

COUNCIL MEETING

7:30 P.M.

DATE: March 3, 1986

AGENDA

I CALL TO ORDER:

II ROLL CALL:

III DETERMINATION OF QUORUM:

IV APPROVAL OF MINUTES:

Minutes of meeting of March 3, 1986 & Special meeting February 13, 1986

V AWARDING OF BIDS AND HEARING: 1. Public Hearing-1986 Improvements  
2. Award Bid-Assistant Fire Chief's car  
3. Public Hearing-Ordinance Amendment-Development in the city.

VI REPORTS FROM CITY STAFF:

A. City Planner

1. Rezoning-Agricultural to R3 PRD (1st Reading) and preliminary plat-set public hearing-Sieben's 3rd Addition - Al Sieben.
2. Special use permit for mobile home sales-Lots 7-10, Block 6, & Lots 1-7, Block 7 Vermillion Addition (Old Weber Ford property) Ron Becker.
3. Review request for permission to place 8 ft x 16 ft office trailer on auto impound lot (intersection of 23rd & Vermillion) Dave Chapin Best Towing.
4. Variance request-Gary Hughes-1475 Brittany Road-(Report from Planning Committee).
5. Policy on water service Shutoff's

B. City Administrator

1. 2nd Reading-Ordinance Amendment-Development within the city.
2. 3rd Reading-Ordinance No. 195 - Peddler's License.
3. Reappointment - Industrial Park Board Members.
4. NRRC appointments.

C. City Attorney

D. City Engineer

1. Resolution - 1986 Improvements.

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.

XIII ADJOURNMENT

MEMO

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: J.J. KLEINSCHMIDT, CITY ENGINEER

SUBJECT: 1986 IMPROVEMENT HEARINGS TO BE HELD ON MARCH 3, 1986

DATE: FEBRUARY 24, 1986

It is my understanding that three (3) Council members will be absent from the March 3rd meeting. It is suggested that the improvements be heard and that action be tabled until the March 17, 1986 meeting. The three absent councilpersons can listen to the tapes after they return so that they will be informed of the comments at the public hearing on March 3rd.

Enclosed you will find a copy of a typical resolution Ordering the Improvement and Preparation of Plans and Specifications. Also enclosed is a copy of a typical resolution Authorizing the City Attorney to Acquire Easements necessary for the projects. This last resolution is necessary on Projects 1986-2, 7, & 12. If the City Council agrees with the suggested tabling until March 17th, these resolutions would be acted on at the March 17th meeting. A separate one would be required for each project.

Enclosed you will also find a copy of a letter from Hastings Construction Co. requesting that their petition be amended to include less work than originally petitioned. We have revised the preliminary report accordingly; therefore the cost computations you see on the screen on March 3, 1986 will not agree with the preliminary report furnished to you previously.

Also enclosed you will find a copy of the estimated City contributions to the 1986 improvements. These contributions are required in accordance with the City's policy on assessments. They deal with the City's contribution for corner lots or the City's share of the assessments based on the City's ownership of frontage on the proposed improvement.

Finally enclosed you will find the yearly breakdown of assessments for a 66' lot if this lot is improved with watermain, sanitary sewer, street, and storm sewer.

It is suggested that the City Council bring their copy of the Preliminary Report to the Council meeting on March 3rd because we have no extra copies available.

*James J. Kleinschmidt*

jt

Estimated City Contributions to 1986 Improvements

Project No.

1986-1 City Participation (A) - 350.5' @ \$26.22 = \$9,190.11 Street  
1986-2 City Participation (A) - 75' @ \$48.74 = \$3,655.50 Street  
1986-3 City Participation (A) - 125.08' @ \$22.84 = \$2,856.83 Street  
1986-4 City Participation (A) - 181.1' @ \$20.74 = \$3,756.01 Street  
1986-4 City Ownership (B) - 404.64' @ \$20.74 = \$8,392.23 Street  
1986-4 City Ownership (B) - 404.64' @ \$18.25 = \$7,384.68 Storm Sewer  
1986-4 City Ownership (B) - 404.64' @ \$19.20 = \$7,769.09 Watermain  
1986-4 City Ownership (B) - sewer & water serv. - \$741.52 sewer & water serv.  
1986-7 City Participation (A) - 517.53' @ \$33.92 = \$17,554.45 Street  
1986-7 City Participation (A) - 937.11' @ \$14.59 = \$13,672.44 Storm  
1986-8 City Participation (A) - 225' @ \$24.38 = \$5,485.50 Street  
1986-9 City Participation (A) - 525' @ \$28.31 = \$14,862.75 Street  
1986-9 City Ownership (C) - 500' @ \$28.31 = \$14,155.00 Street  
1986-9 City Participation (A) - 525' @ \$28.02 = \$14,710.50 Storm Sewer  
1986-9 City Ownership (C) - 500' @ \$28.02 = \$14,010.00 Storm Sewer  
1986-10 City Participation (A) - 538.5' @ \$35.97 = \$19,369.85 Street  
1986-11 City Participation (D) - 1377' @ \$12.90 = \$17,763.30 Street  
1986-11 City Participation (D) - 1377' @ \$12.73 = \$17,529.21 Storm  
1986-11 City Participation (D) - 300' @ \$12.44 = \$3,732.00 Sidewalk  
1986-12 City Ownership (B) - 360' @ \$41.81 = \$15,051.60 Street  
1986-12 City Ownership (B) - 360' @ \$17.28 = \$6,220.80 Storm Sewer  
TOTAL \$217,863.37

- (A) Denotes City share for corner lots-amounts levied yearly for 10 yrs.
- (B) Denotes park land owned by City adjacent to street improvement-  
to be paid from Park Sinking Fund-Balance 1-1-86=\$67,039.
- (C) Denotes land owned by City adjacent to street improvement-to be paid  
from Streets Sinking Fund-Balance 1-1-86 = \$8,900
- (D) City Participation to be paid from State Aid Funds

*James J. Kleinschmidt*

Typical Assessments for 1986 Improvements

The following is an analysis of the assessments for a typical lot making the following assumptions:

1. The lot frontage is 66 feet.
2. All improvements were made and assessed (Includes watermain, sanitary sewer, storm sewer, and street)
3. The total assessments were \$95 per front foot (watermain \$20, sanitary sewer \$20, storm sewer \$20, and street \$35). This amounts to \$95 times 66 feet = \$6270.
4. The interest charged is 8% (If bonds were sold today the interest rate would be 6.50% plus 1.50% for Administration = 8%)

|           | <u>Principal</u> | <u>Interest</u> | <u>Total Payment Due</u> |
|-----------|------------------|-----------------|--------------------------|
| 1st year  | \$627            | \$627           | \$1254.                  |
| 2nd year  | \$627            | \$451           | \$1078                   |
| 3rd year  | \$627            | \$401           | \$1028                   |
| 4th year  | \$627            | \$351           | \$978                    |
| 5th year  | \$627            | \$301           | \$928                    |
| 6th year  | \$627            | \$251           | \$878                    |
| 7th year  | \$627            | \$201           | \$828                    |
| 8th year  | \$627            | \$151           | \$778                    |
| 9th year  | \$627            | \$101           | \$728                    |
| 10th year | \$627            | \$51            | \$678                    |

*James J. Kleinschmidt*



# Hastings Construction Co.

February 18, 1986

Mr. Jim Kleinschmidt  
City Engineer  
City of Hastings  
100 Sibley Street  
Hastings, Mn. 55033

Dear Mr. Kleinschmidt,

Hastings Construction Co., Inc. hereby amends the request for excavation, gravel base, bituminous surfacing, concrete curb and gutter, sanitary sewers, watermains, sewer and water services and storm sewers on Project No. 1986-6 to be as follows;

Cory Lane from 220 feet south of 160th St. to 540 feet south of 160th St.

Yours truly,

A handwritten signature in cursive script, appearing to read "Donald W. Gustafson".

Donald W. Gustafson  
HASTINGS CONSTRUCTION CO., INC.

City of Hastings  
Dakota County, Minnesota

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

RESOLUTION AUTHORIZING CITY ATTORNEY TO ACQUIRE EASEMENTS PERTAINING TO  
THE CONSTRUCTION OF IMPROVEMENTS FOR 1st Street from Pleasant Drive to  
CSAH 42 excluding 1st Street from State St. to Olive St., Project No.  
1986-7

WHEREAS, a public hearing has been held on the improvement of 1st Street  
by gravel base, excavation, bituminous surfacing, concrete curb and gutter,  
storm sewers, sanitary sewers, watermains, sewer & water services and right of way  
acquisition.

WHEREAS, plans and specifications have been authorized for said improvement  
and

WHEREAS, easements and rights of way are necessary to construct certain  
phases of this improvement.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF HASTINGS, MINNESOTA:  
That the City Attorney is hereby authorized and directed to proceed with  
easement and right of way acquisition through negotiation or condemnation.

ADOPTED by the City Council of Hastings this 3rd day of March, 1986.

Ayes:

Nayes:

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

ATTEST:

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

City of Hastings  
Dakota County, Minnesota

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

RESOLUTION ORDERING IMPROVEMENT AND PREPARATION OF FINAL PLANS AND SPECIFICATIONS FOR IMPROVEMENT OF Tierney Drive from Todd Way to a point 200' east; also  
Todd Way from Todd Court to Tierney Drive, Project No. 1986-4

WHEREAS, a resolution by the City Council adopted the 21st day of January, 1986, fixed a date for a Council hearing on the proposed improvement of Tierney Drive and Todd Way by excavation, gravel base, bituminous surfacing,  
concrete curb and gutter, sanitary sewers, watermains, and sewer and water  
services  
and;

WHEREAS, ten days published notice of the hearing through two weekly publications of the required notice was given and the hearing was held thereon on the 3rd day of March, 1986 at which time all persons desiring to be heard were given an opportunity to be heard thereon.

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

1. Such improvement is hereby ordered as proposed in the Council resolution dated March 3, 1986.
2. The City Engineering Department is hereby designated the Engineer for this improvement and they shall prepare the final plans and specifications for the making of such improvement.

ADOPTED BY THE CITY COUNCIL OF HASTINGS this 3rd day of March, 1986.

Ayes:

Nays:

ATTEST:

BY \_\_\_\_\_

LuAnn Stoffel, Mayor

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



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

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

Members Absent: None.

The Mayor declared the Public Hearing open at 7:31 p.m. to consider amending Section 10.01 Subdivision 1 of the City Code rezoning property described as Williams 1st Addition from Agricultural to R3 PRD. The Mayor asked if anyone wished to speak on the issue, no one wished to do so. The Mayor declared the public hearing closed at 7:32 p.m.

PUBLIC HEARING-  
REZONING  
AGRICULTURAL  
TO R3 PRD  
WILLIAMS 1ST  
ADDITION

The Mayor declared the Public Hearing open at 7:32 p.m. to consider amending Section 5.40 Subdivision 6 of the City Code adding restrictions to peddlers licenses. The Mayor asked if anyone wished to speak on the issue. Ms. Mary Wagner requested clarification of the amendment to the ordinance and stated that she felt that the ordinance was directed toward her business, the Treat Truck, and stated that she wanted to be treated fairly. Mr. Jim Storlie who owns the Keep Cool Ice Cream truck, stated he felt that there was unfair treatment being given regarding the application of noise and the same restriction should be applied to all concessionaires. Mr. Steve Wagner read a letter of objection. In summary, his letter stated that he felt that the ordinance was discriminatory, favored certain businesses, and the Council was harassing some local vendors. He requested that the Mayor and Council remove themselves from the decision making process on this issue and turn the matter over to the Rivertown Days Committee and/or the Chamber of Commerce. Ms. Joyce Morin stated that she felt the ordinance should be directed more to a small town rather than following the guidelines of the Minneapolis St. Paul area. Ms. Georgine Dowell stated she felt that the city was trying to eliminate her business, the Treat Truck, from town. After all persons were given the opportunity to be heard the Mayor closed the public hearing at 8:07 p.m.

PUBLIC HEARING-  
ORDINANCE  
AMENDMENT-  
PEDDLERS  
LICENSE

Moved by Councilmember Nesbitt, seconded by Councilmember Plan to pass the 3rd Reading of Ordinance No. 194 amending Section 10.02 and 10.12 Subdivision 2 of the City Code regarding Bed and Breakfast Establishments. 8 Ayes; Nays, None.

3RD READING-  
ORDINANCE NO.  
194 BED AND  
BREAKFAST  
ESTABLISHMENT

Moved by Councilmember Werner, seconded by Councilmember Trautmann to pass the 2nd Reading of an Ordinance amending Section 10.01 Subdivision 1 of the City Code, rezoning Williams 1st Addition from Agricultural to R3 PRD. The 3rd reading of this ordinance amendment will not become before the Council until the Environmental Assessment worksheet has been processed through the required review period. 6 Ayes; Nays, Nesbitt and Kulzer.

2ND READING-  
ORDINANCE  
AMENDMENT-  
REZONING  
AGRICULTURAL  
TO R3 PRD  
WILLIAMS 1ST  
ADDITION

Moved by Councilmember Bond, seconded by Councilmember Trautmann to refer the matter of the variance request by Gary Hughes, 1475 Brittany Road to the Planning Committee of the City Council. 5 Ayes; Nays, Mathiowetz, Berg and Kulzer.

VARIANCE  
REQUEST-GARY  
HUGHES-1475  
BRITTANY ROAD

Moved by Councilmember Plan, seconded by Councilmember Kulzer, to deny the request for a Home Occupation Permit - David Chapin - 401 West 3rd for a towing service. This denial is based upon the applicant not complying with the restrictions imposed by the Planning Commission and stating at the Council meeting that he did not intend to comply with all of the restrictions as set forth by the Planning Commission. 8 Ayes; Nays, None.

HOME  
OCCUPATION  
PERMIT REQUEST-  
DAVE CHAPIN-  
401 WEST 3RD

#### Restrictions

- A. Only one tow truck is permitted to be parked on the premises at any one time.
- B. During anytime the one tow truck is on the premises it must be parked entirely within the garage on the premises. The tow truck may not be parked or stored on the street.
- C. No repair work on the one tow truck shall occur on the premises or street.
- D. No impounded or towed vehicles may be brought to the premises or stored on the street at any time for any period of time.

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- E. Not more than one tow truck may be present on or near the premises at any time. Other tow trucks may not congregate on or near the premises at any time.
- F. The one permitted tow truck must be in a mechanical condition, particularly with regard to the muffler system, such that it does not disrupt the neighborhood at any time.
- G. Any violation of the provisions, which are a condition of permit approval, will subject the home occupation permit to possible revocation.

Moved by Councilmember Werner, seconded by Councilmember Bond to approve the Home Occupations Permit for a limousine service to be operated at 1420 18th Court. The City Council determined that the restriction of the Planning Commission that the limo be parked in the garage when not in use was not necessary. 8 Ayes; Nayes, None.

HOME  
OCCUPATION  
PERMIT-RICHARD  
ANDERSON-1420  
18TH COURT

Moved by Councilmember Trautmann, seconded by Councilmember Berg to approve the site and building plan proposal for Lots 1, 2, & 4 through 8 of Whispering Meadows - Mike Williams, subject to the following conditions. 7 Ayes; Nayes, Kulzer.

