. Responsibilities of City Employees

For the effective administration and implementation of City policy, and to serve the citizens, each individual employee must cooperate to the fullest with all fellow employees and the public. Public employees have a high degree of visibility to the general public and therefore must exercise particular care and caution to ensure that all work undertaken is accomplished expeditiously and with efficiency. To achieve this goal, employees must adhere to established rules and procedures and follow the instructions of their supervisors and department heads.

It shall be the responsibility of all employees to:

Perform assigned duties to the best of their ability at all times, and to continually strive to improve their performance.

Render prompt and courteous service to the public at all times.

Read, understand and comply with the rules and regulations as set forth in this Personnel Policy as well as those of their department.

Since he/she represents the City at all times, he/she shall conduct themselves with decorum and respond to inquiries and information with patience and every possible courtesy.



Report all unsafe conditions to their immediate supervisor, and also report all injuries to their immediate supervisor.

Recommend to department head and City Administrator ideas for improving City services or methods for achieving greater efficiency or economy.

Section <sup>50</sup>51. Public Employee's Retirement Association

All persons hired for permanent and regular positions with the City of Hastings are members of the State of Minnesota Public Employee's Retirement Association. Information on the PERA program is available from the Administrator's office.

Section <sup>51</sup>52. Social Security

Every employee, except members of the basic PERA plan and the Police and Fire Departments, shall be subject to the provisions of the Federal Social Security Old-Age and Survivor's Insurance Program. ~~and deduction to cover such payments will be made from each payroll.~~ All appropriate deductions will be made from each paycheck.

Section <sup>52</sup>53. Records of the Administrator's Office

Personnel records, including examinations, service rating reports, individual personal records and histories shall be open for inspection and review by the employee concerned, his authorized representative, and authorized City personnel. ~~authorized access to employment records~~ All inspections shall be during office hours in accordance with such procedures as the Administrator may prescribe. The Administrator shall maintain records necessary to the proper administration of the personnel system.

Section <sup>53</sup>54. Prohibited Practices

~~No person in the service of the City, or seeking admission thereto, City employee, or applicant for City employment shall be favored or discriminated against in any way because of his or her race, sex, age, national origin or political or religious opinions or affiliations religion or political beliefs.~~

~~No person shall willfully or corruptly make, or cause to be made, any make a false statement of any nature, whether written or oral, so as to cause any certificate, mark, rating or report in regard to any test, certification promotion, demotion, removal or appointment held or to be made under the provisions of the personnel policy, or in any manner commit or attempt to any departmental rules.~~

~~No person shall in any manner commit or attempt to commit any fraud preventing the impartial execution of these rules this personnel policy or departmental rules and regulations.~~

~~No person shall either directly or indirectly solicit, pay, render, receive or give money, service or other valuable thing to any person for, or on account of, or in connection with any test, appointment, promotion, demotion, layoff or dismissal.~~

~~No person shall, in any manner, solicit or be in any manner concerned associated with soliciting any assessment, subscription or contribution for any political party or purpose movement from any employee holding a position in the City service while on City property or on City time.~~

*No employee shall receive or accept a gift under circumstances from which it could be inferred that the giver expected or hoped for preferred or favored treatment in an official or department matter.*

~~No employee shall receive any remuneration, gift, or personal gain of any type as a result of their employment with the City, beyond the compensation received from the City.~~ <sup>New language</sup>

<sup>54</sup>  
Section ~~55~~. Compliance with Personnel Policy & Rules & Regulations

All employees of the City shall comply with, and aid in all proper ways in carrying out the provisions of the Personnel Policy and departmental rules and regulations. Any employee who shall fail to comply with any of the provisions of the Personnel Policy or of rules and regulations adopted thereunder shall be subject to disciplinary action up to and including discharge.

<sup>55</sup>  
Section ~~56~~. Eligibility for Employee Benefits

Employee benefits mentioned in this Personnel Policy apply only to those employees hired for ~~permanent~~ regular full-time positions, and specifically excludes ~~seasonal~~, contract, regular part-time, or ~~temporary~~ casual employees. Permanent-Regular employees who are hired for positions requiring less than full-time may be granted any or all employee benefits enumerated in this policy; provided that the granting of such benefits shall be based on a ratio of the employee's actual working hours as compared to a full-time position of 2,080 hours per year; and further, that the Administrator shall authorize the granting of all such benefits in writing.

<sup>56</sup>  
Section ~~57~~. Employment of Related Persons

While employment in the City service is based upon merit principle, the employment of related persons (spouses, parents, children, brothers, and sisters) shall not normally be approved. In those cases where related persons are employed by the City, they shall not normally be assigned to the same department.

<sup>57</sup>  
Section ~~58~~. Equal Employment Opportunity

It is the policy of Hastings to comply with all state and federal Equal Employment Opportunity laws and regulations. Therefore, recruiting, hiring, training, promotion, compensation, benefits, employment decisions, and all similar matters will be without regard to race, creed, color, religion, sex, national origin, age, marital status, disability, public assistance status, or veteran status.

The director of personnel will be the Equal Employment Opportunity Coordinator and has the specific responsibility for assuring enforcement of this policy.

<sup>58</sup>  
Section ~~59~~. Sexual Harassment

For purposes of this personnel policy, sexual harassment shall be defined as unwelcome sexual advances, request for sexual favors, verbal or physical conduct of a sexual nature when:

- a) Submission to the conduct is made either explicitly or implicitly a term or condition of an individual's employment; or submission to or rejection of the conduct is used as the basis for employment decisions; or

- b) The conduct has the purpose or affect of substantially interfering with the individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment by one City employee against another City employee will not be tolerated and will be grounds for dismissal. Similarly, retaliatory action taken against an employee who has made complaints of sexual harassment will not be tolerated and will be grounds for dismissal.

Any employee who feels they have been sexually harassed shall report such incidents immediately to the City Administrator, and/or the City Attorney who shall immediately investigate all complaints.

*department head and the,*



MEMO

TO: Mayor and Council  
 FROM: Dianne R. Latuff *Dianne*  
 DATE: April 30, 1986  
 SUBJECT: Judges for Special Election

Listed below please find the names of judges, for your approval, to serve at the Special Election on June 24, 1986.

1986 Special Election  
 Judges

1st Ward

Gloria Stoneberg (Chairperson)  
 1202 Tyler Street  
 Claire Bieraugel  
 1714 Ramsey Street  
 Evelyn Blanchard  
 1317 Ramsey Street  
 Joan Moes  
 223 E. 15th Street

2nd Ward

Helen Werth (Chairperson)  
 620 W. 8th Street  
 Mickey O'Connor  
 110 River Street  
 Viveke Solac  
 1403 Featherstone  
 Joan Grier  
 309 W. 7th Street

3rd Ward

Joanne Dempsey (Chairperson)  
 1017 W. 14th Street  
 Fern Swanson  
 944 W. 14th Street  
 Janice Burr  
 514 W. 18th Street  
 Jackie Kane  
 1010 W. 15th Street

4th Ward

Marilyn Rother (Chairperson)  
2044 Ashland  
Marcia Pletcher  
1109 Zweber Lane  
Elizabeth Zweber  
1019 W. 15th Street  
Diane Christnagel  
2224 Westview Drive

Reserve Judges

Pat Pederson (1)  
1943 Ashland  
Lorraine Nolan (2)  
653 W. 4th Street  
Dorothy Swanson (3)  
1021 W. 14th  
Mary Ann Teuber (4)  
2450 Southview Court

Also, for staff information, at the last election the Council approved purchasing supper for the judges, is the Council considering this for all elections?

cl

RESOLUTION NO. -86

THE CITY COUNCIL OF THE CITY OF HASTINGS  
MAY 5, 1986

RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF HASTINGS DIRECTING DIANNE LATUFF TO ACT  
AS THE DEPUTY CLERK FOR ELECTIONS

Councilmember \_\_\_\_\_ offered the following resolution and  
moved its adoption:

WHEREAS, Minnesota law allows the Dakota County Auditor to designate an election official in each municipality to carry out the election duties assigned to the auditor.

WHEREAS, the Dakota County Auditor's office has designated the Hastings City Clerk or his designee to carry out the duties assigned to the Dakota County Auditor.

WHEREAS, in the past the Hastings City Administrator/Clerk has designated Dianne Latuff, Administrative Assistant, to carry out these election duties.

NOW, THEREFORE, Be it resolved by the City Council of the City of Hastings as follows:

1. That Dianne Latuff is directed to act as Deputy Clerk on behalf of the City Administrator/Clerk, in carrying out the election duties delegated to him by the Dakota County Auditor.
2. That in furtherance of such election duties, Dianne Latuff is authorized to sign any necessary documents or papers pertaining to elections.

The motion to adopt this resolution was seconded by Councilmember \_\_\_\_\_. Upon being put to vote, the following Councilmember voted in favor of said resolution:

The following Councilmember voted against said resolution:

WHEREUPON, the Mayor declared the resolution duly adopted.

