

AGENDA

## I CALL TO ORDER:

## II ROLL CALL:

## III DETERMINATION OF QUORUM:

## IV APPROVAL OF MINUTES:

Minutes of meeting of January 6, 1986

## V AWARDING OF BIDS AND HEARING

1. Public Hearing - Liability Insurance - Beer, Wine & Liquor
2. Public Hearing - Explosives within City limits.

## VI REPORTS FROM CITY STAFF:

## A. City Planner

1. Site Plan Review - 4 plex Lot 3, Block 1, Whispering Meadow-M. Williams.
2. Fair Book & Stationary-Reconsider Parking Variance-1317 Vermillion St.
3. 1st Reading-Ordinance Amendment-Permitting Bed & Breakfast Establishments in an R-2 zone. Set public hearing.
4. Housing & Redevelopment Authority-parking variance-3rd & Tyler.
5. Let There Be Hair-Time extension request.

## B. City Administrator

1. Application for taxi-cab license-Bob Schmitz
2. Haven Homes-Surplus Property-Report on drainage requirements South of Haven Homes.
3. 2nd Reading-Liability Insurance-Beer, Wine and Liquor.
4. 2nd Reading-Explosives within city limits.
5. Approve collateral.
6. Eagles request-Charitable Gambling.
7. Vote for Acting Mayor

## C. City Attorney

## D. City Engineer

1. Resolution-Receiving report & calling hearing on '1986 Improvements'
2. Receive plans and specs for conversion of well No. 5 to electric drive and authorize advertisement for bids with bids to be received on February 3, 1986.
3. Receive report on proposed stop signs-17th Street & Brittany Road.

## VII COMMENTS FROM AUDIENCE:

## VIII UNFINISHED BUSINESS:

## IX NEW BUSINESS:

## X REPORTS FROM CITY COMMITTEES, OFFICERS, COUNCILMEMBERS

XI COMMUNICATIONS AND MISCELLANEOUS BUSINESS

XII PAYMENT OF CLAIMS

Consent Agenda:

1. Pay all bills as audited
2. Partial payment No.2 S.J. Louis Construction Company-Watertower Watermain  
\$12,096.85.

XIII ADJOURNMENT

Hastings, Minnesota  
January 6, 1986

The City Council of the City of Hastings, Minnesota met in a regular meeting on Monday, January 6, 1986 at 7:30 p.m. in the Council Chambers of the City Hall.

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

Members Absent: None.

The Mayor called for additions or corrections to the minutes of the meeting of December 16, 1985 and the Special meeting of December 30, 1985 and hearing none declared the minutes approved as presented.

The Mayor declared the Public Hearing open at 7:31 p.m. to consider having Ramsey and Tyler Street between 3rd & 4th Street open for two way traffic instead of one way traffic. The Mayor asked if anyone wished to speak on the issue, Mr. Herman White, 322 E. Third Street requested that the Council leave the street one way and stated that the alleys are tied up approximately 14 hours per day now and Mr. John Felty, 308 Tyler Street asked why the request was made in the first place and requested that the street remain one way. No one else wished to speak on the matter. The Mayor declared the Public Hearing closed at 7:38 p.m.

PUBLIC HEARING-  
RAMSEY & TYLER  
TWO WAY TRAFFIC

Commissioner Harris was in the audience and reviewed for the City Council the proposed expansion of the new Dakota County Jail at the Dakota County Government Site.

DAKOTA COUNTY  
COMMISSIONER-  
JOE HARRIS

Moved by Councilmember Trautmann, seconded by Councilmember Werner to approve the Findings of Fact as prepared by the City Attorney's office deleting number four of those facts. 5 Ayes; Naves, Bond, Nesbitt and Plan.

HAVEN HOMES-  
FINDING OF FACT  
SPECIAL USE  
PERMIT

Moved by Councilmember Nesbitt, seconded by Councilmember Plan to approve the Findings of Fact denying the requested Special Use Permit for Haven Villa at 930 W. 16th Street.

1. An application for a special use permit was submitted to the City by Haven Villa for the construction of a 84-unit alternative housing project for senior citizens to be attached to the existing Haven Homes nursing facility at 930 West 16th Street. This matter was referred to the Planning Commission for a review and report pursuant to City ordinance. After conducting a public hearing on this issue, the Planning Commission recommended to the Council that it deny issuing the requested special use permit.

HAVEN HOMES-  
FINDING OF FACT

2. The proposed alternative housing project is not a use allowed by special use permit under the City's Zoning Ordinance. The proposed project is in an R-1, low density residential district. Section 10.11(3)(A) allows by special permit "old age homes" and "rest homes". The proposed use by the applicant does not fit within the definition of these two allowed uses but it more in the nature of a multifamily dwelling which is not allowed in an R-1, low density zone. The proposed use as an alternative housing facility for seniors does not fit within the definition of an old age home or a rest home. The 84 units in the proposed project would each have their own living quarters and cooking facilities. The occupants of these units would be required to eat only one meal per day at the congregate dining hall in the adjacent nursing home. All other meals could be prepared by them in their individual units. The occupants of these units would be allowed to participate in social activities conducted at the nursing facility.

The occupants would have medical services available to them in their rooms if an emergency did arise. The occupants would also be able to purchase medicines and certain grocery supplies from stores located on the premises. Garage stalls and parking spaces would be available for the occupants' vehicles. These are all services which are not typically provided at an old age home or a rest home.

3. The proposed use and 84-unit structure is not compatible with the adjacent properties and other property in the neighborhood. The majority of the property surrounding the proposed project is zoned R-1, low density. The remaining adjacent property is R-2, medium density. The proposed use calls for an 84-unit alternative housing structure which is not compatible with the surrounding low density residential area. The proposed use calls for an 84-unit alternative housing structure which is not compatible with the surrounding low density residential area since the purpose of a low density zone is to protect the quiet living environment from potential conflicting uses. The proposed use would increase traffic to and from the facility by both the occupants and by vehicles bringing in the necessary supplies for the facility. This would cause an increase in traffic levels and accompanying vehicle noise which would detract from the quiet living environment in a low density zone.

4. The proposed alternative living facility would not promote the public safety, welfare, convenience and appearance for those reasons stated in the previous paragraphs. 5 Ayes; Naves, Trautmann, Mathiowetz, Berg and Werner. Motion Passes.

Moved by Councilmember Nesbitt, seconded by Councilmember SCHUMACHER  
Kulzer to table the matter of the rezoning from agricultural to REALTY  
R3 and the preliminary plat approval for Schumacher Realty, REZONING AG TO  
Fourth Street and Whispering Lane, until the matters of the park R3-PRELIMINARY  
dedication and the site plan have been resolved by the Planning PLAT  
Commission and the City Staff. 7 Ayes; Naves, Werner.

Moved by Councilmember Nesbitt, seconded by Councilmember  
Kulzer to contact the County Recorder's Office tomorrow morning  
to determine if the Development Agreement for Whispering Meadows  
has been recorded and if not to have the City Staff take the  
appropriate action seeing to its recording. 8 Ayes; Naves, None.

Moved by Councilmember Trautmann, seconded by Councilmember CORNERSTONE  
Berg to accept the Planning Commissions recommendation to deny BIBLE CHURCH-  
the rezoning request from I1 to R3 for the Cornerstone Bible REZONING I1 TO  
Church, 800 Block of East 10th Street. This denial is based R3  
upon the following:

1. The City's comprehensive plan indicates that this site is exclusively zoned or should be exclusively zoned for industrial use. The plan further states that industrial sites should not encroach upon areas that are either residential in nature or planned for future recreation.

2. Down zoning is a term used to describe areas for less intense and less varied uses than were formerly permitted. Down zoning is typically used to protect neighborhoods from being dismantled into more commercial or industrial type uses. This application would not be using down zoning to protect the neighborhood, while at the same time might actually hinder future industrial expansion.

3. Spot zoning is a term used to describe the change of a parcel or parcels when the area surrounding the parcel is a different and non compatible zoning. This is true in this rezoning request.

4. One additional concern is that existing land zoned for industrial purposes would be required to adhere to more stringent buffering and setback

requirements because of the introduction of residential use in an industrial zone.

5. The definition of an armory/convention hall is not the same as a church. 8 Ayes; Nayes, None.

Moved by Councilmember Werner, seconded by Councilmember Plan to accept the Planning Commissions recommendation and approve this parking variance provided that no more than 5,760 net usable floor area is utilized and subject to several provisions. This motion, to pass, requires a 6/8ths vote of the Council. 5 Ayes; Nayes, Mathiowetz and Nesbitt, Abstain, Bond. This motion does not pass.

FAIR BOOK &  
STATIONARY-  
PARKING  
VARIANCE-1317  
VERMILLION ST.

Moved by Councilmember Trautmann, seconded by Councilmember Nesbitt to deny the request of the HRA to provide a parking lot in lot 8, block 15 in the Town of Hastings, intersection of 3rd & Tyler Street, stating that the HRA was spending money foolishly and there were better places for a parking lot.

HRA PARKING  
VARIANCE-3rd  
& TYLER

Moved by Councilmember Kulzer, seconded by Councilmember Bond to table the matter of the parking variance for the HRA, 3rd & Tyler Street, until the next regular City Council meeting. 6 Ayes; Nayes, Trautmann and Berg.

Moved by Councilmember Berg, seconded by Councilmember Werner to adopt Resolution No. 1-86 establishing a minimum fee of \$100.00 for alley, street or easement vacation. 8 Ayes; Nayes, None. Copy of resolution on file.

RESOLUTION NO.  
1-86 SET FEE-  
ALLEY VACATION

Moved by Councilmember Trautmann, seconded by Councilmember Werner to rescind the previous offer selling 54,405 square feet at a dollar per square foot and 73,700 square feet to be sold at 55 cents per square foot to Pastor Fair, and to accept bids until February 14, 1986 for the sale of this land. The advertisement shall specify that this parcel of land is landlocked. Pastor Fair stated to the City Council that he agreed with the rescinding of the offer. This vote requires a 2/3rds majority of the City Council to pass. 5 Ayes; Nayes, Bond, Nesbitt and Kulzer. This motion does not pass.

HAVEN HOMES-  
SURPLUS  
PROPERTY

Moved by Councilmember Bond, seconded by Councilmember Nesbitt to rescind the motion from the meeting of September 3, 1985 to declare the 2.94 acres as excess property. This motion requires a 2/3rds majority to pass. 3 Ayes; Nayes, Trautmann, Mathiowetz, Berg, Werner; Abstain, Plan. This motion does not pass.

Moved by Councilmember Trautmann, seconded by Councilmember Plan to table this matter until the next regular City Council meeting. 8 Ayes; Nayes, None.

Moved by Councilmember Trautmann, seconded by Councilmember Berg to pass a first reading of an ordinance amending Chapter 3 as it relates to liability insurance requirements for beer, wine and liquor licenses and setting a public hearing for the January 21, 1986 regular City Council meeting. 8 Ayes; Nayes, None.

FIRST READING-  
ORDINANCE  
AMENDMENT-  
LIQUOR

Moved by Councilmember Werner, seconded by Councilmember Bond to approve the advertising for bids for the 1986 pickup for the Water Department with bids to be considered for award at the February 3, 1986 regular City Council meeting. 8 Ayes; Nayes, None.

AUTHORIZE  
ADVERTISEMENT  
WATER DEPART-  
MENT PICKUP

Moved by Councilmember Plan, seconded by Councilmember Kulzer to designate the Hastings Star Gazette as the Official Newspaper for 1986. 8 Ayes; Nayes, None.

DESIGNATE LEGAL  
NEWSPAPER

Moved by Councilmember Trautmann, seconded by Councilmember Berg to designate the following as depositories for City funds. The investing would be done locally unless the interest rates from outside the City limits exceeded the highest local rate by more than .25% or 25 base points. 1) First National Bank Hastings; 2) Norwest Bank Hastings; 3) Minnesota Federal Savings & Loan, Hastings; 4) First Federal Savings & Loan, Hastings; 5) Vermillion State Bank, Hastings; 6) Marquette Bank, Minneapolis; 7) Norwest Bank, St. Paul; 8) Norwest Bank, Minneapolis; 9) First Federal Savings & Loan, Grand Rapids; 10) First Bank, Minneapolis; 11) Juran & Moody, St. Paul. 8 Ayes; Nayes, None.

DESIGNATE  
DEPOSITORIES  
FOR CITY FUNDS

Moved by Councilmember Mathiowetz, seconded by Councilmember Plan to designate the Norwest Bank of Hastings for the Checking account for 1986. 8 Ayes; Nayes, None.

DESIGNATE BANK  
FOR CHECKING  
ACCOUNT

Moved by Councilmember Nesbitt, seconded by Councilmember Plan to appoint Wally Erickson as the City Treasurer and Barb Thompson as the Deputy Treasurer for 1986. 8 Ayes; Nayes, None.

ANNUAL APPOINT-  
MENT OF CITY  
TREASURER AND  
DEPUTY  
TREASURER

Moved by Councilmember Trautmann, seconded by Councilmember Plan to nominate Councilmember Werner as the Acting Mayor.

SELECTION OF  
ACTING MAYOR

Moved by Councilmember Berg, seconded by Councilmember Bond to nominate Councilmember Nesbitt as the Acting Mayor.

Moved by Councilmember Kulzer, seconded by Councilmember Werner to nominate Councilmember Trautmann as the Acting Mayor.

Moved by Councilmember Trautmann, seconded by Councilmember Bond to have the nominations for the Acting Mayor cease. 8 Ayes; Nayes, None.

Mayor Stoffel asked that the Councilmembers vote by secret ballot with Councilmember Werner receiving 4 votes, Councilmember Trautmann receiving 2 and Councilmember Nesbitt receiving 2. The selection of Acting Mayor required a majority vote of the Council so this item was held for later on in the agenda by the Mayor.

Moved by Councilmember Plan, seconded by Councilmember Werner to reappoint Wally Erickson as the Industrial Park Director for 1986 at the same salary as 1985. 8 Ayes; Nayes, None.

APPOINT  
INDUSTRIAL  
PARK DIRECTOR

Moved by Councilmember Werner, seconded by Councilmember Plan to adopt the Industrial Park Budget for 1986 as follows. 8 Ayes; Nayes, None.