SITE PLAN-  
WHISPERING  
MEADOWS-MIKE  
WILLIAMS

1. The development of the property in question is to be undertaken and completed, including the locations of the structures and garages, parking areas, garbage containers and screening, utilities, tree plantings, grading and drainage, etc., exactly as illustrated on the plans submitted with the site plan review application.
2. That the proposed garbage dumpsters be set on a concrete slab and be enclosed and screened on all sides with opaque screening.
3. That a hedge or other attractive screening at least three feet in height be installed along the 8 open parking stalls which serve the three attached four plexes on lot 8, block 1 Whispering Meadows.
4. Final construction plans for the sewer and water utilities to be submitted to the city and other required agencies for approval. All manholes to be raised to finished grades.
5. The existing drainage ditch/swale on the north and east side of the plat shall be graded to the contours as shown on the site plan. The top surface of the entire swale to be covered with black dirt and sodded.
6. As the four plex units on each lot are near or are at completion of their construction, topsoil and sod shall be placed on the entire lot.
7. Adequate erosion control measures shall be implemented as needed, to the city's satisfaction, during construction within the plat.
8. That the developer provide the city, for its approval, a time table which illustrates the schedule for the installation of the sewer and water utilities and the regrading of the existing drainage swale. It is also requested that the developer provide the city with an estimated construction schedule for the dwelling units.
9. The provisions in the developers agreement between the applicant and the city dated June 19, 1985 are still in force and applicable.

Moved by Councilmember Trautmann, seconded by Councilmember Plan to set a public hearing for the March 17, 1986 regular City Council meeting to consider the vacation of an unapproved alley right of way for block 92 and 93 Town of Hastings. 7 Ayes; Nayes, Kulzer.

PETITION FOR  
ALLEY VACATION-  
BLOCK 92 & 93  
TOWN OF  
HASTINGS

Moved by Councilmember Trautmann, seconded by Councilmember Plan to authorize the city staff to submit the appropriate paper work to the Environmental Quality Board for their review and comment regarding Williams 1st Addition. 8 Ayes; Nayes, None.

E.A.W.-WILLIAMS  
1ST ADDITION

Moved by Councilmember Nesbitt, seconded by Councilmember Werner to pass the 2nd reading of an ordinance amending section 5.40 Subdivision 6 of the City Code adding restrictions to peddlers license. 7 Ayes; Nayes, Berg.

2ND READING-  
ORDINANCE AMENDMENT  
PEDDLERS  
LICENSE

Moved by Councilmember Werner, seconded by Councilmember Nesbitt to refer the 1986 cable budget back to the Cable Commission to specify the dollars designated for access support and development. 8 Ayes; Nayes, None.

ADOPT 1986  
CABLE BUDGET

Moved by Councilmember Werner, seconded by Councilmember Plan to authorize the advertisement for the fire truck. ADVERTISEMENT FOR BIDS-FIRE TRUCK

Moved by Councilmember Berg, seconded by Councilmember Mathiowetz to table the matter of the advertisement for the fire truck until the specifications can be further reviewed by the Committee, with consideration being given for a 15 to 20 thousand dollar price reduction. 2 Ayes; Nayes, Plan, Werner, Kulzer, Bond, Trautmann, and Nesbitt.

The Mayor called for the vote on the main motion; approving the specifications and authorizing advertisement for bids for the fire truck. The bids will be considered for award at the March 17, 1986 regular City Council meeting. 6 Ayes; Nayes, Mathiowetz and Berg.

Moved by Councilmember Bond, seconded by Councilmember Plan to accept the resignation of Art Zgoda from the Street Department effective April 30, 1986 and authorizing the posting for the position. The Council expresses its thanks and appreciation to Mr. Zgoda for his many years of employment and commend him on a job well done. 8 Ayes; Nayes, None. ACCEPT RESIGNATION ART ZGODA-STREET DEPARTMENT

Moved by Councilmember Trautmann, seconded by Councilmember Werner to adopt Resolution No. 13-86 requesting the Department of Natural Resources to consider paving the parking lot for its boat ramp in Hastings at Jaycee Park. 8 Ayes; Nayes, None. Copy of resolution on file. RESOLUTION NO. 13-86 PAVING PARKING LOT-JAYCEE PARK

Moved by Councilmember Berg, seconded by Councilmember Werner to authorize the advertisement for bids for two (2) marked squad cars. The bids will be considered for award at the March 17, 1986 regular City Council meeting. 8 Ayes; Nayes, None. AUTHORIZE ADVERTISEMENT FOR - POLICE SQUAD CAR

Moved by Councilmember Werner, seconded by Councilmember Bond to authorize the submission of bids for the Southwest Ponding Basin property until March 17, 1986 at 4:00 p.m. with bids to be considered for award at the March 17, 1986 regular City Council meeting. 8 Ayes; Nayes, None. CONSIDERATION OF BIDS-SOUTH WEST PONDING BASIN PROPERTY

Moved by Councilmember Trautmann, seconded by Councilmember Berg to refer to the Planning Committee of the City Council the main pedestrian sidewalk fund/emergency sidewalk fund. 8 Ayes; Nayes, None. SIDEWALK FUND

Moved by Councilmember Werner, seconded by Councilmember Plan to approve the following disbursements for the Hydro Electric Project. 7 Ayes; Nayes, Bond. HYDRO PROJECT-APPROVAL DISBURSEMENTS

| <u>PAYMENT #</u> | <u>VENDOR</u>             | <u>SUB TOTAL</u> | <u>TOTAL AMOUNT</u> |
|------------------|---------------------------|------------------|---------------------|
| 1                | 1st Bank Minneapolis      | \$167,098.00     |                     |
|                  | Norwest Bank              | \$4,000.00       |                     |
|                  | MN Energy & Economic      | \$60,000.00      |                     |
|                  | Lindquist & Vennum        | \$72,339.23      |                     |
|                  |                           |                  | \$303,437.23        |
| 2                | Lunda Construction        | \$426,270.00     |                     |
|                  | Voith Hydro, Inc.         | \$278,530.00     |                     |
|                  |                           |                  | \$704,800.00        |
| 3                | Hibbing                   | \$250,000.00     |                     |
|                  |                           |                  | \$250,000.00        |
| 4                | City of Hastings          | \$200,371.63     |                     |
|                  | Hertogs, Fluegel, Sieben  | \$51,127.75      |                     |
|                  | Springsted Inc.           | \$40,987.75      |                     |
|                  | Dougherty, Dawkins,       |                  |                     |
|                  | Strand                    | \$34,875.00      |                     |
|                  | Wintrop, Stimpson, Putnam | \$27,520.97      |                     |
|                  | James Hansen & Assoc.     | \$16,270.38      |                     |
|                  | Gegen Agency Inc.         | \$25,000.00      |                     |
|                  | Briggs & Morgan           | \$36,106.48      |                     |
|                  | 1st Bank Minneapolis      | \$5,476.95       |                     |
|                  |                           |                  | \$437,736.91        |
| 5                | Interest 12-2-85          |                  | \$37,136.30         |
| 6                | Army Corps of Engineers   | \$40,000.00      |                     |
|                  | James Hansen & Assoc.     | \$1,504.07       |                     |
|                  |                           |                  | \$41,504.07         |
| 7                | Interest 1-2-86           |                  | \$55,927.40         |
| 8                | Warzyn Engineering        | \$1,323.10       |                     |
|                  | Faegre and Bensen         | \$28,857.77      |                     |
|                  | Lunda Construction Co.    | \$358,077.80     |                     |
|                  | Voith Hydro               | \$103,285.20     |                     |
|                  |                           |                  | \$491,543.87        |
| 9                | Interest 2-3-86           |                  | \$56,851.03         |

PAYMENT #  
10

| <u>VENDOR</u>          | <u>SUB TOTAL</u> |
|------------------------|------------------|
| James Hansen & Assoc.  | \$3,042.72       |
| Lunda Construction Co. | \$310,326.05     |
| Voith Hydro Inc.       | \$111,365.05     |

TOTAL AMOUNT

\$424,734.73

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

Moved by Councilmember Mathiowetz, seconded by Councilmember ADJOURNMENT  
Trautmann to adjourn the meeting at 10:58 p.m. 8 Ayes; Nays, None.

ATTEST

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

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

Hastings, Minnesota  
February 13, 1986

The City Council of the City of Hastings, Minnesota met in a Special Closed meeting on Thursday, February 13, 1986 at 4:30 p.m. in the Council Chambers of the City Hall.

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

Members Absent: Councilmembers Werner and Mathiowetz

The purpose of the special meeting was to discuss with legal counsel the appointment of an arbitrator to consider D.H. Blattner's request for additional payment for the construction work in the downtown area in 1985.

Councilmember Mathiowetz arrived at 4:47 p.m.

Moved by Councilmember Trautmann, seconded by Councilmember Berg to appoint John Davidson as the City's Arbitrator in the matter of D.H. Blattner. 7 Ayes; Nayes, None. APPOINTMENT OF  
ARBITRATOR

Moved by Councilmember Nesbitt, seconded by Councilmember Plan to adjourn the meeting at 5:06 p.m. 7 Ayes; Nayes, None. ADJOURNMENT

ATTEST

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

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

Minutes of Hastings Cable Television Commission  
Tuesday, February 4, 1986  
3:00 PM  
City Hall Council Chambers

Members Present: Bour, Rayner, Siebenaler, Swanson  
Members Absent: Bacon, Pellant, Rosendahl  
Others Present: Marie Boldon, Mike Wurm and Dianne Latuff

A quorum being present, and in the absence of Chairman Rosendahl, Co-Chairman Bour called the meeting to order.

The minutes of the meeting of January 7, 1986, were approved as written.

Co-Chairman Bour opened the meeting to nomination and election of officers.

Moved by Commissioner Rayner and seconded by Commissioner Siebenaler that Jerry Rosendahl be re-elected Chairman. Ayes-4; Nays-0.

Moved by Commissioner Rayner and seconded by Commissioner Swanson that Jan Bour be re-elected as Co-Chairman. Ayes-4; Nays-0.

Moved by Commissioner Rayner and seconded by Commissioner Siebenaler that Mary Ellen Swanson be elected as Secretary. Ayes-4; Nays-0.

The Commissioners discussed the problem of availability of the Cable Company by telephone. Several complaints have been received that the lines are always busy. Marie Boldon reported she has been in contact with the telephone company on this problem. There are presently two public and one private line into the office. Present equipment only allows for one more line. Marie's research indicates approximately eighty calls per day during the early part of the month. These are mostly in reference to billing questions. The remainder of the month the calls average about thirty-five per day. Several options were discussed including activating the remaining line, installing an automatic answer-and-hold device, and/or clarification of billing procedures in order to cut down on the volume of calls. Marie will check into this further and report back to the Commission.

Dianne advised the Commissioners that the City Council had reviewed and approved the application form covering a transfer of the franchise. She proceeded to clarify several points, including the question of the security deposit. Moved by Commissioner Siebenaler and seconded by Commissioner Rayner to approve the application form. Ayes-4; Nays-0.

Dianne reported she had been invited to attend a meeting of representatives from surrounding communities also served by TDS. She suggested the Commissioners consider the possible future advisability of joining with this group in such endeavors as hiring a financial adviser, etc. The group meets again at 7PM, February 18th, at the Afton House and

she requested that a Commissioner attend. Commissioner Siebenaler volunteered. Commissioner Rayner suggested absent Commissioners be called and offered the same opportunity to attend.

Commissioner Rayner advised she hadn't had a chance to meet with the new access co-ordinator with regard to studio equipment. She will have a report ready for the next meeting.

Dianne submitted an updated 1986 Budget which includes the actual franchise fee amount. Moved by Commissioner Rayner and seconded by Commissioner Siebenaler to approve the 1986 Budget. Ayes-4; Nays-0.

Dianne advised the Commissioners that insurance coverage for the new Access Corporation could amount to as much as one-third of the Budget. Discussion of possible alternative options followed. Marie will check to see if the Cable Company's blanket coverage would extend to the Access Corporation.

Moved by Commissioner Rayner and seconded by Commissioner Bour to have a letter sent to the School District requesting a firm commitment on the installation of air conditioning at the Community Access Studio no later than June, together with interim reports on progress. Ayes-4; Nays-0.

Diane reported that she had attended the state convention of MACTA this past weekend, which she found to be extremely interesting with many opportunities for the exchange of ideas and projects.

Marie introduced Mike Wurm, the new access co-ordinator. Mike gave a brief explanation of his background and some of his ideas and plans to increase community involvement.

Moved by Commissioner Swanson and seconded by Commissioner Bour to adjourn at 4:40 PM. Ayes-4; Nays-0.

Respectfully submitted,

*Mary Ellen Swanson*

Mary Ellen Swanson  
Secretary

CHARTER COMMISSION  
MINUTES  
February 13, 1986

The meeting was called to order by the Chairperson C. Caturia at 7:38 in the City Council Chambers. Those in attendance were: M. Hovgaard, J. McGree, J. Gilbert, C. Caturia, S. Avent, D. Dobrick, W. Hartman, E. Beltz and J. Johnson. Absent: Marie Bolden.

Public: D. Plath, L. Stoffel, P. Tritz - League of MN Municipalities

D. Dobrick moved to accept the Jan. 13 minutes with S. Avent seconding. The motion was passed and carried.

C. Caturia introduced P. Tritz who came to speak to us.

P. Tritz passed out a packet of information regarding the City Administrators and City Managers of various cities and spoke on the issue of the advantages and disadvantages. This packet contained sections of Charters from cities in MN.

The duties of the C.A. or C. Mgr. should be defined and this involves 3-5 questions:

1. What authority to make purchases and contracts?
2. What authority to supervise other city employees?
3. What power will he have to hire and fire employees?
4. What authority regarding city budgets?

Tritz -- the definition of a CA doesn't tell you what power and duties he has. Manager has independent discretionary authority. Some CAs have a lot of authority and some have powers that are very restrictive. A classic CA is Lakeville.

Jordan is similar to Lakeville with the exception of making certain small purchases. Any discretionary powers come back to the City Council.

Winona - pure classical form of CMgr. type of government. Council is forbidden to hire and fire or even give orders. City Council must deal through the CMgr. The CMgr. is appointed by the council and can be given the boot by the City Council.

Morris is similar to Winona -- can hire and fire and city employee but a dept. head (specified in Charter) police and fire chief is to the approval of the Council. This pulls back from complete control of hiring and firing city employees.

Northfield and WBL are similar. The mayor is responsible for the city's administration by Charter. The CA reports to the mayor. WBL mayor hires with the approval of the City Council.

Northfield is one of the few cities in MN with a strong mayor form of govt. The CA in Northfield is very restricted and his duties are spelled out completely in a supplemental ordinance. He can only hire and fire subject to the mayor's review.

P. Tritz -- look at what kind of powers you want for your CA or CMgr. because different Charters give different thought on the matter.

P. Tritz -- referred to the Charters of Blaine and Columbia Hts. on how the police dept is handled in those cities.



Columbia Hts. -- the mayor shall have the appointment, control and direction of all police officers of the City.

Blaine -- CMgr. has control over all depts. and heads with the exception of the Police Chief.

P. Tritz -- called to the Commission's attention of the problems in Austin. The mayor has authority over the PD and is a striking P-9 member and where does his responsibility lay -- is there a possible conflict of interest.

Assigning the PD to the Ca or CMgr. takes away the power of the voters to remove the mayor if the voters find the PD is not up to their expectations.

W. Hartman -- It seems that the Austin Police Chief has not been responsive to the mayor's wishes. P. Tritz -- true in practice it wasn't handled in the usual way. Mayor is in a difficult position. Mayor has recognized the conflict and has not pushed the issue.

W. Hartman -- trouble begins when it is not spelled out clearly the duties of the Mayor and CA or CMgr. Someone must have the last word.

D. Plath -- mayor gave up the right because he went to the sheriff and asked for assistance. Procedure -- police chief, sheriff then governor.

Fairbult - adopted in '73- created position of CA which is very close to a classical CMgr.

