

AGENDA

I CALL TO ORDER:

II ROLL CALL:

III DETERMINATION OF QUORUM:

IV APPROVAL OF MINUTES:

Minutes of meeting of August 5, 1985

V AWARDING OF BIDS AND HEARING

1. Award Bid - Water Tower Water Main
2. P.H. - Ord. Amendment-Historical Preservation Commission
3. P.H. - Ord. Amendment-Rezoning Agricultural to R-3, Sieben's Addition.
4. P.H. - Ord. Amendment-R3 and R4 Districts.

VI REPORTS FROM CITY STAFF:

A. City Planner

1. 3rd Reading-Ordinance No. 183 Rezoning Agricultural to R-1, 4th and Whispering Lane.
2. 2nd Reading Ordinance Amendment-R3 and R4 District-Amendment Square feet requirement.
3. 2nd Reading-Ordinance Amendment-Rezoning Agricultural to R-3, Siebens 2nd Addition.
4. Dennis Byron-Sideyard Setback variance-913 W. 7th Street.
5. Hastings Construction Company - Rezoning R-2 and R-3 to R-4 Preliminary Plat-South Frontage Road and Bahls Drive.
6. Local Oil Company-Special use permit-Highway 55 & Spring St.
7. C.W.L. Construction-Parking Variance-1112 Highway 55.
8. Ben Stephens-Frontyard setback variance-2112 Westview Drive.
9. Keith Rosch-Appeal Council decision-Sideyard setback variance.

B. City Administrator

1. Commissioner Harris-Old Courthouse.
2. Real Estate Abatement-Bud Groth-19-32150-070-28
3. Chamber request-official City Maps.
4. 2nd Reading-Ordinance Amendment-Historical Preservation Commission.
5. Appoint Cable Commission Member-Art Siebenaler.
6. Amend 1985 Fire Contract-FLSA.
7. Elevator Consideration.
8. School District Zoning Request.

C. City Attorney

1. Marshan Agreement.

D. City Engineer

1. Draft Street Light Policy Discussion
2. Resolution - Ordering preparation of assessment roll for 1985 Streets and Utilities.
3. Resolution - Set Public Hearing on proposal assessments for 1985 Streets and Utilities.

- 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
 - 1. Pay all bills as audited.

Hastings, Minnesota
August 5, 1985

The City Council of the City of Hastings, Minnesota met in a regular meeting on Monday, August 5, 1985 at 7:30 p.m. in the Council Chamber in 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 and corrections to the minutes of the meeting of July 15, 1985 and hearing none declared the minutes approved as presented.

The Mayor declared the Public Hearing open at 7:31 p.m. to consider a request for Vacation of the Utility Easement for Riverwood Addition. Everyone wishing to speak on the matter was given the opportunity to do so. No one desired to speak on the issue. The Mayor closed the Public Hearing at 7:37 p.m.

PUBLIC HEARING-
VACATION OF THE
UTILITY EASEMENT-
RIVERWOOD ADDITION

The Mayor declared the Public Hearing open at 7:38 p.m. to consider Rezoning from Agricultural to R1, Lot 1, Block 1, Schumachers Third Addition. 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 7:39 p.m.

PUBLIC HEARING-
REZONING
AGRICULTURAL TO
R1-4TH AND
WHISPERING LANE

Moved by Councilmember Werner, seconded by Councilmember Berg to adopt Resolution No. 63-85 awarding the bid for the 1985 Sealcoating to Allied Blacktop Incorporated, the apparent low bidder, in the amount of \$39,190.09. 8 Ayes; Nayes, None. Copy of resolution on file.

RESOLUTION NO.
63-85 AWARD BID-
1985 SEALCOAT

The City Administrator/Clerk, Gary E. Brown and Mr. Ron Langness of Springsted Incorporated explained to the Council that due to complications the awarding of the bids for the \$3,000,000 General Utility Revenue Bonds would not be held this evening.

AWARD BID-\$3,000,000
G.O. ELECTRIC
UTILITY REVENUE
BONDS

Moved by Councilmember Trautmann, seconded by Councilmember Plan to adopt Resolution No. 64-85 Awarding the Bid for the Sale of the two City Mopeds to, the apparent two highest bidders, Daniel Erickson in the amount of \$201.01 and Jason Caturia in the amount of \$187.00. 8 Ayes; Nayes, None. Copy of resolution on file.

RESOLUTION NO.
64-85 AWARD BID-
SALE OF CITY MOPEDS

Moved by Councilmember Werner, seconded by Councilmember Nesbitt to renew the Employees Health and Life Insurance with Firemans Fund Insurance effective September 1, 1985 through August 31, 1986. 8 Ayes; Nayes, None.

RENEW FIREMANS
FUND INSURANCE-
EMPLOYEE HEALTH
AND LIFE

Moved by Councilmember Nesbitt, seconded by Councilmember Plan to accept the resignation of Steven Eggert effective August 6, 1985 as the City Animal Warden. Council appointed Mr. Regie Patnode as the City Animal Warden effective August 7, 1985. 8 Ayes; Nayes, None.

ACCEPT RESIGNATION
OF PRESENT ANIMAL
WARDEN AND APPOINT
NEW ANIMAL WARDEN

Moved by Councilmember Werner, seconded by Councilmember Bond to approve the request of the Hastings Independant Slow Pitch Mens League to sell beer at the softball complex on August 9, 10 & 11. 8 Ayes; Nayes, None.

SOFTBALL COMPLEX-
BEER SALE MENS
LEAGUE

Moved by Councilmember Trautmann, seconded by Councilmember Berg to authorize the Mayor and the City Clerk to enter into an Agreement requiring Northern States Power to buy the power produced at the Hydro-electric Plant. This bonds shall be sold prior to execution of the agreement. 8 Ayes; Nayes, None.

NORTHERN STATES
POWER AGREEMENT-
HYDRO

Moved by Councilmember Plan, seconded by Councilmember Werner to authorize the Mayor and City Clerk to execute a construction agreement on behalf of the City which lays out the requirements of Lunda Construction Company and Voith Hydro Incorporated pursuant to their bid for the construction of the Hydro-electric Project on Lock and Dam No. 2. The bonds shall be sold prior to execution of the agreement. 8 Ayes; Nayes, None.

HYDRO CONSTRUCTION
AGREEMENT

ACCESS AGREEMENT-
ARMY CORPS OF ENGINEERS

Moved by Councilmember Kulzer, seconded by Councilmember Werner to authorize the Mayor and the City Clerk to enter into an Access Agreement with the Army Corps of Engineers which sets forth the Rules and Regulations which the City's contractors must abide by for the construction of the Hydro-electric Plant at Lock and Dam No. 2. The bonds shall be sold prior to execution of the Agreement. 7 Ayes; Nayes, Bond.

MAC CHARGES-MASTER, INC.

This item was withdrawn by Master Incorporated from the Agenda.

PRELIMINARY ASSESSMENT
HYDRO-ELECTRIC PROJECT

Moved by Councilmember Werner, seconded by Councilmember Berg to authorize Professor Stefan from the University of Minnesota to conduct a Preliminary Analysis Assessment for the Hydro-electric Project. This assessment would cost \$2,000.00. 7 Ayes; Nayes, Bond.

ADVERTISE FOR CITY
PLANNER POSITION

Moved by Councilmember Nesbitt, seconded by Councilmember Kulzer to authorize the City Staff to advertise for a full-time City Planner position with a salary range of \$30,050 to \$36,600. 8 Ayes; Nayes, None.

CHAMBER OF COMMERCE
REQUEST CITY MAPS

Moved by Councilmember Berg, seconded by Councilmember Mathiowetz to approve the expenditure of \$1,300 for printing 10,000 City maps.

Moved by Councilmember Trautmann, seconded by Councilmember Werner to table the matter of the City Maps until the August 19, 1985 regular City Council meeting. 8 Ayes; Nayes, None.

1ST READING-ORDINANCE
AMENDMENT-HISTORICAL
PRESERVATION COMMISSION

Moved by Councilmember Werner, seconded by Councilmember Bond to pass the 1st Reading of an Ordinance Amending Section 2.18 of the City Code establishing the Heritage Preservation Commission and setting a Public Hearing for the August 19, 1985 regular City Council meeting. 8 Ayes; Nayes, None.

ST. BONIFACE REQUEST
- ON SALE BEER LICENSE

Moved by Councilmember Werner, seconded by Councilmember Berg to approve the request of the St. Boniface Church to sell 3.2 beer on Sunday October 6, 1985. 8 Ayes; Nayes, None.