ADOPT  
INDUSTRIAL  
PARK BUDGET

INDUSTRIAL PARK BUDGET 1986

1. Wages	\$5,400.00
2. Insurance "Health & Life"	\$1,318.26
3. General Expenses	
Entertainment, Promotion, dues etc.,	\$2,000.00
4. Advertising; Magazines, etc.	\$1,000.00
5. Printing and Mailing of Brochures and Literature	\$500.00
6. Mileage and Travel	\$1,500.00
7. Expert and Consultant	\$4,000.00
Total	\$15,718.26
Industrial Park Sink	\$123,465.26
Construction	<u>\$94,522.81</u>
Total 11-30-85 Balance Industrial Park Funds	\$217,988.07

\$123,465.26 Industrial Park Sinking Pays Bond payments \$68,494.00 per year.  
\$94,522.81 Industrial Park Construction pays sewer, water, streets, etc.

Moved by Councilmember Werner, seconded by Councilmember Bond to pass the first reading of an ordinance establishing regulations for the use of explosives within the City limits and setting a public hearing for the January 21, 1986 regular City Council meeting. Staff was requested to look into whether there currently were regulations for this activity, such as Minnesota State Statutes or various licensing organizations.  
8 Ayes; Nayes, None.

FIRST READING  
ORDINANCE  
AMENDMENT-  
EXPLOSIVES

Moved by Councilmember Nesbitt, seconded by Councilmember Werner to adopt Resolution No. 2-86 establishing regulations relating to lawful gambling within the City of Hastings. 8 Ayes; Nayes, None. Copy of resolution on file.

RESOLUTION NO.  
2-86  
ESTABLISHING  
REGULATIONS  
RELATING TO  
LAWFUL GAMBLING

Moved by Councilmember Berg to limit the number of organizations gambling within the city to four. This motion died for lack of a second.

Moved by Councilmember Trautmann, seconded by Councilmember Plan to approve the 1986 Local 49 Union Contract as follows:  
1) 4% across the board increase; except for the Foreman Heavy Duty Equipment Operator (Lavere Fox) in the Street Department and the Engineering Aide IV (Steven Pederson) who shall receive a 5% increase; 2) reinstate Article XI which outlines compensatory time up to 80 hours; 3) amend Article XXI which would eliminate Columbus Day as a holiday; 4) amend Article XXIII Vacation. 8 Ayes; Nayes, None.

APPROVE 49ERS  
1986 CONTRACT

Moved by Councilmember Werner, seconded by Councilmember Nesbitt to adopt Resolution No. 3-86 entering into a Joint Powers Agreement for Landfill Abatement Funding Assistance with Dakota County. 8 Ayes; Nayes, None. Copy of the Agreement on file.

RESOLUTION NO.  
3-86 JOINT  
POWERS AGREEMENT-  
LANDFILL  
ABATEMENT  
FUNDING ASSIST-  
ANCE

Moved by Councilmember Trautmann, seconded by Councilmember Werner and have the nomination process take place by a voice vote. The Mayor stated that the secret ballot process had been started and the process should not be changed now. This motion died for lack of a second.

SELECTION OF  
ACTING MAYOR

Councilmember Nesbitt and Councilmember Trautmann withdrew their names from the nominations. Councilmember Werner 6 votes; Councilmember Nesbitt 1; Councilmember Trautmann; 1.

Moved by Councilmember Nesbitt, seconded by Councilmember Bond to 1) Pay all bills as audited; 2) third payment-Hydro Storage, Inc. \$49,447.50. 8 Ayes; Nayes, None.

CONSENT AGENDA

Moved by Councilmember Bond, seconded by Councilmember Berg to adjourn the meeting at 10:45 p.m. 8 Ayes; Nayes, None.

ADJOURNMENT

ATTEST

Mayor, Lu Ann Stoffel

City Administrator/Clerk, Gary E. Brown

Minutes of Hastings Cable Television Commission  
 Tuesday, January 7, 1986  
 1:30 P.M.  
 City Hall Council Chambers

Members Present: Rosendahl, Siebenaler, Bour, Swanson

Members Absent: Pellant, Bacon and Rayner

Others Present: Marie Boldon, Dave Mattson and Dianne Latuff

Chairman Rosendahl asked for additions or corrections to the minutes of the meeting of Tuesday, December 3, 1985 and hearing none declared the minutes approved as presented.

Marie Boldon of HCTV stated that the new Access Coordinator, Vickie Miazga who had been hired on January 6, 1986 had resigned, effective today. Marie stated that the Cable Company will actively be recruiting a new coordinator. ACCESS COORDINATOR

Commissioner Rayner arrived at 1:38.

Moved by Commissioner Rayner, seconded by Commissioner Siebenaler to have a letter prepared from the Hastings Television Commission to the Hastings Cable Television Company regarding the hiring of a person to work with the Hastings Cable Access Corporation. Although this corporation has not yet met, the Commission wants HCTV made aware that they want the Cable Company to provide an origination person as well as the current one and one half (1½) staff already provided for access. This origination person would be hired by Hastings Cable Television Company, but be accountable to the Access Corporation. 5 Ayes; Nays, None. STAFFING-CABLE CORPORATION

Moved by Commissioner Swanson, seconded by Commissioner Bour to adopt the following budget for 1986 and submit to Council for ratification. 5 Ayes; Nays, None. 1986 BUDGET

Estimated Balance from 1985	\$16,780
Estimated Franchise Fee	31,500
Estimated Interest	<u>1,200</u>
	\$32,700
 TOTAL	 \$49,480

	<u>Expenditures</u>	<u>Budget</u>
Cable Administrator & Staff		\$11,600
Professional Services		6,500
Publications		50
Memberships/Conferences/ Subscriptions		2,000
Office Supplies		600
Access Support & Development		28,730



During the discussion of the budget Marie Boldon brought the Commission up to date on the current status of the sale of the Hastings Cable Television Company. She stated that 5 bidders had bid on the Company, but each one had bid with options, totaling 91 options. Subsequently, the bids were not comparable, so the Company is still evaluating the bids. Marie felt she could not speak on behalf of the Company in regards to any allocation of funds due to the state of sale.

Moved by Commissioner Rayner, seconded by Commissioner Siebenaler to have the \$2.00 registration fees for the training classes provided through the Community Education Department paid for by the Hastings Cable Television Commission up to a maximum of \$500.00. This registration fee agreement would be only for 1986 and the Commission will review again for 1987. 5 Ayes; Nays, None.

REGISTRATION FEE-  
COMMUNITY EDUCATION

The Commissioners discussed the changing of meeting times and/or dates in an attempt to have the entire Commission present for the meetings. It was suggested and agreed upon that the next meeting would be held at 3:00 p.m. in an attempt to get the entire membership present.

MEETING DATES

The Commissioners discussed getting information to the public on how to utilize the access studio. It was suggested that possibly the local paper could run an informational item and the Commissioners possibly could prepare a video tape to go along with the information in the paper; and it was also suggested that a list be established of those who have been trained on the equipment at the studio and would be willing to help someone through any part of the process. It was also suggested that mailings be sent to the people who have been trained on the equipment at the studio and the studio's uses, and possibly introduce the new access coordinator when that individual is hired. The potential or possible formation of a video club was also discussed. Marie Boldon was asked to contact the newspaper and proceed with information and article when new coordinator was hired.

INFORMATION ON THE  
ACCESS STUDIO

Commissioner Bour left the meeting at 2:30 p.m.

The Commissioners discussed several problems incurred with availability of the studio. The school was not open on several occasions and the janitors requested people leave the studio, so the school could be locked up, on another occasion, Dave Mattson stated that he was appointed by the school to be liaison for such problems between the studio and the school. Dave will work with the new Coordinator to resolve any problems or complaints.

ACCESSIBILITY  
STUDIO

Commissioner Rayner suggested there was a need for backdrops at the studio. The Commission requested Commissioner Rayner to work with the sub-committee and submit to the Commission a specific request for a specific set at a defined price. The Commission feels the school should participate in the cost of a backdrop, but if the school has no funds available, possibly they could provide labor for construction and the Commission provide the materials. The sub-Committee will meet and discuss this issue and present their ideas to the Commission at the next meeting for further discussion.

STUDIO EQUIPMENT

Moved by Commissioner Rayner, seconded by Commissioner Siebenaler to adjourn the meeting at 2:54 p.m. 4 Ayes; Nays, None.

ADJOURNMENT

CHARTER COMMISSION MINUTES  
January 9, 1986

The meeting was called to order by C. Caturia at 7:34 in the City Hall Council Chambers.

Present: J. McGree, J. Gilbert, C. Caturia, D. Dobrick, S. Avent, W. Hartman, Earl Beltz and J. Johnson

Absent: Marie Bolden and Mike Hovgaard

Public: T. Nesbitt, F. Trautmann, L. Stoffel and E. Kaiser

C. Caturia asked for a motion to accept the minutes of December 12, 1985. W. Hartman moved to accept and D. Dobrick seconded with the following corrections. #9 W. Hartman report -- Head of Police Dept. is Police Chief answers to City Manager. D. Dobrick -- corrected spelling of M. Werner's name e instead of a.

C. Caturia reported on the City of Mounds View:

1. 12,900 population
2. Mayor/council form of government
3. 4-members and mayor elected at large
4. follows the same format as Hopkins and it has been in operation since 1958
5. very few compliants, economical and efficient.

J. Gilbert reported on West St. Paul:

1. 4-council persons elected every two years
2. City Manager form of government
3. Mayor votes on specified matters
4. All city information sent out through sewer billing

C. Caturia introduced Marie Bolden's statement of policy which will provide the voting format on Charter changes.

C. Caturia asked the Commission to deal with these issues brought forth in the Statement of Policy --- come to a conclusion -- meet and submit to the council/mayor for any discussion and appropriate action..

W. Hartman asked about the housekeeping matters already done by Commission and the need to complete the rest of the Charter. This will be completed at the February meeting.

W. Hartman inquired about an attorney being brought in to clarify whatever issues that are proposed. C. Caturia stated all decisions reached by the Charter Commission should be reviewed by an attorney for legality.

J. McGree suggested that changes could be submitted to League of MN Cities.

It was suggested at this time to ask the League for the name of an attorney to handle our questions.

W. Hartman has agreed to get in touch with the League about sending someone down for the February meeting.

J. McGree asked if the ward system is eliminated would voting be all in one place? C. Caturia answered -- there isn't any need to change present voting locations but what we really are changing is the campaign methods. W. Hartman stated -- voting can be done by precincts instead of wards as it is in Hopkins.

J. McGree -- need to put in the Charter about changing the word wards to precincts but leave the boundary lines the same as wards.

J. Gilbert asked how would party caucuses be handled when wards are eliminated -- would it be one big caucus? It was determined that the caucuses would be done by precincts instead of wards.

W. Hartman comments on At-Large election: campaigning more difficult -- it would benefit whole city by candidates being less provincial in their thinking.

D. Dobrick -- research is needed in the meaning of precincts and wards.

#1 It is the Commission's recommendation that the ward system be discontinued in Hastings and that all references to a ward system be removed from the Charter.

After discussion on the above proposal no action was taken for the present time.

#2 It is the Commission's recommendation that all elected Council persons be elected at large to serve City residents' needs and that each representative serve 4-year terms.

J. Johnson recommends one person per ward, two at large with mayor voting on every issue. Hastings voters will not accept an all at-large system.

C. Caturia questioned -- do we favor at large representation? Do we wish to retain a 4-ward system? If we do elect at-large, would terms be staggered?

L. Stoffel -- disagrees with the all at-large system -- because of the difficulty of people running in wards 1 and 2 --- at large system council persons wouldn't be considerate of other areas --- new people in town would need to know throughout city instead of their immediate area.

W. Hartman moved to accept -- It is the Commission's recommendation that all elected Council persons be elected at-large to serve City residents' needs and that each representative serve 4 year terms, two council persons elected in each even numbered election year.

Earl Beltz seconded. Vote 2 Naves Judy Gilbert and Janice Johnson  
Motion passed and carried.

#3 In order to increase efficiency, the Commission recommends that the City Council be reduced in size from eight representatives to four beginning with the 1986 elections.

D. Dobrick -- changing the 8 to 5 will make it more acceptable to the voters. In 1986 it should go slowly and phase out council persons as terms expires. Two council persons be elected for a two-year term as not to have all new people every four years.

W. Hartman moved to accept -- In order to increase efficiency, the Commission recommends that the City Council be reduced in size from eight representative to five including the mayor beginning with the 1986 elections.

D. Dobrick seconding. Motion passed and carried.

#4 The Commission advises that the Mayor become a full-fledged member

of the Council with voting power on all issues but no veto power.

Janice Johnson moved to accept with W. Hartman seconding. Motion passed and carried.

#5 Sharon Avent moved to accept -- The Commission advises that the Mayor be allowed to initiate discussion at Council meetings, but further recommends that the Mayor must relinquish the Chair should he/she desire to take a particular stand on an issue. Dick Dobrick seconded.

Discussion: S. Avent questioned Roberts Rules of Order presiding over a meeting and making changes against RR of O? L. Stoffel -- things can be set by Charter then follow with RR of O. Fred Trautmann--stated the presider may relinquish the chair by RR of O.

J. McGree inquired as to how are items not on the agenda handled? W. Hartman --- Hopkins does not add items that are presented after Thursday noon for a Tuesday meeting.

L. Stoffel stated that at the end of Council meetings the audience is asked if they have anything they wish to bring up.

After some discussion on the matter it was decided on that anything that is not on the agenda brought up for discussion should be directed to Staff for investigation before any action is taken.

Proposal #5 The motion was passed and carried.

#6 The Commission recommends that the Mayor be allowed to second motions already on the floor. W. Hartman moved to strike this proposal second by Judy Gilbert. The motion was passed and carried.

#7 J. McGree moved to accept -- The Commission recommends that the Mayor serve a 4-year term. S. Avent second. The motion was passed and carried.

#8 The Commission recommends that the City Administrator be the Chief Executive Officer of the City of Hastings Police Department and that the Mayor be relieved of this responsibility.

W. Hartman stated -- Hastings should have a City Mgr. form of govt. --- C.Manager or City Administrator is Chief Executive Officer --- Chief of Police like any other city employee - can be hired or fired.

L. Stoffel -- there is nothing but pressure on other cities with the Chief of Police under City Administrator. There are presently three lawsuits involving Police Chiefs and Cities. She recommends hearing from Chief Plath before any decision is reached.

A Police Chief cannot be dismissed without going through the Civil Service Process.

Question -- Check on Civil Service Process on removal of Police Chief by C.A.and/or C. Mgr. contrary to Council wishes?

Dick Dobrick recommended voting on Proposal 9 before 8.