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

ATTEST:

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

MEMO

TO: Mayor and Council

FROM: Gary E. Brown *GE Brown*

DATE: May 1, 1986

SUBJECT: Appointment of Al Herrmann

At the last City Council meeting the City Council voted to appoint Pat Orman to the Light Equipment Operator in the Street Department. He held the position of Maintenance I in the Water Department. That position was posted and Mr. Al Herrmann who held the position of Maintenance II was the only one to apply for the Maintenance I position. We request the City Council to appoint Mr. Herrmann effective May 1, 1986 and authorize the advertisement of a Maintenance II position.

cl



AGREEMENT FOR HASTINGS RIVERTOWN DAYS

THIS AGREEMENT made this \_\_\_\_\_ day of May, 1986, by and between the City of Hastings, Minnesota, and the Hastings Area Chamber of Commerce.

WHEREAS, the Hastings Area Chamber of Commerce (Chamber) has scheduled a community festival for Hastings entitled Rivertown Days, which is to be held on July 24 through July 27, 1986; and

WHEREAS, in the past the City of Hastings (City) has cooperated with the Chamber in its production of Rivertown Days by providing some assistance; and

WHEREAS, both parties wish to put in writing the agreement which has been made between the parties.

NOW THEREFORE, it is agreed by both parties as follows:

I. AREAS TO BE USED

A. Carnival Area.

- 1. The carnival site will be in the Lake Rebecca area, in the lot at the northwest corner of the intersection of Lock & Dam Road and the entrance to Lake Rebecca.

B. Tennis Tournament.

The City will reserve the tennis courts at Roadside Park and the Senior High School for all scheduled tennis tournament activities. The City will also provide portable toilet facilities during each scheduled tennis tournament event.

C. Junior Swimming Olympics.

The City will reserve the outdoor pool for this scheduled event. The City will also provide an adwquate number of lifeguards at this event.

D. Coed Kitten Ball Tournament.

The City will reserve the playing fields at Wilson Park and the Pioneer Park for this scheduled event. The City will also provide the Chamber with access to its storage shed, bases and lime.

E. Arts, Crafts, Games and Exhibits.

These activities will be located in Lake Rebecca Park/Jay Cee Park and are scheduled on Saturday, July 26 and Sunday, July 27, 1986 from 10:00 a.m. to 6:00 p.m.

F. Riverbend Antique Auto Show.

The City will provide the use of Peavey Park for this event which is scheduled on Sunday, July 27, 1986, from 9:00 o'clock a.m. to 4:00 o'clock p.m.

G. Demolition Derby.

This event will be held at the same location as in 1985; south of County Road No. 47, west of the Vermillion River. The Chamber will provide the necessary fence to be used at this event. The responsibility of putting up this fence and taking it down will be solely that of the Chamber. The Chamber further agrees to acquire the necessary licenses from the City of Hastings for the sale of non-intoxicating malt liquor at this event. Furthermore, the Chamber agrees to hire, at their own expense, two off-duty City police reserve officers who shall be in uniform during this event.

H. Coor's Waterski Show.

This event will be held on the Mississippi River in front of Jay Cee Park.; Permission has been secured from the DNR to close the boat launch ramp in Jay Cee Park (see attached letter from DNR). Also, permission has been granted from the Dakota County Sheriff's Department to hold this event in this area. Applications have been submitted to the U. S. Coast Guard to halt barge/tow traffic during the performance times.

The City will provide electrical outlets and portable toilets as needed in Jaycee Park during this event. The Chamber will assume all responsibility for obtaining from the City of Hastings all necessary licenses for the sale of non-intoxicating malt liquor. The Chamber will be responsible for providing and putting up all temporary fence or barrier and taking it down. The Chamber will also be responsible for the hiring of two off-duty City police reserve officers who shall be in uniform during this entire event.

I. Concessions during the Flotilla Frolic.

The City hereby grants the exclusive right to the Hastings Area Chamber of Commerce for all concessions located in Jay Cee Park during the Flotilla Frolic on Saturday evening, July 26, 1986.

J. Concession Fees.

The City will be enforcing it's peddler's license fee which is \$10.00 per day to all non-Hastings residents and non-Hastings businesses. All residents of Hastings and Hastings businesses are exempt from this City Peddler's license. City Definition: The term "peddler" as used here, means and includes door-to-door, street-to-street, place-to-place or temporary vendors of sales or services (in person or by means of telephones) without a fixed, determined, and permanent location in Hastings at which he/she transacts his/her business, carries on his occupation or practices his/her profession, and includes, but not limited to, persons commonly referred to as peddlers, solicitors, transient merchants or canvassers.

In addition, the fees for Rivertown Days participants to the Chamber are:

	<u>Exhibit</u>	<u>Game</u>	<u>Food</u>
Civic/Church	\$25	\$30	\$75
Commercial			
Hastings Chamber Members	\$50	\$75	\$75
Non-Chamber Members	\$100	\$100	\$150

K. Miscellaneous.

For all other scheduled events not listed above and which are scheduled to be held in a City Park, the City will reserve the appropriate park space. For all other scheduled events, the Chamber assumes full responsibility for contacting the owners of the property and obtaining the necessary permission for its use.

L. Shuttle Bus

The City will provide a City Trac bus to operate on a continual basis Saturday and Sunday to shuttle people in and out of the park area. If demand is sufficient, the Chamber will provide an additional bus for shuttle purposes.

II. Insurance.

A. Certificates of Insurance.

The Chamber will obtain and present to the City prior to Rivertown Days certificates of insurance from each of the following: the carnival company, all participants in the logrolling/lumberjack show, each participating hot air balloonist, the company providing helicopter rides and the company providing the riverboat excursions. Each certificate of insurance shall name the City of Hastings and the Hastings Area Chamber of Commerce, and the Rivertown Days Committee as Additional Insured at no additional costs to any of these parties.

B. Hold Harmless Agreement.

The Chamber agrees to indemnify the City and hold it harmless from any and all claims, demands, lawsuits, or liability for such loss or damage, injury, death, and costs and expenses incident thereto arising out of all Chamber activities connected with Rivertown Days.

Prior to Rivertown Days, the City shall be furnished with an endorsement naming the City as an additional insured on the Chamber's policy. The Chamber's insurance policy shall not be cancelled or its conditions altered in any manner without ten days prior written notice to the City Administrator of Hastings.

### III. Miscellaneous.

A. In addition to the foregoing, the City of Hastings agrees to provide the following:

1. Trash and litter pickup which will be coordinated with Hastings Sanitary Disposal. (This service donated by Hastings Sanitary Disposal)
2. Two Parks Department employees will be on duty on Saturday and Sunday, July 26 and 27.
3. Provide barricades where appropriate.
4. Provide no parking signs where needed.
5. Ambulance service for miscellaneous events.
6. Provide a Fire Department water truck to fill the dunk tank.
7. Provide enforcement and assistance to the Hastings Police Department as required.
8. Provide extra garbage barrels at Lake Rebecca and Jay Cee and provide pickup Saturday afternoon.
9. Provide portable toilets
  - (a) Two at Con Agra/Peavy Park on July 27 for the Antique Car Show
  - (b) Two at the Community Education Center for the Bike Ride
11. The Chamber will provide four portable toilets at the Demo Derby
12. Will erect several temporary wood signs no larger than 4' X 8' (furnished by the Chamber approximately 2 weeks before the event and take down after the festival.

B. In addition to the foregoing, the Chamber agrees to provide the following:

1. Daily cleanup of all areas used during Rivertown Days.
2. Adequate traffic and crowd control at each scheduled Rivertown Days event.
3. Provide the City with a list of contact persons with phone numbers who are responsible for the various areas and events.
4. The Chamber will secure all necessary City permits and licenses required by Hastings City Ordinances for any and all activities during Rivertown Days.

5. Provide a tentative schedule for Rivertown Days (see attachment).


IN WITNESS WHEREOF, the City of Hastings and the Hastings Area Chamber of Commerce has caused this Agreement to be executed by its Mayor and City Administrator and Executive President respectively, each acting with full authority to bind each party to this Agreement.

CITY OF HASTINGS

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

By \_\_\_\_\_  
Gary E. Brown, its City  
Administrator/Cler;

HASTINGS AREA CHAMBER OF COMMERCE

By  \_\_\_\_\_ 5-1-86  
Alan Vandehaar, its  
Executive Vice-President



STATE OF  
**MINNESOTA**  
**DEPARTMENT OF NATURAL RESOURCES**

BOX 500 LAFAYETTE ROAD • ST. PAUL, MINNESOTA • 55146

DNR INFORMATION  
(612) 296-6157

April 10, 1986

Mr. Alan Vandehaar  
Executive Vice President  
Hastings Area Chamber of Commerce  
427 Vermillion Street  
Hastings, Minnesota 55033

Dear Mr. Vandehaar:

In answer to your request to close the public access for July 24 through 27, 1986, this is possible. However, you should know that this is not a standard practice of the Department of Natural Resources (DNR). This is a special case and only in the interest of public safety can this closing be permitted.

Generally, special use permits are given through our regional office. But in the case of a closing of a facility permission is granted by the central office. You should, however, coordinate any needs in conjunction with this closing through our regional office. The person to contact at the regional office is Mr. Delos Barber, Regional Trails and Waterways Coordinator, 1200 Warner Road, Saint Paul, Minnesota 55106, or 296-3572.