CHANGE CITY COUNCIL
MEETING - DUE TO HOLIDAY

Moved by Councilmember Plan, seconded by Councilmember Trautmann to change the September 2, 1985 regular City Council meeting to September 3, 1985 due to the Holiday. 8 Ayes; Nayes, None.

SOUTHWEST PONDING
BASIN APPRAISAL

Moved by Councilmember Werner, seconded by Councilmember Berg to accept the appraisal of \$94,956.50 for the Southwest Ponding Property and to set a Public Hearing for the consideration of declaring this property surplus for the September 3, 1985 regular City Council meeting. 7 Ayes; Nayes, Kulzer.

LETTER OF AGREEMENT-
BECKER MINNESOTA-
HYDRO

Moved by Councilmember Trautmann, seconded by Councilmember Plan to authorize the Mayor to send a letter to the City of Becker informing them of the City of Hastings' intent in utilizing 3 million dollars out of the total IDB allocation of 5 million dollars which was arranged for the Hydro project. 8 Ayes; Nayes, None.

RESOLUTION NO. 65-85
SETTING PUBLIC HEARING
ON PROPOSED HYDRO-
ELECTRIC FACILITY

Moved by Councilman Werner, seconded by Councilmember Kulzer to adopt Resolution No. 65-85 calling for a Public Hearing on a Proposal on a Hydro-electric Facility on 8-26-85 at 4:30 p.m. and setting a Special Council meeting for August 26, 1985 at 4:30 p.m. in the City Hall Council Chambers. 8 Ayes; Nayes, None.

SECOND READING-
REZONING AGRICULTURAL
TO R1-4TH AND WHISPERING
LANE

Moved by Councilmember Trautmann, seconded by Councilmember Nesbitt to pass the Second Reading of an Ordinance Amending Section 10.01 Subdivision 1 of the City Code rezoning from Agricultural to R1 at 4th & Whispering Lane. 8 Ayes; Nayes, None.

SCHUMACHERS THIRD
ADDITION-FINAL PLAT

Moved by Councilmember Werner, seconded by Councilmember Berg to approve the final plat for Schumachers Third Addition at 4th and Whispering Lane. 8 Ayes; Nayes, None.

RESOLUTION NO. 66-85
VACATION OF UTILITY
EASEMENT-RIVERWOOD

Moved by Councilmember Kulzer, seconded by Councilmember Berg to adopt Resolution No. 66-85 approving a Vacation of Utility Easement at Riverwood Addition. 8 Ayes; Nayes, None. Copy of resolution on file.

SIGN VARIANCE-KINGS
COVE

Moved by Councilmember Berg, seconded by Councilmember Werner to approve a request for a variance for Kings Cove to install a sign 32 feet above the highest building located on their property. 7 Ayes; Nayes, Kulzer.

Moved by Councilmember Plan, seconded by Councilmember Trautmann to pass the 1st Reading of an Ordinance Amending Rezoning Lot 9 of Olson's Addition from R2 to Agricultural-Guardian Angels Church and setting a Public Hearing for the September 3rd regular City Council meeting. 8 Ayes; Nayes, None.	1ST READING-ORDINANCE AMENDMENT-REZONING-CHURCH OF GUARDIAN ANGELS
Moved by Councilmember Werner, seconded by Councilmember Berg to approve the Preliminary Plat at Cannon Avenue and 22nd Street. 8 Ayes; Nayes, None.	DAVE YOUNGQUIST-PRELIMINARY PLAT-CANNON AND 22ND ST.
Moved by Councilmember Werner, seconded by Councilmember Trautmann to approve the Preliminary Plat and the Final Plat and pass the 1st Reading of an Ordinance Amending Rezoning Agricultural to R3 Siebens Second Addition and setting a Public Hearing for the August 19, 1985 regular City Council meeting. 8 Ayes; Nayes, None.	SIEBENS SECOND ADDITION - PRELIMINARY PLAT-FINAL PLAT AND REZONING
Moved by Councilmember Trautmann, seconded by Councilmember Nesbitt to approve the Final Plat for 160th and Cory Lane-Sunny Acres II. 8 Ayes; Nayes, None.	HASTINGS CONSTRUCTION FINAL PLAT-SUNNY ACRES II.
Moved by Councilmember Trautmann, seconded by Councilmember Werner to deny the request for a Sideyard Variance per the Planning Commissions recommendation for Keith Rosch at 914 West 3rd St. 8 Ayes; Nayes, None.	SIDEYARD VARIANCE REQUEST-KEITH ROSCH
Moved by Councilmember Werner, seconded by Councilmember Mathiowetz to pass the First Reading of Ordinance amending Section 10.23 of the City Code dealing with the R3 and R4 Zoning District and setting a Public Hearing for the August 19, 1985 regular City Council meeting. 8 Ayes; Nayes, None.	ORDINANCE AMENDMENT-R3 & R4 ZONING DISTRICTS
Moved by Councilmember Kulzer, seconded by Councilmember Bond to set a Public Hearing for September 3, 1985 regular City Council meeting to consider vacating a portion of North Frontage Road. 8 Ayes; Nayes, None.	SET PUBLIC HEARING-VACATION-NORTH FRONTAGE ROAD
Moved by Councilmember Trautmann, seconded by Councilmember Berg approve the Minor Subdivision 603 West 3rd Street subject to the condition that a Certificate of Survey be prepared for the property. 8 Ayes; Nayes, None.	MINOR SUBDIVISION-603 WEST 3RD STREET
Moved by Councilmember Trautmann, seconded by Councilmember Nesbitt to approve change order No. 2 for Austin P. Keller Construction Company for the construction of streets and utility for the 1985 program. 8 Ayes; Nayes, None.	CHANGE ORDER NO. 2-KELLER CONSTRUCTION
Moved by Councilmember Plan, seconded by Councilmember Berg to adopt Resolution No. 67-85 approving Final payment for the Ramsey and Tyler Street Project for Fraser Construction Company and adopting Resolution No. 68-85 declaring costs to be assessed and ordering preparation of proposed assessments for the Ramsey and Tyler Streets between 2nd Street and 4th Street and adopting Resolution No. 69-85 allowing for a public hearing on the proposed assessment for Ramsey and Tyler Street between 2nd and 4th Street for the September 3, 1985 regular City Council meeting. 8 Ayes; Nayes, None.	RESOLUTION NO. 67-85 RESOLUTION NO. 68-85 RESOLUTION NO. 69-85
Moved by Councilmember Nesbitt, seconded by Councilmember Trautmann to adopt Resolution No. 70-85 establishing the boundaries of the Urbanized area for Federal Aid Urban System. 8 Ayes; Nayes, None. Copy of resolution on file.	RESOLUTION NO. 70-85 FEDERAL AID URBAN SYSTEM
Moved by Councilmember Trautmann, seconded by Councilmember Bond to accept the Engineers recommendation for the Five Year Construction Program for Municipal State Aids Streets but also adding Pine Street and 15th Street to this construction program. 8 Ayes; Nayes, None.	FIVE YEAR CONSTRUCTION REPORTING-MUNICIPAL STATE AID STREETS
Moved by councilmember Trautmann, seconded by Councilmember Werner to table the discussion on the draft of the Street Light Policy until the August 19, 1985 regular City Council meeting. 8 Ayes; Nayes, None.	DRAFT STREET LIGHT POLICY

067
August 5, 1985

ELECTRICAL SERVICE
AREAS-PUBLIC UTILITIES
COMMISSION

Moved by Councilmember Trautmann, seconded by Councilmember Werner to authorize the Staff to review the procedure and contact the proper authorities at the Public Utilities Commission to consider having the City of Hastings serviced by one Electrical Company. 8 Ayes; Nays, None.

CONSENT ACENDA

Moved by Councilmember Kulzer, seconded by Councilmember Mathiowetz to:

1. Pay all bills as audited.
 2. Partial payment - Austin P. Keller - \$144,541.45.
 3. Partial payment - D.H. Blattner & Sons - \$248,201.83.
- 8 Ayes; Nays, None.

ADJOURNMENT

Moved by Councilmember Nesbitt, seconded by Councilmember Trautmann to adjourn the meeting at 9:50 p.m. 8 Ayes; Nays, None.

ATTEST

Mayor

City Administrator/Clerk

MINUTES OF THE HASTINGS PLANNING COMMISSION

MONDAY AUGUST 12, 1985

The meeting was called to order by Chairman Simacek at 7:30 p.m.

Members Present: Commissioners Ditty, Stevens, Reuter, Folch, Kaiser, Conzemius, Anderson and Chairman Simacek.