Dick Dobrick moved -- The Commission recommends that the City Administrator or City be the Chief Executive Officer of the City of Hastings and be

responsible for the day-to-day operation of the City. Earl Beltz seconding. The motion was passed and carried.

#9 Wint Hartman moved to accept -- The Commission recommends the Chief of Police be appointed by and be responsible to the City Administrator or City Manager. Dick Dobrick seconding. Motion was passed and carried with S. Avent voting naye - Judy Gilbert abstaining.

C. Caturia asked if we should consider a City Manager form of govt.?

February Meeting:

1. The difference between a City Administrator and City Manager.
2. Hear from Chief of Police and Police Chiefs Assoc. on the merits of Chief of Police being under the Mayor.
3. Representative from League of MN Cities
4. Review of Sec. III to clear-up any "housekeeping" items.
5. Review proposals to see what would pass Council vote.

Janice Johnson asked about changing the meetings to enable M. Bolden and M. Hovgaard to attend meetings. It was decided to have meetings on the third Wednesday of the month subject to the approval of M. Bolden.

PLEASE NOTE HERE:

JANICE JOHNSON HAS SPOKEN TO MARIE BOLDEN ABOUT CHANGING MEETING DAYS SHE RECOMMENDS -- NO CHANGE FOR THE PRESENT TIME.

MEETING -- FEB. 13, 1986

Jeanne McGree moved for adjournment with Earl Beltz seconding. Motion was passed and carried. Adjournment at 9:45 PM

MINUTES OF THE HASTINGS PLANNING COMMISSION  
MONDAY, JANUARY 13, 1986

Members Present: Commissioners Ditty, Stevens, Folch, Kaiser, Conzemius, Anderson, Voelker, and Chairman Sinacek

Members Absent: Commissioner Reuter

Staff Present: Planning Director Harmening and HRA Director Grossman

A correction was made on the last paragraph of the minutes under the adjournment proceedings to read as follows: "Motion was made by Commissioner Folch, seconded by Commissioner Kaiser to adjourn. The Planning Commission adjourned at 10:05 P.M." Commissioner Stevens moved, seconded by Commissioner Kaiser to approve the minutes as corrected. 3 ayes; opposed 0.

APPROVAL OF  
DECEMBER 23,  
1985 MINUTES

Mr. Grossman reviewed with the Commissioners a draft proposal of a possible amendment to be made to the zoning ordinance to create a C-5 zone which would affect the downtown area. The amendment would provide for more development flexibility by allowing and encouraging dense and mixed residential and commercial uses in the Downtown. General items which were discussed pertained to parking, non-conforming uses, densities. Commissioner Kaiser suggested that under Subdivision 3a the word "adjacent" should be defined more clearly. Commissioner Voelker expressed a concern with the proposed parking and minimum lot size and building size criteria. Concerns were also expressed in reference to obstruction of sight lines to the river if large developments were allowed to take place. Grossman explained that a final ordinance amendment should be compatible with the findings and recommendations of a Downtown "Master Plan" which will be prepared in the coming months for the H.R.A. Grossman also suggested that meetings with affected property owners be held to gain their input on the proposed ordinance amendment. The Planning Commission will be encouraged to participate in these meetings. No further action was taken.

REVIEW OF  
DRAFT PRO-  
POSAL OF C-5  
ZONING  
DISTRICT

Mr. Grossman reviewed with the Commissioners a draft of a possible zoning ordinance amendment which would establish a method by which Bed and Breakfast facilities could be included as a permitted use in the R-2 zoning districts. Concerns which were brought forward pertained to occupancy requirements, historical status, minimum lot and building sizes. Pam Thorsen, owner of the Thorwood Bed and Breakfast establishment, was present to provide insights and discuss matters pertaining to bed and breakfast facilities. The Commissioners also discussed the compatibility of bed and breakfast establishments within standard single or two family residential areas. It was the Commissioners feeling that bed and breakfast facilities would be compatible in residential areas if the proper restrictions were placed on them and that they would be much more compatible within single family or two family residential areas than are small apartment buildings or service related uses. It was also recognized that bed and breakfast uses would appear to meet the intent of the R-2 zone.

DRAFT OF BED  
AND BREAK-  
FAST  
ORDINANCE

After further discussion Kaiser moved, seconded by Folch, to recommend that the following zoning ordinance amendment to the R-2 Zoning District standards be considered:

Section 10.12 Subdivision 2

Subsection F. - Bed and Breakfast lodging facilities provided the following criteria are adhered to:

- (1) The facility must be part of a formally designated local, state or national historical structure.
- (2) Ten units maximum.
- (3) Provision of parking at a ratio of 1 parking space for each unit.
- (4) That the facility has a state license (hotel & food)
- (5) That the facility must be owner or manager occupied.
- (6) That the facility have a minimum size of 4,000 gross sq.ft.

Planning Director Harmening presented to the Commissioners for their review a site plan and other related information for a 4 Plex proposed to be constructed on Lot 3, Block 1, Whispering Meadows. Mike Williams, contractor, was in attendance. The site plan review was conducted pursuant to Section 10.24 of the zoning ordinance. After discussion Folch moved, seconded by Ditty, to recommend approval of the site plan subject to additional information being provided on lighting arrangements and subject to a performance bond or cash escrow being provided, if required, pursuant to Section 10.24 of the Zoning Ordinance. Upon vote taken Commissioners Ditty, Stevens, Folch, Kaiser, Anderson, and Chairman Simacek voted in favor of the motion and Commissioner Conzenius and Voelker voted against the motion whereupon the motion was declared duly passed.

SITE PLAN  
REVIEW; 4  
PLEX-LOT 3,  
BLK 1  
WHISPERING  
MEADOW-MIKE  
WILLIAMS

Planning Director Harmening informed the Commission that the City Council had tabled action on the Schumacher Realty Williams 1st Addn. rezoning request from Ag. to R-3 PRD and request for preliminary plat approval until matters pertaining to the park dedication location and other details are worked out. Mike Williams, representing Schumacher Realty, was in attendance to present to the Commission a new layout for the proposed development which was generally in line with recommendations made by the Natural Resources Committee and Planner Tom Loucks. These changes included enlarging the park to 2.8 acres and relocating it to the southeast corner of the site which in turn eliminated 27 townhouse units and two duplex units in that area. The changes also included the expansion of the multi-family housing from 90 to 120 units located in the northwest portion of the site. Also, the duplex units proposed to be located in Theo Court were changed to single family units. Conversely the single family units located along the now proposed Hilltop Drive West were changed to duplex units to serve as a transition between the multi-family housing units and the single family units located on the eastern part of the site. The proposed reorganization of the site plan results in 177 units to be located on 31.33 acres. The breakdown of the proposal is as follows: Single Family - 23 units, Duplexes-16, Townhouses-18, Apartments-120, and a 4 acre church site.

SETTING PUB-  
LIC HEARING  
WILLIAMS 1ST  
ADDN-REZON-  
ING TO R-3  
PRD AND PRE-  
LIMINARY  
PLAT APPROVAL  
SCHUMACHER  
REALTY

Planning Director Harmening noted that due to the changes as proposed a public hearing would be required to be held to allow comment on the proposal. Harmening also indicated that additional information is required from the developer to allow staff review.

Wint Hartman questioned the development proposal as he felt a certain amount of confusion had been created. Hartman also expressed concern with the park location. Members of the Commission discussed the new proposed park location and its relationship to future parks.

After further discussion, Folch moved, seconded by Kaiser to schedule a public hearing for January 27, 1986 at 7:30 p.m. for the rezoning request and preliminary plat review request as made by Schumacher Realty. This motion was subject to Schumacher Realty providing all required information by January 21, 1986. Upon vote taken Commissioners Stevens, Folch, Kaiser, Anderson, and Voelker voted in favor of said motion; Commissioner Ditty voted against said motion and Commissioner Conzemius abstained whereupon the motion was declared approved.

Motion was made by Commissioner Folch, seconded by Commissioner Kaiser to adjourn. 8 Ayes, 0 Nays. The Planning Commission adjourned at 9:30 p.m.

ADJOURNMENT



## MEMO

Date: January 16, 1985

To: City Council

From: Tom Harmening, City Planner

RE: Site Plan Review - 4 plex on Lot 3, Block 1 Whispering Meadows -  
Mike Williams.

Pursuant to Section 10.24 of the zoning ordinance (Site and Building Plan Review Procedure) Mike Williams has requested approval of a site plan for a 4 plex proposed to be located on Lot 3, Block 1 Whispering Meadows (located at the intersection of Pleasant Drive and Whispering Lane). The zoning for this property is R-3 PRD.

The site plan proposed by Williams as a part of his building permit application is the same as that proposed during the platting and rezoning process. You will note on the first site plan the location of landscaping and refuse container screening is identified with grading and drainage identified on the second site plan drawing provided.

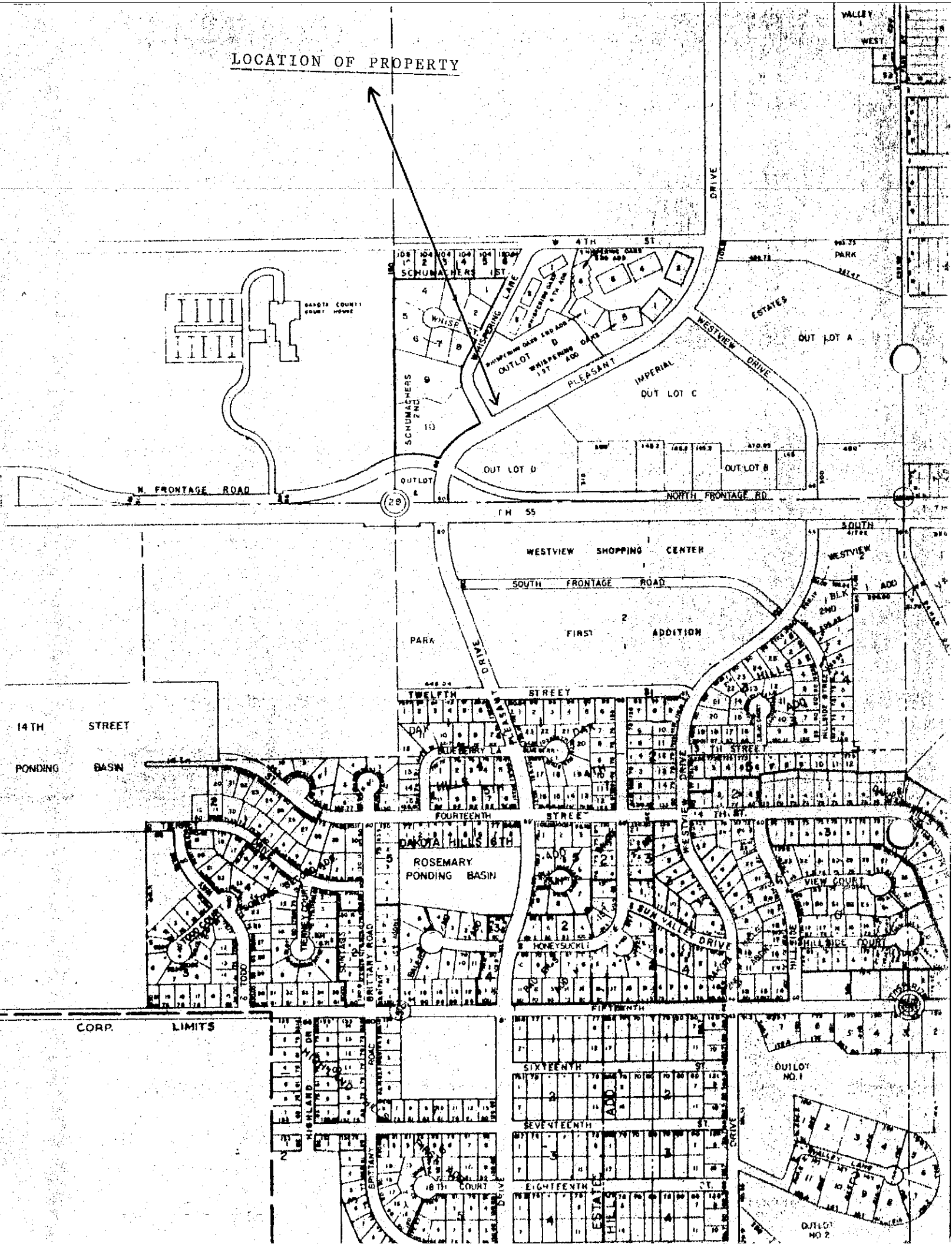
Based on the information provided by Williams it appears the site plan does not differ from what was previously proposed and that it meets, with a minor exception outlined below (lighting), the site plan review information required.

It should be noted there was some uncertainty as to the intent of the ordinance provision regarding site plan review as it relates to this matter as the basic approvals for the site plan were given at the time the platting process was completed. We may wish to discuss this.

Recommendation: The Planning Commission has recommended approval of the site plan subject to additional information being provided on the lighting arrangements and subject to a performance bond or cash escrow being provided, if required, pursuant to Section 10.24 of the Zoning Ordinance.