The original position -- hire and direct all city department heads subject to the City Council -- similar to City Mgr. Fairbult -- CA has the power to suspend and discharge employees are subject to the City Council approval. The CA can remove city employees but all dept. heads must be subjected to the City Council. This can cause conflict because dept. heads would have not to take full direction from the CA. If there was conflict with the CA, regarding a firing they could appear before the Council and if they had the votes could keep their job.

W. Hartman -- how did this come about? P. Tritz -- doesn't know specifically but thought some interesting politics occurred at that time. Saw it as a power struggle.

W. Hartman -- what help was available to draft amendments from the League?

- P. Tritz --
1. Draft someone else's Charter
  2. Research dept is available to poke through charters on what ideas you want to explore.
  3. The league's attorney will look over charter drafts check on what the implications are on this type of change or are there any inherent 'glitches' terms left undefined or contradictory.

W. Hartman -- would the League's attorney sit in hear what we say and draft what we want? P. Tritz -- League will review after the Commission does the drafting.

P. Tritz -- can make provisions in the Charter on entirely how much authority the council can delegate to the CA.

W. Hartman -- far for me to assume if we want to move in Hastings from a CA to a City Manager form of govt.

P. Tritz -- Charter provisions show entirely how much authority the Council can delegate to the CA. Charter provisions are spelled out by ordinance. Not sure how far the Council can go .

Rule of law -- whether these kinds of powers can be delegated by the City Council. Discretionary power -- general rule that duties cannot be re-delegated. Current provisions authorizes the Council true discretionary duties to the CA.

In amending the Charter spell out the duties and powers of the CA -- spell out explicitly -- the City Council can give those duties.

D. Plat -- spoke to the issue of placing the PD under the CA. Police Chief stated he felt the dept should be under the control of an elected official. The CA could be influenced by the City Council because they can hire and fire the CA.

L. Stoffel supported the D. Plath's statement.

Janice Johnson -- describe discretionary powers.

P. Tritz

1. exercise judgement
2. interview six people decide who to hire
3. picking an architect for a new city hall
4. decide whether or not to reconstruct Main St. and how much of mill levy to make.

Administrative form -- rule bound in exercising judgement -- pre-established rules of procedure on how he will act in a particular situation.

W. Hartman -- administrative function is of established policy? P. Tritz - yes.

J. McGree -- how many cities have recall? Tritz -- 107 home city charter about 65-70 provides for initiative referendum -- 50 have recall.

Tritz -- recall not easily used in MN. MN constitution permits removal only by malfeasance. 1959 Supreme Court decision stated recall cannot be used for political reasons. Recall very rarely used it was done 7 or 8 years ago in Duluth to remove someone from the City Council.

C. Caturia suggested reviewing information from P. Tritz to see what duties we want for a CA or do we want a CMgr. form of govt.

J. Johnson suggested forming a sub-committee to review the Charters presented and make a recommendation at the next meeting.

C. Caturia -- re-evaluate what we did at the last meeting -- determine what is practically possible. Then what one we determine "do-able" -- submit our ideas to an attorney and draft the proposals and then we would submit them to the Council.

W. Hartman -- we should take care of housekeeping items, conflict of CA duties and mayor -- these things must be resolved.

W. Hartman would like an attorney present to hear our ideas and to tell what we want. C. Caturia -- the Commission has a pretty good handle on what we want to carry out. Commission has a budget limit of \$1500

for expenses if we should need more we must go to the Council.

C. Caturia -- items for next meeting:

1. housekeeping items
2. committee report
3. decide what to give atty.
4. present to Council in May

D. Dobrick -- according to a previous 1984 calendar on special election for changes must be done by June 13. So those filing for Council positions would know where they stood. Time will be needed to "sell" the changes.

J. Johnson if there is a shortage of time to get everything accomplished we should double up meetings.

Sub-committee to review C.A. information: D. Dobrick, W. Hartman and J. Johnson

C. Caturia -- must give city 45 days notice for special elections.

C. Caturia will discuss with GEBrown on possible attorneys.

Meetings -- March 6 and March 20.

Judy Gilbert -- felt negative on some of the motions especially #9.

C. Caturia -- we will be able to re-evaluate motions passed at the last meeting. J. Johnson -- to rescind any motion voted on can only be done by those that voted on it the first time.

E. Beltz moved for adjournment with Judy Gilbert seconding at 9:26.



Janice J. Johnson,  
Secretary

MINUTES OF HASTINGS PLANNING COMMISSION  
Monday, February 24, 1986

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

Members Present: Commissioners Dredge, Folch, Kaiser, Simacek, Anderson and Voelker.

Members Absent: Commissioners Conzemius, Stevens, Ditty.

Staff Present: Planning Director Harmening.

Commissioner Anderson moved, seconded by Commissioner Folch, to approve the February 10, 1986 minutes. Voice vote carried unanimously.

APPROVAL OF  
MINUTES

The Chairman opened the Public Hearing at 7:32 p.m. The Planning Director briefly reviewed the request being made by the applicant. In this case the applicant is requesting a rezoning from Ag to R-3 PRD, preliminary plat approval, and a variance to the city's subdivision design criteria so that 37 residential units may be located on approximately 10 acres of land. The Plat is proposed to be called Siebens 3rd Addition. The breakdown of the proposal is as follows: 11 single family units and 26 duplex units. The proposal now before the Planning Commission is actually intended to be eventually tied into and become a part of an overall proposed R-3 Planned Residential Development Area which would encompass approximately 68 acres and include single family, duplex, four plex, townhouse, and multi family units. The proposed density for the development is 3.7 units per acre. Maximum allowable density for an R-3 zone is 8.7 units per acre. At the time of total development of the entire 68 acres the overall density would be increased but still maintained within the required limits. The Comprehensive Plan has identified the area in question for medium density residential use to be developed at a density of 4 to 8 units per acre. The proposed layout for the public utilities and street grades are in accordance with the plans and specifications being prepared by the city's engineering department. The engineering department had determined that the improvements are feasible and that the development can be served by the adjacent utilities in the 160th Street right of way. The applicant is requesting a variance to the city's subdivision ordinance pertaining to the length of cul-de-sacs. The proposed length of the Highview Knoll cul-de-sac is approximately 535 feet. Section 11.05 Subdivision 1C of the city's subdivision ordinance states that cul-de-sacs may have a maximum length of 500 feet.

PUBLIC HEARING--  
REZONING FROM AG  
TO R-3 PRD AND  
PRELIMINARY PLAT--  
SIEBENS 3RD ADDN--  
AL SIEBEN

The following comments were received from the audience:

Fran Teuber - expressed concern with regard to park land for Siebens 2nd Addition.

Jim Olson - Concerned with densities proposed for Siebens 3rd Addition and possible future additions.

Al Sieben - is willing to provide a cash payment in lieu of park land for Siebens 3rd Addition but desires some type of credit on said cash payment in consideration of excess park land to be provided for Siebens 2nd Addition.

There being no further comments the Chairman closed the public hearing at 7:50 p.m.

After further discussion Commissioner Folch moved, seconded by Commissioner Kaiser, to recommend approval of the rezoning from Ag to R-3 PRD for Siebens Third Addition subject to the conditions outlined below. Upon vote taken, Ayes: 6; Nays, 0.

After discussion Commissioner Folch moved, seconded by Commissioner Kaiser, to recommend approval of the preliminary plat for Siebens 3rd Addition and a variance to the city's subdivision requirements to permit a cul-de-sac length of approximately 535 feet. Upon vote taken, Ayes, 6; Nays, 0.

The recommendations for approval of the rezoning and preliminary plat, including the variance on the length of the cul-de-sac, were approved because they are consistent with the goals and objectives of the comprehensive plan, because they are consistent with the R-3 PRD zoning requirements, and further that there are adequate sanitary sewer, watermains, storm sewer, and transportation facilities available to accommodate the site. The recommendations for approval are subject to the following conditions or understandings being implemented:

1. That single family homes will be constructed on lots 1-11, block 1 and duplexes will be constructed on lots 12-23, block 1 and lots 1-4, block 2 and lots 1-3, block 3 of Siebens 3rd Addition.
2. That the construction of the single family homes and duplexes be subject to city regulations pertaining to setbacks, parking, etc.
3. That the park land dedication requirements be met pursuant to the requirements of the NRRC. This would possibly include the payment of approximately \$9200.00 in cash in lieu of actual park land dedication for Siebens 3rd Addition. The suggested park land arrangements are made based on the knowledge that park land is being developed in the area (Siebens 2nd) and that future park land is proposed to be developed adjacent to Siebens 3rd Addition at a later date.
4. That the single family lots in the Highview Knoll cul-de-sac have a 75' width at the setback line.
5. That a developers agreement be formulated to implement the conditions and understandings mentioned previously and or those which may be recognized at a later date.

The Chairman opened the public hearing at 8:00 p.m. The Planning Director reviewed the proposal which consists of a request for a Special Use Permit to allow a mobilehome sales operation on the former Weber Ford site. Mobilehome Minnesota is the dealership which is interested in undertaking the operation. In this case the property in question is zoned C-2 which allows mobilehome sales under a Special Use Permit. The applicant proposes to place 6 model mobilehomes on the site with the sales office to be located in the existing building. Mr. Richard Zerber, with Mobilehome Minnesota, introduced himself and stated that he was available to answer any questions which may be brought forward on this matter.

PUBLIC HEARING-  
SPECIAL USE PERMIT  
MOBILEHOME SALES  
LOTS 7-10, BLOCK 6  
AND LOTS 1-7,  
BLOCK 7,  
VERMILLION ADDN.  
(OLD WEBER FORD  
PROPERTY)-RON  
BECKER

Comments which were made included:

Ron Becker- plans on starting an auto sales operation on the subject property within a year to 18 months which would eliminate the mobilehome sales operation.

Richard Zerber- expressed concern with a possible condition proposed to be placed on the special use permit which would require a 20 foot separation between the model homes.

Commissioner Kaiser - concerned with mobilehome sales lots popping up around the area of the mobilehome park.

There being no further comments Chairman closed the public hearing at 8:15 p.m.

The Planning Director reviewed with the Planning Commission the required findings which need to be made for the issuance of a special use permit.

After discussion, Commissioner Anderson moved, seconded by Voelker, to recommend approval of the special use permit subject to the following conditions:

- A. Maximum of 6 model mobilehomes allowed on the site.
- B. A 20' minimum separation shall be established between the model homes.
- C. A 25' minimum setback shall be established between the model homes and all property lines.
- D. Dealer shall apply for any necessary permits or licenses required by the State of Minnesota.
- E. The Special Use Permit to be reviewed annually to determine compliance with the conditions established.

Mr. Chapin is requesting permission to place an 8' x 16' office trailer on the auto impound lot located near the intersection of 23rd St. and Vermillion behind the Magic Touch Car Wash. Mr. Chapin is making this proposal as a solution to a problem which has presented itself regarding Chapins operation of a towing service out of his home.

REQUEST FOR  
PERMISSION TO  
PLACE AN 8'x16'  
OFFICE TRAILER ON  
AN AUTO IMPOUND  
LOT AT 23RD STREET  
& VERMILLION-  
DAVE CHAPIN-BEST  
TOWING

According to a letter which was received from Chapin the placement of an office trailer in the impound lot would permit him to provide dispatching services and office and meeting space for his drivers in a facility other than his home. To deal with sanitation questions Chapin has made an informal agreement with "The Bar" for the use of its' rest rooms. The proposal which is being made to accomodate sanitation needs is based on difficulties and costs associated with extending public sewers/water services to the impound lot lcoation. Mr. Chapin indicated that he still intends to take a tow truck home at night and take phone calls. Commissioner Kaiser stated that any approvals which may be made on this matter should not be construed as condoning the operation of a towing service out of Chapins home.

After further discussion Commissioner Voelker moved, seconded by Folch, to recommend approval of the placement of an 8 x 16 foot Office Trailer on the impound lot with the sanitation arrangements as proposed due to the unique circumstances relating to the property. These circumstances include difficulties in extending sewer/water services to the property, availability of sanitation facilities in adjacent buildings, the relative location of the property in relation to adjacent land uses, compatibility with the area in general and due to a basic compliance with building and zoning requirements. Approval is subject to the following conditions:

- A. The trailer is to be properly blocked up.
- B. The trailer may only be used for office and meeting space and not for living and sleeping purposes.

Upon vote taken, Ayes, 6; Nays, 0.

The Planning Commission briefly discussed the following items:

OTHER BUSINESS

- A. Revisions to Home Occupation Ordinance Criteria.
- B. Discussed other possible uses for large Historic structures.

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

Commissioner Kaiser moved, seconded by Commissioner Voelker, to call a Public Hearing, if necessary on a request by Hastings Construction for preliminary/final plat approval for the Sunny Acres 3rd Addition. Upon vote taken, Ayes, 6; Nays, 0.

ORDER PUBLIC  
HEARING-PRELIMINARY/FINAL PLAT-SUNNY ACRES 3RD ADDITION-HASTINGS CONSTRUCTION

Commissioner Kaiser moved, seconded by Commissioner Anderson, to adjourn the meeting at 9:00 p.m. Ayes, 6; Nays, 0.

ADJOURNMENT

## MEMO

Date: February 28, 1986

To: Mayor and Council

From: Tom Harmening, City Planner

Re: Al Sieben - Rezoning from Ag to R-3 PRD/Preliminary Plat of Siebens  
3rd Addition

The applicant is requesting a rezoning from Ag to R-3 PRD, preliminary plat approval, and a variance to the City's subdivision design criteria so that 37 residential units may be located on approximately 10 acres of land. The Plat is proposed to be called Sieben's 3rd Addition. The breakdown of the proposal is as follows: 11 single family units and 26 duplex units. The proposal now before you is actually intended to be eventually tied into and become a part of an overall proposed R-3 planned residential development area which would encompass approximately 68 acres and include single family, duplex, four plex, townhouse, and multi family units. (see attached drawing which includes the plat in question and a concept plan for the entire area). Outlined below is a review of various areas of concern regarding the Siebens 3rd Addition proposal only:

1. Current zoning: Agriculture. Proposed to be rezoned to R-3 PRD.
2. Proposed development density: 3.7 units per acre. Maximum allowable density for an R-3 zone is 8.7 units per acre. At the time of total development of the entire 68 acres the overall density would be increased but still maintained within the required limits.
3. Comprehensive Plan Criteria: The Comprehensive Plan has identified the area in question for medium density residential use to be developed at a density of 4 to 8 units per acre.
4. Adjacent land uses: The property to the south is zoned Ag and is used as such. The property directly to the north is zoned as Ag and is used as such. Also located to the north is the Bohlkens Addition which is zoned R-2. The property to the west is zoned Ag and consists of open space, Ag uses, and wooded and low land areas. The property to the east is zoned Ag but also includes an area that is zoned R-3 (Siebens 2nd Addition).
5. Park Land: The city's park land dedication regulations would require for Siebens 3rd Addition either approximately 1 acre in actual park land or approximately \$9,200 as a cash payment in lieu of land. The NRRC reviewed this matter at its' meeting on February 25, 1986 to determine the best possible approach to address the park land question. The recommendation which was made to the NRRC on this matter was to require cash payment in lieu of land plus actual park land for Siebens 3rd Addition.