Members Absent: Commissioner Voelker

Moved by Commissioner Stevens, seconded by Commissioner Reuter to approve the minutes of July 29, 1985. Ayes, 8; Nays, 0.

APPROVAL OF MINUTES

Commissioner Voelker arrived at 7:35 p.m.

Planner Loucks noted that the applicant is requesting a 3 foot sideyard variance to accommodate an addition to an existing garage and another addition that would accommodate a three season porch. It was indicated that the commission had tabled this matter at their meeting on July 29, in order to allow the opportunity to consider changes in sideyard setback requirements and review previous precedents that may have been set in regard to sideyard variances.

WILLIAM B. SQUIRE-
3 FOOT SIDEYARD
VARIANCE-1029 W. 14th

It was noted by Chairman Simacek that he had been in contact with the Squires and he was of the opinion that they were attempting to work out a solution that would not require any variances to accommodate their development proposal.

Following a brief discussion a motion was made by Commissioner Kaiser and seconded by Commissioner Reuter to table the matter until such time as the Squires are available to discuss the matter with the Planning Commission.

** The Squires addressed the Commission at 9:50 p.m. and indicated that they are able to work out a site development plan that does not require a sideyard setback variance and would therefore like to withdraw their application for a variance request.

Planner Loucks noted that the commission tabled this application on July 29 requesting that further information be provided by Mr. Byron. It was indicated that Mr. Byron had found property corners on the property and marked them and therefore the staff was able to determine that the deck was actually located approximately 5-6 feet from the adjacent property line.

DENNIS BYRON-SIDEYARD
SETBACK VARIANCE-
913 W. 7TH STREET

Commissioner Reuter noted that a variance should not be granted if it is caused by the applicant and in this case Mr. Byron proceeded without a permit to build the deck, then determined that it did not meet the setback requirements and therefore requested a variance. In his opinion there can be no hardships shown in this case.

Following a brief discussion a motion was made by Commissioner Stevens seconded by Commissioner Anderson to recommend approval of a 2 foot sideyard setback variance subject to the condition that the deck not be enclosed and therefore not be considered habitable space. Ayes, 7; Nays, Commissioner Reuter and Commissioner Voelker.

Planner Loucks noted that the rezoning matter is necessary to clarify actions that occurred during 1973 and prior to 1973. He indicated that upon a research of the records it is clear that the intent of the planning commission and council was to rezone the Valley Manor Plat to R4. However because a meets and bounds description was utilized in describing the property it appears that only a portion of the parcel was actually rezoned. Therefore in order to clarify the record it is recommended the commission rezone Valley Manor and Valley Manor Second Subdivision in order to administratively clarify this matter.

HASTINGS CONSTRUCTION
COMPANY-REZONING R4 TO
R2-SITE PLAN APPROVAL
FOR A 24 UNIT MULTI-
FAMILY BUILDING-
PRELIMINARY PLAT
APPROVAL-BAHLS DRIVE &
SOUTH FRONTAGE ROAD

Following a brief discussion a motion was made by Commissioner Kaiser seconded by Commissioner Conzemius to recommend zoning of Valley Manor and Valley Manor Second Subdivision to R4. Ayes, 9; Nays, 0.

Planner Loucks than noted that the applicant is requesting Preliminary Plat approval to divide a ± 11 acre parcel (to be known as Valley Manor Second Subdivision) into 6 tracts which will accomodate multi-family residential units. It was indicated that lots 1 & 2 will have 42 units each and lots 3 & 4 30 units each, and lots 5 & 6 24 units each.

It was noted that the proposal is consistent with the approval secured in 1973 in which the conditions for rezoning were that the property not have more than 252 units upon completion.

In addition it was noted that the applicant is requesting site plan approval for lot 5 and that the submittal is consistent with all site plan submittal requirements.

Following a presentation by Brooks Swanson and questions from the commission a motion was made by Commissioner Ditty and seconded by Commissioner Conzemius to recommend approval of the preliminary plat and site plan for lot 5 as submitted. Ayes, 9; Nays, 0.

Planner Loucks noted that the applicant is requesting a special use permit approval for a site which is presentally occupied by a Phillip 66 Gas Station. It is the intention of the applicant to construct a convenience store, gas station, and service center on the site which is located in the C3 district. The C3 district requires a special use permit for automobile service stations, motor vehicle repair, and wash facilities. It was noted that an automobile service station has existed on the site for 40 or more years and it appears consistent to approve upgrading of the site and allow a convenience store, service station and service center.

LOCAL OIL COMPANY-
SPECIAL USE PERMIT
AND SITE PLAN APPROVAL
HIGHWAY 55 & SPRING ST

Following a lengthy discussion and input from neighborhood residents a motion was made by Commissioner Folch and seconded by Commissioner Anderson to recommend approval of the special use permit and site plan subject to the condition that the applicant secure an access permit from the Minnesota Department of Transportation to Highway 55 and that a six foot high fence be utilized to screen the northside of the property. Ayes, 9; Nays, 0.

Planner Loucks noted that the applicant is requesting site plan approval for a site that is approximately 6/10th of an acre in size in order to accommodate a 5,600 square foot office building. The applicant has submitted two site plans for review. The first is noted as alternative I, and was submitted in anticipation of the zoning ordinance being amended to allow 1 space for each 150 square feet of floor area. Thus what is being proposed is a 37 car parking facility with 5,600 square foot building.

Alternative Number 2 is a site plan which consists of 56 parking spaces and meets the 1 space per 100 foot ratio requirements as set forth in our present zoning ordinance.

Following lengthy discussion a motion was made by Commissioner Conzemius and seconded by Commissioner Ditty to recommend approval of the alternative I site plan and to further recommend that a variance be granted to allow 37 parking spaces subject to the condition the certificate of occupancy be withheld until all building and site plan improvements are completed. In addition it was noted that if site improvements can not be reasonably completed because of a winter construction schedule the applicant must provide a performance bond or cash escrow to guarantee that the site improvements will be completed in the spring of 1986. Ayes, 5; Nays, Commissioner Reuter, Folch, Voelker and Chairman Simacek.

Planner Loucks noted that adjacent property owners had been notified regarding the site plan approval request by CWL Construction, however, that there was no notice sent regarding the potential need for a parking variance. He indicated that he would check with the City Attorney to find out if this matter can be forwarded to the council without re-notifying adjacent property owners.

Planner Loucks noted that the applicant is requesting 9.5 foot variance from the existing 25 foot setback requirement to a setback of 15.5 feet in order to allow extending a garage out from the front of the house toward the street line.

BEN STEVENS-9.5 FOOT
FRONTYARD SETBACK
VARIANCE-2112 WESTVIEW
DRIVE

Mr. Stevens then described his proposal to the commission and indicated that it would be inconvenient to place the proposed addition on the rear of the property where no variances are required.

Following a brief discussion a motion was made by Commissioner Folch and seconded by Commissioner Reuter to recommend denial of the variance request because there are no special conditions that exist which are peculiar to the land, structure or buildings involved which are not applicable to other lands in the same area; 2) that literal interpretation of the code would not deprive the applicant of rights commonly enjoyed by other properties in the area and; 3) that the conditions and circumstances that result from this action are those that were created by the applicant and 4) that granting the variance request would confer on the applicant a special privilege that is denied to other lands, structures or buildings in the same area. Ayes, 9; Nays, 0.

Commissioner Folch outlined the study committees recommendations regarding changing the square footage requirement for parking from 100 to 150 square feet in the office building districts and indicated that the committee consisting of himself, Commissioner Voelker and Commissioner Kaiser concluded that the zoning regulation ought not be changed at this time.

ORDINANCE AMENDMENT
PARKING REQUIREMENTS
OFFICE BUILDING ZONING

Following considerable discussion regarding the matter a motion was made by Commissioner Voelker, seconded by Commissioner Kaiser to recommend that the parking standard in the ordinance not be amended. Ayes, 6; Nays, Commissioner Ditty, Stevens, and Conzemius.

A motion was made by Commissioner Conzemius and seconded by Commissioner Folch to adjourn. Ayes, 8; Nays, 0.

ADJOURNMENT

Planning Commission adjourned at 10:10 p.m.

CITY OF HASTINGS, MINNESOTA
100 Sibley Street
Hastings, Minnesota

Minutes of Bid Opening
(August 13, 1985 - 2:00 P.M.)

WATERTOWER WATERMAIN BIDS

Attending the meeting were:

Barb Thompson, Deputy City Clerk, City of Hastings
James J. Kleinschmidt, City Engineer, City of Hastings
Arnold Endres, Water Superintendent, City of Hastings
Robert Schunicht, Bonestroo, Rosene, Anderlik & Assoc. Inc.
George Taylor, Davies Water Equipment
Bob Gartzke, Clay Products Co.
Steve Gartzke, Gartzke Construction, Inc.
Tom Wilebski, Northdale Construction Co.