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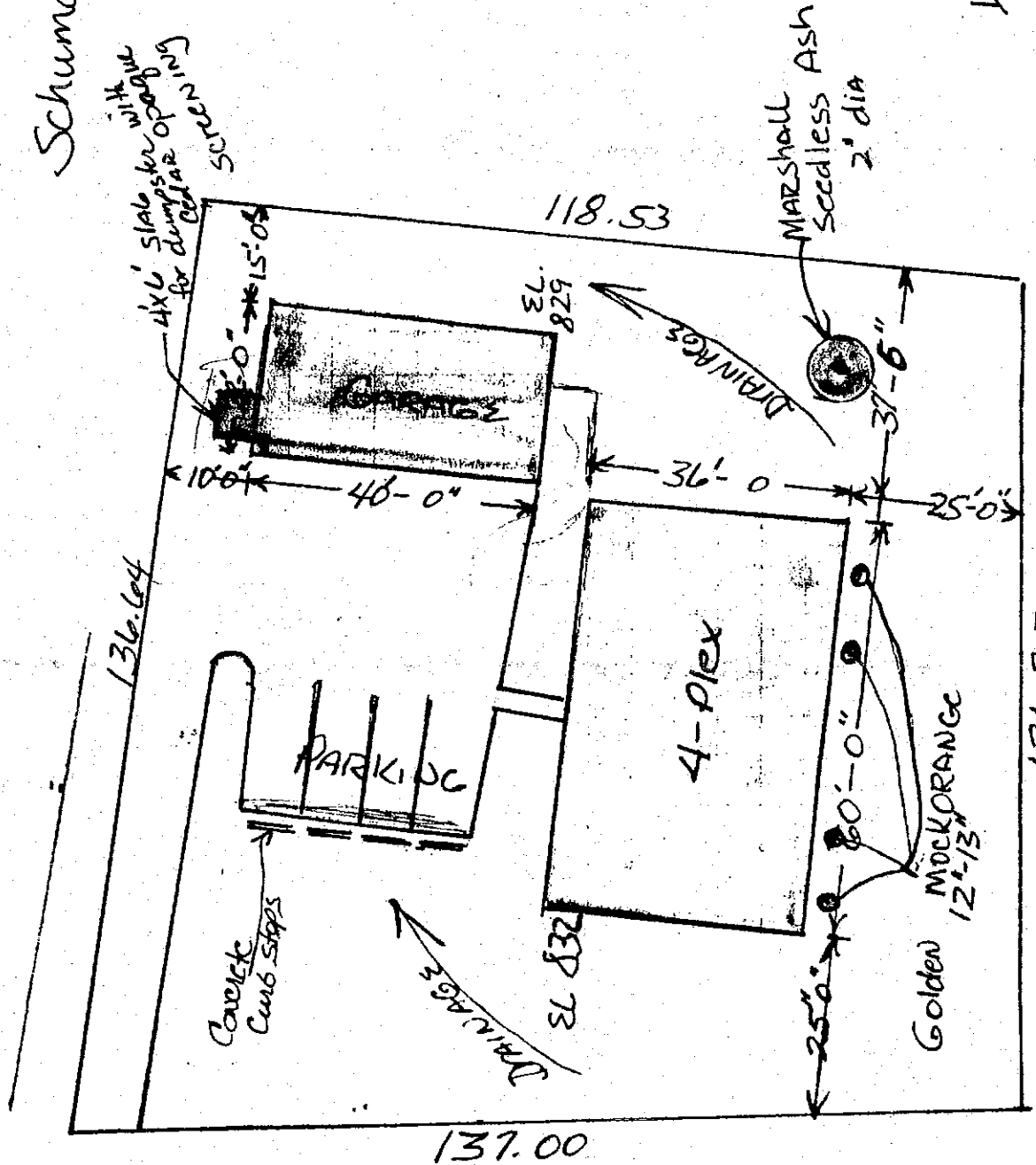
LOCATION OF PROPERTY



Lot 3 BIK 1

Whispering Meadows

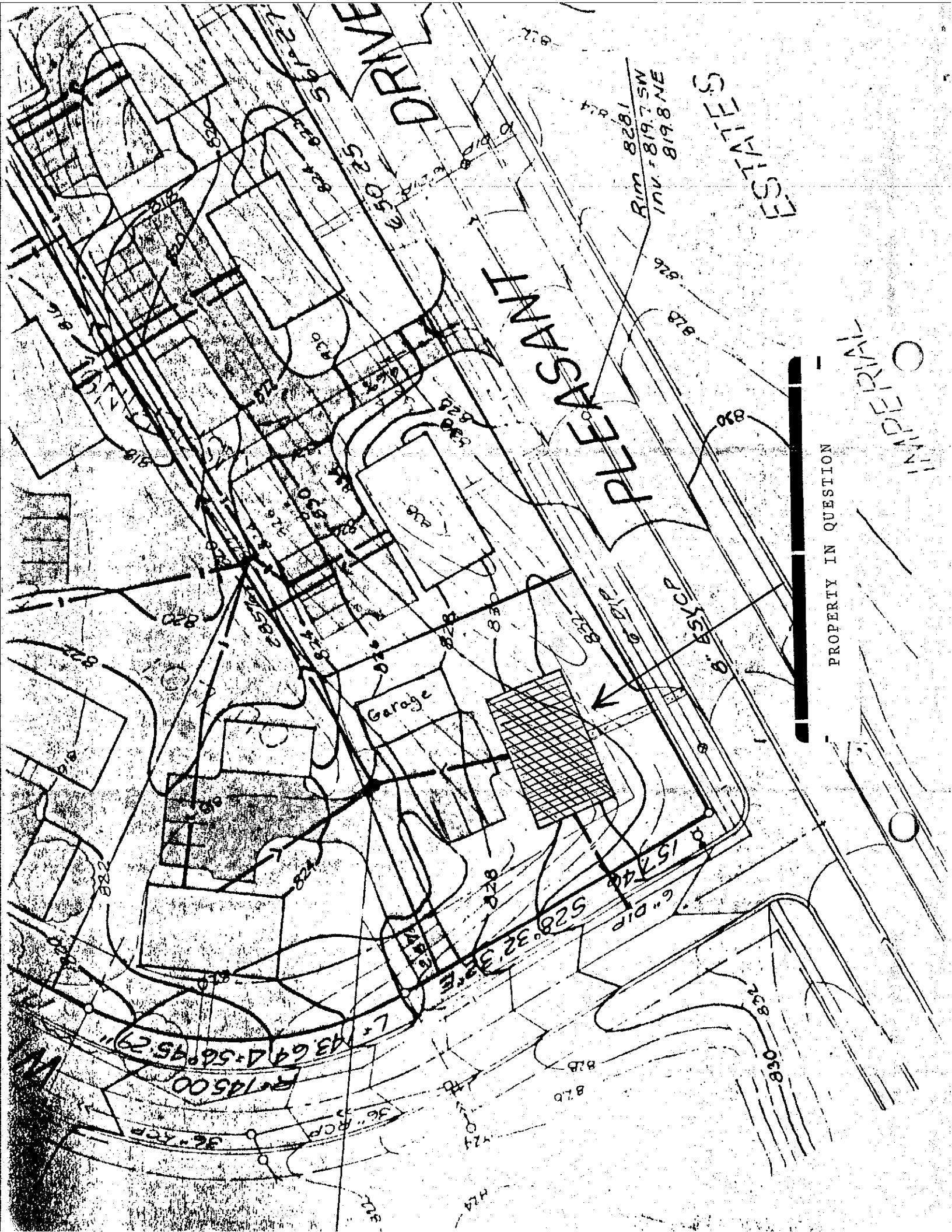
Schumacher Realty



1/4" = 6.25 FT

Whispering Lane

Pleasant Drive



DRIVE

PLEASANT

ESTATES

PROPERTY IN QUESTION

MINNERMAN

Rim 8281  
Inv. 819.7 SW  
819.8 NE

Garage

R=145.00  
A=3.69  
A=56.95  
29"

6" DIP  
528° 32' 33" E

8 15740

36" RCP  
36" 5CM

H24

B7B

B7C

832

828

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PROJECT: Site Plan Review 4Plex Lot 3, Block 1 Whispering Meadows

Department	Reviewed		Date	Name	Comments
	Yes	No			
Fire	X		1/15/86	J. Randall	OK
Water	✓			ANDY E.	OK
Building					
Planning	✓			Tom H.	OK - Check lighting, requirements of Dev. Agg. obtain Performance Bond or Cash Escrow
Engineering	✓			Jim K	Permits req'd for sewer & water services.

MEMO

Date: January 16, 1986

To: City Council

From: Tom Harmening, City Planner

Re: Reconsideration of Fair Book and Stationary Request for Parking  
Variance - 1317 Vermillion St.

Councilmember Mathiowetz has requested that the Council reconsider the action which was taken at the 1/6/86 Council meeting which resulted in the variance request being denied. Attached is information pertaining to the variance request.

jt

MEMORANDUM

DATE: December 30, 1985

TO: City Council

FROM: Tom Loucks

SUBJECT: Fair Book and Stationary=Parking Variance-1317 Vermillion St.

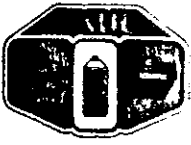
The applicant is requesting a six car parking variance in order to accommodate the construction of a 9,600 square foot (5,760 square foot net usable) commercial/office space. The zoning ordinance requires 1 space per each 150 square feet of floor area, thus the 8 parking stalls are required. The applicant is requesting a variance of 6 spaces in order to provide 32 spaces on site.

This particular request is timely in view of the fact that the Commission has directed staff to review recommendations regarding the parking requirements in the commercial and office zoning districts within the city. AS a point of reference studies were conducted of parking requirements in other communities and the following was provided:

Name of City	Retail Requirement	Office
City of Hastings	150	100
Apple Valley	150	150
Arden Hills	200	250
Maple Grove	200	250
Maplewood	150	150
Red Wing	200	200
Minnetonka	100	250
Cottage Grove	200	250
Oakdale	200	175
Rosemount	175	250
Lakeville	200	200

Recommendation: The Planning Commission recommended approval of the variance provided no more than 5,760 net usable floor area is utilized and adherence to the following provisions; 1) that special conditions and circumstances exists which are peculiar to the land, structures, or buildings involved and which are not applicable to other lands, structures, or buildings in the same district; 2) that literal interpretations of the city code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of Chapter 10; 3) that special conditions and circumstances do not result from the actions of the applicant and 4) granting the variance requested will not confer upon the applicant any special privileges that is denied by Chapter 10 to other lands, structures or buildings in the same district.

jt



*Fair Book  
& Office Supply*

1303 Eddy Street Hastings, MN 55033 612-437-7000

Tom Loucks, City Staff, Planning Commission  
% City of Hastings  
Hastings, Minnesota 55033

December 16th, 1985

Dear Tom, City Staff, Planning Commission:

Thankyou very much for taking the time to review and give approval to my project which will very much continue to upgrade and enhance the Midtown area and Hastings as a community.

I am requesting a very slight variance on parking requirements on a building I would like to erect in late 1987 to early 1988. I am anticipating a structure that is 40'x 80' and would be 3 floors total. Initially, I only anticipate construction of the sub-level floor and the first story which will be at grade level. The lower will be used mainly for storage and my printing subsidiary Professional Grahpic Arts. Storage will take up about  $\frac{1}{2}$  of the lower level and the printing company will use the remainder.

The main reason I would not put up the 3rd floor (2nd floor above ground) is because I would not immediately have the cash flow to fund the debt service. However, within 2 years I plan on completing the building. All landscaping, etc would be finished with the initial construction of the sub-level and grade level floors.

Upon completion of the 3 floors, I would be utilizing the upper two floors for Fair Book and Office Supply, some furniture show floor space and possibly some storage. The sub-level floor would then be used for the printing company and more storage.

It is a bit difficult for me exactly project all that I might like to include in this building but I am doing my best at this point in time. Thanks again, in advance for your approval of this project. I know it will be of benefit to Hastings in many ways.

Should you have any questions, please contact me immediately at Fair Book and Office Supply.

Truly yours,

*Jerry Fair*

L. Gerald Fair





# Fair Book & Office Supply

1303 Eddy Street Hastings, MN 55033 612-437-7000

December 23, 1985

TO: Tom Loucks, Planning Commission, City Council

RE: Vermillion Project for Jerry Fair  
Building intended use / parking needs

### Building Detail

40' x 80', with the 80' dimension facing Vermillion Street  
Gross square footage is 3200 per floor, net square footage is 2560 per floor  
Intended use will be retail, storage and some tennant lease

### Initial Construction ( 2 Floors only)

<u>FLOOR</u>	<u>NET SQ. FT.</u>	<u>USE</u>	<u>PARKING / 150</u>	<u>PARKING / AVE.</u>
Sub-level	1100	Graphics Co.	7	6
	500	Storage/Assembly	0	0
	960	Tennant	6	5
Main level	2560	Fair Book O/S	$\frac{17}{30}$	$\frac{14}{25}$
		Total needed		

### Final construction (total 3 floors)

Sub-level	1100	Graphics Co.	7	6
	1460	Storage/Assembly	0	0
Main Level	2560	Fair Book O/S	17	14
2nd Level	460	Tennant Lunch/ Conference	0	0
	2100	Tennant	$\frac{14}{38}$	$\frac{10}{30}$
		Total Needed		

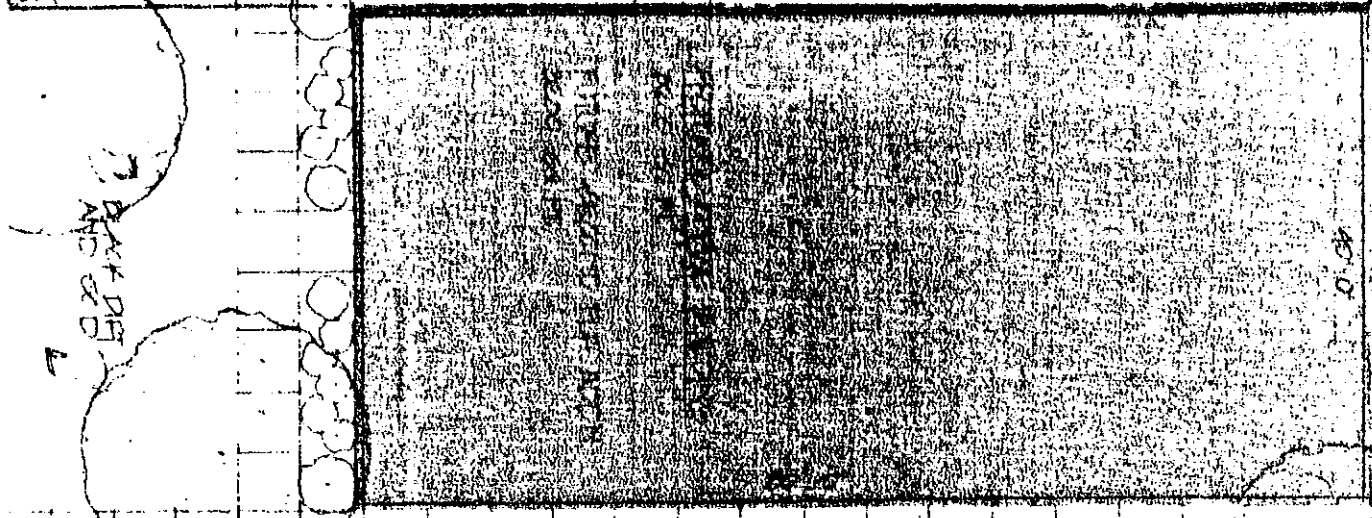
\*In addition to these available parking spaces there is room for 9 or more on street parking spaces on 14th street.

\* I have also kept track of the customer count for the Graphics Co. (which is located in our present building) and it has not been higher than 4 customers in any given day. Because so much of our contacts are made via telephone or sales representative, some days have no walk in customers.