6. Sewer/Water/Street improvements: The developer has indicated on the plat the location of all proposed municipal utilities. The layout for the utilities are generally in accordance to the plans and specifications being prepared by the city's engineering department. The engineering department has determined that the improvements are feasible and that the development can be served by the adjacent utilities.
7. Proposed street names: The street name proposed for the cul-de-sac (Highview Knoll) is acceptable but, as an added point, it was noted by staff that the street naming system for the proposed future development is not acceptable due to the similarities of the names.
8. Length of cul-de-sac: The proposed length of the Highview Knoll cul-de-sac is approximately 535 feet. Section 11.05 Subdivision 1C of the City Subdivision Ordinance states that cul-de-sacs may have a maximum length of 500 feet. The length of cul-de-sacs are limited primarily for public safety purposes. In this case it was not felt by staff that the proposed length of the cul-de-sac was overly excessive or presented a problem. A variance will be required to permit the length proposed.
9. Lot lay-outs for single family and duplex homes: Appears acceptable although developer should double check that the lot widths in the Highview Knoll cul-de-sac are 75 feet wide at the setback lines.

Recommendation: The Planning Commission recommended that the requested rezoning and preliminary plat, including the variance on the length of the cul-de-sac, be approved because they are consistent with the goals and objectives of the comprehensive plan, because they are consistent with the R-3 PRD zoning requirements, and further that there are adequate sanitary sewer, watermains, storm sewer, and transportation facilities available to accommodate the site. It is recommended that approval be subject to the following conditions or understandings being implemented:

1. That single family homes will be constructed on lots 1-11, block 1 and duplexes will be constructed on lots 12-23, block 1 and lots 1-4, block 2 and lots 1-3, block 3 of Siebens 3rd Addition.
2. That the construction of the single family homes and duplexes be subject to city regulations pertaining to setbacks, parking, etc.
3. That the park land dedication requirements be met pursuant to the recommendation of the NRRC. In this case the NRRC has recommended (see attached memo) that for Siebens 3rd Addn. a cash payment of \$3,600 in lieu of actual park land be made plus the provision of an additional approximate one-half acre of land to be located adjacent to the park land which is being dedicated for the Siebens 2nd Addition Plat.
4. That the single family lots in the Highview Knoll cul-de-sac have a 75 foot width at the setback line.
5. That a developers agreement be formulated to implement the conditions and understandings mentioned previously and/or those which may be recognized at a later date.

## MEMO

TO: Mayor and City Council  
FROM: Marty McNamara   
SUBJECT: Al Sieben Addition  
DATE: February 27, 1986

The Natural Resources and Recreation Commission at their February 26, 1986 meeting decided to accept one (1) acre of park land and \$3,600 cash in lieu of land for the required park land dedication requirement for Sieben's second and third additions. The NRRC voted unanimously on this proposal.

ces

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 Siebens Third Addition is hereby rezoned from Ag to R3 PRD.

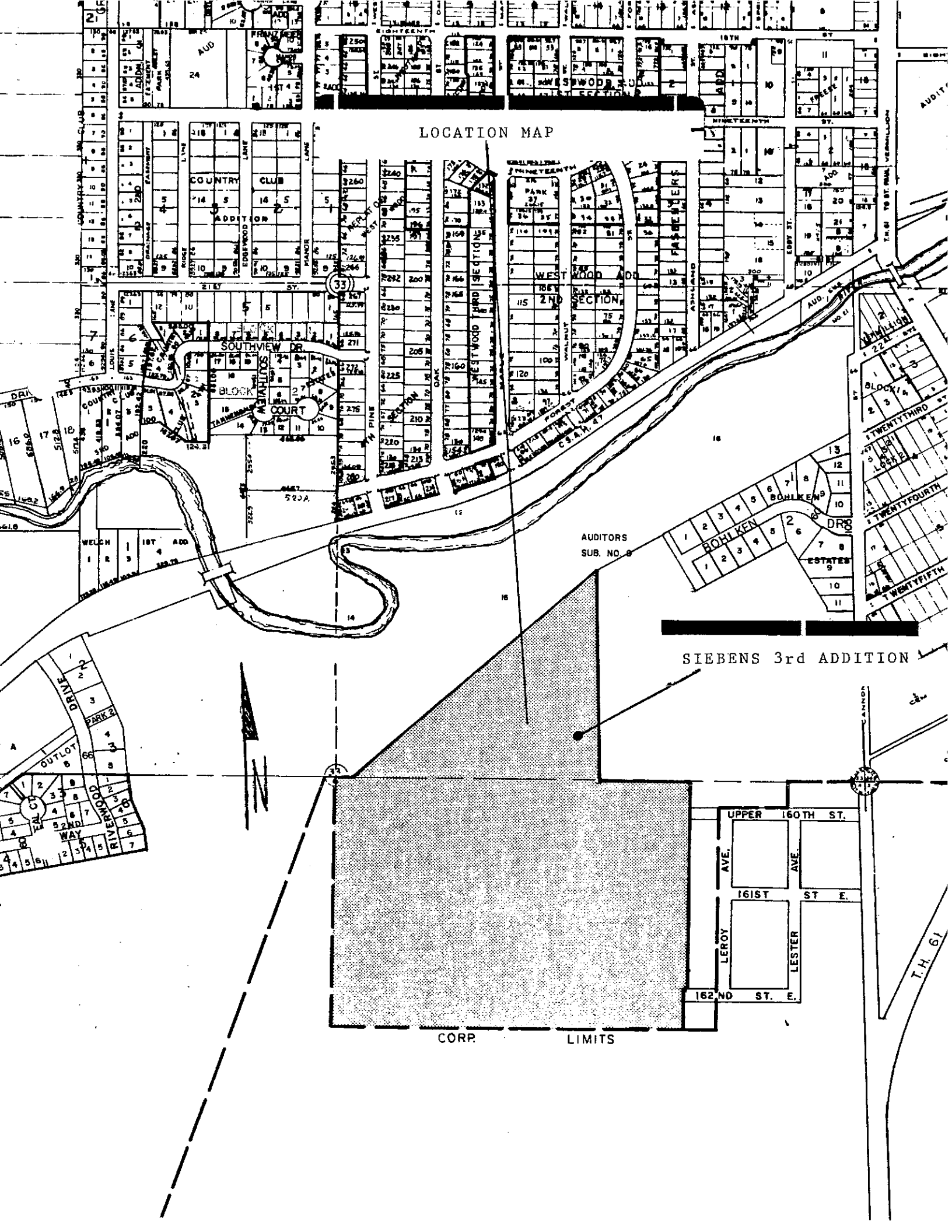
ADOPTED BY THE COUNCIL THIS                      DAY OF                      1986

ATTEST:

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

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

LOCATION MAP



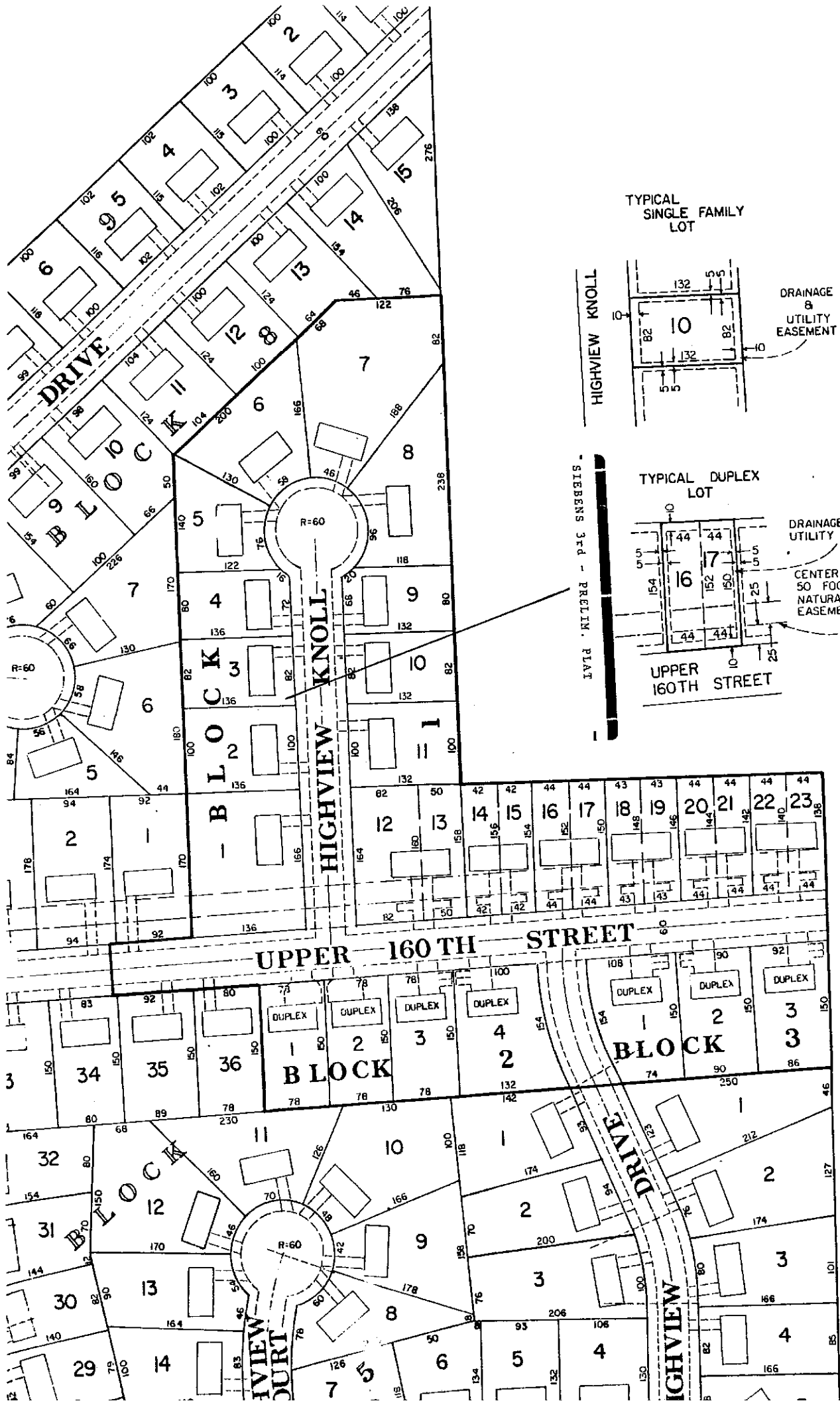
SIEBENS 3rd ADDITION

AUDITORS  
SUB. NO. 8

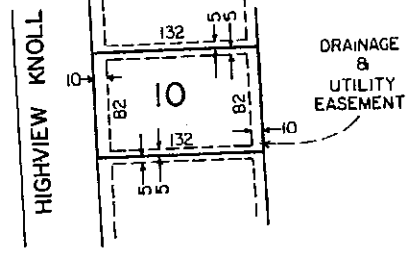
CORP. LIMITS

UPPER 160TH ST.  
161ST ST. E.  
162ND ST. E.  
LERoy AVE.  
LESTER AVE.

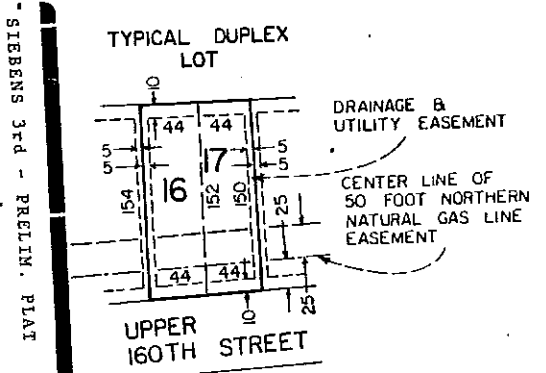
T.H. GI



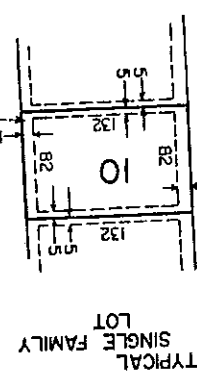
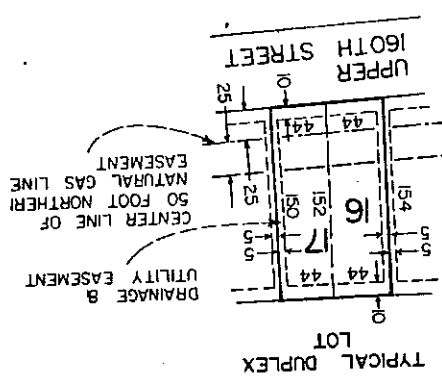
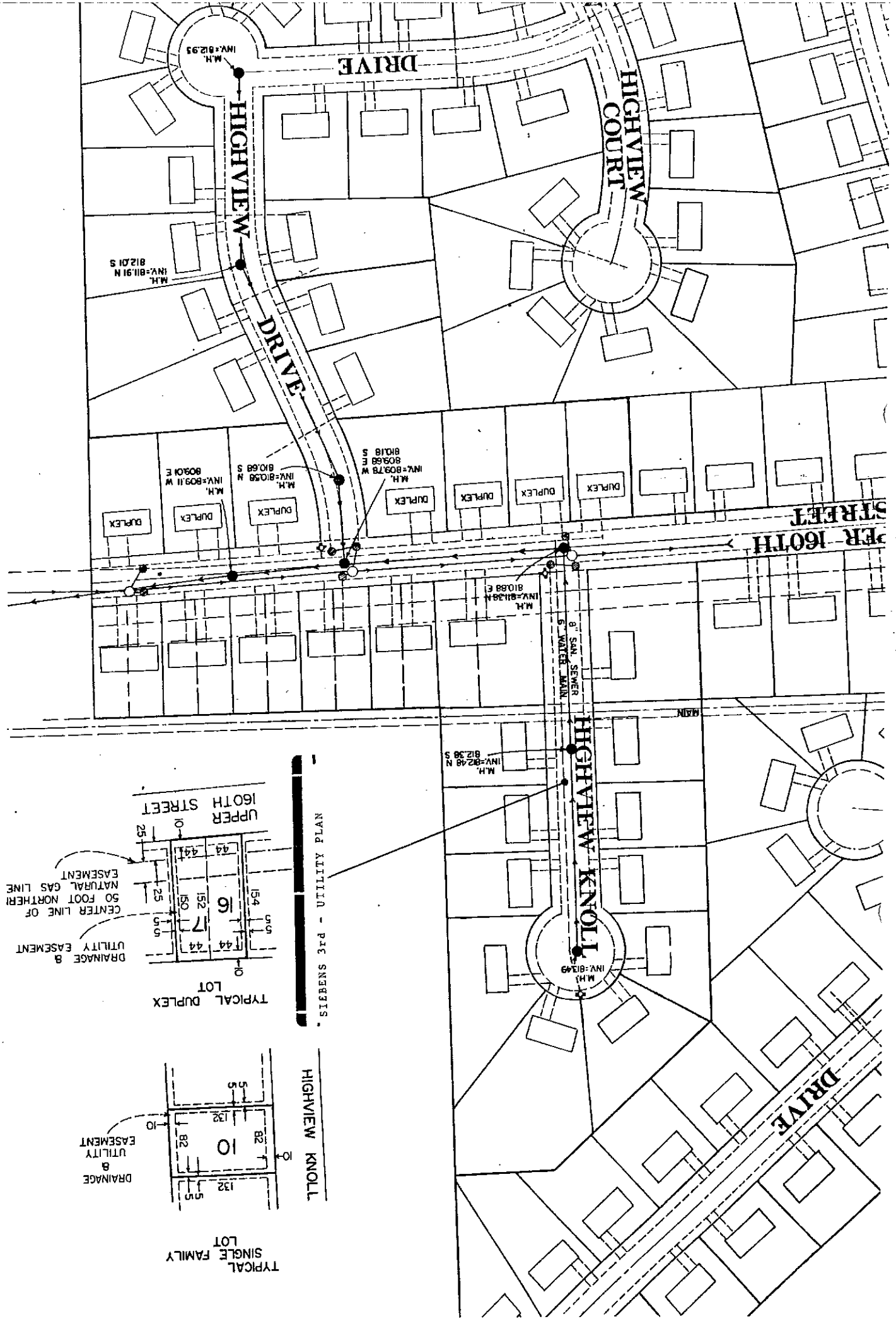
TYPICAL SINGLE FAMILY LOT