Bids were opened and read aloud as follows:

<u>Bidder</u>	<u>Bid Security</u>	<u>Net Bid</u>	<u>Representative Attending</u>
Fraser Const. Co.	5% Bid Bond	\$215,132.75	--
Austin P. Keller	5% Bid Bond	\$183,714.00	--
Lametti & Sons	5% Bid Bond	\$232,000.00	--
S.J. Louis Const.	5% Bid Bond	\$159,632.30	--
S.M. Hentges & Sons	5% Bid Bond	\$197,140.38	--
Gartzke Const. Co.	5% Bid Bond	\$192,224.75	Steve Gartzke
Northdale Const. Co.	5% Bid Bond	\$203,677.00	Tom Wilebski
Burschville Const.	5% Bid Bond	\$198,696.50	--

ATTEST:


J.J. Kleinschmidt, City Engineer

MEMO

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: J.J. KLEINSCHMIDT, CITY ENGINEER

SUBJECT: BIDS RECEIVED FOR WATERTOWER WATERMAIN

DATE: AUGUST 14, 1985

Enclosed is a tabulation of bids received for the construction of a 12" watermain from the intersection of Pleasant Ave and T.H. 55 to 4th St. near the new water tower. The apparent low bidder is S.J. Louis Construction Co. in the amount of \$159,632.30.

The preferred location of the watermain along T.H. 55 is on an easement through the School District property. The Assistant City Attorney and I met with the School Board but they did not authorize the execution of the easement.

Another location was suggested. MNDOT was contacted and asked if this watermain could be placed along the south side of T.H. 55 within their right of way-more specifically within their existing ditch. They suggested that an application for a permit be made and this was done. As yet we have not heard from them.

The School Board has suggested that a meeting be held between a School Board Committee and a City Council Committee to pursue the easement issue further. The City Council may want to appoint a committee to meet with the School Board Committee.

It is recommended that the low bidder, S.J. Louis Construction Company, be awarded the contract in the amount of \$159,632.30 contingent on receipt of an easement from the School District or a permit from MN DOT

jt

James J. Kleinschmidt

RECORD OF BIDS

NAME OF WORK Watertower Watermain

BIDS RECEIVED Tuesday, August 13, 1985

LOCATION T.H. 55 & Pleasant to new watertower on 4th St.

RECORDED BY _____

BIDDER OR CONTRACTOR	Fraser Const. Co.	Austin P. Keller Const. Co.	Lametti & Sons, Inc	S. J. Louis Const. Co.	S.M. Hentges & Sons, Inc
COMPLETION DATE	Nov. 9, 1985	Nov. 9, 1985	Nov. 9, 1985	Nov. 9, 1985	Nov. 9, 1985
CERTIFIED CHECK					
BID BOND	5%	5%	5%	5%	5%
TOTAL BID	\$215,132.75	\$183,714.00	\$232,000.00	\$159,632.30	\$197,140.38
REMARKS					
BIDDER OR CONTRACTOR	Gartzke Const. Co.	Northdale Const. Co.	Burschville Const. Co.		
COMPLETION DATE	Nov. 9, 1985	Nov. 9, 1985	Nov. 9, 1985		
CERTIFIED CHECK					
BID BOND	5%	5%	5%		
TOTAL BID	\$192,224.75	\$203,677.00	\$198,696.50		
REMARKS	<p>Authority: G.O. Water bonds in the amount of \$995,000 were sold on April 29, 1985 (water tower bid was \$496,450.) Council Action: Approved Plans and Specifications and ordered Advertisement for bids July 15, 1985 Engineers Estimate: \$150,000 (\$265,000 at time when Water System Analysis was made) Recommendation: Award bids to the low bidder, S.J. Louis Construction Company in the amount of \$159,632.30 contingent on receipt of an easement from the School District or a permit from MNDOT.</p>				

Bonestroo, Rosene, Anderlik & Associates, Inc.

Consulting Engineers

2335 W. Trunk Highway 36
St. Paul, Minnesota 55113
Phone: 612-636-4600

Otto G. Bonestroo, P.E.
Robert W. Rosene, P.E.
Joseph C. Anderlik, P.E.
Bradford A. Lemberg, P.E.
Richard E. Turner, P.E.
James C. Olson, P.E.

Glenn R. Cook, P.E.
Keith A. Gordon, P.E.
Thomas E. Noyes, P.E.
Richard W. Foster, P.E.
Robert G. Schunicht, P.E.
Marvin L. Sorvala, P.E.
Donald C. Burgardt, P.E.
Jerry A. Bourdon, P.E.
Mark A. Hanson, P.E.
Ted K. Field, P.E.
Michael T. Rautmann, P.E.
Robert R. Pfeifferle, P.E.
David O. Loskota, P.E.
Charles A. Erickson
Leo M. Pawelsky
Harlan M. Olson

August 15, 1985

Honorable Mayor & City Council
City of Hastings
100 Sibley Street
Hastings, MN 55033

Re: Water Tower Water Main
Our File No. 22202

Dear Mayor and Council:

On Tuesday, August 13, 1985, sealed bids were received for the construction of a 12" water main to connect the new water tower to the existing distribution system. A total of eight (8) bids were received. The bids have been reviewed and checked. A summary of the bids is presented below:

Bid Summary

<u>Bidder</u>	<u>Base Bid</u>
1. S. J. Louis Const. Co., Inc.	\$159,632.30 ✓
2. Austin P. Keller Const. Co., Inc.	183,714.00
3. Gartzke Const., Inc.	192,224.75
4. S. M. Hentges & Sons, Inc.	197,140.38
5. Burschville Const., Inc.	198,696.53
6. Northdale Const. Co.	203,677.00
7. Fraser Construction Co.	215,092.75
8. Lametti & Sons, Inc.	232,000.00

The engineer's estimate at the time of letting was \$150,000.

The Water Tower Water Main project is the second phase of the City's 1985 Water System Improvement Program. The 750,000 gallon water tower was bid in May and is currently under construction while the third phase, Well No. 5 Conversion, will be bid early this fall. A comparison of the costs incurred to date versus the original cost estimates are presented below. The costs include a 25% allowance for design, inspection, administration, contingencies and capitalized interest.

Honorable Mayor & City Council
City of Hastings, MN

August 15, 1985

Re: Our File No. 22202

Cost Comparison

<u>Item</u>	<u>Original Cost Estimates</u>	<u>Actual Cost</u>
1) 750,000 gallon Water Tower	\$ 705,000	\$590,000
2) Land Acquisition	98,000	98,000
3) Water Tower Water Main	270,000	200,000
4) Well No. 5 Conversion	<u>30,000</u>	<u>40,000*</u>
Totals.....	\$1,103,000	\$928,000

*current estimate

The Water Tower Water Main is currently designed to be installed along the south side of Highway 55 on an easement across the school property. The easement for this installation has not yet been obtained but the School Board is meeting later this month to consider the easement. If the Board does not provide the easement, the alternative location for the water main would be in the Highway 55 right-of-way. A permit to install the water main in the right-of-way has been submitted but not yet approved. We recommend tabling the award of the contract until the first meeting in September when the results of the School Board meeting will be known and Mn/DOT will have acted on the permit application.

At the first meeting in September we will be recommending award of the contract to S. J. Louis Construction Co.

Yours very truly,

BONESTROO, ROSENE, ANDERLIK & ASSOCIATES, INC.



Robert G. Schunicht
RGS:sas

TABULATION OF FIVE LOW BIDS OF EIGHT RECEIVED

PROPOSAL FOR WATER TOWER WATER MAIN HASTINGS, MINNESOTA
 PROJECT NO. FILE NO. 22203
 BID OPENING 2:00 P.M., C.D.S.T. TUESDAY, AUGUST 13, 1985

I hereby certify that this is an exact reproduction of bids received.
 Reg. No. 12105 *Robert G. Schunicht*
 Robert G. Schunicht, P.E.