\*We presently occupy a building which is 33' x 90' (3 story, 2970 gross square footage per floor) and has a parking lot capacity for 24 cars.

VERMILLION

109.0



3 PLANT BEDS AND 20

9 EQUAL SPACES

H.C.



1 CONC. WALK

7 PLANT BEDS

147th St.



7 EQUAL SPACES

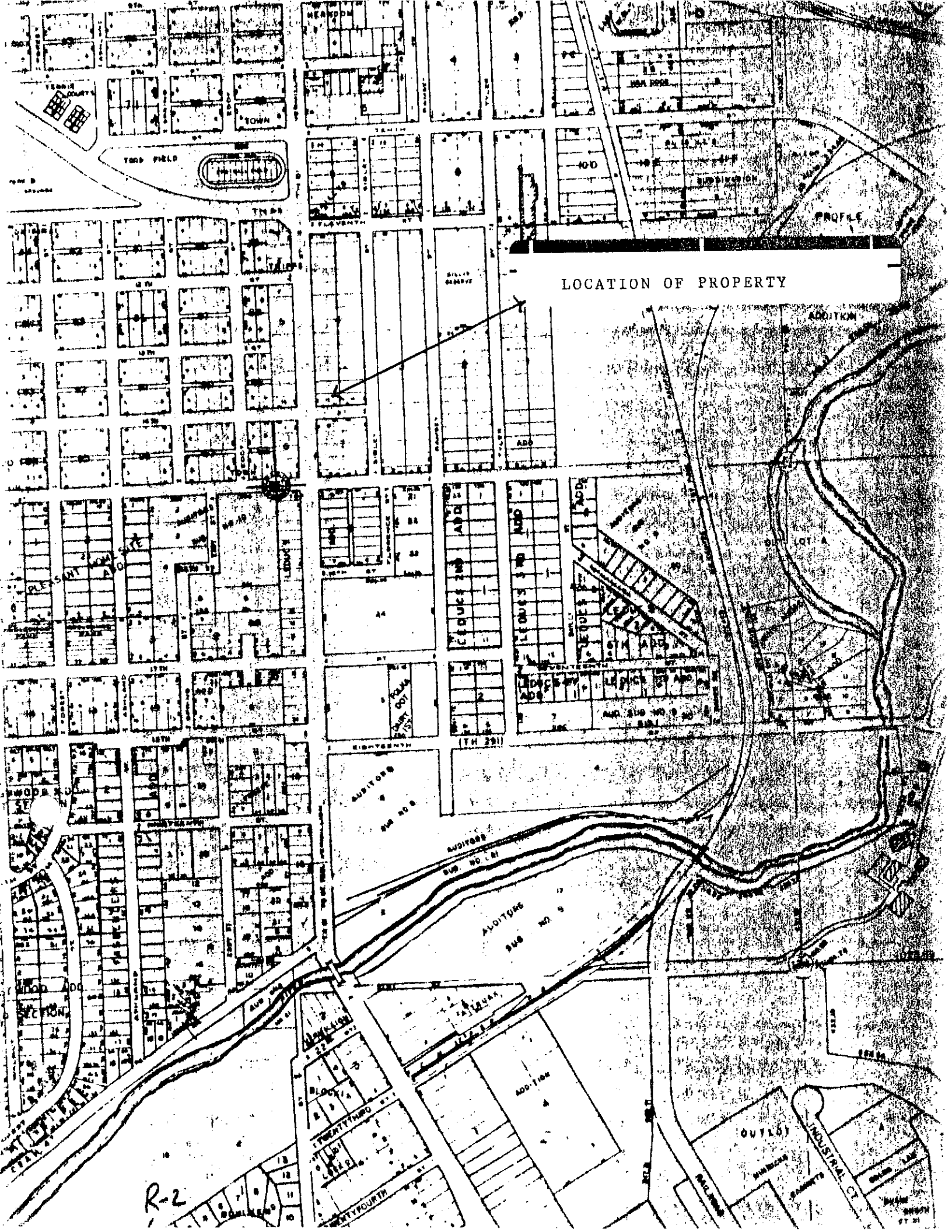
7 EQUAL SPACES



7 EQUAL SPACES

Hardwood

N ↑



LOCATION OF PROPERTY

R-2

40'-0"

Horiz

40'-0"

FUTURE OFFICE BUILDING  
200 S.F.

FUTURE SECOND FLY AREA  
200 S.F.

H.C.

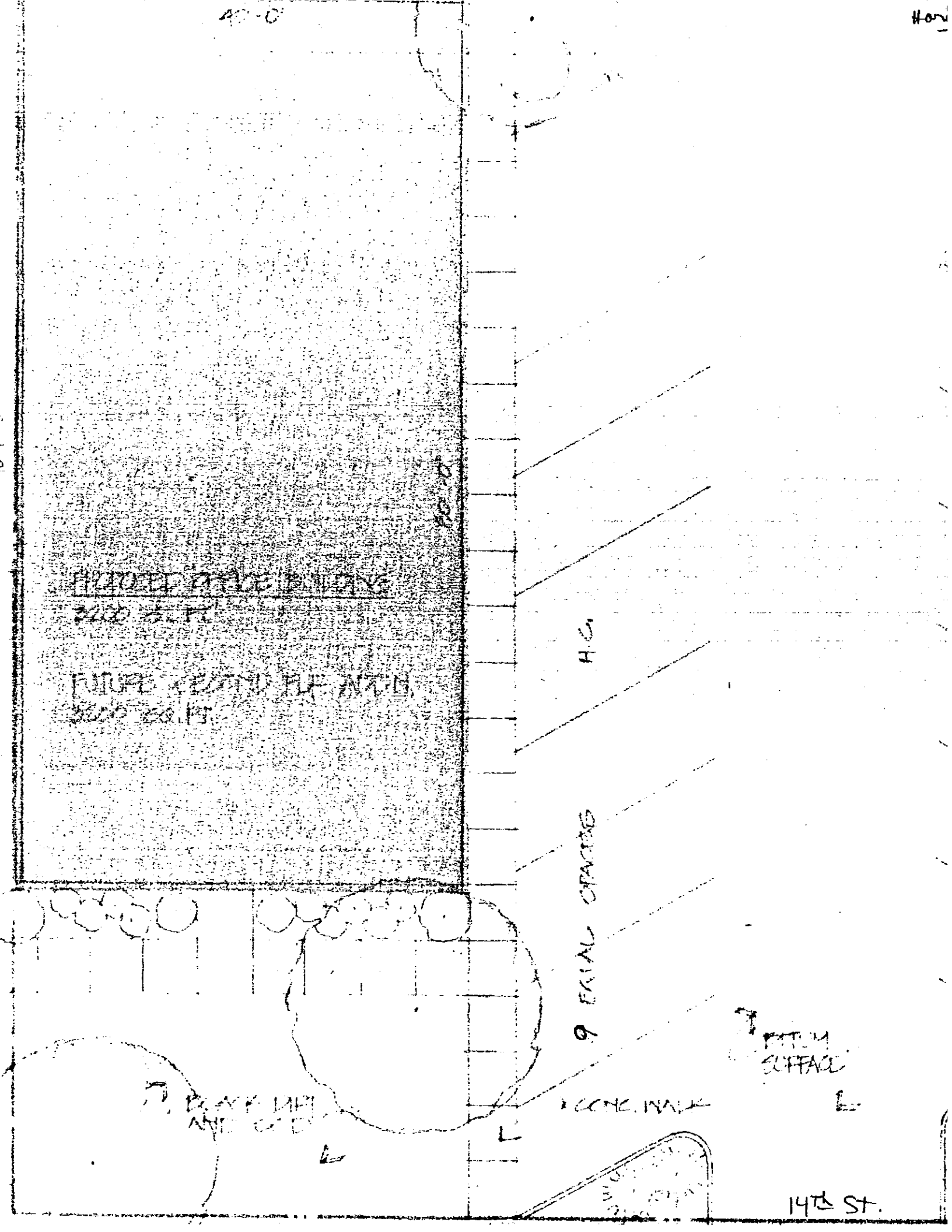
9 EQUAL SPACES

FUTURE SURFACE

CONC. WALK

PAVING  
AND CURB

14th ST.



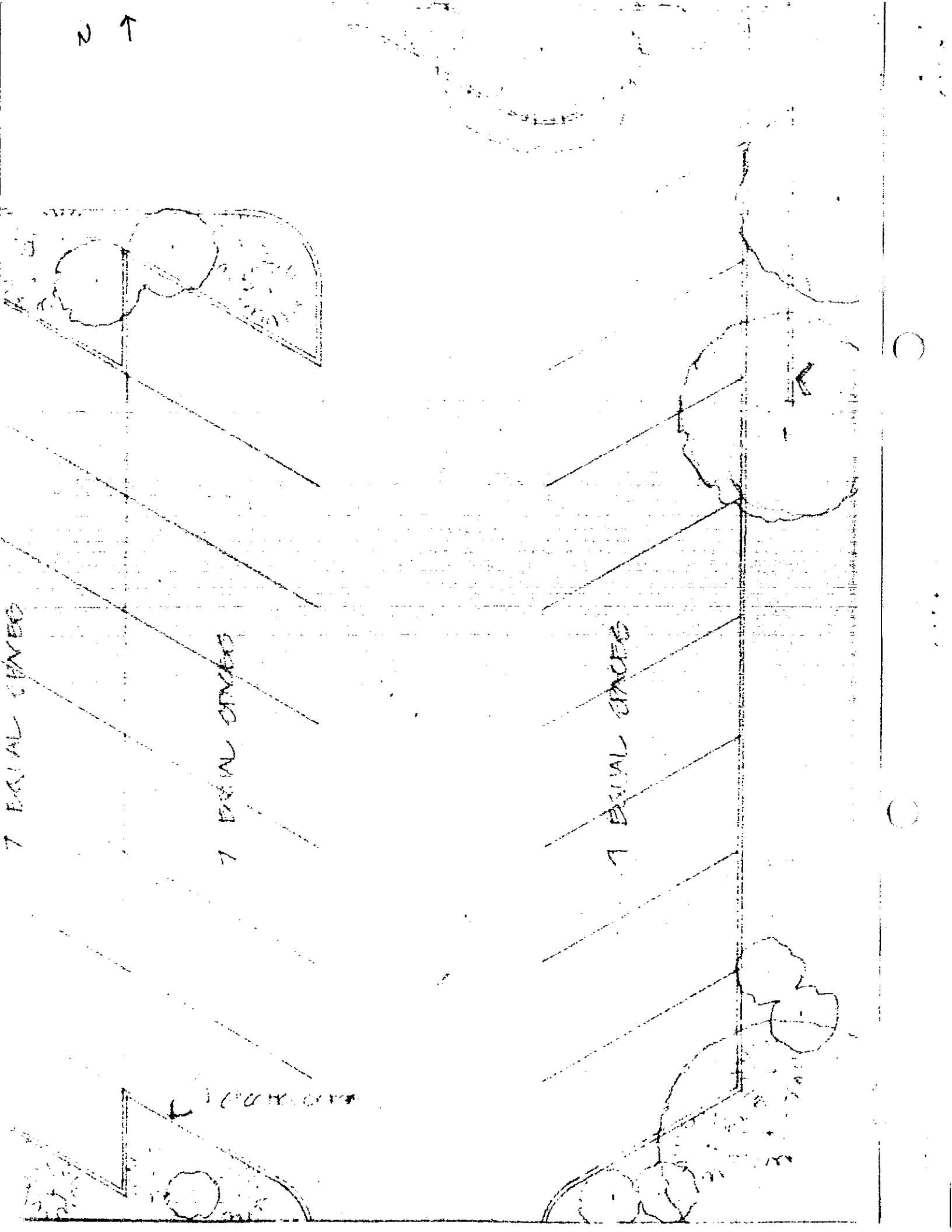
N ↑

7 EQUAL SPACES

7 EQUAL SPACES

7 EQUAL SPACES

← 100 ft



PROJECT:

FAIR Bank ~ VARIANCE (Asking)

Department	Reviewed		Date	Name	Comments
	Yes	No			
Fire	✓		12/16/85	Hosenthal	Hydrant @ 14th & Kensington - OK. Concern on how water service will serve bldg. since sprinklers will be required.
Water	✓		12/16/85	Paul Ecker	CHECK ON WATER & SEWER AVAILABILITY
Building	✓		12/16/85	Mulro	NO COMMENT
Planning	✓		12/16/85	T.L.	Should be granted by Ord Rev.
Engineering	✓		12/14/85	R. Klein Schmidt	NO COMMENTS

VIA3

MEMO

Date: January 16, 1986

To: City Council

From: Tom Harmening, City Planner

RE: Proposed Zoning Ordinance Amendment - Permitting Bed and Breakfast Establishments in R-2 Zoning Districts.

Attached for your review and for a first reading at the City Council meeting is a draft of a possible zoning ordinance amendment which would permit bed and breakfast establishments in R-2 Medium Density Residence zones. The next step after this first reading is to call a public hearing on the matter.

The permitted uses now allowed in R-2 zones do not provide for bed and breakfast establishments. As a point of information permitted uses now allowed in the R-2 zone include: single family, two family, and conversions of single family to multiple family dwellings, fire stations, retirement and nursing homes, daycare centers, old age homes, libraries, parks, playgrounds, country clubs, athletic fields, churches and schools, home occupations.

Recommendations: The Planning Commission has reviewed and recommended approval of the proposed amendment. The Planning Commission recognized that it appears bed and breakfast establishments, if properly controlled, may be more compatible in an R-2 zone than are standard multiple unit dwellings or service related uses and that the amendment would appear to meet the intent of the R-2 Zone.

jt

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

AN ORDINANCE OF THE CITY OF HASTINGS AMENDING SECTION 10.12, SUBDIVISION 2 OF THE HASTINGS CITY CODE BY ALLOWING BED AND BREAKFAST ESTABLISHMENTS AS A PERMITTED USE IN AN R-2 ZONE.