TYPICAL DUPLEX LOT



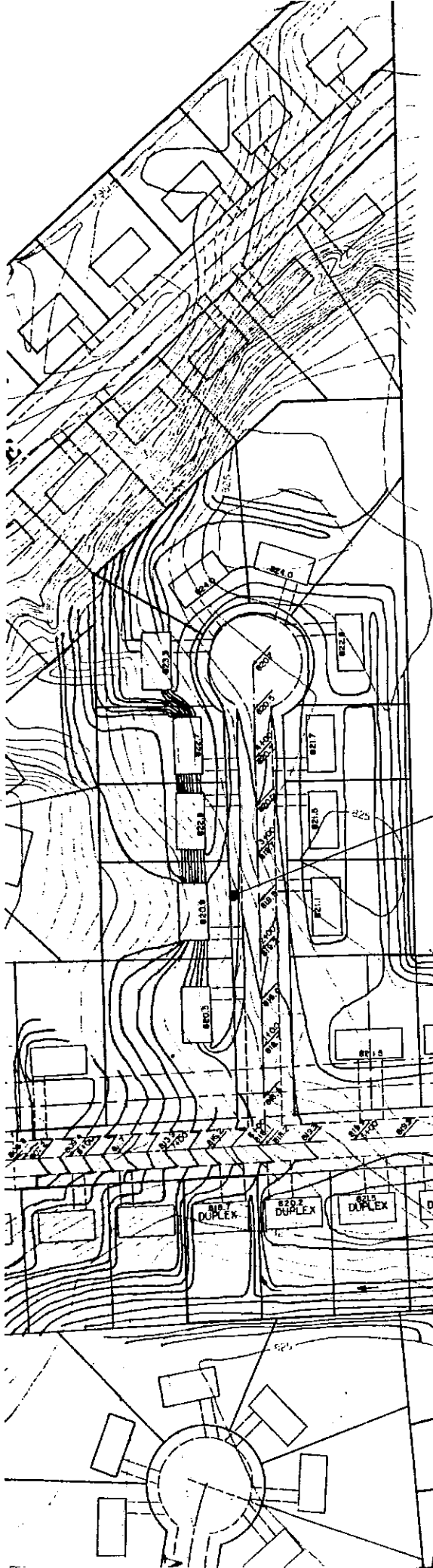
STIEBERS 3rd - PRELIM. PLAT



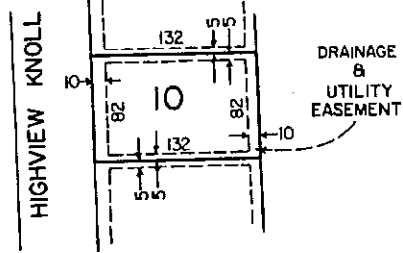
SIEBENS 3rd - UTILITY PLAN

HIGHVIEW KNOLL

# SIEBEN'S

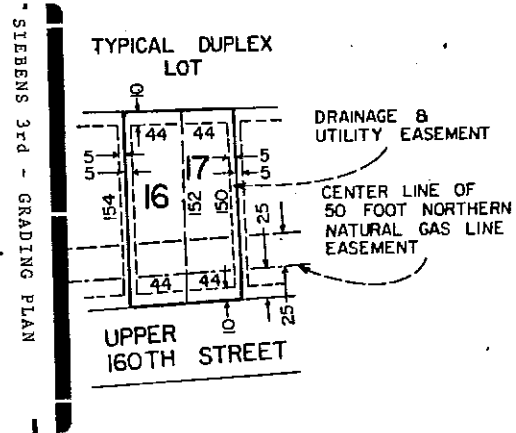


TYPICAL SINGLE FAMILY LOT

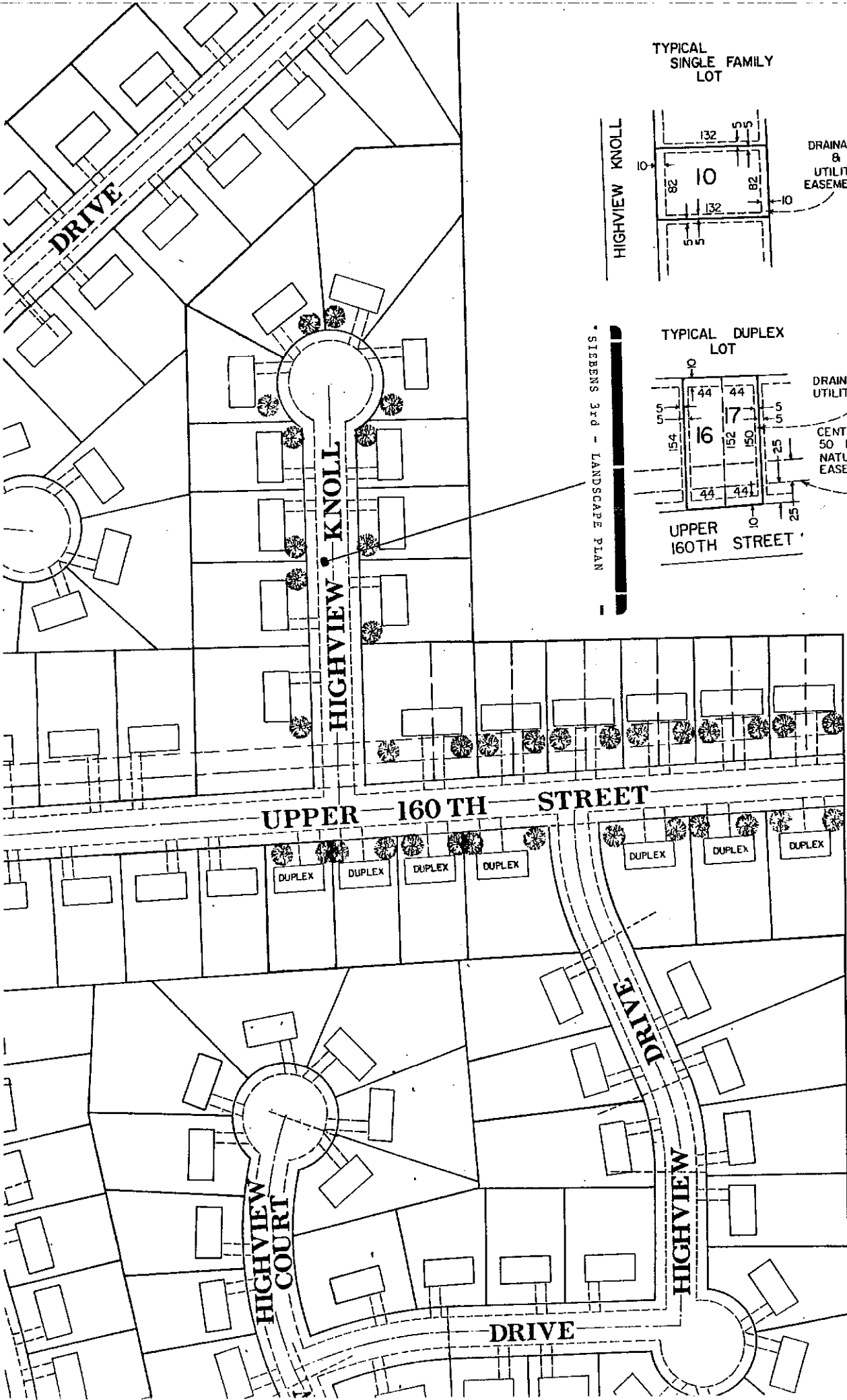


DRAINAGE & UTILITY EASEMENT

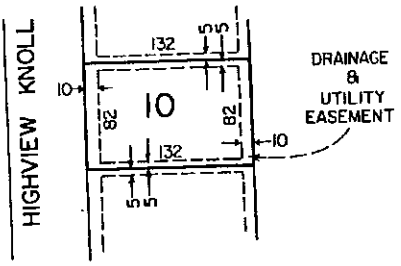
TYPICAL DUPLEX LOT



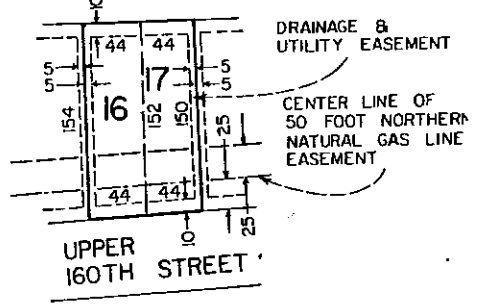
DRAIN



TYPICAL SINGLE FAMILY LOT



TYPICAL DUPLEX LOT



• SIBBENS 3rd - LANDSCAPE PLAN

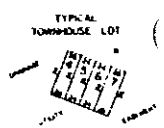
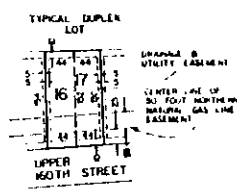
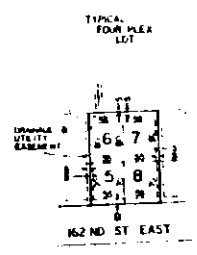
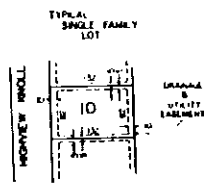
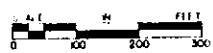


PROJECT: Siebna 3rd Addn - Al Sieben

2/19/86

| Department  | Reviewed |    | Date    | Name                  | Comments  |
|-------------|----------|----|---------|-----------------------|---|
|             | Yes      | No |         |                       |   |
| Fire        | ✓        |    | 2/18/86 | Joe Dahl              | Hydrants OK<br>street naming on overall development not approved.<br>Too many Hydrants! (at least over 50!)<br>Needs review |
| Water       | ✓        |    | 3/18/86 | Jim Reuser            | APPROVED  |
| Building    | ✓        |    | 2/19/86 | Melia                 | approved  |
| Planning    | ✓        |    | 2/12    | T. H.                 | Approved subject to conditions in memo  |
| Engineering | ✓        |    | 2/18/86 | James J. Kleinschmidt | approved.   |
| Parks       | ✓        |    | 2/18/86 | Marty McManis         | NRRC WILL DISCUSS PROPOSAL AT THEIR MEETING ON 2/25/86  |

# SIEBEN'S THIRI



**DWYER & ASSOCIATES, INC.**  
 Land Surveyors  
 515 Spruce Boulevard  
 Hastings, Minnesota 55033  
 Tel. (612) 437-2600 Fax (612) 435-8417



I hereby certify that  
 prepared by me or under  
 my direct supervision  
 and that I am a duly registered  
 land surveyor in the State of  
 Minnesota.  
 Date: 12/13/11

## MEMO

DATE: FEBRUARY 28, 1986

TO: MAYOR AND COUNCIL

FROM: TOM HARMENING, CITY PLANNER

Re: Special Use Permit - Mobilehome Sales on lots 7-10, block 6 and lots 1-7, block 7, Vermillion Addition (Old Weber Ford Property at intersection of Highway 316 & 61) - Ron Becker

Mr. Ron Becker, owner of the subject property, is requesting a special use permit to allow a mobilehome sales operation on the former Weber Ford site. Mobilehome Minnesota is the dealership which is interested in undertaking the operation. Details pertaining to this matter are outlined below:

Current Zoning: C-2 Highway-auto-specialized commerce.

Uses by Special Permit: Farm Implement, auto and truck dealers, mobilehome sales, building materials sales, etc.

Proposed number of model homes: 6; the applicant also states that the sales office will be located within the existing building (see attached site plan).

Other items of information: It should be noted that the City granted a variance to the City's Mobile Home Park standards to permit Three Rivers Mobile Home Park to have one sales office and 9 model homes within the park. As there already exists one sales office in the park for a separate mobile home distributor, Mobilehome Minnesota was required to find a separate location for a sales lot which it is attempting to do through the process now before you. A concern which has been recently raised by various City officials is that the restriction on the number of sales offices in the mobilehome park is counterproductive and actually may increase traffic on 160th St. (between the mobile home park and the Old Weber Ford property) and provide for a decentralized and fragmented situation relating to mobile homes sales due to the fact that dealerships will need to find other locations within the city to sell mobilehomes. The City Council may wish to keep these concerns in mind in the event of possible future requests for mobile homes sales.

Items for consideration for special uses: Prior to the issuance of a special use permit the City is required to make findings that the special use permit will not adversely affect the public interest and that satisfactory provisions and arrangements have been made covering the following where applicable.

- A. Ingress and Egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenient traffic flow and control, and access in case of fire or catastrophe.

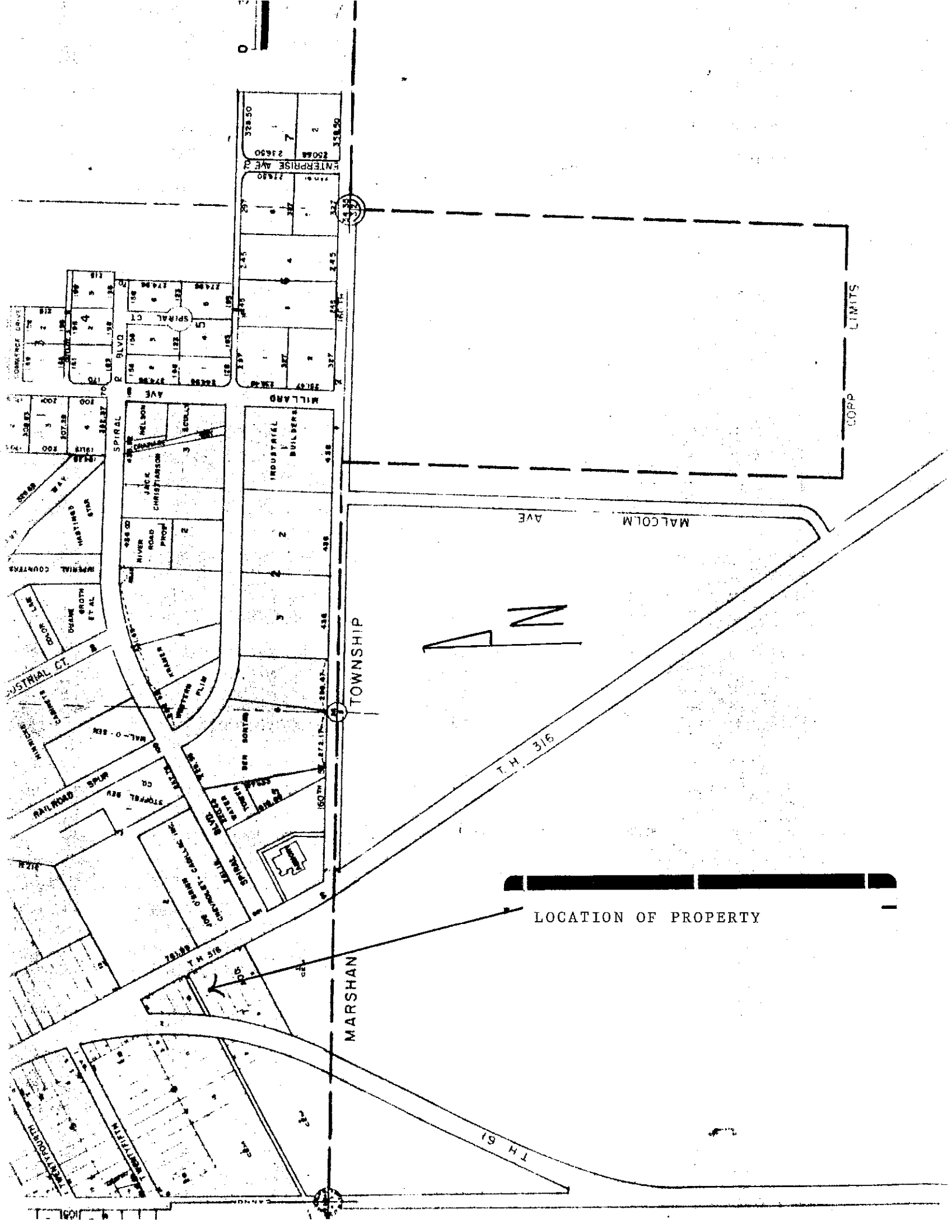
- B. Off Street parking and loading areas where required, with particular attention to item A above, and the economic, noise, glare, or odor affects of the special use on adjoining properties and properties generally in the district.
- C. refuse and service areas, with particular reference to items A & B above.
- D. Utilities, with reference to locations, availability, and compatability.
- E. Screening and buffering with reference to type, dimensions and character.
- F. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatability and harmony with properties in the district.
- G. Required yards and other open space.
- H. General compatability with adjacent properties in the district.