BONESTROO, ROSENE, ANDERLIK & ASSOCIATES, INC. Consulting Engineers
 2335 West Trunk Highway 36 SAINT PAUL, MINNESOTA 55113

PROPOSAL ITEM			1. S. J. LOUIS CONSTRUCTION CO., INC		2. AUSTIN P. KELLER CONSTRUCTION CO. INC		3. GARTZKE CONSTRUCTION INC.		4. S. M. HENTGES & SONS, INC.		5. BURSCHVILLE CONSTRUCTION INC	
	Description	Quantity	Units	Unit	Total	Unit	Total	Unit	Total	Unit	Total	Unit
<u>BASE BID</u>												
16" DIP, Cl. 51	21	L.F.	54.10	1,136.10	42.00	882.00	50.00	1,050.00	28.83	605.43	38.70	812.70
12" DIP, Cl. 52	2,677	L.F.	36.10	96,639.70	27.00	72,279.00	19.50	52,201.50	22.26	59,590.02	33.15	88,742.55
12" DIP, Cl. 53	500	L.F.	37.10	18,550.00	27.00	13,500.00	21.00	10,500.00	24.13	12,065.00	34.00	17,000.00
12" DIP, Cl. 54 jacked or augered w/min. 20" carrier	60	L.F.	86.10	5,166.00	80.00	4,800.00	100.00	6,000.00	90.97	5,458.20	105.00	6,300.00
12" DIP, Cl. 54 w/min. 20" carrier	45	L.F.	61.10	2,749.50	60.00	2,700.00	55.00	2,475.00	44.97	2,023.65	87.15	3,921.75
6" DIP, Cl. 52	10	L.F.	37.10	371.00	30.00	300.00	20.00	200.00	15.83	158.30	26.70	267.00
Cast iron fittings	4,500	Lbs.	1.00	4,500.00	1.00	4,500.00	1.50	6,750.00	1.49	6,705.00	1.00	4,500.00
12" butterfly valve & box	7	Ea.	704.00	4,928.00	750.00	5,250.00	675.00	4,725.00	778.67	5,450.69	820.00	5,740.00
10" butterfly valve & box	3	Ea.	600.00	1,800.00	650.00	1,950.00	600.00	1,800.00	668.87	2,006.61	735.00	2,205.00
6" resilient wedge gate valve & box	2	Ea.	331.00	662.00	350.00	700.00	300.00	600.00	365.30	730.60	295.00	590.00
5" valve hydrants	3	Ea.	908.00	2,724.00	1,000.00	3,000.00	920.00	2,760.00	991.21	2,973.63	890.00	2,670.00
Mechanical trench compaction	3,253	L.F.	1.00	3,253.00	1.00	3,253.00	0.25	813.25	0.25	813.25	0.01	32.53
Rock excavation	2,100	C.Y.	0.01	21.00	20.00	42,000.00	36.50	76,650.00	35.50	74,550.00	13.75	28,875.00
Connect to existing 12" water main	L S	L.S.	L.S.	125.00	L.S.	3,000.00	L.S.	2,000.00	L.S.	450.00	L.S.	500.00
Connect to existing 10" water main at Sta. 33+01	L S	L.S.	L.S.	500.00	L.S.	3,000.00	L.S.	900.00	L.S.	1,000.00	L.S.	5,000.00
Connect to existing 10" water main at water tower	L S	L.S.	L.S.	833.00	L.S.	3,000.00	L.S.	900.00	L.S.	1,500.00	L.S.	3,000.00
Insulation	60	S.Y.	16.00	960.00	15.00	900.00	20.00	1,200.00	6.00	360.00	34.00	2,040.00

PROPOSAL ITEM Description	PROPOSAL ITEM		1. S. J. LOUIS CONSTRUCTION CO., INC		2. AUSTIN P. KELLER CONSTRUCTION CO. INC		3. GARTZKE CONSTRUCTION INC.		4. S. M. HENTGES & SONS, INC.		5. BURSCHVILLE CONSTRUCTION INC	
	Quantity	Units	Unit	Total	Unit	Total	Unit	Total	Unit	Total	Unit	Total
<u>BASE BID - CONT'D</u>												
Repair 4th Street at Sta. 33+01	L S	L.S.	L.S.	1,155.00	L.S.	1,300.00	L.S.	1,500.00	L.S.	2,300.00	L.S.	3,750.00
Repair Frontage Road	L S	L.S.	L.S.	940.00	L.S.	1,200.00	L.S.	1,500.00	L.S.	2,500.00	L.S.	3,750.00
Repair 4th Street at water tower	L S	L.S.	L.S.	1,260.00	L.S.	1,200.00	L.S.	1,500.00	L.S.	2,100.00	L.S.	3,000.00
Construct an altitude valve MH complete w/MH, insulation door, valve, piping & modifications to existing water system	L S	L.S.	L.S.	11,359.00	L.S.	15,000.00	L.S.	16,200.00	L.S.	13,800.00	L.S.	16,000.00
TOTAL BASE BID				\$159,632.30		\$183,714.00		\$192,224.75		\$197,140.38		\$198,696.53

BID BOND, CERT. CHECK, CASH DEP.	5%	5%	5%	5%	5%
FIRM	S. J. LOUIS CONSTRUCTION CO. INC.	AUSTIN P. KELLER CONSTRUCTION COMPANY	GARTZKE CONSTRUCTION INC.	S. M. HENTGES & SONS, INC.	BURSCHVILLE CONSTRUCTION INC
BY	EUGENE DINGMANN	THOMAS M. KELLER	STEVEN GARTZKE	STEVEN M. HENTGES	RUDOLPH SCHENDEL
TITLE	VICE PRSIDENT	PRESIDENT	PRESIDENT	PRESIDENT	PRESIDENT
ADDRESS	BOX 5180 ST. CLOUD, MN. 56302	481 FRONT AVE. ST. PAUL, MN. 55117	1521 HIGHLAND DRIVE HASTINGS, MN. 55033	P.O. BOX 212 SHAKOPEE, MN. 55379	BOX 167 LORETTO, MN. 55357
TELEPHONE NO.	(612) 253-9291	(612) 488-0538	(612) 437-8760	(612) 445-7004	(612) 498-7023

VIA1

MEMO

DATE: AUGUST 13, 1985

TO: MAYOR AND COUNCIL

FROM: TOM LOUCKS

SUBJECT: MIKE WILLIAMS-4TH & WHISPERING LANE-REZONING AG TO R1-3RD READING

The attached ordinance requires a 3rd reading.

ORDINANCE NUMBER _____, SECOND SERIES

An ordinance of the City of Hastings, Minnesota Amending Section 10.01
Subdivision 1 of the city code having to do with:

OFFICIAL ZONING MAP

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

The property described as follows: Lot 1, Block 1 Schumachers 3rd Addition.

It is hereby rezoned from A to an R1 zoning district.

ADOPTED BY THE CITY COUNCIL THIS _____ DAY OF _____, 1985.

ATTEST:

Mayor, LuAnn Stoffel

Gary E. Brown
City Clerk/Administrator

VIA 2

MEMO

DATE: AUGUST 13, 1985

TO: MAYOR AND CITY COUNCIL

FROM: TOM LOUCKS

SUBJECT: ORDINANCE AMENDMENT R3 & R4 ZONING DISTRICTS-SECOND READING

The Planning Commission held a public hearing on July 29, 1985 and the City Council considered the proposed ordinance amendment on August 5, 1985 (1st reading) that would affect the square footage requirements i.e. density in both the R3 and R4 districts.

The matter before council at second reading is whether or not to revise the R3 district from 3,100 square feet per unit to 5,000 square feet per unit thus allowing a maximum density of 8.7 units per acre. In addition square footage requirements in the R4 district are recommended to be raised from 2,500 square feet to 3,000 square feet per unit, thus allowing a maximum density of 14.5 units per acre.

VIA3

MEMO

DATE: AUGUST 13, 1985

TO: MAYOR AND COUNCIL

FROM: TOM LOUCKS

SUBJECT: SIEBEN-SIEBENS SECOND ADDITION-REZONING AG TO R3-SECOND READING

The attached ordinance requires a second reading.

ORDINANCE NO.

, SECOND SERIES

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

OFFICIAL ZONING MAP

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

The property described as Siebens Second Addition is hereby
rezoned from Ag to R3 PRD.