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

Section 10.12 Subdivision 2 of the Hastings City Code is hereby amended to add the following:

Subsection F. - Bed and Breakfast lodging facilities provided the following criteria are adhered to:

- (1) That the facility be part of a formally designated local, state, or national historical structure.
- (2) Ten units maximum.
- (3) Provision for parking at a ratio of 1 parking space for each unit.
- (4) That the facility has a state license (hotel and food)
- (5) That the facility must be owner or manager occupied.
- (6) That the facility have a minimum size of 4,000 square feet *gross*

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

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

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

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

ATTEST:

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



## MEMO

Date: January 16, 1986

To: City Council

From: Tom Harmening, City Planner

RE: Hastings Housing and Redevelopment Authority-Parking Variance-  
Lot 8, Block 15, Original Town of Hastings (Located at 3rd & Tyler)

The HRA is requesting permission to provide a parking lot in order to take the pressure off of on street parking in the Downtown area. The HRA hopes to acquire the adjacent lot when it is available and then provide both lots for parking development. The original proposal made was to request a variance of 2 ft. such that there would only be an 18 ft. driving isle and an 18 ft. space depth which is two feet short in each case of the 20 ft. ordinance requirement. As you will recall the City Council at its meeting on 1/6/85 tabled the matter for further study and comment.

The proposed variance request now being made by the HRA is to request a 26 ft variance on the buffer zones from the required 10 ft to the proposed 4 ft on both the east and west side of the lot. This variance will then allow each parking space meet the 20 ft. depth requirements established by the zoning ordinance.

As a point of reference the lot in question will be gravel in nature which provides difficulty in establishing exact parking stalls and driving isles.

Recommendations: The Planning Commission recommended approval of the original request on the condition that the HRA provide dust control in the parking lot.

jt

HASTINGS HOUSING AND REDEVELOPMENT AUTHORITY  
100 Sibley Street

DATE: JANUARY 16, 1986

TO: TOM HARMENING, CITY PLANNER

FROM: JOHN GROSSMAN, H.R.A. ADVISOR

RE: VARIANCE REQUEST- PROPOSED PARKING LOT, LOT 8, BLOCK 15, 3RD & TYLER

The HRA discussed the City Council's objections at their January 15th meeting.

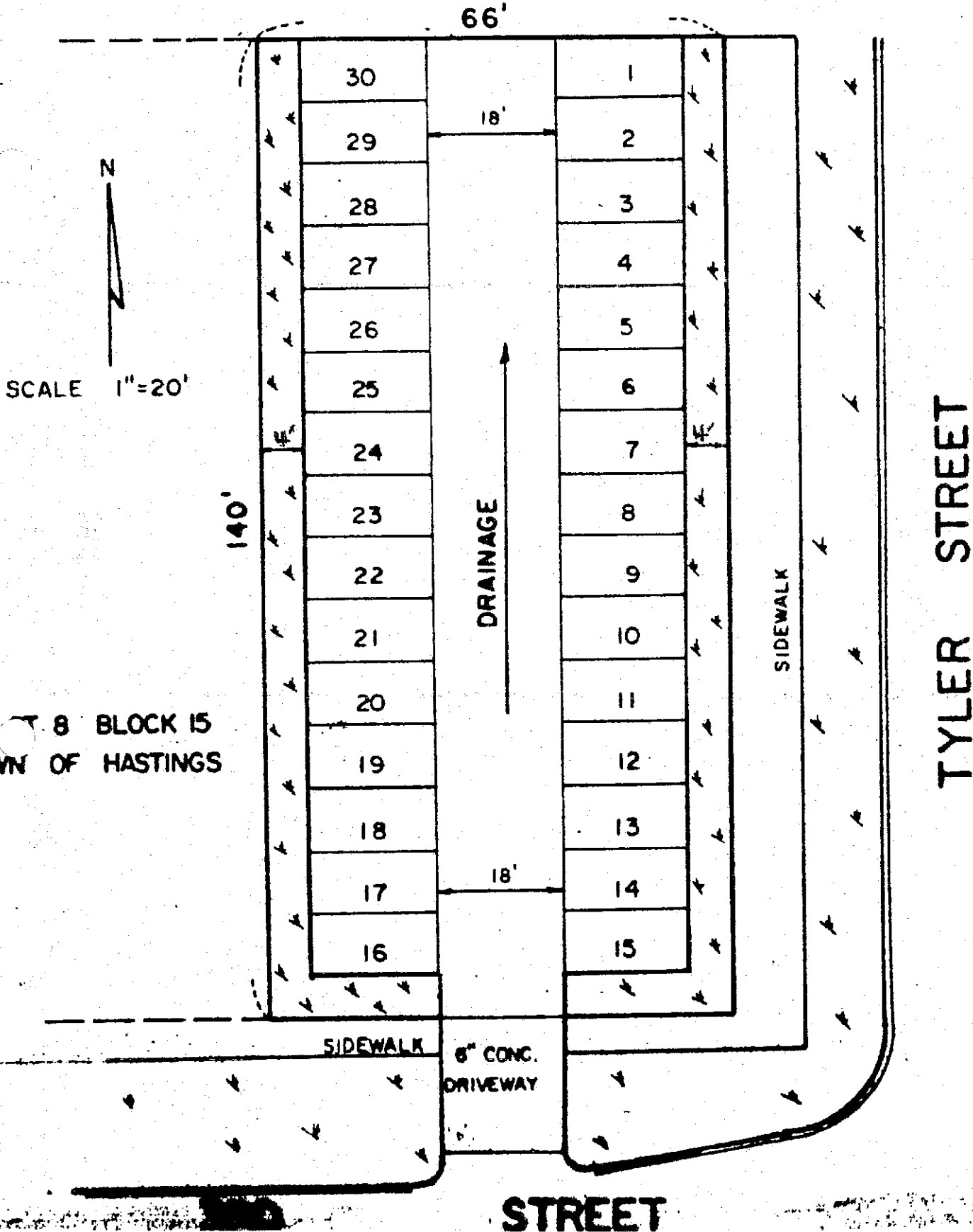
1. The HRA now asks for a variance to reduce the buffer strip from 10 feet to four (4) feet on east and west sides in order to provide four more feet of lot width for access and parking.
2. The HRA believes that the curb cut serves two useful purposes. It provides an alternative to entering the lot against the one-way alley traffic. It will make entrance and egress from a fairly tight parking area much easier.
3. The V.F.W. has not yet replied to the HRA offer to rent the lot for \$100 a month plus maintenance. The HRA will meet with the V.F.W. to work out a satisfactory agreement.
4. One of the objectives stated in the HRA Plan is to take advantage of opportunities to provide more parking by using temporary sites pending development. HRA feels this is such an opportunity.

jt

4" COMPACTED CL 5 AGGREGATE BASE (100% CRUSHED)  
IN ACCORDANCE WITH MN DOT SPEC 313B SHALL BE  
PLACED ON PARKING SURFACE

NOTE: TYPICAL STALL SIZE  
IS 9' X 20'

ALLEY



VIAS

MEMORANDUM

DATE: December 30, 1985

TO: City Council

FROM: Tom Loucks

SUBJECT: Hastings Housing and Redevelopment Authority - Parking  
Variance- Lot 8, Block 15, Original Town of Hastings  
(3rd & Tyler)

The H.R.A. is requesting permission to provide a parking lot in order to take some of the pressure off on street parking in the downtown area. The H.R.A. hopes to acquire the adjacent lot when it is available and then provide both lots for parking development. Specific proposal is to provide a lot which would be surfaced with gravel but only have an 18 foot driving isle with a space depth of 18 feet which is 2 feet short in each instance of ordinance requirements.

Recommendation:

The Planning Commission recommended approval on the condition that H.R.A. provide dust control in the parking lot utilizing calcium chloride, Black Magic or other acceptable substitutes.

jt

HASTINGS HOUSING AND REDEVELOPMENT AUTHORITY

TO: Tom Loucks, Planning Department

FROM: John Grossman, HRA Advisor *JG*

RE: Converting Meier Property (Lot 8, Block 15) to a parking lot

The zoning is C-3

The property now consists of a grass lawn and roughly filled basement excavation.

The HRA intends to provide a parking lot in order to take some pressure off on-street parking in the downtown area. The HRA hopes to acquire the adjacent lot when it is available and then provide both lots for development.

In addition to the features shown on the attached plan, concrete bumpers will be placed at the head of each parking space to ensure the cars do not park on the grass buffer strip.

The city engineer has called for a crushed aggregate surface and indicates that drainage will be toward the alley.

Please review the plans and if it meets code, present it to the Planning Commission. If there is a problem, let me know so corrections can be made before submission to the Commission.

## PROJECT:

Mian - H.R.A. Parking Facility

Department	Reviewed		Date	Name	Comments
	Yes	No			
Fire	✓		4/9/85	Greenhall	No Comment
Water	✓		12/9/85	Thomas E. Fisher	No Comment
Building	✓		12/9/85	W. Lewis	NO COMMENT
Planning	✓		12/9	T.L.	<u>OK</u>
Engineering	✓		12/4/85	J.J. Zimbrick	No Comment

## MEMO

Date: January 16, 1986

To: City Council

From: Tom Harmening, City Planner

RE: Let There Be Hair - Time Extension Request

As you know the Council has ordered that Jim Bennis either cease or relocate his business to a properly zoned area by 2/1/86. This date was established at the 12/2/85 Council meeting as an extension to a previously set 1/1/86 deadline. Attached for your review is a request which has been made by Bennis for an extension to the 2/1/86 deadline. The new deadline requested is 4/1/86.

jt

Jan. 15, 1986

To Whom it may Concern:

We would like to request more time to relocate. We have been unable to find a new location and ask that we please be extended until April 1, 1986.

Jim & Terri Bennis

Received 1/15/86



MEMO

TO: Mayor and Council  
FROM: Gary E. Brown *geb*  
DATE: January 16, 1986  
SUBJECT: Application for taxi license

Mr. Robert Schmitz of 803 Oak Street making application for operating a taxi cab service with one (1) taxi in the City of Hastings. Attached is a copy of page 14, 15 and 16 of Chapter 5 of the City Code. If the Council approves a license for Mr. Schmitz in the amount of \$12.50, City Staff will require him to comply with the ordinance as it pertains to taxi cabs; specifically as it pertains to vehicle identification, insurance, and mechanical condition.

cl

5

RESOLUTION NO.

RESOLUTION ADOPTED FOR SETTING TAXI CAB RATES  
WITHIN THE CITY OF HASTINGS

WHEREAS, Mr. Robert Schmitz of 803 Oak Street, Hastings, Minnesota  
desires to operate a taxi cab service within the City of Hastings;

NOW THEREFORE, be it resolved the following are rates for taxi cab service  
operated by Robert Schmitz, 803 Oak Street, Hastings, Minnesota;

\$2.05 for the 1st mile;  
\$1.10 for every mile thereafter.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF HASTINGS THIS 22ND DAY OF  
JANUARY 1986.

ATTEST

\_\_\_\_\_  
Mayor

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

Del Soling  
803 Oak St

To The City of Hastings

I would like to start a taxi service in Hastings with one taxi. I will park my taxi at my home at 803 Oak St. I will charge 95¢ to get in the taxi, and \$1.10 a mile. I will keep a log on the speedometer in place of a meter. I will run my taxi from 5 P.M. until 2 A.M. every day except Sun and holidays. I will run my taxi to the airport every day from 10 A.M. to 4 P.M.

I will have a machine to answer my phone when I am not there. I hope to have a car phone before long if my business goes C.K.

I will have 300,000. insurance on the taxi

I will use my 1978 Ford for my taxi.

SEC. 5.60. TAXICABS.

Subd. 1. Definitions. The following terms, as used in this Chapter, shall have the meanings stated:

A. The term "taxicab" means any motor vehicle engaged in the carrying of persons for hire whether over a fixed route or not, and whether the same be operated from a street stand or subject to call from a garage, or otherwise operated for hire; but the term shall not include vehicles subject to control and regulations by the Railroad and Warehouse Commission or vehicles regularly used by undertakers in carrying on their business.

B. The term "taxicab driver" means the person driving and having physical control over a taxicab whether he be the licensee or in the employ of the licensed operator.

C. The term "operator" means a licensee owning or otherwise having control of one or more taxicabs.

D. The term "taxicab stand" means any place along the curb or street or elsewhere which is exclusively reserved by the City for the use of taxicabs.

Subd. 2. License Required. It is unlawful for any person to drive or operate any taxicab without a license therefor from the City.

Subd. 3. License Fee. The annual license fee for the operator's first conveyance is \$12.50, and the annual license fee for each additional conveyance operated under the license is \$7.50. Provided, however, that if a licensed vehicle is disabled through mechanical failure or for needed repairs, the license may be temporarily transferred to another conveyance for a seven (7) day period upon approval by the City.

Subd. 4. License Issuance and Display, and Vehicle Marking. All licenses shall be issued for specific conveyances, except as otherwise herein provided. License tags, including number and year for which issued, shall be displayed upon the windshield of the conveyance and plainly visible from the front of the conveyance. Said license tag shall not exceed two and one-half (2½) inches in the longest measurement and shall bear the license number of the taxicab and proper descriptive words, including the year for which the license was issued, and such license tag shall be of distinctly different shape for any three (3) successive years. Both sides of every licensed taxicab, when in use, shall be plainly and permanently marked as such with a painted sign or appurtenances showing the full or abbreviated name of the licensed operator. Every driver of taxicabs shall wear on his cap or hat a metal plate bearing the words "Licensed Taxicab" printed in letters at least one-half (½) inch in height.

Subd. 5. Chauffeur's License Required. (Repealed by Ordinance No. 80, Second Series, adopted 8-21-78.)

Subd. 6. Insurance Required. Before a taxicab license is issued by the Council, and at all times effective during such licensed period, the licensee shall have and maintain public lia-

bility and bodily injury insurance in the amount of \$50,000.00 for any one person and \$100,000.00 for two or more persons injured in any one accident, as well as \$10,000.00 property damage insurance. Such insurance shall cover all passengers carried by the insured licensee and shall be for public taxicab purposes. All such policies shall be approved by the City Attorney and contain a clause providing for ten days' written notice to the City Clerk before cancellation and a memorandum of such insurance shall be furnished to the City before a license is issued.

Subd. 7. Cards and Rates.

A. The operator of any taxicab shall cause to be printed in plain, legible letters obviously displayed inside the taxicab, a card giving the number of the license, the rates of fares to be charged, a rate zone map, and a statement that any packages or articles left in the taxicab must be returned to the City Clerk's office by the taxicab driver, where such articles may be identified and claimed.

Source: City Code  
Effective Date: 9-1-73

B. Rates. A schedule of rates to be charged by taxicabs shall be fixed and determined by the Council and adopted by resolution. Such resolution, containing the effective date thereof, shall be kept on file and open to inspection in the office of the City Administrator.

C. Rate Zone Map. The Rate Zone Map, which may be amended from time to time by resolution of the Council, is hereby adopted as though set forth verbatim herein, and shall be kept on file and open to inspection in the office of the City Administrator.