Recommendation:

The Planning Commission recommended approval as the proposed site is designed for use as a sales lot and that the conditions required for special use permits appear to be met. Approval of the special use permit is subject to the following conditions:

- A. Maximum of 6 model mobilehomes allowed on the site.
- B. A 20 foot minimum separation shall be established between the model homes.
- C. A 25 foot minimum setback shall be established between the model homes and all property lines.
- D. Dealer shall apply for any necessary permits or licenses required by the State of Minnesota.
- E. Special Use Permit to be reviewed annually to determine compliance with conditions.

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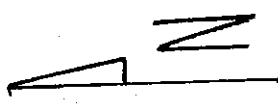
ENTERPRISE AVE  
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CORP LIMITS

MILLAND AVE

MALCOLM AVE

TOWNSHIP



T.H. 316

LOCATION OF PROPERTY

MARSHAN

T.H. 81

CONFORMANCE CRUIS  
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February 6, 1986

Tom Harmening  
City Planner  
100 Sibley Street  
Hastings, MN 55033

Dear Tom:

Could you please place a request on the agenda of February 10, 1986, Planning Commission to consider a special use permit for the purpose of selling mobile homes at the old Weber Ford building located between Highways 61 and 316. It is my intent to provide an area to display approximately 6 mobile homes at this site while providing a sales office within the old Weber Ford building.

This operation would be in conjunction with the new project located off of 160th Street known as Three Rivers Mobile Park to provide an area in which mobile homes can be displayed. It is my intent to lease this space to them for said operation.

I am informed that this is the season that homes are being looked at and therefore would urge the Planning Commission and City Council to review my request for a special use permit at their earliest convenience.

Sincerely yours,



Ron Becker

ces

# MOBILHOME MINNESOTA

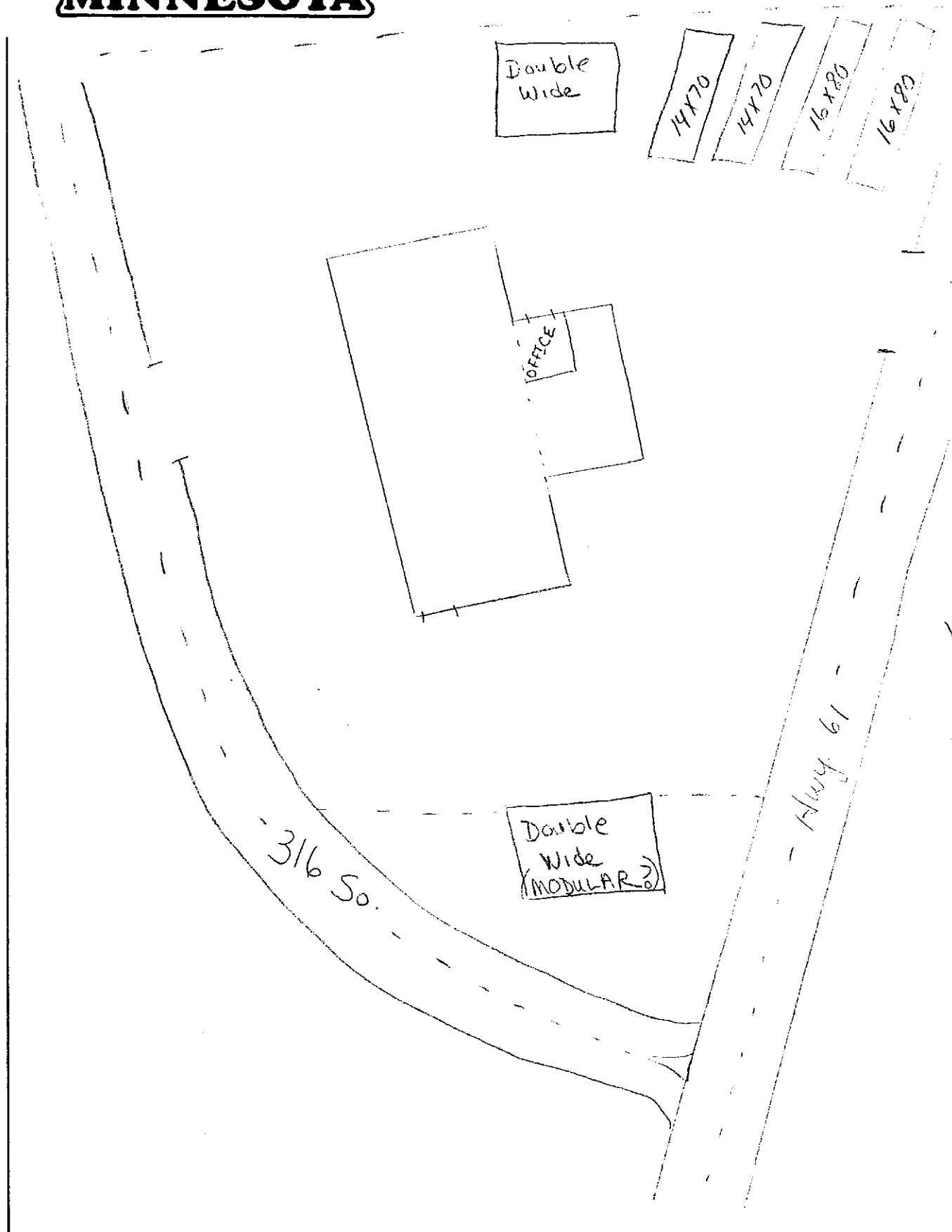
200 Mayfair Road  
St. Paul, MN 55110  
484-1913

1157 Cliff Road  
Burnsville, MN 55337  
890-9441

1078 So. Hwy. 101  
Shakopee, MN 55379  
445-5131

2401 Lowry Ave. N.E.  
Minneapolis, MN 55418  
788-8015

1<sup>st</sup> Hwy. 65 N.E.  
K. e, MN 55303  
J7-0750



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PROJECT: Special Use Permit

| Department  | Reviewed |    | Date    | Name          | Comments   |
|-------------|----------|----|---------|---------------|--|
|             | Yes      | No |         |               |  |
| Fire        | ✓        |    | 2/18/86 | J. Rosendahl  | minimum 20' separation between homes, maximum number of 6 homes on site.<br>Approved |
| Water       | ✓        |    | 2-18-86 | Jim Housso    | N/A  |
| Building    | ✓        |    | 2-18-86 | M. Levin      | APPROVED SUBJECT TO REQUIRED SEPERATION OF UNITS AND SET BACKS PER ZONING.           |
| Planning    | ✓        |    | 2/12/86 | T.H.          | Approved subject to conditions in memo   |
| Engineering | ✓        |    | 2/18/86 | JJ Rheinhardt | Approved   |
| Parks       | ✓        |    | 2/18/86 | Marty McManis | N/A  |



## MEMO

Date: February 28, 1986

To: Mayor and Council

From: Tom Harmening, City Planner

Re: Office Trailer - Impound Lot, 23rd & Vermillion St.-Dave Chapin,  
Best Towing

Mr. Chapin is requesting permission to place a 8 foot x 16 foot office trailer on the auto impound lot located near the intersection of 23rd St. & Vermillion behind the Magic Touch Car Wash. Mr. Chapin is making this proposal as a solution to a problem which has presented itself regarding Chapin's operation of a towing service out of his home.

According to a letter from Chapin (see attached) the placement of an office trailer in the impound lot would permit him to provide dispatching services and office and meeting space for his drivers in a facility other than his home. To deal with sanitation questions Chapin has made an informal agreement with "The Bar" for the use of its rest rooms (see attached note from "The Bar"). The proposal which is being made to accommodate sanitation needs is based on difficulties and cost associated with extending public sewer/water services to the impound lot location.

General Comments -It would appear that the proposal made by Chapin would be an acceptable solution to problems being experienced from his current operation. Generally speaking, the proposal is not in major conflict with building codes nor the zoning ordinance.

Recommendations -

The Planning Commission recommended approval of the placement of an 8' x 16' Office Trailer on the impound lot with the sanitation arrangements as proposed due to the unique circumstances relating to the property. These circumstances include difficulties in extending sewer/water services to the property, availability of sanitation facilities in adjacent buildings, the relative location of the property in relation to adjacent land uses, compatibility with the area in general and due to basic compliance with building and zoning requirements. Approval is subject to the following conditions:

- A. The trailer is to be properly blocked up.
- B. The trailer may only be used for office and meeting space and not for living and sleeping purposes.

jt



PROPERTY IN QUESTION

AUDITORS  
SUB. NO 9

R-2

TOWNSHIP

MAGSHAW

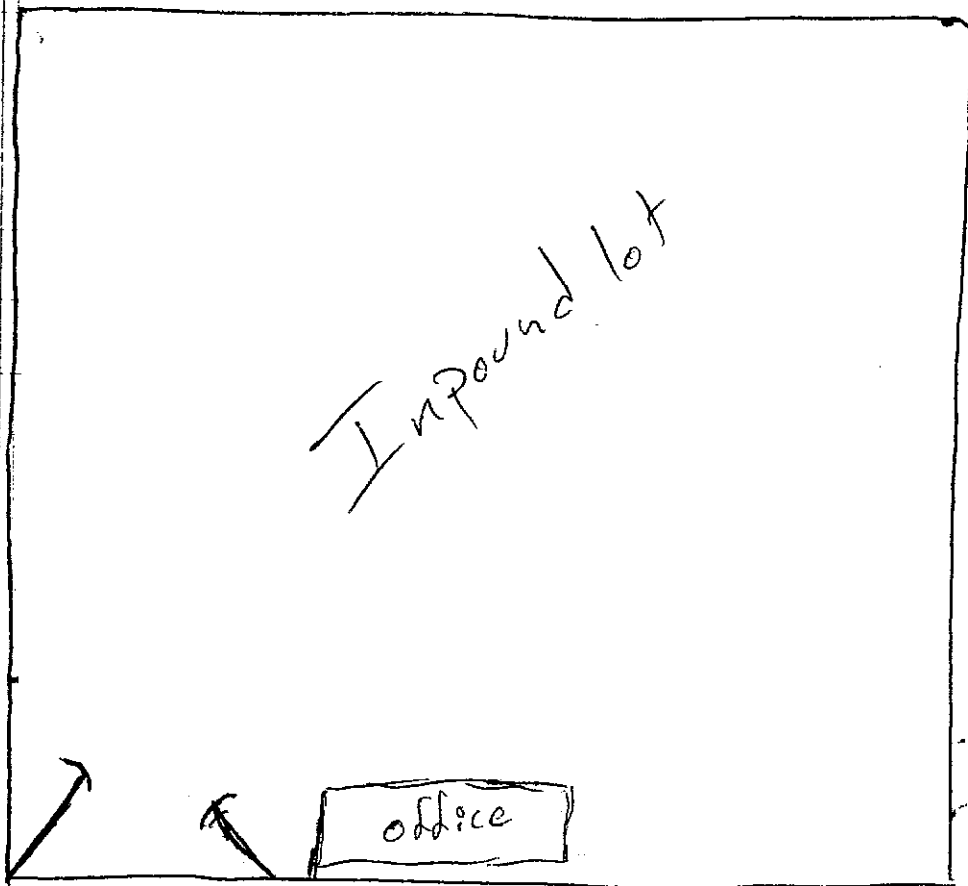
2-19-86

To Whom it may Concern

I am submitting this following proposal on hopes of finding a satisfactory solution to the problem arrived by my towing service.

I have talked to a few other towing services and they at one time had similar problems. They solved it by putting offices in their impound lots. I've decided this would also be my best bet. I would move the business of dispatching and meeting of drivers from my location at 401 west 3<sup>rd</sup> to the impound lot which is located behind Magic Touch car wash. The office space I'm looking at is a 8'x16' office trailer which I will purchase.

All business will then be done there during daylight hours. The question of sanitation has also be brought up for this office will not have a toilet or water. I check with Hastings engineer, and water & sewer are available at a very great expense. I have talked to owners of The Bar & Magic Touch they both have toilets. and assured me there would be no problem with there useage. here is a discription on how I intend to set this office.



Gate

This would eliminate any problem of having more than one truck at my residence I would only keep the one which I drive this would also be at the lot most of daylight hours.

Thank you  
David Chapin  
Best towing

The Bar's  
Rest Room's ARE  
FOR Public use  
AND Best Towning  
MAY USE THEM  
ALSO.

Harry J. Meier

HRS OPEN - 6:00 AM - 1:00 AM

PROJECT: Office Trailer - Impound Lot - Dove Chapin

| Department  | Reviewed |                    | Date    | Name               | Comments  |
|-------------|----------|--------------------|---------|--------------------|---|
|             | Yes      | No                 |         |                    |   |
| Fire        | ✓        |                    | 2/27/86 | McCordall          | Approved  |
| Water       | ✓        |                    | 2/24    | JIM HEUSSER        | N/A   |
| Building    | ✓        | <del>2/24/86</del> | 2/24/86 | Marlin             | APPROVED SUBJECT TO SANITATION AGREEMENT WITH ADJACENT BUSINESS           |
| Planning    | ✓        |                    | 2/24    | T. H.              | Approved subject to conditions in Memo to Planning Commission and Council |
| Engineering | ✓        |                    | 2/24/86 | D. J. Kleinschmidt | approved subject to meeting zoning code & sanitation requirements         |
| Parks       |          |                    |         |                    |   |

VIAL

MEMO

DATE: February 13, 1986

TO: Mayor and Council

FROM: Tom Harmening, City Planner

RE: 86-1 Variance Request-Gary Hughes, 1475 Brittany Road (Lot 5, Block 1, Sontags First Addition)

Mr. Hughes is requesting a 3 foot interior sideyard setback variance to Section 10.23 of the Zoning Ordinance so that he may convert an existing attached garage into family living space. A summary of the request and related items are outlined below:

1. Current Zoning: R-1
2. Setback Requirements: front-25'; rear-35'; interior side setback-10' except that interior sideyard setbacks may be 7' on the side where there is an attached garage.
3. Existing Conditions: The applicant has a lot 75' x 130' in size. Currently a home is situated on the lot such that all necessary setbacks have been met (see attachment B). In this case the applicant has an attached garage on the north side of his home which is located 7' from the interior side lot line.
4. Proposed conditions: The applicant is proposing to convert the existing attached garage into family living space and constructing a new 22' x 24' attached garage directly to the west or street side wall of the proposed new living space (see attachment C). The proposed new garage would have a front setback of 28' and an interior side setback of 7', both of which are acceptable. The existing garage, which is proposed to be converted into living space, will continue to have an interior side setback of 7' which does not meet the 10' setback requirement for the living area of the home. Therefore the applicant has requested a 3 foot setback variance.
5. Arguments presented by the applicant: (see attachment A). As the City Council is well aware variances should not be granted unless the applicant can demonstrate that certain conditions or circumstances exist which would allow approval. (See attached outline of requirements to be met for the granting of variances). The applicant has presented arguments to address the requirements for the granting of variances. These arguments, include comments regarding physical and economic hardships, special circumstances, etc. (see attachment A which is a letter from the applicant).