Your suggestion of signing the access, advising the public of the closing should be up for at least four weeks prior to its closing. With races and other high volume activity on the river during the closing time, I would suggest having several patrol boats to warn boaters, unknowingly entering the area from other locations.

Permission is hereby granted for the Hastings Area Chamber of Commerce in cooperation with the Hastings Parks and Recreation Department to close the river public water access near Lake Rebecca City Park from 6:00 p.m., Friday, July 25, 1986 to 8:00 p.m., Sunday, July 27, 1986.

If you have any further questions, feel free to call my office or Mr. Barber. Good luck with Rivertown Days.

Sincerely,

PAUL T. SWENSON, Director  
Trails and Waterways Unit  
Box 52 - 500 Lafayette Road  
Saint Paul, Minnesota 55146  
(612)/296-4822

PTS/DB/jls

cc Mike Markell, Supervisor, Water Access and River Recreation Section  
Kathleen Wallace, Regional Administrator  
Delos Barber, Regional Trails and Waterways Coordinator

AN EQUAL OPPORTUNITY EMPLOYER



April 22, 1986

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

Dear Gary:

As the sponsor of Rivertown Days, the Hastings Area Chamber of Commerce respectfully submits the enclosed applications to sell non-intoxicating malt liquor at two separate sites during the 1986 Rivertown Days festival. It is our wish to be included on the agenda of the City Council meeting of May 5, 1986.

With the permission of the Hastings City Council, we propose to sell non-intoxicating malt liquor at the following events; (1) on Sunday July 27, 1986 at the Demolition Derby on the land south of Dakota County Highway 47 (just west of Highway 61, on the same site as last year) between the hours of 12:00 and 5:00 p.m., and (2) in Jay Cee Park, by the river, between the hours of 12 noon and 5 p.m. on Saturday, July 26th and Sunday, July 27, 1986.

At each site the Chamber will have a small booth set up from which the beverage will be dispensed. Again this year one of our primary concerns is for the security of the area, and for this we plan to employ the same number of reserve uniform police as we did last year. We will be erecting a fence around the serving area and that area will again be patrolled continuously by uniformed police.

We are seeking the council's approval of the license, based on the contingency that we will acquire adequate insurance to meet City requirements for this type of license. After your approval of this application, we will proceed with the license as we did last year to provide you with a Certificate of Insurance before we receive the actual license.

# RIVERTOWN DAYS

"An Annual Community Festival on the Mississippi...Held the Last Full Weekend in July."  
Sponsored by the Hastings Area Chamber of Commerce, 427 Vermillion St., Hastings, MN 55033 • 612-437-6775

We are currently entertaining proposals from Hastings area service clubs inviting them to participate with us and receive a percentage of the profits.

I have visited with Police Chief Darryl Plath concerning our plans as outlined above, and he has indicated that he has no objection to events as I have presented them.

If you have any questions, please contact me.

Yours very truly,

A handwritten signature in cursive script, appearing to read "Alan Vandehaar", with a long horizontal flourish extending to the right.

Alan Vandehaar  
Executive Vice President

AV/cj



VI-D-1  
April, 22, 1986

Mayor and Members of the City Council  
City of Hastings  
City Hall  
100 Sibley Street  
Hastings, MN 55033

RE: Lake Isabele Restoration Project

Dear Mayor and City Council;

The purpose of this letter is to solicit support of the city council in assuring that restoration of Lake Isabele remains a viable project.

As you are aware, in 1984 the State Department of Natural Resources (DNR) received \$45000.00 from the legislature to find a feasibility study for the restoration of Lake Isabele. The firm of Hickok and Associates was chosen to conduct the study which was completed in February, 1985. By way of summary, the study found the following:

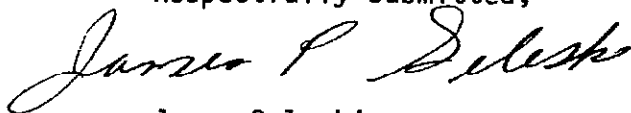
- A) Reclamation of the lake is a viable project, but would require the construction of a dike across the east end at an estimated cost of 1.4 million dollars.
- B) Once dike construction is completed ground water flowing into the lake would maintain required water levels and within a five (5) year period the purity of the water would match that of Lake Superior.
- C) City storm water run off should be diverted from the lake if it is to be reclaimed.
- D) Diking of the east bank could gain the water depth required for a cheaper cost than dredging.

Subsequent to the Hickok Study, your Lake Isabele Restoration Committee has learned that there are federally planned and funded projects that may be available to offset in the cost of a reclamation project. However, to be competitive for these federal funds it is important that the city project keep its continuing interest and good faith in the project. On this end your Lake Isabele Restoration Committee respectfully requests the City Council obtain the permits required from the State Department of Natural Resources, the U.S. Army Corps of Engineers and, if required, the Pollution Control Agency. It is estimated that the cost of the permits required would not exceed \$250.00. Obtaining the permits would:

- A) Put the city on record as having an interest in the project.
- B) Gain valuable time required to coordinate with other governmental agencies so that funding determination can be resolved.
- C) Provide the potential of a valuable resource being furnished the city where as a liability will result from inactivity.

While your committee continues to stand ready to assist in any way possible to insure the reclamation of this valuable asset, hopefully, the council will see fit to support this effort by obtaining the permits required.

Respectfully Submitted,

A handwritten signature in cursive script that reads "James P. Seleski".

James Seleski  
Chairman  
Lake Isabele Restoration Committee

JS/ljm

May 1, 1986

TO: MAYOR AND COUNCIL

FROM: BARB THOMPSON *BT*

RE: REQUEST FOR AUTHORIZATION FOR OUT OF STATE INVESTING OF FUNDS

Over the past three years since the council approved investing out of town we have been able to see a substantial increase in interest earned revenue. Even with this investing procedure we have seen a steady decrease in the percentage of interest rates on all our investments. In the last year and half the rates have dropped between 1.25 to 2.0 percent.

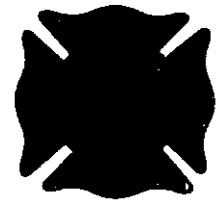
The staff is requesting your authorization at this time to go out of state with an amount not to exceed \$1,000,000 which is approximately 20% of our investment portfolio. They would be in \$100,000 amounts and therefore fully insured. By investing out of state we can anticipate the interest rates to increase by approximately 1.5 to 1.75 percent, which amounts to around \$15,000 per year.

Upon your authorization we ask that you approve the following depositories:

- The Savers Bank of Littleton, N.H.
- Interamerican Savings & Loan of Miami, Florida
- First Federal Savings & Loan of Roanoke, Va.
- Citicorp Savings of Miami, Florida
- Alaska Mutual Bank of Anchorage, Alaska
- Ensign Bank of New York, N. Y.
- Community Homestead S & L of Houma, La.
- Equitec Savings Bank of Oakland, California
- Western S & L of Arizona, Phoenix, Az.



# HASTINGS FIRE DEPARTMENT



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

Business Office (612) 437-5610

TO: Mayor Stoffel  
Council Members

FROM: D.C. Latch - Fire Chief

SUBJECT: Fire Department Vehicle - Surplus Property

DATE: April 30, 1986

At the March 3, 1986 City Council meeting, the Council decided not to trade the 1977 Chevrolet Wagon and also defeated a motion to declare the vehicle excess property.

The replacement vehicle should be here within the next week. Other department heads are not interested in the retention of this vehicle.

I respectfully request that the Council declare this vehicle excess property to be sold at auction.

*DCL*  
DCL:lh

Attachment:  
March 3, 1986 Council Minutes  
Bids received on February 28, 1986

Moved by Councilmember Trautmann, seconded by Councilmember Berg to adopt Resolution No. 14-86 accepting and awarding the bid for the Assistant Fire Chief's car to Joe O'Brien Chevrolet and Cadillac Inc. for a bid price of \$10,999 excluding the trade-in. 5 Ayes; Nayes, None. Copy of resolution on file.

RESOLUTION NO. 14-86  
AWARD BID-  
ASSISTANT FIRE  
CHIEF'S CAR

Moved by Councilmember Trautmann, seconded by Councilmember Nesbitt to declare the present Assistant Fire Chief's car as excess property. 2 Ayes; Nayes, Kulzer, Bond and Berg.

1986 FRONT WHEEL DRIVE STATION WAGON

BIDS RECEIVED 2/28/86 10:00 AM

	<u>Ron Becker Oldsmobile Dodge</u> <u>Dodge Aries L.E.</u>	<u>Ron Becker Oldsmobile Dodge</u> <u>Olds Cutlass Cruiser</u>	<u>Joe O'Brien Chev.</u> <u>Chev. Celebrity</u>
bid price	10,200.00	12,368.37	10,999.00
trade	700.00	700.00	400.00
net bid	9,500.00*	11,668.37*	10,599.00
Delivery	10 weeks	10 weeks	60-90 days
	*DOES NOT MEET SPECS 1. No bid bond 2. 4 cylinder engine	*DOES NOT MEET SPECS 1. No bid bond	



# HASTINGS POLICE DEPARTMENT

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



DARYL A. PLATH  
Chief of Police

May 1, 1986

MEMO TO: Mayor Stoffel  
City Council Members

FROM: Daryl A. Plath, Chief of Police

RE: Request from Hastings Independent Slo-Pitch League

Attached to this memo you will find a letter from the Hastings Slo-Pitch League.