Source: Ordinance No. 80, Second Series  
Effective Date: 11-9-78

Subd. 8. Mechanical Condition. Before issuing a taxicab license, the applicant shall present to the Council a certificate signed by a competent and experienced mechanic showing that the taxicab conveyance is in good mechanical condition, that it is thoroughly safe for transportation of passengers and that it is in neat and clean condition. Such similar certificate may be required from time to time during the licensed period. In lieu of such certificate the Council may accept the report of the Chief of Police relative thereto.

Subd. 9. Rules and Regulations.

A. All taxicab drivers shall be clean and courteous at all times.

B. No driver of a licensed taxicab shall carry any other than the passenger first employing such taxicab without the consent of such passenger, nor shall such driver carry any baggage objectionable to any passenger.

C. No taxicab driver shall deceive any passenger

who may ride with him, or who may desire to ride in any such vehicle, as to his destination or distance traveled or to be traveled.

D. Every taxicab shall be provided with windows in the tonneau sufficient in number and of such size and dimensions that at all times persons may be readily seen through such windows with sufficient distinctness to identify such persons.

#### SEC. 5.61. MOTORCYCLE RENTAL AGENCIES.

Subd. 1. Definitions. The following terms, as used in this Chapter, shall have the meanings stated:

A. The term "motorcycle" means every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, including (but not limited to, motor scooters and bicycles with motors attached, but excluding a tractor.

B. The term "motorcycle rental agency" means any person who rents, or offers to rent any motorcycle.

Subd. 2. License Required. It is unlawful for any person to operate a motorcycle rental agency without a license therefor from the City.

Subd. 3. License Fee. The annual license fee is \$100.00, plus \$10.00 per vehicle for each vehicle in excess of ten vehicles.

Subd. 4. Insurance Required. Before a license is issued by the Council, and at all times effective during such licensed period, the licensee shall have and maintain public liability and bodily injury insurance in the amount of \$50,000.00 for any one person and \$100,000.00 for two or more persons injured in any one accident, as well as \$5,000.00 property damage insurance, together with bodily injury insurance covering injuries to the driver of the motorcycle in the amount of \$10,000.00 for any one person and \$20,000.00 for two or more persons injured in any one accident. All such policies shall contain a clause providing for ten days' written notice to the City Clerk before cancellation and a memorandum of such insurance shall be furnished to the City before a license is issued.

Subd. 5. Rules and Regulations.

A. Hours of Operation. No motorcycle rental agency shall be open for business before 10:00 o'clock A.M. nor after 10:00 o'clock P.M.

B. Identification. Each motorcycle shall have affixed to it an identification number of such size and in such location and of such color as may be from time to time prescribed by the Chief of Police.

C. Condition. Each motorcycle shall be kept in good and safe working condition and shall be equipped with a suitable muffler of a type to be approved by the Chief of Police.

D. Records. A written record shall be kept by the

## MEMO

To: Gary E. Brown  
From: Councilman D. Bond  
Date: January 7, 1986  
Subject: Surplus Property

At the September 3, 1985 regular City Council meeting the Council vote to declare land located in the Southwest Ponding Basin excess property and to authorize the Mayor and Clerk to execute a purchase agreement with Haven Homes.

I am requesting that this matter be placed on the January 21, 1986 regular Council agenda for further consideration.

*Richard S. Bond*

jt

September 3, 1985

No one else wished to speak on the matter. The Mayor closed the public hearing at 8:05 p.m.

PUBLIC HEARING-  
OLD LATTO HOSPITAL-  
520 RAMSEY-EXCESS  
PROPERTY  
The Mayor declared the Public Hearing open at 8:06 p.m. to consider declaring the Old Latto Hospital, 620 Ramsey Street, excess property. Everyone wishing to speak on the issue was given the opportunity to do so. No one wished to speak on the matter. The Mayor closed the Public Hearing at 8:07 p.m.

SECOND READING-  
ORDINANCE AMENDMENT-  
GUARDIAN ANGELS-  
REZONING  
Moved by Councilmember Werner, seconded by Councilmember Plan to pass the Second Reading of an Ordinance Amending Section 10.01 Subdivision 1 of the City Code rezoning Lot 1, Block 9 Olson's Addition from R2 to Agricultural. 8 Ayes; Nays, None.

RESOLUTION NO. 76-85  
VACATION NORTH  
FRONTAGE ROAD  
Moved by Councilmember Berg, seconded by Councilmember Bond to adopt Resolution No. 76-85 vacating the old dedication of the North Frontage Road adjacent to the First National Bank property near Pleasant Drive. 8 Ayes; Nays, None. Copy of resolution on file.

THIRD READING-  
ORDINANCE NO. 184-  
REZONING SIEBENS  
SECOND ADDITION  
Moved by Councilmember Werner, seconded by Councilmember Trautmann to pass the third reading of Ordinance No. 184 Amending Section 10.01 Subdivision 1 of the City Code rezoning Siebens Second Addition from Agricultural to R3 PRD. 8 Ayes; Nays, None.

SECOND READING-  
ALLEY MANOR  
REZONING  
Moved by Councilmember Plan, seconded by Councilmember Mathiowetz to pass the second reading of a Ordinance Amending Section 10.01 Subdivision 1 of the City Code rezoning Valley Manor and Valley Manor Second Addition from R2 and R3 to R4 and setting a public hearing for the September 16, 1985 regular City Council meeting. 8 Ayes; Nays, None.

ALLEY VACATION-  
LOCAL OIL-SPRING  
AND EDDY  
Moved by Councilmember Berg, seconded by Councilmember Nesbitt to set a Public Hearing for the October 7, 1985 regular City Council meeting to consider vacating an alley between Spring and Eddy Streets. 8 Ayes; Nays, None.

HOME OCCUPATION  
PERMIT-522 WEST  
5TH STREET  
Moved by Councilmember Kulzer, seconded by Councilmember Werner to approve a Home Occupation permit for Terry A. Frantz, 522 W. 5th Street to package computer software. This is subject to the Planning Commissions recommendation that the Home Occupation permit be granted for a period of four months. 8 Ayes; Nays, None.

ORDINANCE AMEND-  
MENT-SITE AND  
BUILDING PLAN  
PROCEDURE  
Moved by Councilmember Berg, seconded by Councilmember Nesbitt to pass the First Reading of an Ordinance Amending Section 10.24 of the City Code dealing with site and building plan review procedure and setting a Public Hearing for the October 7, 1985 regular City Council meeting. 8 Ayes; Nays, None.

ORDINANCE AMEND-  
MENT-R3, R4 & R5  
ZONING DISTRICTS  
Moved by Councilmember Werner, seconded by Councilmember Berg to pass the First Reading of an Ordinance Amendment for R3, R4 and R5 zoning districts and setting a Public Hearing for the October 7, 1985 regular City Council meeting. 8 Ayes; Nays, None.

SOUTHWEST  
PONDING BASIN  
EXCESS PROPERTY  
Moved by Councilmember Werner, seconded by Councilmember Bond to declare 3.43 acres located in the Southwest Ponding Basin excess property and to authorize the City Administrator/Clerk and the Mayor to execute a purchase agreement in the amount of \$94,956.50 with Haven Homes for the purchase of this property. A restrictive covenant will be placed on the deed regarding a 150 foot setback requirement. 8 Ayes; Nays, None.

RESOLUTION NO. 77-85  
SET A PUBLIC  
HEARING-PROPOSED  
HOUSING FUND  
PROGRAM  
Moved by Councilmember Werner, seconded by Councilmember Berg to adopt Resolution No. 77-85 establishing the date for a Public Hearing on a proposed housing bond program for the October 7, 1985 regular City Council meeting. 8 Ayes; Nays, None. Copy of resolution on file.

RESOLUTION NO. 78-85  
OLD LATTO HOSPITAL  
NEGOTIATION  
REGARDING SALE  
Moved by Councilmember Berg, seconded by Councilmember Nesbitt to adopt Resolution No. 78-85 authorizing City Staff to commence negotiations regarding Lots 7 & 8, Block 46, Town of Hastings (Hastings Board and Care-Old Latto Hospital). 7 Ayes; Nays, None. Councilmember Bond had temporarily left the room. Copy of resolution on file.

POLICY ON CITY  
VEHICLES  
Moved by Councilmember Trautmann, seconded by Councilmember Werner to adopt the following policy for the use of City vehicles. 8 Ayes; Nays, None.



MEMO

TO: Honorable Mayor & Members of the City Council  
FROM: J. J. Kleinschmidt, City Engineer  
SUBJECT: Proposed Property sale - south of Haven Homes  
DATE: January 9, 1986

I have been asked to comment on the above subject relative to the adjacent ponding basin requirements.

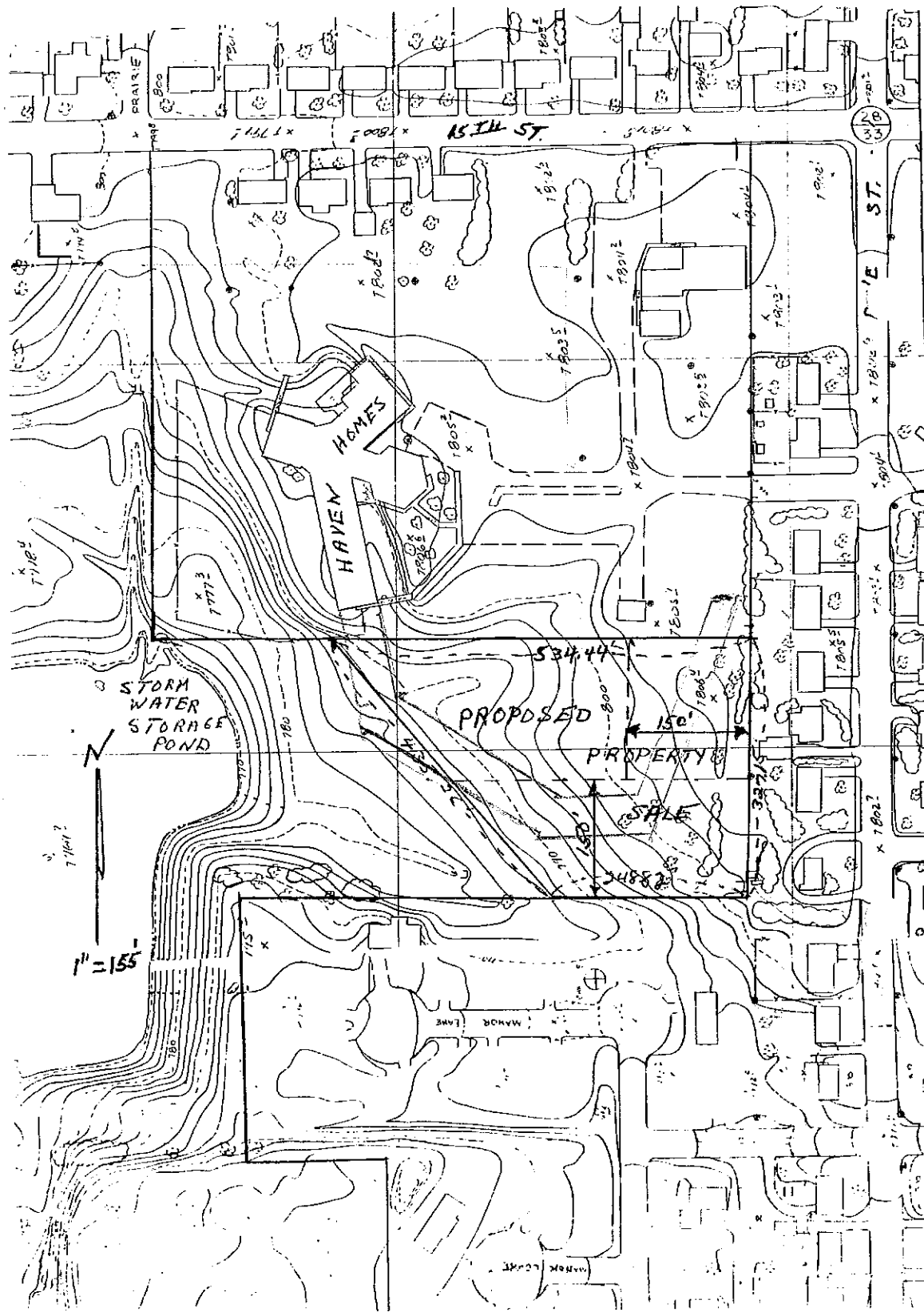
The ponding basin was designed to handle the 100 year storm. At this 100 year occurrence the water level of the pond is anticipated to rise to elevation 786.3. The existing pumping station on the west side of this pond will keep the water level at or below 786.3. This information has been confirmed by Steve Klein, an engineer with Barr Engineering. Mr. Klein suggests that any City owned land above this elevation could be sold, however he does suggest that the lowest floor elevation of any proposed structure be at least 2' above flood elevation or above 788.3.

The property surveyed by Mr. Dwyer is shown on the enclosed sketch. The land he described for sale is above elevation 786.3.

At a recent City Council meeting, a resident made a statement that storm water cannot be pumped into a river because of DNR requirements.

Mr. Klein from Barr Engineering states that all requirements of DNR and the Corps of Engineers were met prior to construction of the storm sewer systems.

jt *James J. Kleinschmidt*



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

AN ORDINANCE OF THE CITY OF HASTINGS AMENDING CHAPTER 3  
AS IT RELATES TO LIABILITY INSURANCE REQUIREMENTS FOR BEER,  
WINE AND LIQUOR LICENSEES

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

1. Hastings City Code Section 3.10, Subd. 3. (A.) is hereby amended to read as follows:

- A. Every person desiring an off-sale or an on-sale beer license shall file with the Clerk a written and verified application in the form prescribed by the Liquor Commissioner and with such information as may be required thereon. All applicants for such licenses shall comply with the liability insurance requirements of Minnesota Statutes Chapter 340, now in effect and as may be amended from time to time. All liability insurance policies required herein shall provide that no cancellation of the policy for any cause can be made either by the insured or the insurance company without first giving ten days written notice to the City, addressed to the City Clerk, of the intention to cancel the insurance policy. Beer sales by a licensee without insurance as may be required herein shall be grounds for immediate revocation of the license.

All other paragraphs of existing Hastings City Code Section 3.10, Subd. 3 shall be relettered consecutively.