ADOPTED BY THE COUNCIL THIS DAY OF 1985

ATTEST:

LuAnn Stoffel, Mayor

Gary E. Brown, Administrator/Clerk

VIA 4

MEMO

DATE: AUGUST 13, 1985

TO: MAYOR AND CITY COUNCIL

FROM: TOM LOUCKS

SUBJECT: DENNIS BYRON SIDEYARD SETBACK VARIANCE-915 W 7th STREET

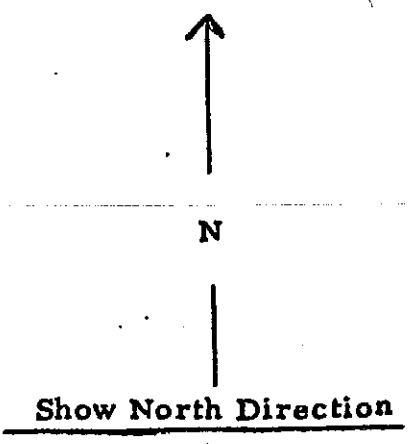
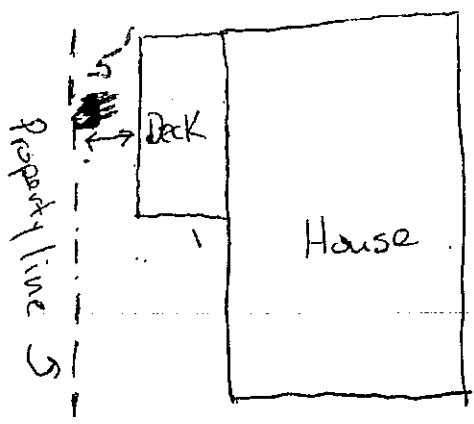
The applicant is requesting a 2 foot sideyard variance in order to allow completion of a deck that will be located 5 feet from their side property line.

The zoning ordinance allows that interior yards may be 7 feet on the side where there is an attached garage. Detached residential garages may be located within 30 inches of the side lot line provided such garages are located within the rear yard setback.

The Planning Commission reviewed this item and recommended its approval because the deck (which has been constructed) is not habitable space and therefore it appears to be a reasonable variance request. It was further pointed out by the Planning Commission to the applicant that the deck cannot be enclosed and therefore making it habitable space.

Please show lot lines, street names, distance from side lot lines, setback from front lot line to structure. For garage, show distance from garage to house, garage to side or rear lot lines, if applicable.

913 W 7TH ST



VII-5

MEMO

DATE: AUGUST 13, 1985

TO: MAYOR AND CITY COUNCIL

FROM: TOM LOUCKS

SUBJECT: HASTINGS CONSTRUCTION COMPANY-REZONING R2 & R3 to R4-PRELIMINARY
PLAT APPROVAL-SOUTH FRONTAGE ROAD AND BAHLS DRIVE

The staff and planning commission have acknowledged that the rezoning matter is necessary to clarify actions that occurred during 1973 and prior to 1973. It appears upon research of the records that it is clear that the intent of the planning commission and council was to rezone the Valley Manor Plat to R4. However, because a metes and bounds description was utilized in describing the property it appears that only a portion of the parcel was actually rezoned. Therefore in order to clarify the record it is recommended that the Council rezone Valley Manor and Valley Manor Second Subdivision in order to administratively clarify this matter.

The applicant is requesting preliminary plat approval to divide a ± 11 acre tract into 6 parcels that will accomodate multi-family residential units. Lots 1 & 2 will have 42 units each, lots 3 & 4-30 units each, and lots 5 & 6 24 units each.

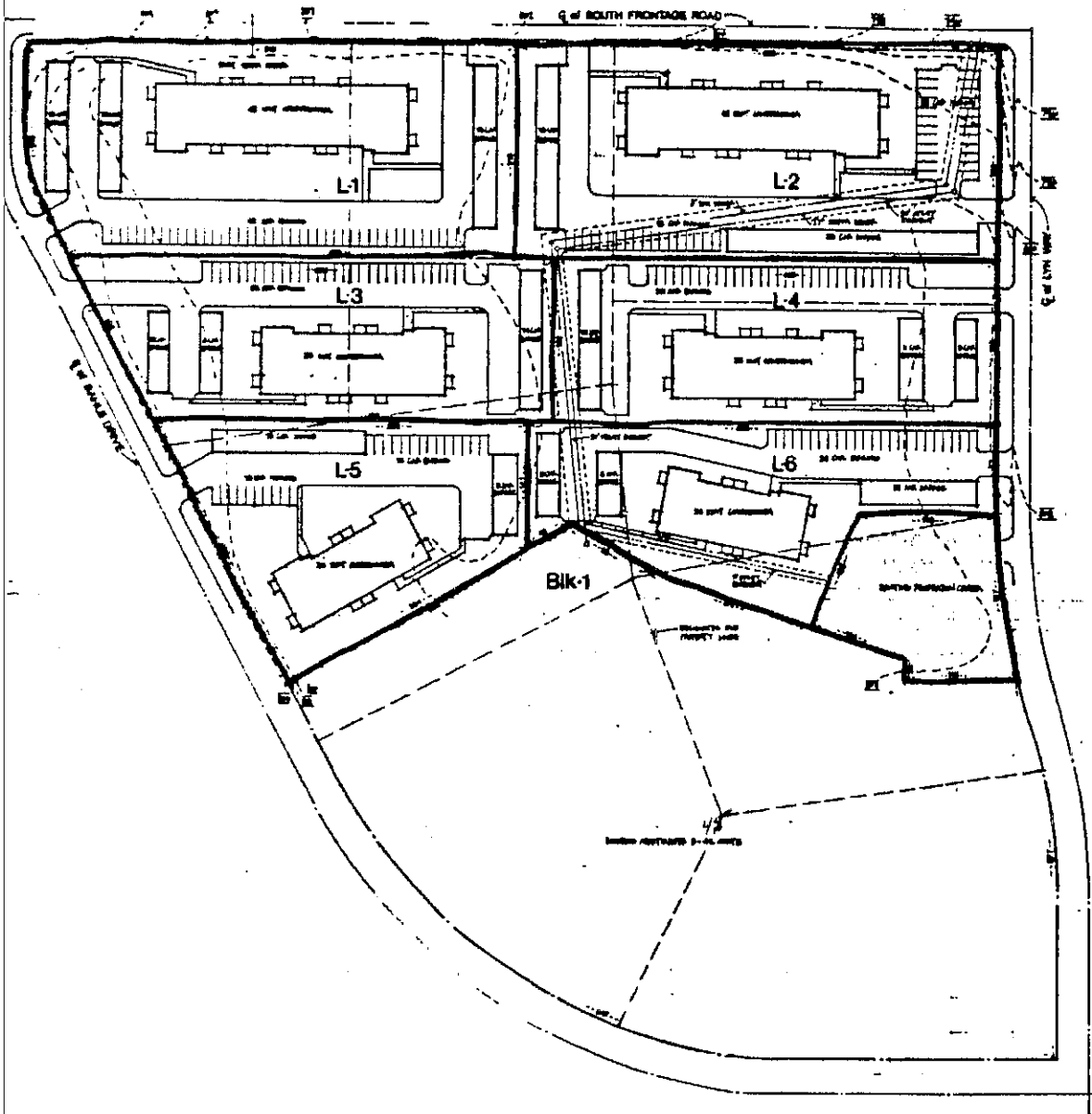
The proposal is consistent with an approval secured in 1973 in which the conditions for rezoning were that the property would not have more than 252 units upon completion. The Planning Commission reviewed this matter and recommended approval of the preliminary plat because it complies with all the requirements of the subdivision regulations.

193 - Units -
+ - 11 Ac - R-4

Provisional Plat
Site - Plans for
Lot 5

Valley Manor 2nd Subdivision

PRELIMINARY PLAT and SITE PLAN
for HASTINGS CONSTRUCTION CO.