They are requesting relief from the requirement of hiring off-duty police officers for week end tournaments.

I am bringing this to the Councils attention for review. The Police Department will respond to whatever decision you make.

DAP/sn

# HASTINGS INDEPENDENT SLO-PITCH LEAGUE

KEVIN HENRIKSEN  
LEAGUE DIRECTOR  
437-4028

1820 OAK STREET  
HASTINGS, MINNESOTA 55033

April 19, 1986

Chief Daryl Plath  
Hastings Police Dept.  
107 W. 5th St.  
Hastings, MN 55033

Dear Sir:

During the weekend of May 9th - 11th our league will holding their annual City Tournament. The tournament will be held at the Veterans Park Softball Complex beginning on Friday evening continuing through Sunday night.

There will be approximately 32 teams involved with 21 of the teams from our league. We hold this tournament every year to try to defray entry fee costs for our teams' sponsors.

We are requesting that the policy of hiring off duty police officers for weekend tournaments be rescinded or changed. With the majority of the teams involved being local teams, we will have nearly the same amount of teams at the complex on this weekend as we do during our weekly league play.

We feel that extra patrol once in awhile from the officers on duty at the time, will serve the same purpose. The expense of hiring off duty officers added to the fees paid to use the complex make it difficult to cut costs.

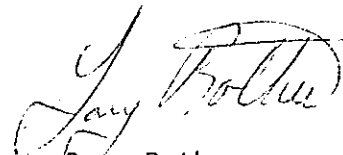
There will be other tournaments held at the complex this summer. Wether you would wish to make a standard policy on a tryout basis, or on individual requests is your decision and we will abide by it.

Thank you for your time and consideration. Please let us know of your decision at your earliest convenience.

Respectfully,



Kevin L. Henriksen  
League Director



Gary Rother  
Asst. Director

2027 WALNUT ST  
HASTINGS, MN.  
55033

437-3232

## Tournaments

### 1. Host Tournament Eligibility

- a. All Leagues who are co-sponsored by the Community Education Recreation Joint Powers Program.
- b. Hastings Youth Athletic Association.
- c. Civic Non-Profit Organizations (Kiwanis, Jaycees, etc.)
- d. Outside Groups (Leagues not co-sponsored by the Joint Powers and Leagues outside the Community.)

### 2. Tournament Operation

- a. No game may start before 8:00 a.m.
- b. No inning may start after 11:30 p.m.
- c. No motorized vehicles or machines are permitted on park property.
- d. In the event of total cancellation of a tournament due to severe weather, all fees will be refunded. The Hastings Parks and Recreation Department will determine the amount of refund on any partially completed events.
- e. In the event of inclement weather (i.e. thunder showers, etc.) as determined by the Civic Arena Manager the Veterans Park Complex will not be used. The designated alternative sites will be three fields at Pioneer and the field at Conzemius Park.

- f. Tournament director shall hire an off duty Hastings Police Officer, or an active member of the Hastings Police Reserve to provide security. This officer will be required to be on duty each day of the tournament from 12:00 noon until completion.

### 3. Concessions

- a. Leagues approved or sanctioned by the Community Education Joint Powers Program.
  1. Tournament concession stand rental fee \$100 per tournament - plus \$200 damage deposit.
  2. Tournament Director must obtain all license requirements for 3.2 beverages. Only non-profit charitable organizations which are incorporated shall be licensed for the sale of 3.2 beverages.



3. Tournament Director is responsible for supplying all food, paper products, and other necessary supplies.
4. Tournament Director is responsible for all necessary clean up of concession stand and surrounding area.
5. All concession proceeds will go to the Tournament Sponsor.

b. Hastings Youth Athletic Association

1. Tournament Concession stand rent fee will be waived.
2. Tournament Director is responsible for supplying all food, paper products, and other necessary supplies.
3. Tournament Director is responsible for all necessary clean up of concession stand and surrounding area.
4. Concession stand operation will be coordinated through the Civic Arena Manager.
5. Concession proceeds - remain with the HYAA to help defer the registration fee.

c. Civic Non-Profit Organizations


1. Tournament Concession stand rental fee \$100 per tournament - plus \$200 damage deposit.
2. Tournament Director must obtain all license requirements for 3.2 beverages.
3. Tournament Director is responsible for supplying all food, paper products, and other necessary supplies.
4. Tournament Director is responsible for all necessary clean up of concession stand and surrounding area.
5. Staffing; The Civic Arena Manager or his Representative will supervise the operation of the concession stand at all times. He will also coordinate the use of volunteers with the Tournament Director.
6. Concession proceeds; Will remain with the Tournament sponsor.

d. Leagues not sponsored by the Community Joint Powers Program.

1. Tournament Concession stand rental fee \$200 per tournament - plus \$200 damage deposit.
2. Tournament Director must obtain all license requirements for 3.2 beverages. Only non-profit charitable organizations which are incorporated shall be licensed for the sale of 3.2 beer.
3. Tournament Director is responsible for supplying all food, paper products, and necessary supplies.

MEMO

TO: Mayor and Council

FROM: Marty McNamara 

DATE: May 1, 1986

SUBJECT: Off Duty Police at Veterans Park Athletic Complex

I've been informed that a letter was received by Chief Plath from Kevin Henrickson, a member of the Hastings Independent Men's Softball League, requesting the elimination of an off duty police officer for tournaments held at the Veteran's Complex.

The Council adopted Rules and Regulations for the Complex which included having an off duty officer on site during all tournament play when the Complex was developed, in order to provide proper management and control of the facility and to minimize liability for the City.

I strongly recommend the City Council continue the established policy.

ces

## Rules for Veterans Park

### 1. Scheduling of Leagues; Priorities

- a. There will be an annually scheduled meeting between Community Softball/ Baseball Leagues to establish playing schedules for the season.

Criteria to be considered for scheduling will include:

1. Leagues who have previously scheduled use of Vets Park.
2. Leagues who have paid their Adult League Users Fee.
3. Leagues that have complied with Rules for the use of Vets Park (i.e., abusive conduct, improper use of alcoholic beverages, etc.)

### 2. Parking

- a. Confined to designated areas only. (Please keep vehicles off the grass).
- b. Violators of the parking ordinance will be fined and/or vehicles towed away at owner's expense.
- c. League Presidents and managers are responsible for parking and players' conduct.

### 3. Users' Conduct

- a. Players and spectators are expected to conduct themselves in a responsible adult manner.
- b. Disorderly conduct of any kind is prohibited.
- c. If continued disorderly conduct occurs the League will be subject to suspension and/or expulsion from Veterans Park for the season.
- d. Trash; League members are expected to keep area clean and deposit all trash in trash containers which are provided on the site. Failure to comply with this rule will necessitate a clean up fee assessed to the League.
- e. Alcoholic Beverages; Players and spectators are not allowed to bring alcoholic beverages to the park.

### 4. Keys

- a. Two keys will be issued, one to the president of the League and another to league officer or board member.

### 5. Park Closing Time

- a. The Park will close at 12:00 p.m.

4. Tournament Director is responsible for all necessary clean up of concession stand and surrounding area.
5. Staffing; The Civic Arena Manager or his representative will supervise the operation of the concession stand at all times. He will also coordinate the use of volunteers with the Tournament Director.
6. All tournament proceeds shall go to tournament sponsor.

#### 4. Fee Schedule

- a. Leagues approved or sanctioned by the Community Education Joint Powers Program and Civic Non-profit Organizations.
  1. Rental fee of \$25.00 a day per field will be required.
  2. Hollywood bases, field liner, field drag - all included in field rental prices.
  3. Chalk available to all groups at \$2.50 per bag.
  4. Damage Deposit - \$100 damage deposit will be required for all fields.
  5. All groups are responsible to pay, in full, any and all damages resulting from theft or vandalism to any equipment or facilities used during their rental period.
- b. Hastings Youth Athletic Association
  1. Rental fee waived.
  2. Hollywood bases, field liner, field drag, will be provided by the City.
  3. Chalk will be available at \$2.50 per bag.
  4. Damage deposit will be waived but the association will be responsible for all damages resulting or facilities used during their rental period.
- c. Leagues not sponsored by the Community Education Joint Powers Program.
  1. Rental fee of \$50.00 a day per field will be required.
  2. Hollywood bases, field liner, field drag - all included in field rental.
  3. Chalk available to all groups at \$2.50 per bag.
  4. A damage deposit of \$200 will be required for all fields.
  5. All groups are responsible to pay, in full, any and all damages resulting from theft or vandalism to any equipment or facilities used during their rental period.

#### 5. Insurance

- a. \$300,000 worth of dram shop plus \$300,000 general liability insurance minimum to be provided.

City of Hastings  
Dakota County, Minnesota

RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS FOR 1986 OVERLAYS.