2. Hastings City Code Section 3.20, Subd. 3. (G.) is hereby amended to read as follows:

- G. Application. Every person desiring a license shall file with the Clerk a written and verified application in the form prescribed by the Liquor Commissioner and with such information as may be required thereon. An off-sale application shall be accompanied with a corporate surety bond or a liability insurance policy in lieu thereof, or cash or United States government bonds in a sum of not less than \$1,000.00, which bond or policy must be approved by the Council, and an on-sale application shall be accompanied by such security, so approved, in the sum of at least \$3,000.00. Before any off-sale or on-sale license shall be granted herein, each applicant

shall comply with the liability insurance requirements of Minnesota Statutes Chapter 340, now in effect and as may be amended from time to time. All liability insurance policies required herein shall provide that no cancellation of the policy for any cause, can be made either by the insured or by the insurance company without first giving ten days written notice to the City, addressed to the City Clerk, of the intention to cancel the policy. Liquor sales by a licensee without liability insurance coverage as may be required herein shall be grounds for immediate revocation of the license.

3. Hastings City Code Section 3.40, Subd. 1 is hereby amended to read as follows:

Subd. 1. On-Sale Wine License Required. It is unlawful for any person other than a person holding a wine license or liquor license to sell, keep or offer for on-sale any wine for consumption on the licensed premises. A wine licensee or liquor licensee may offer for sale wine not exceeding 14% alcohol by volume, for consumption on the licensed premises only, in conjunction with the sale of food.

4. Hastings City Code Section 3.40, Subd. 4 shall be amended to read as follows:

Subd. 4. An applicant for an on-sale and off-sale wine license shall follow the application procedures required by the Liquor Control Commissioner of the State of Minnesota and Chapter 3 of the City Code, as well as complying with the liability insurance requirements of Minnesota Statutes Chapter 340, now in effect and as may be amended from time to time.

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

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

This Ordinance shall be effective upon passage and seven days after

publication.

By LuAnn Stoffel, Mayor

ATTEST:

Gary E. Brown, City Administrator/Clerk



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

January 15, 1986

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

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

\*Also admitted in Wisconsin

OFFICES ALSO AT:

Red Wing, MN  
(612) 388-1581

Cottage Grove, MN  
(612) 459-1019

The Honorable Mayor LuAnn Stoffel and  
City Council Members  
100 Sibley Street  
Hastings, Minnesota 55033

Re: Proposed Blasting Ordinance

Dear Mayor and City Council Members:

At the last Council Meeting, we were instructed to determine whether the State of Minnesota or any of its agencies provide for the regulation of the use of explosives within the City of Hastings.

We have looked into this matter and the only regulations which the State impose is upon the manufacturing, assembling, warehousing or storing of explosives without a valid license from the Commissioner of Public Safety.

State law requires that any person who desires to possess explosives and who does not have a valid license from the Commissioner of Public Safety must apply for a permit for the use of the explosives from the Chief of Police for the city in which the explosives are to be used.

The proposed Ordinance does not duplicate any existing State law regarding the use of explosives within the City.

Very truly yours,

CITY OF HASTINGS, by

Shawn M. Moynihan  
Assistant City Attorney

SMM/bap

cc: Gary E. Brown

AN ORDINANCE OF THE CITY OF HASTINGS ESTABLISHING REGULATIONS FOR THE USE OF EXPLOSIVES WITHIN CITY LIMITS.

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

The following regulations shall apply for the use of all explosives within the City limits of the City of Hastings:

A. All explosives shall be handled by a person experienced in the handling of explosives or by employees under his direct supervision who are at least 18 years old.

B. While explosives are being handled or used, smoking shall not be permitted and no one near the explosives shall possess matches, open flames or other fire or flame producing devices. No person shall handle explosives while in the possession of or under the influence of intoxicating liquor or narcotics.

C. Original containers or authorized containers shall be used for taking detonators and other explosives from storage magazines to the blasting area.

D. When the blasting is to be done in a congested area or in close proximity to a structure, railway, highway or other installation that may be damaged, before blasting the area to be blasted shall be covered with a mat capable of preventing fragments from being thrown from the blasting site.

E. Persons authorized to prepare explosive charges or conduct blasting operations shall use every reasonable safety precaution including, but not limited to, warning signals, flags, barricades or woven wire mats to insure the safety of the general public and workers in the blasting area.

F. Immediately upon receiving the necessary permit as required by State law, the applicant shall notify by certified mail, all residents in the area which will be affected by the blasting. This notice shall inform those residents of the applicant's intention to conduct blasting within the area and if known to inform the residents of the approximate time and date such blasting is to be conducted. No later than three days prior to the actual blasting, the applicant shall notify, in writing, all residents in the affected area of the exact day and time such blasting is to occur.

G. All blasting permitted under this Section shall be conducted during daylight hours except as may be specifically authorized by the City.

H. Whenever blasting is being conducted in the vicinity of gas, electric, water, fire alarm, telephone, telegraph and steam utilities, the blaster shall notify the police department and appropriate representatives of such utilities at least 24 hours in advance of blasting, specifying the

location and intended time of such blasting. Verbal notice shall be confirmed with written notice. In an emergency this time limit may be waived by the local authority issuing the original permit.

I. Due precautions shall be taken to prevent accidental discharge of electric blasting caps from current induced by radar, radio transmitters, lightning, adjacent power lines, dust storms or other sources of extraneous electricity. These precautions shall include:

1. The suspension of all blasting operations and removal of persons from the blasting area during the approach and progress of an electric storm.
2. The posting of signs warning against the use of mobile radio transmitters on all roads within 350 feet of the blasting operation.
3. Compliance with the latest recommendations of the Institute of Makers of Explosives with regard to blasting in the vicinity of radio transmitters and power lines.

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

Adopted by the City Council of the City of Hastings this \_\_\_\_\_ day of \_\_\_\_\_, 1985.

This Ordinance shall be effective upon passage and publication.

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

ATTEST:

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



## MEMO

TO: Mayor and Council  
 FROM: Barb Thompson *Handwritten signature*  
 SUBJECT: Approve Collateral  
 DATE: January 2, 1986

I am asking you to approve the following depositories we are now holding as collateral as of January 1, 1986.

Marquette Bank

Federal Note	Due 11-15-86	1,380,000
Federal Note	Due 5-15-87	1,100,000
Federal Note	Due 3-31-87	780,000

First National - Hastings

School Bond	Due 2-1-87	40,000
Hospital Bond	Due 2-1-88	50,000
G.O. Bond	Due 2-1-89	50,000
Public Imp. Bond	Due 9-15-91	50,000
G.O. Imp. Bond	Due 2-1-92	50,000

Norwest Bank - Hastings

Dakota County Bond	Due 4-1-86	75,000
U.S. Treasury Note	Due 11-15-86	15,000
U.S. Treasury Note	Due 10-31-87	1,000,000
Water Bond	Due 7-1-90	95,000

Juran & Moody

Franklin U.S. Securities Fund	Open	500,000
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V1B6

January 15, 1986

TO: MAYOR AND COUNCIL

FROM: BARB THOMPSON



RE: APPLICATION FOR CHARITABLE GAMBLING LICENSE - APPLICATION DATED 1-14-86

We have received application from the Fraternal Order of Eagles Eagles Aerie 2212 located at 1220 Vermillion Street for a Class A Charitable Gambling license. The Class A license includes: bingo, raffles, paddlewheel, tipboards and pull-tabs.

The applicant is also requesting a waiver of the 30 day period which the Council has from the day of application to deny the license.

If The Council does not want the licenses issued a resolution will be adopted disapproving the issuance which will prevent the Charitable Gambling Board from issuing the license.

MEMO

TO: Mayor and Council  
FROM: Gary E. Brown *geb*  
DATE: January 16, 1986  
SUBJECT: Vote for Acting Mayor

Apparently the Attorney General has ruled that in most cases the City Council may not vote by secret ballot, therefore the City Council should again by roll call vote approve the Acting Mayor for the City Council. Apparently there are some circumstances that can be voted by secret ballot however, that research will take more time and the City Staff will report back to the City Council when that information is available.

cc: Shawn Moynihan

cl

MEMO

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: J.J. KLEINSCHMIDT, CITY ENGINEER

SUBJECT: PRELIMINARY REPORT - 1986 IMPROVEMENTS

DATE: JANUARY 15, 1986

Enclosed you will find the above mentioned report. On the 4th page of this report is a proposed resolution. It is suggested that the City Council pass this resolution. This resolution receives the report and schedules the public hearing for March 3, 1986 at 7:30 p.m.

*James J. Kleinschmidt*

jt

MEMO

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: J.J. KLEINSCHMIDT, CITY ENGINEER

SUBJECT: PLANS AND SPECIFICATIONS - CONVERSION OF WELL NO. 5 to ELECTRIC DRIVE

DATE: JANUARY 15, 1986

The Plans and specifications for the conversion of Well No. 5 to electric drive are hereby presented. This project is the last of the watermain improvement work that was included in the bonds sold last spring. It is suggested that the City Council receive these plans and specifications and authorize the advertisement for bids with bids to be received at 7:30 P.M. Monday, February 3, 1986

*J. J. Kleinschmidt*

jt

MEMO

TO: Honorable Mayor & Members of the City Council

FROM: J.J. Kleinschmidt, City Engineer

SUBJECT: Proposed stop signs - 17th & Brittany Street

DATE: January 8, 1986

A request for stop signs at the intersection of 17th & Brittany Streets has been referred to me for study and report.

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

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

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

STOP signs should not be used for speed control".

Conclusion:

The warrants for stop signs have not been met at this intersection.

Recommendation:

Stop signs are not recommended at this intersection. There is no restricted view at this intersection and there is no serious accident record at this intersection.

*James J. Kleinschmidt*  
jt

# Information

## MEMO

TO: Mayor and Council

FROM: Gary E. Brown

DATE: January 16, 1986

SUBJECT: Limo Service

City Staff is working with Richard and Beth Anderson, 1420 18th Court who are currently operating a limousine service to and from the Airport. It was originally interpreted by City Staff that a license would not be required, however, it appears that they fall under the current taxi cab ordinance. Several of the subdivisions that relate to taxi cabs do not relate well to limousine services. Some of the Cities that we checked with also have a City Ordinance for limousine or airport bus. The subdivisions that typically do not relate well to a limousine are the ones that pertain to permanent painting on the door sides, tags on his or her cap or hat, zone maps. Therefore, staff is going to prepare an ordinance for Council's consideration at the February 3rd meeting which would describe requirements under a limousine or a airport bus. In the mean time we will be sending them information regarding a application for a home occupation permit since they are operating the limousine service out of their home.

cc: Tom Harmening

Information

MEMO

Date: January 16, 1986

To: City Council

From: Tom Harmening, City Planner

RE: Update on Schumacher Realty - Williams 1st Addn. Rezoning & Preliminary Plat. NO ACTION REQUIRED.

As you recall on 1/6/86 the City Council tabled the matter regarding a request made by Schumacher Realty for a rezoning from Ag to R-3 PRD and Preliminary Plat approval for approximately 31 acres located north of the Whispering Lane/4th Street intersection; The request was tabled to allow matters pertaining to the park location to be reworked as recommended by staff, Planning Commission and Natural Resources Committee.

At the 1/13/86 Planning Commission meeting Mike Williams presented a new layout for the development which essentially took into consideration the suggestions made by the City. It was found at that time that the information presented regarding the proposed development was lacking several items which were technically required by the zoning ordinance/subdivision ordinance. It was also found that there may be a discrepancy in the park land dedication requirements as stated in the subdivision ordinance and the common open space requirements as stated in the PRD section of the Zoning Ordinance. This is being reviewed further by staff.

The Planning Commission has scheduled for 1/27/86 a new public hearing on the rezoning and preliminary plat request contingent on all necessary information being provided to the city by 1/21/86. It was felt a public hearing should be held as the development proposed has changed.

jt



CITY OF HASTINGS

100 Sibley Street  
Hastings, Minnesota 55033

PERIODICAL ESTIMATE FOR PARTIAL PAYMENTS

ESTIMATE NO. 2 PERIOD ENDING: January 15, 1986  
CONTRACTOR: S.J. Louis Construction Co.  
ORIGINAL CONTRACT AMOUNT: \$159,632.30

CITY NO. 84-11  
Page 1 of 1

ITEM NO	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL
WM 1	16" CL 51 DIP WM	16	\$54.10	\$865.60
WM 2	12" CL 52 DIP WM	2727.72	\$36.10	\$98,470.69
WM 3	12" CL 53 DIP WM	500	\$37.10	\$18,550.00
WM 4	12" CL 54 DIP WM JACKED WITH 20" CARRIER PIPE	60	\$86.10	\$5,166.00
WM 5	12" CL 54 DIP W/ 20" CARRIER	45	\$61.10	\$2,749.50
WM 6	6" CL 52 DIP WM	21.5	\$37.10	\$797.65
WM 7	CIP FITTINGS	5744	\$1.00	\$5,744.00
WM 8	12" BUTTERFLY VALVE	7	\$704.00	\$4,928.00
WM 9	10" BUTTERFLY VALVE	3	\$600.00	\$1,800.00
WM10	6" GATE VALVE	2	\$331.00	\$662.00
WM11	HYDRANTS	3	\$908.00	\$2,724.00
WM12	MECHANICAL TRENCH COMPACTION	3523	\$1.00	\$3,523.00
WM13	ROCK EXCAVATION	1492.88	\$0.01	\$14.93
WM14	CONNECT TO EXIST. 12" WM	1	\$125.00	\$125.00
WM15	CONNECT TO EXIST. 10" WM AT STA. 33+01	1	\$500.00	\$500.00
WM16	CONNECT TO EXIST. 10" WM AT WATER TOWER	1	\$833.00	\$833.00
WM17	INSULATION	30	\$16.00	\$480.00
WM18	REPAIR 4th ST AT STA 33+01	0.75	\$1,155.00	\$866.25
WM19	REPAIR FRONTAGE ROAD	1	\$940.00	\$940.00
WM20	REPAIR 4th ST AT WATER TOWER	0.75	\$1,260.00	\$945.00
WM21	CONSTRUCT ALTITUDE VALVE MH COMPLETE W/ MH, INSULATION DOOR, VALVE, PIPING & MODIFICATIONS TO THE EXISTING WATER SYSTEM	0.9	\$11,359.00	\$10,223.10
Total Contract Work Completed				\$160,907.72
Less Percent Retained (5%)			\$8,045.39	
Less Previous Contract Payment			\$140,765.48	
Total Deductions			\$148,810.87	
AMOUNT DUE THIS ESTIMATE				\$12,096.85

Contractor Eugen Bergman 24 Date 1-8-86

Engineer James J. Kerschmidt Date 1-7-86