VIA 6

MEMO

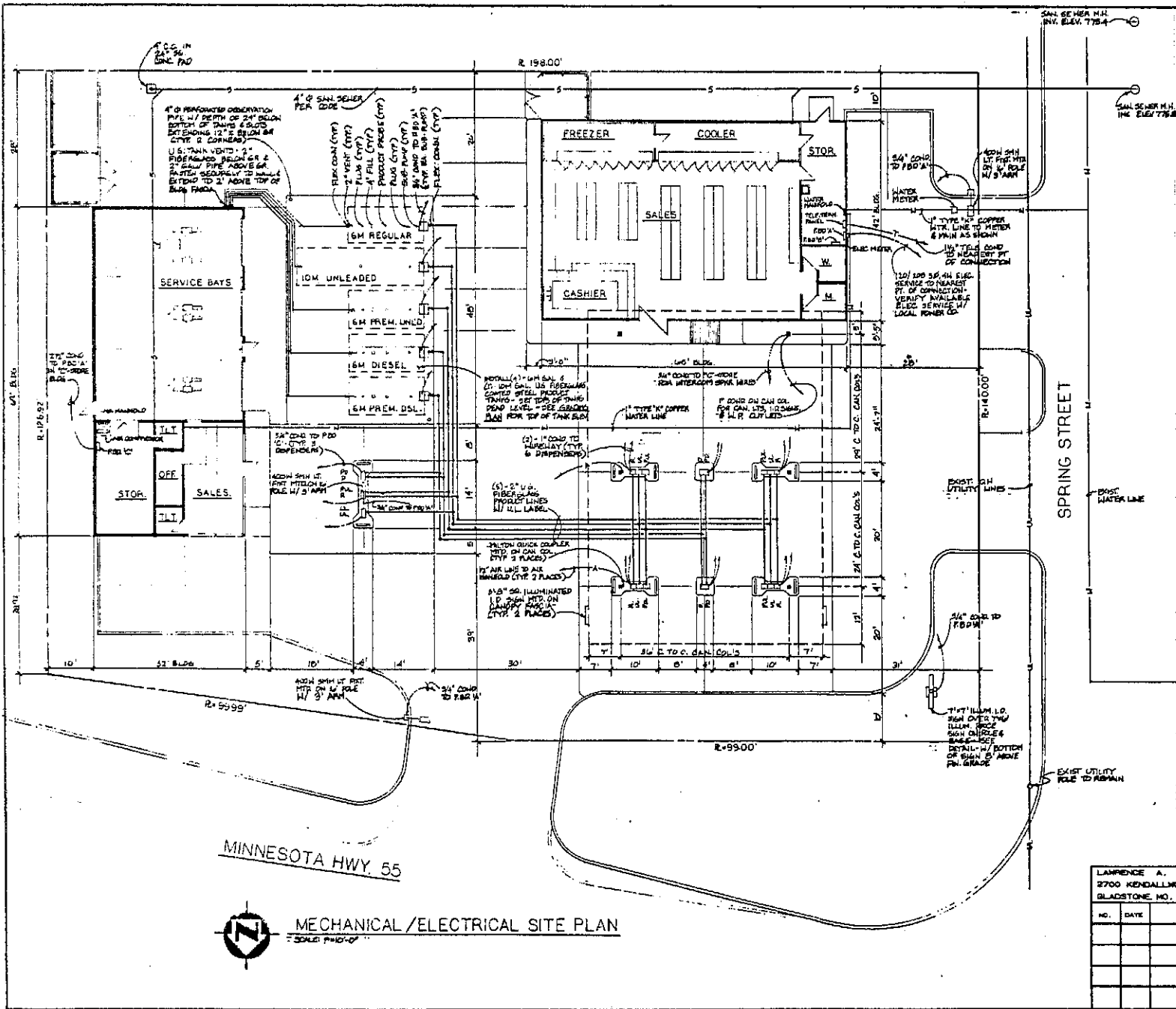
DATE: AUGUST 13, 1985

TO: MAYOR AND CITY COUNCIL

FROM: TOM LOUCKS

SUBJECT: SPECIAL USE PERMIT-LOCAL OIL COMPANY-HWY 55 & SPRING STREET

The applicant is requesting a special use permit approval for this site which is presentally occupied by a Phillips 66 gas station. It is the intention of the applicant to construct a convenience store, gas station and service center on this site which is located in a C3 district. A C3 district requires a special use permit for automobile, service station, motor vehicle repair, and wash facilities. The Planning Commission reviewed this matter and recommended approval of the special use permit subject to the condition that the applicant receive an access permit from the Minnesota Department of Transportation for ingress and egress to State Trunk Highway 55 and further that a 6 foot high screened fence be constructed along the northside of the property.



MECH./ELEC. NOTES

- ELECTRICAL:**
1. PERIMETER AND AREA LIGHTS ARE SHOWN ON THE SITE PLAN.
 2. DO NOT RUN CONDUIT OVER TRUCK AREA.
 3. MINIMUM BORE ELECTRICAL CONDUIT 2 1/2" YARD TO BE 3/4".
 4. PROTECT ELECTRICAL CONDUIT.
 5. ALL ELECTRICAL INSTALLATION TO BE DONE PER N.E.C.
 6. CONSULTOR TO VERIFY AVAILABLE ELECTRIC SERVICE WITH POWER BUREAU.
 7. ALL SERVICES TO BE INSTALLED IN A MANNER WHICH IS SAFE AND MUST BE DONE IN ACCORDANCE WITH ALL APPLICABLE CODES.
 8. ALL ELECTRICAL INSTALLATION TO BE DONE PER N.E.C.
 9. DETAIL IN ACCORDANCE WITH ALL APPLICABLE CODES.
 10. DETAIL IN ACCORDANCE WITH ALL APPLICABLE CODES.
 11. DETAIL IN ACCORDANCE WITH ALL APPLICABLE CODES.
 12. DETAIL IN ACCORDANCE WITH ALL APPLICABLE CODES.
 13. DETAIL IN ACCORDANCE WITH ALL APPLICABLE CODES.
 14. DETAIL IN ACCORDANCE WITH ALL APPLICABLE CODES.
 15. DETAIL IN ACCORDANCE WITH ALL APPLICABLE CODES.
 16. DETAIL IN ACCORDANCE WITH ALL APPLICABLE CODES.
 17. DETAIL IN ACCORDANCE WITH ALL APPLICABLE CODES.
 18. DETAIL IN ACCORDANCE WITH ALL APPLICABLE CODES.
 19. DETAIL IN ACCORDANCE WITH ALL APPLICABLE CODES.
 20. DETAIL IN ACCORDANCE WITH ALL APPLICABLE CODES.

MECH./ELEC. MISCELLANEOUS

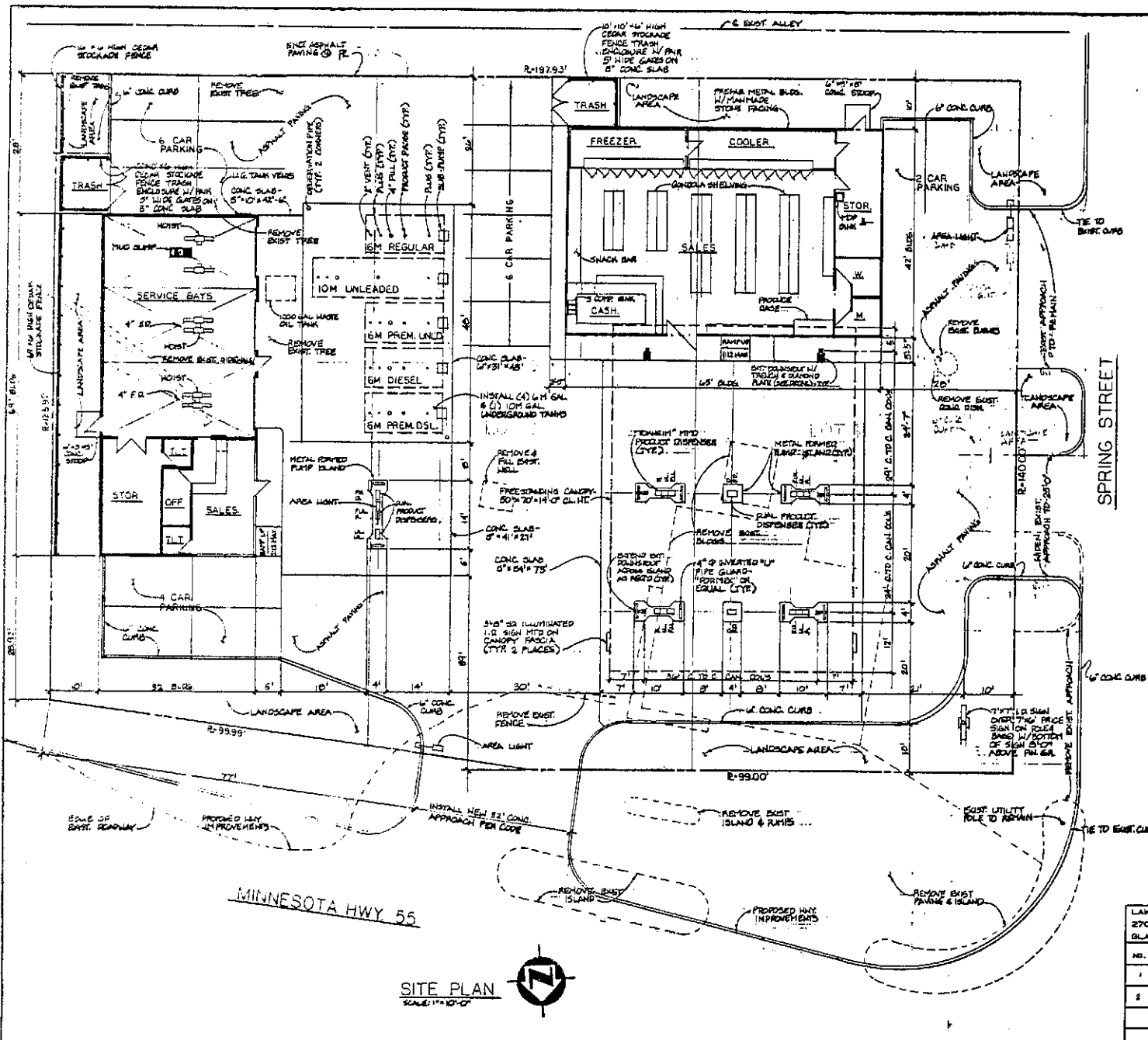
- A. ALL ELECTRICAL INSTALLATION TO BE DONE PER N.E.C.
- B. ALL ELECTRICAL INSTALLATION TO BE DONE PER N.E.C.
- C. CONSULTOR TO VERIFY AVAILABLE ELECTRIC SERVICE WITH UTILITY BUREAU.