Recommendation: The Planning Commission recommended denial due to a precedence which would be set if the variance was approved as there may be many other homes in the R-1 and R-2 zoning districts with similar situations and also due to the reasons outlined below:

Mayor and Council  
Page 2  
February 13, 1986

- 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.

ces



# *O'Connell & Hopper*

CHARTERED

*Attorneys and Counselors*

JAMES P. O'CONNELL  
H. RICHARD HOPPER  
REX D. STACEY  
THOMAS W. BIBUS

906 VERMILLION STREET  
P.O. BOX 6  
HASTINGS, MINNESOTA 55033  
TELEPHONE 437-4188

OF COUNSEL  
MILLET V. O'CONNELL

February 24, 1986

Mr. Tom Harmening  
City Planner  
City of Hastings  
100 Sibley Street  
Hastings, Minnesota 55033

**RE: VARIANCE REQUEST OF GARY HUGHES  
1475 BRITTANY ROAD  
HASTINGS, MINNESOTA**

Dear Mr. Harmening:

The undersigned is writing on behalf of Gary Hughes with regard to his request for a variance to Hastings sideyard setback requirements. It is my understanding that on February 13, 1986, the Hastings Planning Commission recommended denial of Mr. Hughes' request, but that he is being given the opportunity to appear before a Committee on March 3, 1986 at 6:30 p.m. for further consideration. It is also my understanding that Mr. Hughes' initial request was denied, in part, because the Planning Commission did not want to set a precedent "as there may be many other homes in the R-1 and R-2 Zoning Districts with similar situations...". Mr. Hughes has informed me that his review of the City Council minutes over the past five years has uncovered a strikingly similar request for a variance that has been approved. I believe you are aware of this matter and have agreed to have this file present at the Committee meeting on March 3, 1986.

It appears in reviewing the pertinent zoning ordinances that, ordinarily, a ten foot sideyard setback is required. It must be pointed out, however, that the zoning ordinance also provides that interior sideyards in the R-1 District may be seven feet on the side where there is an attached garage. This is, of course, the case here as Mr. Hughes

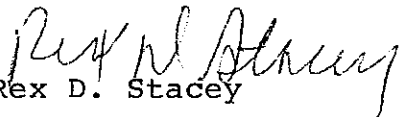
Mr. Tom Harmening  
February 24, 1986  
Page 2

**RE: GARY HUGHES**

proposes to convert an existing attached garage to living space and to build another, adjacent attached garage. It is my opinion that Mr. Hughes' proposal complies with the seven foot requirement and that what he proposes to do does not constitute a variance. Given this, and given that ample precedent exists for such a request, I respectfully request that you recommend approval of Mr. Hughes' requested relief.

Very truly yours,

**O'CONNELL & HOPPER**

  
Rex D. Stacey

RDS:ls  
cc: Mr. Shawn D. Moynihan

Rec'd 2/26/86



LAND USE APPLICATION

Paid # 30  
on 1/27/86

CITY OF HASTINGS

Address of Property Involved 1475 Brittany Rd.

Legal Description of Property Involved Lot #5, Block #1, Sontags' First Addition

**Applicant:**

Name Gary R. Hughes

Address 1475 Brittany Rd.

Hastings, Minnesota 55033

Telephone Home 437-9587 Work 772-7242

**Official Use Only**

Date Rec'd 1/27/86

Case No. \_\_\_\_\_

Fee Paid \$30 - 1/27/86

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

**Owner: (If different from Applicant)**

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

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

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

**Request:**

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

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

Site Plan Review \_\_\_\_\_

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

Variance: Side setback

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

Present Zone: R-1

Applicable Ordinance No. \_\_\_\_\_ Section: \_\_\_\_\_

Description of Request Three foot (3") side setback variance. See attachments

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

Approved Denied Date

Planning Commission

|  |  |  |
|--|--|--|
|  |  |  |
|  |  |  |

Gary R. Hughes  
Signature of Applicant

1-27-86

Mr. Tom Harmening  
City Planner  
Hastings, Minnesota

Dear Mr. Harmening:

It is our desire to expand the living space of our residence located at 1475 Brittany RD. In reviewing our expansion options, we quickly discovered that our alternatives were extremely limited. Conversion of our basement into additional living space was rejected because the basement is below grade and adequate emergency egress would not exist in the event of fire or other emergency. Also our basement is constructed in "Gumbo Clay" which continually presents a water seepage problem.

Building a second story onto our present structure has been determined architecturally and economically prohibitive.

Finally, setback requirements and existing structures (i.e. in-ground pool, concrete patio, and wooden deck) indicate only one economical and prudent alternative. (See attachment B)

The alternative would require the construction of an attached garage onto the existing structure as indicated on "attachment C". The addition meets "ALL" setback and zoning requirements, and would not require any special or additional considerations by City staff, except for the issuance of a building permit.

The conversion of the "EXISTING" attached garage into family living space, however does present one concern. In order to convert and occupy this space as "living space", it would be necessary to demolish seventy two (72) square feet of the existing structure. This would be necessary in order to comply with the R-1 zoning requirement of a ten foot side setback. This demolition would involve a section of structure measuring three feet by twenty four feet (3' x 24') and would require the removal and reconstruction of the concrete footings and blocks, wood frame walls and roof. In addition the twenty three by twenty three foot (23' x 23') concrete floor pad would have to be removed and replaced due to undermining of the base soil during reconstruction.

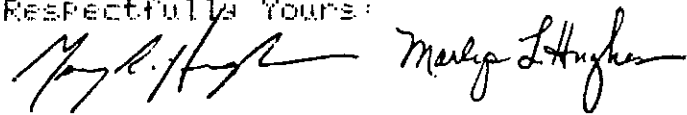
We believe that this demolition/reconstruction would serve "no useful purpose" and in fact would be an "unreasonable economic hardship" in order to comply with the required side setback. This is due particularly in view of the fact that only seventy two (72) square feet of structure would not be in compliance.

We also feel that literal interpretation of the zoning ordinance side setback requirement in this matter would prevent us from exercising our right to use the available five hundred and sixty four (564) square feet of existing structural space, four hundred and ninety two (492) square feet (87%) of which would be in compliance.

We also submit that; "ATTACHED GARAGES are RECOGNIZED as ATTRACTIVE and ECONOMICAL ALTERNATIVES" for the expansion of living space. Therefore the City of Hastings must, in part, accept responsibility for the special conditions and circumstance in this case by virtue of the

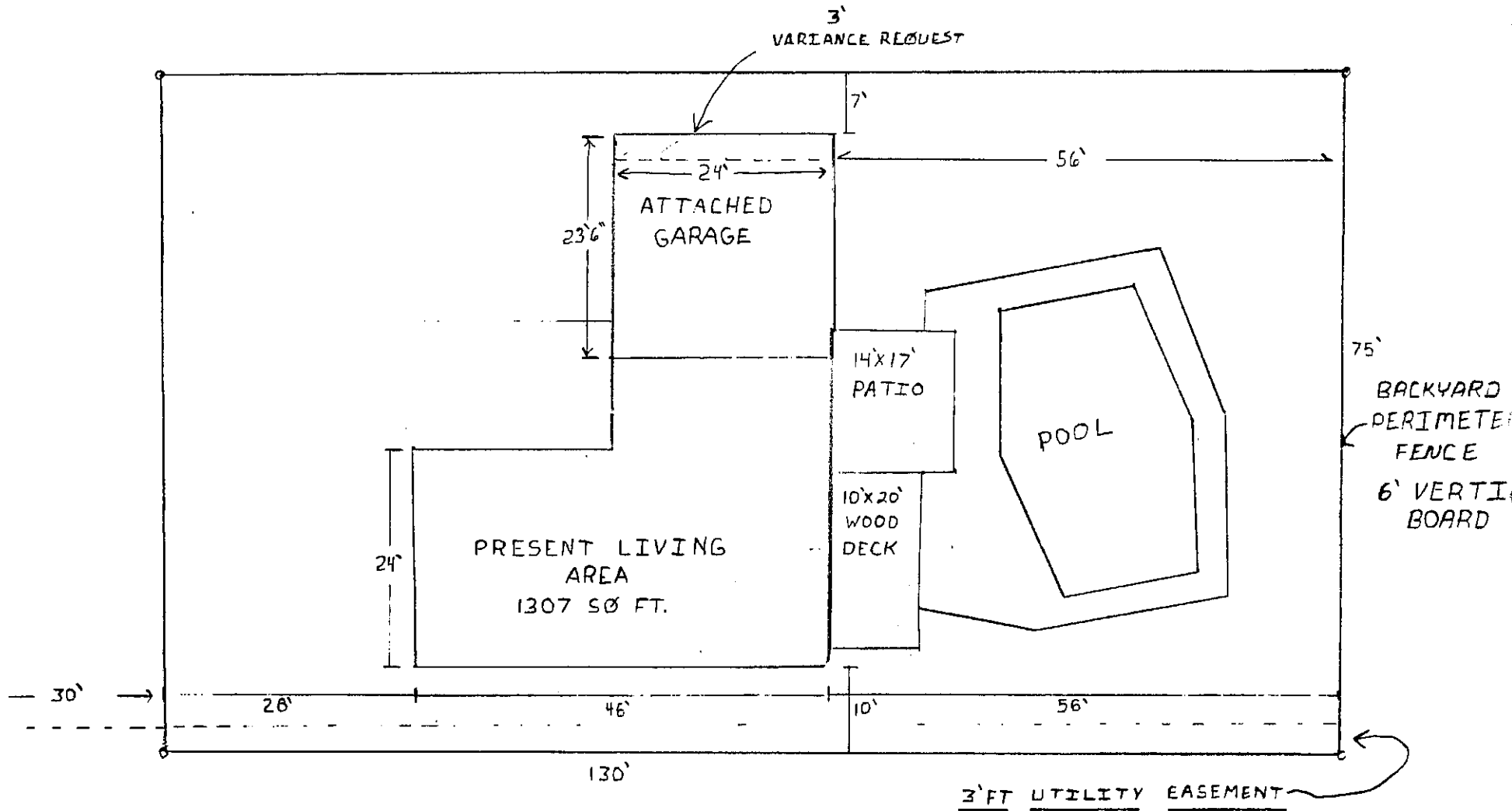
living spaces.  
THEREFORE WE RESPECTFULLY REQUEST A VARIANCE BE GRANTED TO ALLOW THE  
EXISTING SEVEN FOOT (7') SIDE SETBACK FOR THIS STRUCTURE.

Respectfully Yours:



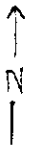
Gary R. and Marlys L. Hughes

ATTACHMENT B

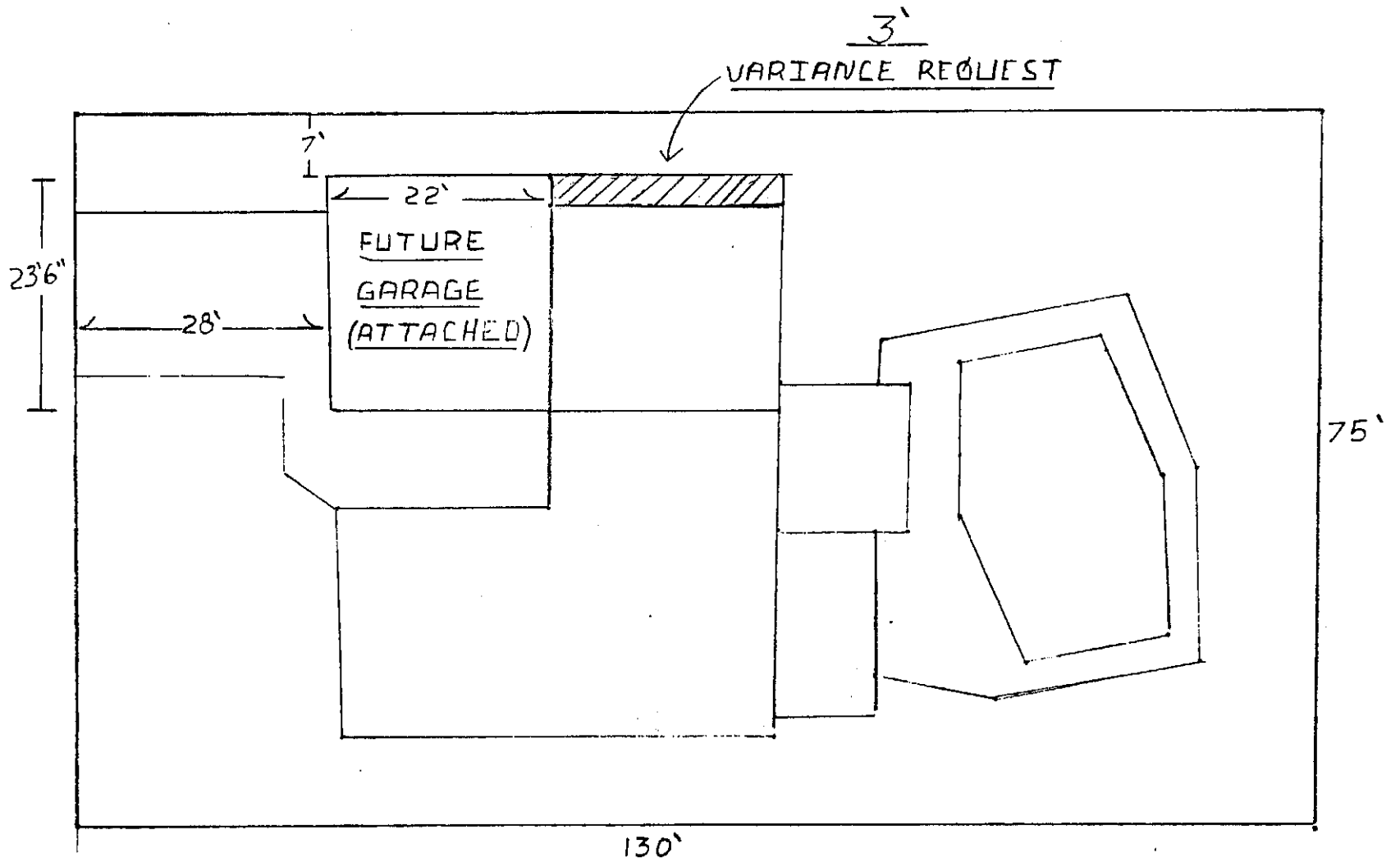


EXISTING  
BUILDING LOCATION  
LOT 5 BLOCK #1  
SONTAGS 1ST ADDITION

○ DENOTES 1/2" PIPE CORNER STAKE



ATTACHMENT "C"



FUTURE  
ATTACHED GARAGE ADDITION

GARY HUGHES 1475 BRITTANY



## VARIANCE PROCEDURE

In describing the request, the applicant must demonstrate the following:

- 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. That 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 privilege 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.