WHEREAS, the City Council has included in the 1986 Street Department Budget an item for street overlays, and

WHEREAS, it is in the best interest of the City to request bids for this work, and

WHEREAS, the City Engineer has prepared plans and specifications for this overlay work.

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

1. Such plans and specifications, a copy of which is attached hereto and made a part hereof, are hereby approved.
2. The City Clerk shall prepare and cause to be inserted in the official paper and the Construction Bulletin, an advertisement for bids for the making of such improvement under such approved plans and specifications. The advertisement shall be published on May 15, 16, 22 and 23, 1986; shall specify the work to be done; shall state that bids will be received by representatives of the City Council until 2:00 p.m. on May 27, 1986 at which time they will be publicly opened in the Council Chambers, 100 Sibley Street by the City Administrator and City Engineer; will then be tabulated, and will be considered by the City Council at 7:30 P.M. on Monday, June 2, 1986 in the Council Chambers; and that no bids will be considered unless sealed and filed with the City Clerk and accompanied by a cash deposit, certified check, or bid bond payable to the City of Hastings for five percent (5%) of such bid.

ADOPTED BY THE CITY COUNCIL OF HASTINGS, MINNESOTA THIS 5TH DAY OF MAY, 1986.

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

ATTEST:

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

MEMO

To: Mayor and Members of the City Council

From: J.J. Kleinschmidt, City Engineer

Subject: 1986 Overlay Program

Date: April 25, 1986

The 1986 Street Department budget includes an item for street overlays in the amount of \$25,000. Enclosed you will find specifications to complete this work. The locations for this proposed work are shown on the enclosed sketches. I would like to comment on three of these locations.

It is proposed to overlay another block of 2nd Street between Chestnut St. and Bass St. We overlaid two blocks in 1985 but we should have gone one block farther east. It is proposed to do this block this year.

It is proposed to overlay River Street from 2nd St. to 150' south. We propose to eliminate a drainage problem in this location.

It is proposed to make a grade correction on W. 12th St. from Eddy St. to 150 feet east. This will eliminate a drainage problem in this location.

The action requested from the City Council is to receive the specifications and authorize the advertisement for bids. Bids are proposed to be received on May 27th with City Council action on June 2, 1986.

*James J. Kleinschmidt*

City of Hastings, Minnesota  
Dakota County, Minnesota

ADVERTISEMENT FOR BIDS

Notice is hereby given that sealed bids will be received, publicly opened and read aloud by representatives of the City Council of Hastings, Dakota County, Minnesota, at the City Council Chambers at 100 Sibley Street, in said City at 2:00 P.M. C.D.S.T. on Tuesday, May 27, 1986 for furnishing and installing 1 1/2" bituminous overlays at several locations in the City of Hastings. Approximately 1000 tons of MNDOT Spec. 2341 will be required.

All work shall be done in accordance with the plans and specifications on file in the office of the City Engineer, 100 Sibley Street, Hastings, Minnesota.

All bids shall be accompanied by a certified check, cash, or bid bond in the amount of five per cent (5%) of the bid as a guarantee that the bidder will enter into a contract to perform said work.

The City Council will consider the award for said work at their regular meeting to be held on Monday, June 2, 1986 at 7:30 p.m. in the Council Chambers at 100 Sibley Street.

Dated at Hastings, Minnesota this 5th day of May, 1986.

---

Gary E. Brown, City Administrator/Clerk

Publish: May 15 and May 22, 1986  
Hastings Star Gazette

May 16 and May 23, 1986  
Construction Bulletin

City of Hastings, Minnesota  
1986 Overlay Specifications

1. Description:

This project consists of furnishing and placing a 1 1/2" bituminous overlay on several streets in the City.

MNDOT Standard Specifications for Highway Construction dated 1983 shall govern the work under this contract with modifications as specified herein.

The City Street Department will do all necessary street cleaning and patching work prior to construction of the overlays.

The bituminous overlays shall consist of MNDOT Specification 2341 with AC-1 having a penetration of 120-150.

Prior to the overlay construction this contractor shall raise all manholes and valve boxes to an elevation 1/4" below finished grade. The contractor will be paid for this work at the unit price bid.

The overlays shall be constructed at the following locations:

1. 2nd St. - Chestnut St. to Bass St.
2. Prairie St - 2nd St. to 3rd St.
3. Vermillion St (under T.H. 61 bridge) - 2nd St. to 1st St.
4. River St. - 2nd St. to 150' South
5. E. 14th St. - T.H. 61 to Sibley Street
6. W. 17th St. - T.H. 61 to Ashland Street
7. W. 18th St. - T.H. 61 to Ashland Street
8. W. 12th St. - Eddy St. to 150 feet east (grade correction only)

2. General Conditions

Sealed bids will be received by the City Administrator at the City Offices, 100 Sibley Street, until 2:00 P.M. C.D.S.T. on May 27, 1986 and will be opened and read aloud immediately thereafter in the City Offices-100 Sibley Street. The City Council will consider award of contract on Monday June 2, 1986.

Bids must be submitted on the proposal forms furnished with the specifications. All bids must be accompanied by a certified check, cash or bid bond in the amount of five percent (5%) of the amount of the total bid. This bid security is to serve as a guarantee that the successful bidder will enter into a contract with the City to perform said work in accordance with these specifications.

METHOD OF MEASUREMENT: Bituminous material shall be measured by weight from manifest collected with each load, and paid for by the ton as bid in the proposal.

Manhole adjustment and valve box adjustment will be paid for at the unit price bid for the number of units actually adjusted.



TIME SCHEDULE: The contractor shall indicate the completion date in the appropriate spaces provided on the proposal form. The completion date may be taken into account in making award of contract, but shall not be later than July 15, 1986.

INSURANCE: The contractor shall take out and maintain such Public Liability and Property Damage Insurance as shall protect him from all claims and bodily injury, including accidental death, as well as from all claims for property damages arising from operations under this contract. The minimum limits of coverage which shall be required are --

- \$250,000 for injuries, including accidental death to any one person;
- \$500,000 for injuries, including accidental death resulting from any one accident;
- property damage in the amount of \$100,000 per accident and \$200,000 in the aggregate.

This policy shall include coverage for: Damage to or destruction of wires, conduits, pipes, mains, sewers, drains, or other similar property, or any apparatus or appurtenance in connection therewith, below the surface of the ground, if such damage or destruction is caused by or occurs during the use of mechanical equipment for the purpose of grading or land, excavating or drilling, or damage or destruction of property at any time resulting therefrom.

AUTOMOBILE INSURANCE: The contractor shall take out and maintain Automobile Liability and Property Damage Insurance on all automobiles, trucks, and all other automotive equipment owned, rented, or borrowed and used in the work under this contract. The minimum limits of coverage which shall be required are --

- \$250,000 for injuries, including accidental death to any one person;
- \$500,000 for injuries, including accidental death resulting from any one accident;
- \$100,000 for property damage resulting from any one accident.

CONTRACTUAL LIABILITY: It shall be a part of this contract that the contractor shall indemnify and hold harmless the owner, and their officers, employees and agents from any and all claims, suits, actions, causes of action, liability, damages, losses, expenses or payments on account of bodily injury, sickness, death and property damage as a result of, or alleged to be a result of the contractor's operation in connection with this project.

OWNER'S PROTECTIVE LIABILITY AND PROPERTY DAMAGE INSURANCE: The Contractor shall take and and maintain Owner's Protective Liability and Property Damage Insurance in the name of the owner insuring against bodily injury, including accidental death, and property damage liability in the limits set forth above under Public Liability Insurance for which they may become legally obligated to pay as damages sustained by any persons, caused by accident and arising out of operations performed for the named insured by independent contractors and general supervision thereof.

BUILDER'S RISK, FIRE AND EXTENDED COVERAGE INSURANCE: If the nature of the project, or any portion thereof, is such that there is an insurable hazard, the contractor shall take out and maintain an "All-Risk" Builders Risk Policy on behalf of himself, the owner, and his sub-contractors on a completed value form.

COMPLETED OPERATIONS' COVERAGE: Completed Operations' Coverage must be included for a period of not less than one year after the final acceptance of the completed work by the owner for the liability limits set forth above.

PROOF OF INSURANCE: Insurance Certificates proving that the above insurance is in force with companies, acceptable to the owner, and in the amounts required, shall be submitted to the Owner's Attorney for examination in sufficient time that they can be approved concurrently with the execution of the contract, after which they shall be on file with the owner. In addition to the normal information provided on the insurance certificates, they shall specially provide that:

1. A certificate will not be modified in any manner except upon ten (10) days prior written notice to the owner.
2. The contractual liability hazard has been insured.

CONTRACTOR'S BOND: A performance bond for the contract price with sureties satisfactory to the city shall be required as outlined in MHD 1301.

CERTIFICATE OF STATE INCOME TAX WITHOLDING: Final payment shall not be made until satisfactory showing is made that the Contractor has completed with the provisions of Minnesota Statutes, Section 290.92 (which provides that the wages of all employees employed by the Contractor and Subcontractors on the project be subjected to State Withholding, and that all monies so withheld and all returns required by said section, to date, be duly deposited or paid; and that all returns be duly filed with the Commissioner of Taxation). Such showing may be in the form of an affidavit from the Commissioner of Taxation, or by such other procedure as may be prescribed by the Commissioner of Taxation.

Proposal  
1986 Overlay Program  
City of Hastings

Proposed By \_\_\_\_\_  
\_\_\_\_\_, 1986

Honorable Mayor and City Council Members  
City of Hastings  
100 Sibley Street  
Hastings, Minnesota 55033

Gentlemen:

We propose to furnish all labor, material, skills, and equipment necessary for furnishing and installing 1 1/2" thick bituminous overlays on the streets designated in the enclosed specifications and on file in the Office of the City Engineer - 100 Sibley Street-Hastings, Minnesota 55033 for the following amounts:

1. Furnish and install a 1 1/2" overlay of MNDOT SPEC 2341 hot mixed bituminous material complete in place and rolled.

1030 tons @ \$ \_\_\_\_\_ per ton = \$ \_\_\_\_\_

2. Adjust water gate valve boxes.

11 boxes @ \$ \_\_\_\_\_ each = \$ \_\_\_\_\_

3. Adjust manholes

14 manholes @ \$ \_\_\_\_\_ each = \$ \_\_\_\_\_

Total amount of Bid \$ \_\_\_\_\_

The quantities stated herein are approximate only. Payment will be made for the quantities of work ordered and actually installed complete.

If the proposal is accepted, we will execute a contract in the form specified and will furnish bond in the amount of the contract.

All addenda shall become a part of the bid. We, hereby, acknowledge  
ADDENDUM NO. \_\_\_\_\_ AND NO. \_\_\_\_\_.

Accompanying this proposal is a bid security, the same being subject to the forfeiture according to Minnesota Statutes in the event of default by the undersigned.

We have examined the site of the work and are familiar with all conditions affecting the work.

The City reserves the right to reject any or all bids, waive informalities in any bid and award the work in the best interest of the City.

If we are awarded the contract, we will complete all work prior to \_\_\_\_\_, 1986; but, in no case, later than July 15, 1986.

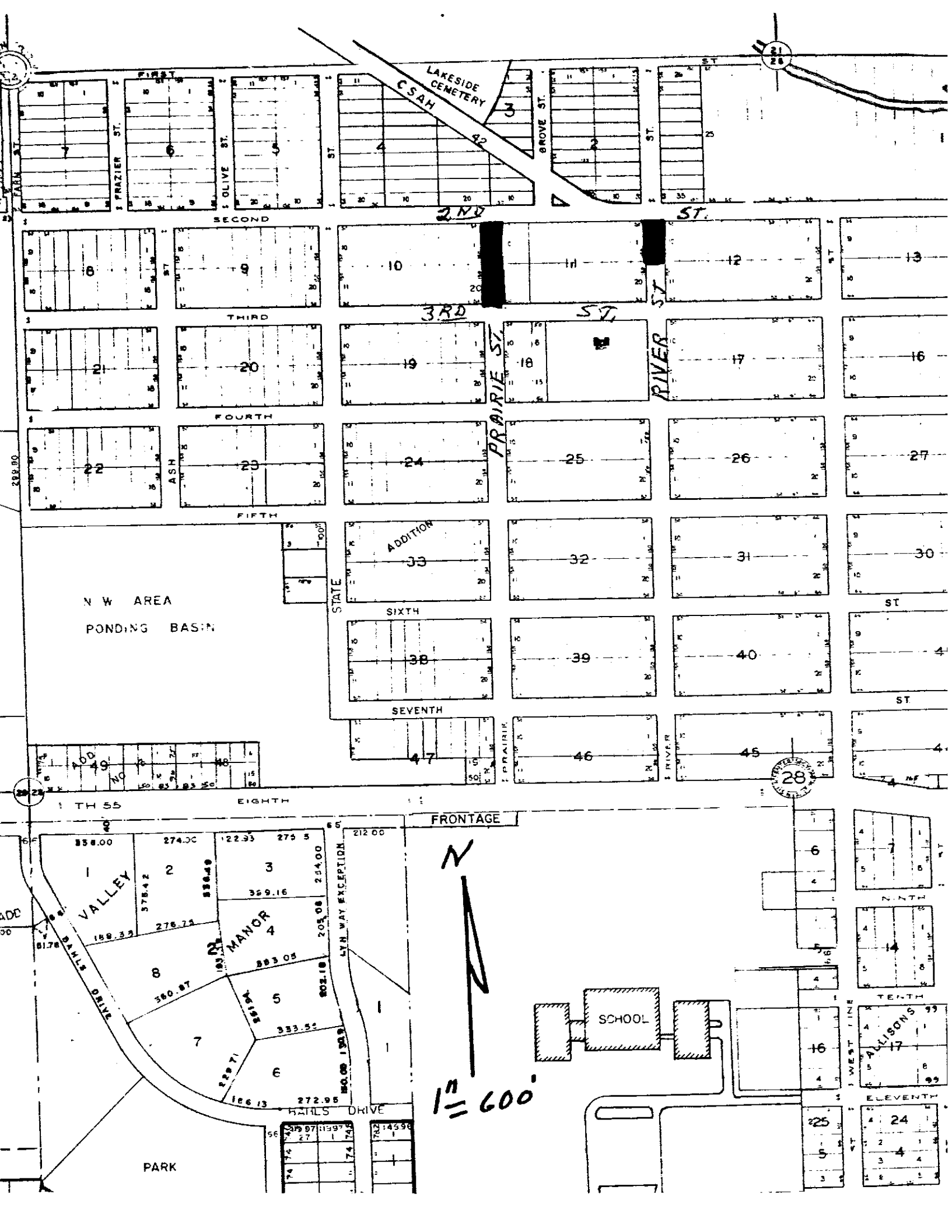
Respectfully submitted,

\_\_\_\_\_ FIRM NAME

\_\_\_\_\_ SIGNED BY

ADDRESS OF BIDDER: \_\_\_\_\_

Telephone No. \_\_\_\_\_



LAKESIDE CEMETERY CSAH

28

SECOND

2ND

ST.

THIRD

3RD

ST.

FOURTH

PRAIRIE ST.

RIVER ST.

FIFTH

STATE

SIXTH

SEVENTH

28

N W AREA PONDING BASIN

ADDITION

FRONTAGE

N  
1" = 600'