PROJECT: 86-1 Variance Request - G. Hughes

1475 Brittany Road  
 Lot 5, Blk 1, Sorbays 1st Addn.

| Department  | Reviewed |    | Date   | Name          | Comments   |
|-------------|----------|----|--------|---------------|--|
|             | Yes      | No |        |               |  |
| Fire        | ✓        |    | 2/6/86 | J. Woodruff   | approved   |
| Water       | ✓        |    | 2/6/86 | David Enclius | N/A  |
| Building    | ✓        |    | 2/6/86 | M. Wala       | APPROVED SUBJECT TO COMPLIANCE TO APPLICABLE BUILDING CODES. |
| Planning    | ✓        |    | 2/6/86 | T. H.         | Deny as per memo discussion re: zoning reasons               |
| Engineering | ✓        |    | 2/6/86 | J. Klenck     | approved   |
| Parks       | ✓        |    | 2/6/86 | Marty McAlmon | NOT APPLICABLE   |

MEMO

TO: TOM HARMENING

FROM: MERLIN WILBUR *MW*,

SUBJECT: DRAFT - WATER SERVICE POLICY

Attached please find a draft proposal for a water service policy. I believe the language will lend itself to all facets of concern as to placement and accessibility of shut off valves for water service or discontinuance.

If you have any questions or suggested revisions, please contact me.

jt

## WATER SERVICE POLICY

Notwithstanding the State Building Code and in particular the State Plumbing Code, the City Council of the City of Hastings does hereby assert and invoke the following policy regarding the potable water services.

### DEFINITIONS -

1. BUILDING VALVE - a valve within or outside a building connected to the water service line for the purpose of turning water supply off or on to the building.
2. SERVICE VALVE - means a secondary valve, within or outside the building that controls each individual service line within buildings.
3. VALVE ACCESSIBILITY - shall mean a valve readily accessible to the water department without incumberances in performance of service.
4. RESIDENTIAL UNIT - means one or more rooms with provision for living, sanitary, and sleeping facilities arranged for the use of one family or individual.
5. INDIVIDUAL SERVICE - REFERENCES State Plumbing Code requirement for a seperate service line (individual) for each building or residential unit.

Potable water service to each water user within the city must be accessible to the water department for maintenance or service discontinuence. This accessibility must either be by individual exterior valves or individual valves within maintained common or public property or structures.

*Maw.*

7-5-1

MEMO

TO: Mayor and Council  
FROM: Gary E. Brown   
DATE: February 27, 1986  
SUBJECT: Ordinance relating to Development within the City of Hastings


The City Council passed the 1st reading of an ordinance on February 3, 1986 relating to development within the city. Attached is my memo which corresponded with that particular ordinance. It is my recommendation that the City Council not adopt these amendments to the city ordinance. However, I reiterate that I believe that the city should pass the policy that requires that a determination be made at the time a preliminary plat is brought to the Council as to whether or not a developers agreement is necessary.

Furthermore, staff has had a considerable input from developers regarding the present site plan review ordinance. One of the suggestions of the developers is that only one of the two bodies which now review the site plans be required to. For example either the Planning Commission or the City Council as this requirement places substantial delays to the developers.

We believe that the escrow requirement is over excessive and should only be used when the developer is in a position of wanting to occupy the buildings before all improvements are completed. At that point the developer should be required to place in an escrow fund an amount of 125% of the remaining improvements. At the present time we require an escrow fund be established before the development takes place of 125% of the total outside improvements. This additional financial burdon will certainly be passed on to the eventual occupant of the structure either by rent or by sale.

cl

MEMO

TO: Mayor and City Council  
FROM: Gary E. Brown   
SUBJECT: Ordinance Relating to Development Within the City of Hastings  
DATE: January 30, 1986

The City Council has recently approved a site plan ordinance which staff believes has tightened considerably the problems we have run into in the past. Staff feels that the proposed ordinance is overly restrictive, cumbersome and ambiguous; for example, subdivision three indicates that any variation of the plans shall be submitted to the City Council and below it says minor substitutions or adjustments may be approved by the Zoning Administrator or City Engineer. Presently, the City Council is required to approve all site plans for buildings of 4-plexes or larger and all commercial construction. City staff has used discretion in the past to approve minor adjustments to those site plans. These adjustments typically come about as a result of construction problems in the field or because the developer finds that there is a more feasible way to do something.

Staff believes though, that it might be a good idea for the staff to make a determination at the time a preliminary plat is brought to the City Council as to whether or not a developer's agreement is necessary and that before the final plat is approved the development agreement would be signed by the developer and presented to the Council for approval. If changes are made in the final plat, the development agreement could be changed accordingly. We believe that this could be adopted by City Council as a policy. Subdivision five of this ordinance calls for all parcels to have City resolutions attached to the deed or appropriate document at the County Courthouse. Again, staff believes this is very excessive and that typically only larger developments would require a developer's agreement that should be recorded with the title.

ces

MEMO

TO: Mayor and Council

FROM: Gary E. Brown

DATE: February 27, 1986

SUBJECT: 3rd Reading of the Peddlers Ordinance

At the 2nd reading of the Peddlers Ordinance a great deal of controversy was brought forward to the City Council. To clarify several points that were brought out at the last meeting, I will attempt to list the impact of this particular amendment to the ordinance. The City Attorney and I both believe that the ordinance amendment will allow the city to charge a specific peddlers license fee during the city wide of feasibles additional to any annual licenses the individuals may hold. Every peddler or transient merchant will be required to obtain a permit non-profit organizations will not be required to pay the \$10.00 per unit per day fee. Furthermore, the City Council may further restrict a licensee to comply with requirements of other sponsoring agencies such as the Chamber of Commerce or Aquatennial Committee. Those agencies may impose additional fees for coordinating activities. Irregardless the sponsoring agency would have to get approval from the City Council as how to those restrictions might be set up. As an example, if the agency were to set up a \$25.00 fee for coordination of activities, the Council should approve that fee.

As an update, staff has met with Rivertown Days Committee and has had conversations with Mr. Jerry Musker of the Aquatennial Committee about possibly splitting up consections during the Aquatennial Flotila Parade. None of these arrangements have been completed/ firmed up however, the amendment of the ordinance is crucial to the city wide feasible events. It is city staffs goal to find compromises which will be ameanable to all parties involved at these festivals.

## MEMO

TO: Mayor Lu Ann Stoffel  
FROM: Wally Erickson *WAE*  
SUBJECT: Hastings Industrial Park Advisory Board  
DATE: February 19, 1986

On January 31, 1986 the term of Joseph Novak, James Holmes, Dennis Morris, and Larry Hunter expired. Please reappoint them for another term which expires 1-31-89.

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cc: Gary E. Brown  
City Administrator



No limit to terms served and  
may be reappointed as often  
as desired for a 3 year term

HASTINGS INDUSTRIAL PARK ADVISORY BOARD

|   |                              | <u>Appointed</u> | <u>Term Expires</u> |
|---|------------------------------|------------------|---------------------|
| William King<br>12037 Pt. Douglas Dr. So.                         | 437-2161 (H)                 | 2-22-83          | 1-31-86             |
| Joseph Novak<br>701 Ramsey  | 437-4092 (H)<br>295-6212 (W) | 2-22-83          | 1-31-86             |
| James Holmes<br>415 West 15th Street                              | 437-6915 (H)<br>437-4111 (W) | 2-22-83          | 1-31-86             |
| Dennis Morris<br>Northwestern Nat'l Bank                          | 437-4131 (W)                 | 4-1-85           | 1-31-86             |
| Larry Hunter<br>807 West 2nd Street                               | 437-4597 (H)<br>227-8561 (W) | 2-22-83          | 1-31-86             |
| Donald Bahls<br>310 West 10th Street                              | 437-3204 (H)<br>437-4164 (W) | 4-1-85           | 1-31-88             |
| Arvid Evensvold<br>119 W. 2nd Street                              | 437-3106 (W)                 | 4-1-85           | 1-31-88             |
| Neil Siewert<br>308 Vermillion Street                             | 437-5335 (W)                 | 4-1-85           | 1-31-88             |
| Lyle Northrup<br>1610 Brittany                                    | 437-7586 (H)<br>437-5616 (W) | 8-20-84          | 1-32-88             |
| Pat Regan<br>912 Pine Street                                      | 437-8133 (H)<br>437-1888 (W) | 1-21-86          | 1-31-89             |
| <u>Non-Voting Members</u>   |                              |                  |                     |
| Representative<br>State Employment Service<br>205 East 3rd Street | 437-2032 (W)                 |                  |                     |
| City Attorney<br>999 Westview Drive                               | 437-3148 (W)<br>437-5707 (H) |                  |                     |
| Administrator (Ex-Officio)<br>100 Sibley Street                   | 437-4127 (W)                 |                  |                     |
| Mayor Lu Ann Stoffel<br>1171 Southview Drive                      | 437-9311 (W)                 |                  |                     |
| Chamber of Commerce<br>427 Vermillion Street                      | 437-6776 (W)                 |                  |                     |
| Industrial Park Director<br>100 Sibley Street                     | 437-4127 (W)                 |                  |                     |

## MEMO

TO: Mayor and City Council  
FROM: Marty McNamara *Marty*  
SUBJECT: NRRC Vacancies  
DATE: February 27, 1986

The Natural Resources and Recreation Commission has two vacancies on the Commission. At their meeting on Wednesday, February 26, 1986 they interviewed three candidates - Carol Manninen, Bruce Marsh, and George Ross. The Commission is recommending to the Council that you appoint Carol Manninen and George Ross to the Commission.

ces

CITY OF HASTINGS  
APPLICATION FOR COMMISSION APPOINTMENT

DATE: 1-31-86

NAME OF COMMISSION YOU ARE APPLYING FOR:

Natural Resources and Recreation

NAME BRUCE MARSH

ADDRESS 1456 W. 14<sup>th</sup> St.

PHONE NO. (HOME) 437-7470 (WORK) 296-3499

Signature Bruce Marsh

The information below is optional. The applicant may or may not provide the data requested. Use additional sheets of paper if necessary.

EMPLOYMENT DATE

Place of Employment State of MN - State University System

Position held Internal Auditor & Computer System Manager

Brief statement of position content \_\_\_\_\_

EDUCATIONAL DATA

High School Attended Hastings Year Graduated '74

College or University attended St. Cloud State Univ Year Graduated '79

Major Accounting Degree B.S.

Technical, Vocational or Trade School attended \_\_\_\_\_

Course of study \_\_\_\_\_

Post Graduate School \_\_\_\_\_

Major \_\_\_\_\_ Degree \_\_\_\_\_

Other (Enter data not covered above) \_\_\_\_\_

RESIDENCY/FAMILY DATE

Number of years Hastings resident 28

Spouse's Name LORI

Number of Children expecting 1<sup>st</sup> in May

MILITARY EXPERIENCE

Branch of Service -

Period: From \_\_\_\_\_ TO \_\_\_\_\_

GENERAL INFORMATION/REMARKS (Fill in as desired by applicant)

Why do you wish to serve on this Commission?

I am very interested in nature and outdoor recreation. I will enjoy helping other people to enjoy these things.

Other Remarks \_\_\_\_\_

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

*WRC*  
HASTINGS ~~PLANNING COMMISSION~~-APPLICATION FOR  
APPOINTMENT

DATE

*Feb 26 1986*

NAME George Ross

ADDRESS 107 west 21 st. Hastings

PHONE NO. (HOME) 437 5939 | WORK 437 3111

SIGNATURE Also works at the V.A. Mpls but  
could be reached at Switchboard,  
Hastings.

The information below is optional. The applicant may or may not provide the data requested. Use additional sheets of paper if necessary.

EMPLOYMENT DATA

Place of employment Minnesota Veterans Homes

Position held Director of Chemical Dependency Program

Brief statement of position content Help Veterans...

EDUCATIONAL DATA

High School Attended Hammond Wisconsin.

Year graduated A few years Back

College or University attended \_\_\_\_\_

Year graduated \_\_\_\_\_

Major \_\_\_\_\_ Degree \_\_\_\_\_

Technical, Vocational or Trade School attended \_\_\_\_\_

Course of study \_\_\_\_\_

Post graduate school \_\_\_\_\_

Major \_\_\_\_\_ Degree \_\_\_\_\_

Other (Enter data not covered above) \_\_\_\_\_

RESIDENCY/FAMILY DATA

Number of years Hastings resident Two and a half years  
Spouse's name Former Mary Jane Niederkorn  
Number of children Six step children

MILITARY EXPERIENCE

Branch of service Both Navy and Army  
Period: From 1943 to 1945 to 1947 to 1950

GENERAL INFORMATION/REMARKS (Fill in as desired by applicant)

Why do you wish to serve on the ~~Planning Commission~~; Natural Resource Commission  
I love the community of Hastings and would like to  
serve on this meaningful and worthwhile committee  
Also Being a avid fisherman I am very intrested in our  
natural resources..

Other Remarks I also serve on the advisory Board of the Dakota Co.  
Human Services  
I Was also served on the Prescott City Council but  
had to resign when I took a position at Mankato.

(1982)

CITY OF HASTINGS  
APPLICATION FOR COMMISSION APPOINTMENT

DATE: 21 Feb 86

NAME OF COMMISSION YOU ARE APPLYING FOR:

Natural Resources & Recreation

NAME Carol Jean Manninen

ADDRESS 941 Southview Drive

PHONE NO. (HOME) 437-7866 (WORK) 437-1505/7760

Signature Carol Jean Manninen

The information below is optional. The applicant may or may not provide the data requested. Use additional sheets of paper if necessary.

EMPLOYMENT DATE

Place of Employment Bridge Cafe / Heinen's Tavern

Position held owner

Brief statement of position content own & manage daily operations of cafe and tavern in Downtown Hastings

EDUCATIONAL DATA

High School Attended Grand Rapids Year Graduated 1969

College or University attended Itasca State, Jr. Year Graduated —

Major Geography Degree —

Technical, Vocational or Trade School attended Prosource & Minn. School of Real Estate

Course of study Residential, Commercial, & Investment Prop.

Post Graduate School —

Major — Degree Licensed Realtor

Other (Enter data not covered above) —

RESIDENCY/FAMILY DATE

Number of years Hastings resident 2 1/2 yrs.

Spouse's Name N/A

Number of Children 3

MILITARY EXPERIENCE

Branch of Service N/A

Period: From \_\_\_\_\_ TO \_\_\_\_\_

GENERAL INFORMATION/REMARKS (Fill in as desired by applicant)

Why do you wish to serve on this Commission?

As a businessperson in Downtown Hastings I  
am very concerned and interested in whatever  
affects life & business in this community.  
I would hope to gain knowledge from this  
position in which to better support city projects.

Other Remarks In addition, I am also a mother of  
three who use the recreational facilities  
in this town. From this perspective, the  
operation & upkeep of these facilities is  
important in our family & others.



# Information

## MEMO

TO: Mayor and City Council  
FROM: NRRC  
SUBJECT: Salt Storage  
DATE: February 27, 1986

The Natural Resources and Recreation Commission would like to thank you for acting promptly on the salt storage problem at the Public Works Department. Our special thanks to Mr. Brown and Mr. Kleinschmidt for recommending a solution to this problem.

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# Information

MEMO

TO: Mayor and Council  
FROM: Dianne R. Latuff  
DATE: February 26, 1986  
SUBJECT: Commuter Bus Service

The City received a letter from Pat Regan regarding the projected implementation of the 'Hastings Commuter Express.' He stated that they anticipate approval from the RTB (Regional Transit Board) on March 6, 1986 and project a start-up date of April 7, 1986.

The tentative schedule is to have one bus daily (Monday-Friday) leaving Hastings at approximately 7:00 A.M., from three pick-up points, and returning to Hastings at approximately 5:00 P.M. The fare is \$1.75 each way.

On another related issue, the Mayor has been working with Mr. Regan in having a bus run from Hastings to the Rosemount Vo-Tech and Inver Hills Community College, with start-up tentatively scheduled for this Fall.

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