SCHOOL

VALLEY MANOR

858.00 274.00 122.33 275.5 212.00

578.42 359.16 205.08 254.00

189.33 276.75 369.05 203.18

360.97 333.50 229.71 166.13 272.95

VALLEY DRIVE

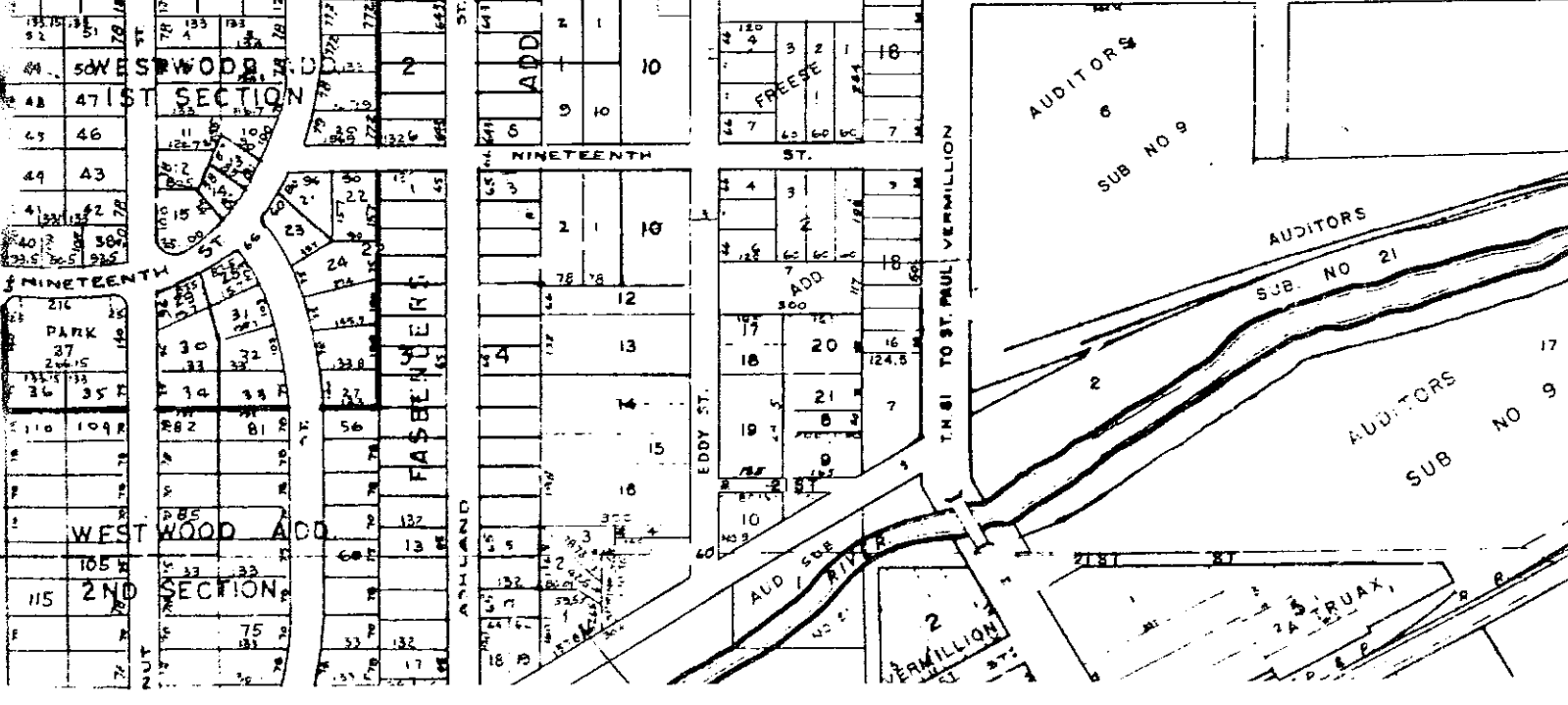
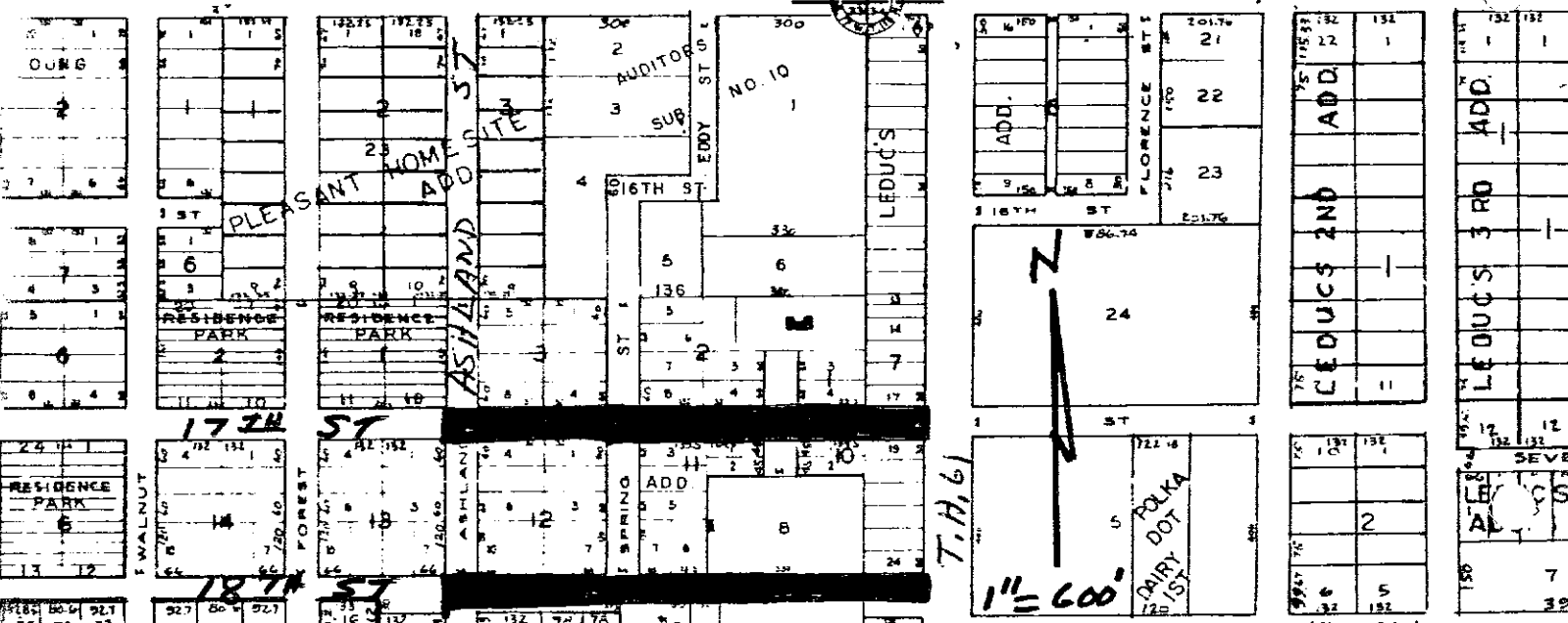
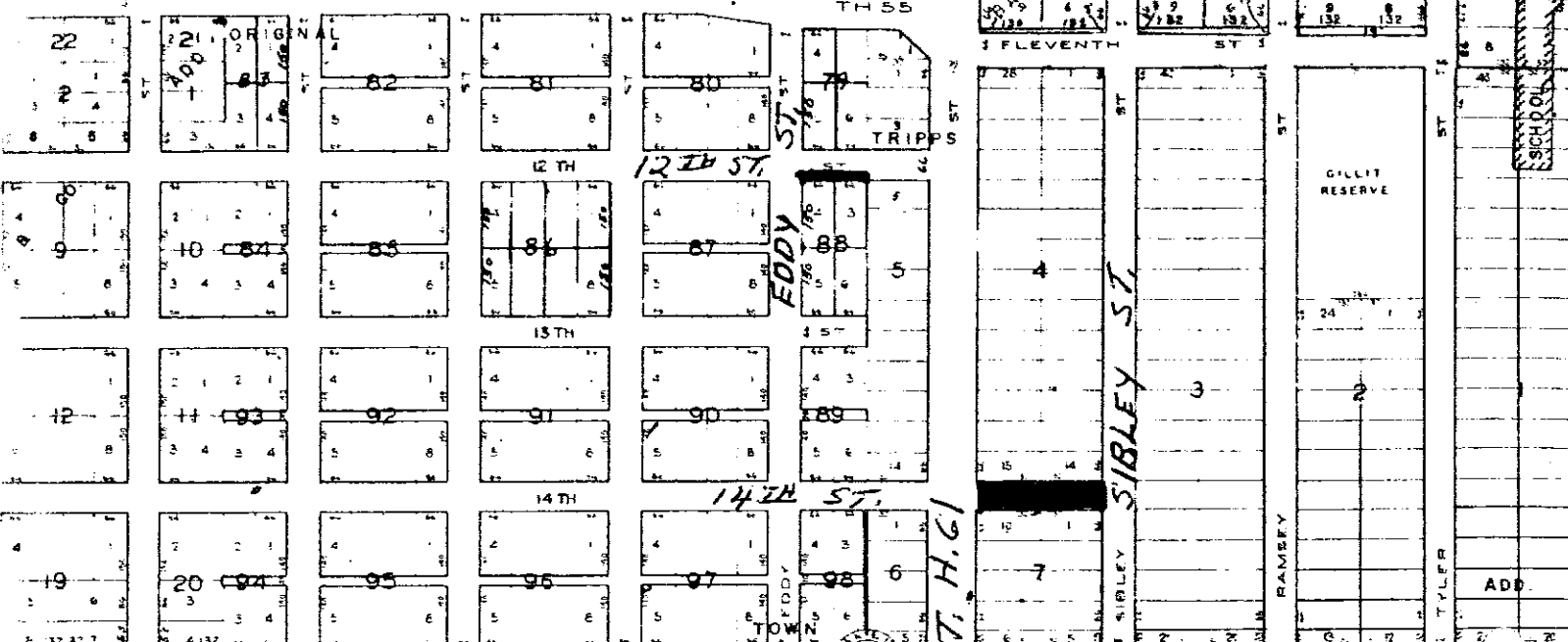
HAILS DRIVE

PARK

ALLISON'S

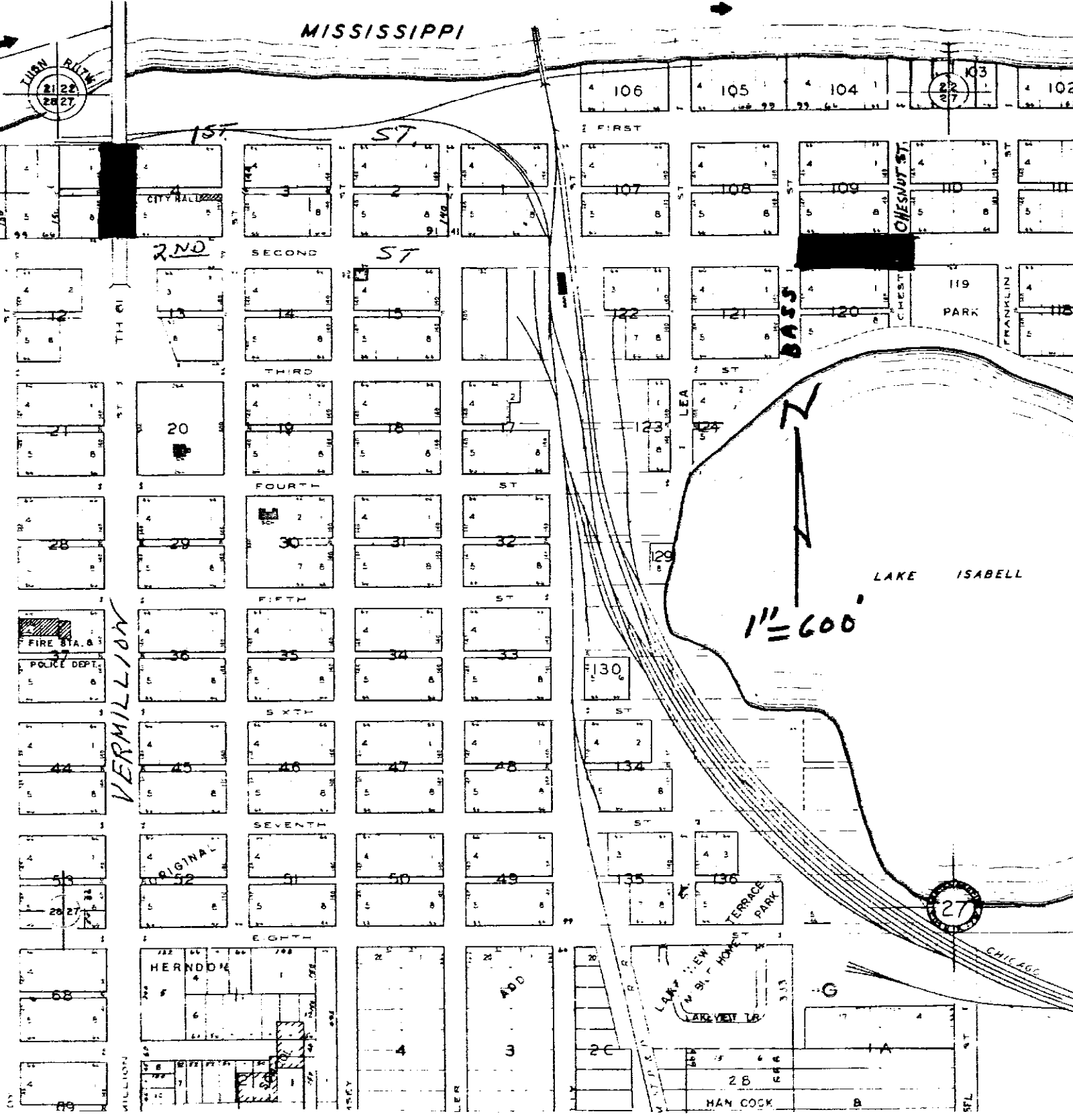
ELEVENTH

24



MISSISSIPPI

TURN RIGHT  
2122  
2827



2ND

20

VERMILION

ORIGINAL

HERNDON

400

4

3

1" = 600'

LAKE ISABELL

27

TERRACE PARK

HAN COCK

MEMO

TO: Honorable Mayor and Members of the City Council

From: J.J. Kleinschmidt, City Engineer

Subject: Proposed stop signs - Malcolm Ave. at 160th St. and Cory Lane  
at 160th St.

Date: May 5, 1986

A request for stop signs has been made at the above two locations.

The Manual on Uniform Traffic Control Devices Section 2B-5-warrants for Stop Signs, reads in part as follows:

"Because the STOP sign causes a substantial inconvenience to motorists, it should be used only where warranted. A STOP sign may be warranted at an intersection where one or more of the following conditions exist:

1. Intersection of a less important road with a main road where application of the normal right of way rule is unduly hazardous.
2. Street entering a through highway or street.
3. Unsignalized intersection in a signalized area.
4. Other intersections where a combination of high speed, restricted view, and serious accident record indicates a need for control by the STOP sign.

STOP signs should not be used for speed control."

Discussion:

There is an increase in traffic on 160th Street due to the installation of modular homes in Three Rivers Trailer Park - Phase I. Phase II has been approved by the City Council and this will add additional traffic to 160th Street. Also the completion of the 16 unit condominium on Cory Lane plus the proposed construction of another 16 unit condominium and several four plexes on Cory Lane will add additional traffic to 160th Street.

Conclusion:

Warrants 1 and 2 above have been met at the above two intersections.

Recommendation:

Stop signs are recommended for Malcolm Ave. at 160th St. and also for Cory Lane at 160th Street.

*James J. Kleinschmidt*



City of Hastings  
Dakota County, Minnesota

Resolution No. \_\_\_\_\_

RESOLUTION AUTHORIZING STOP SIGNS ON MALCOLM AVENUE AT 160TH STREET AND ALSO ON CORY LANE AT 160TH STREET.

WHEREAS, a request has been made to install stop signs on Malcolm Avenue at 160th Street and Cory Lane at 160th Street and;

WHEREAS the City Engineer has determined that warrants do exist for the installation of stop signs at these intersections.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Hastings, Minnesota that The City Staff is directed to place stop signs at the above two intersections.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF HASTINGS MINNESOTA THIS 5TH DAY OF MAY 1986.

ATTEST:

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

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

AMUSEMENT DEVICE LICENSES

1986

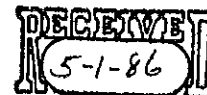
BUSINESS NAME	SKILL GAME	COIN AMUSEMENT	JUKE BOX	GAME (POOL) TABLE	TOTAL DOLLARS
McCabe's 880 Bahls Drive	1		1		\$ 35
American Legion Club 50 Sibley Street	1		1	1	45
Don's Super Valu Westview Mall	2				50
Eagles 2212 1220 Vermillion Street			1	2	30
Friar Tucks 1840 Vermillion Street	2		1	1	70
Hutch's Ice Cream Shop 7 Vermillion St.	8				200
Loesch's Bar 412 Vermillion St.	2		1	3	90
Maco-Bar & Grill 106 East 2nd Street	2		1	2	80
Mr. C's 2108 Vermillion St.	2		1		60
Pizza Hut Westview Mall Road	3		1		85
V. F. W. Post 1210 320 East 2nd St.	1		1	2	55
Arstube 109 West 11th St.	1		1		35
The Pillers 314 Vermillion St.	1		1		35
The Bar 2101 Vermillion St.	2		1	3	90
Hooligan's 411 Vermillion St. (NEW LICENSE)	5			1	135

TOTAL

\$1,095

Police Chief Plath states there have been no problems at these establishments due to the licenses issued last year. The renewal date will run to May 17, 1987.

*BT*



HERBST & THUE, LTD.

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JOHN M. STANOCH  
RICK E. MATTOX  
REESE E. CHEZICK

April 30, 1986

**Information**

Mr. Shawn M. Moynihan  
Attorney at Law  
999 Westview Drive  
Hastings, Minnesota 55033

Re: Our File Number 86-0035F

Dear Shawn:

Enclosed you will find copies of the five (5) charter amendment ballot forms. Call me if you have any suggestions or changes.

Very truly yours,

Adrian E. Herbst

AEH:pms

Enc.

cc: Gary Brown, with enclosures  
Chuck Caturia, with enclosures

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CHARTER ELECTION BALLOT

Charter Amendment No.   1  

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Shall Charter Amendment No. 1 be adopted,  
relating to changing the composition of  
Councilpersons from eight (8) persons elected  
from Wards to six (6) persons with two (2)  
persons elected at-large and four (4) persons  
elected from Wards?

YES \_\_\_\_\_

NO \_\_\_\_\_

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CHARTER ELECTION BALLOT

Charter Amendment No. 2

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Shall Charter Amendment No. 2 be adopted, relating to changing the term of the Mayor, beginning with the election in 1986, from two (2) years to four (4) years, allowing the Mayor to vote as a member of the City Council, permitting the Mayor to second motions while presiding at a City Council meeting, and removing the veto power of the Mayor?

YES \_\_\_\_\_

NO \_\_\_\_\_

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CHARTER ELECTION BALLOT

Charter Amendment No. 3

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Shall Charter Amendment No. 3 be adopted,  
providing that the City Administrator shall  
be the chief administrative officer of the  
City and in charge of day-to-day activities,  
and describing the specific powers and duties  
of the City Administrator?

YES \_\_\_\_\_

NO \_\_\_\_\_

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CHARTER ELECTION BALLOT

Charter Amendment No. 4

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Shall Charter Amendment No. 4 be adopted,  
relating to the powers and duties of the  
Mayor regarding law enforcement and the  
Police Department of the City?

YES \_\_\_\_\_

NO \_\_\_\_\_

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CHARTER ELECTION BALLOT

Charter Amendment No. 5

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Shall Charter Amendment No. 5 be adopted, providing that in order for an item to be considered at a City Council meeting, the item must be submitted at least five (5) calendar days prior to the scheduled meeting; and further providing that a unanimous vote of the City Council would allow for the immediate consideration of an item?

YES \_\_\_\_\_

NO \_\_\_\_\_

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# HASTINGS POLICE DEPARTMENT

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



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DARYL A. PLATH  
Chief of Police

**Information**

May 1, 1986

MEMO TO: Mayor Stoffel  
City Council Members

FROM: Lloyd Gath, Police Lieutenant

A handwritten signature in black ink, appearing to be "L. Gath", written over the printed name.

RE: "No Parking Doctors Only" sign in the 100 block of Ramsey Street

Some years ago a medical doctor had his office in the back of Eddy's Drug. A sign was put up and the curb was painted yellow for him. He has not been there for several years.

At present a dentist has his office there and is using the parking space.

We do not reserve a parking spot for any other dentist, and we feel there should not be one at this location.

If there are no objections from the Council, this sign will be removed and the curb painted white after 10 days.

LG/sn