MINNESOTA HWY. 55



MECHANICAL/ELECTRICAL SITE PLAN

LAWRENCE A. WIDOMAN, ARCHITECT 3700 KENDALLWOOD PKWY. SUITE 304 BLAUGTON, MO. 64119 816-463-2233			LOCAL OIL COMPANY		
NO.	DATE	REVISION	MN. HWY. 55 & SPRING ST. HASTINGS, MINNESOTA		
			OWNER	DATE DESIGNED	DATE APPROVED
			N.J.S.	8-1-85	
			SCALE	DRAWING NUMBER	SHEET
			1"=10'-0"	1206-85	2



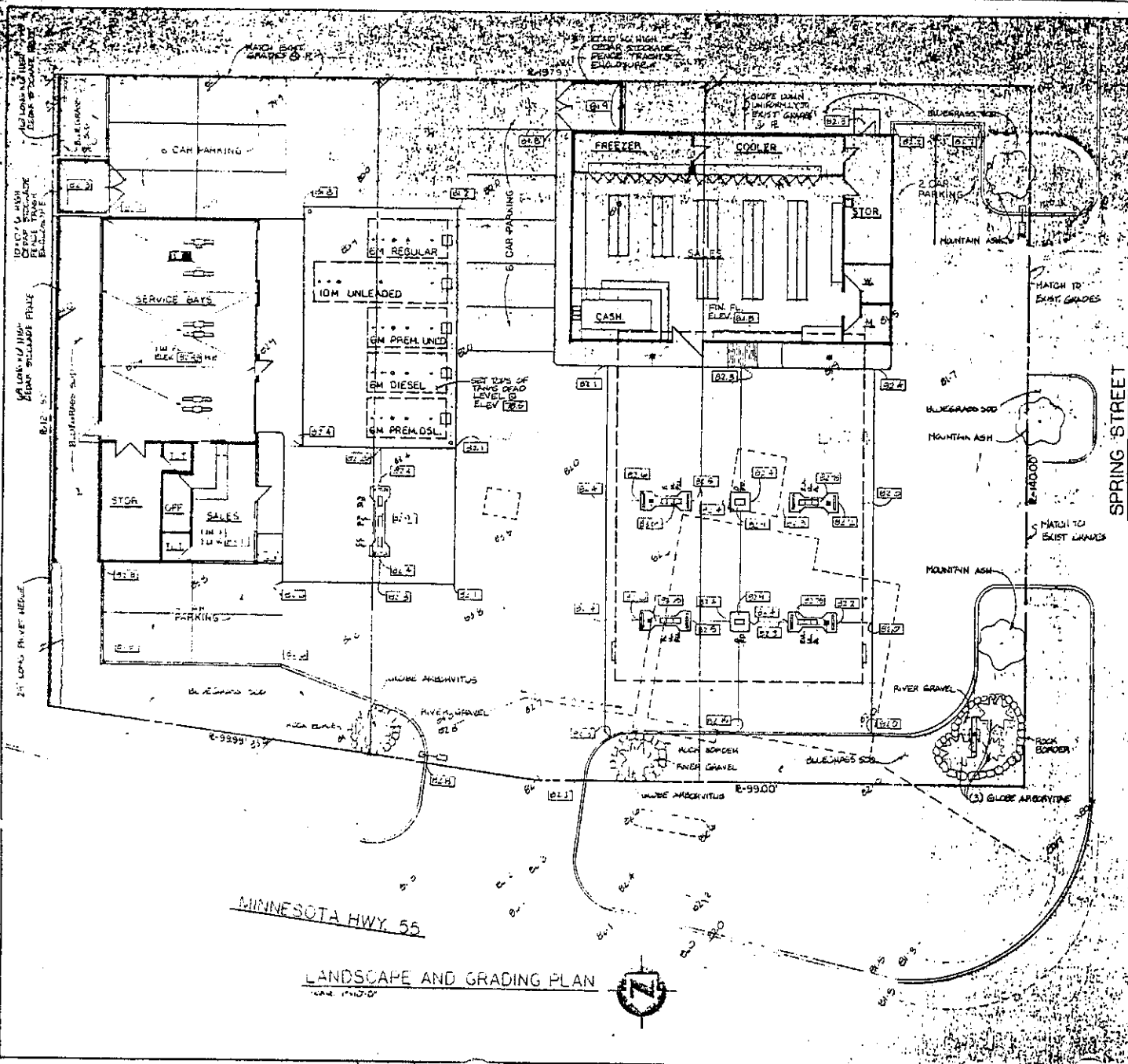
BUILDING OCCUPANCY TYPE: B-1
 TYPE OF CONSTRUCTION:
 TYPE II-ONE HOUR
 FIRE RESISTANCE: 1 HOUR

MINNESOTA HWY 55

SITE PLAN
 SCALE: 1/4" = 10'-0"



LAWRENCE A. WILGHAM ARCHITECT 2700 KENDALLWOOD PKWY., SUITE 104 GLADSTONE, MO. 64119 816-453-2233		LOCAL OIL COMPANY	
NO.	DATE	REVISION	
1	7-24-80	REVISED LAYOUT	
2	8-1-80	REVISED APPROACHES	
DATE	DATE CHECKED	DATE APPROVED	DATE
SCALE	DRAWING NUMBER	SHEET	
1" = 10'-0"	1206-85	1	



MINNESOTA HWY. 55

LANDSCAPE AND GRADING PLAN



LAWRENCE A. WICKHAM ARCHITECT 2700 KENDALLWOOD PKWY, SUITE 104 GLADSTONE, MO. 64119 816-403-2233			LOCAL OIL COMPANY		
NO.	DATE	REVISION	MN HWY 55 & SPRING ST HASTINGS, MINNESOTA		
1	5/18/85	REVISED APPROVED FOR P.R.E.Y.			
2					
3					
			SCALE	DATE	
				12/06/85	

Telephone
612-437-3053

LOCAL OIL COMPANY

1st and Bailey
HASTINGS, MINNESOTA 55033

Hastings, Minnesota
July 25, 1988

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

Dear Mr. Brown:

In regard to our propose "Raze and Rebuild" project at "Jim's 66 Station on Highway 55. We are coming along nicely and plan to meet with the planning Commission on August 12th. Hopefully, if all goes well we will appear before the City Council with a "Special Use Permit Request" on August 19th.

As you know, there has been conversation regarding our access to Highway 55 with one 32 foot entrance. Presently, we have two entrances to Highway 55. With our "Raze and Rebuild" project we plan to move our existing facility off the "Right-of-Way" and meet all set back Codes. We feel that it is absolutely necessary that we continue to have access to that Highway. Therefore, I am requesting that in light of the fact that we will be investing a substantial amount of money that the City pass a resolution that we have one 32 foot entrance to Highway 55 now and continue to have access after Highway 55 is rebuilt as scheduled in the year 1988. I therefore, request, that this matter be put on the City Council agenda for the August 19th meeting

As of this date, I have met breifley with the City Planner, City Engeineer and yourself on this subject. Tomorrow, I Plan to meet again with Mr. Van Berkom Mn Dot on the matter. Hopefully, by everyone being informed we can settle this matter at the August 19th City Council Meeting.

Thank You.

Sincerely,

Bill Birchen
Bill Birchen

C.C. Tom Loucks, City Planner
Jim Kleinschmidt, City Engineer
Earl Van Berkom, Project Manager, Mn Dot

LOCAL OIL COMPANY

VIA7

MEMO

DATE: AUGUST 13, 1985

TO: MAYOR AND CITY COUNCIL

FROM: TOM LOUCKS

SUBJECT: CWL PARKING VARIANCE - 1112 HIGHWAY 55

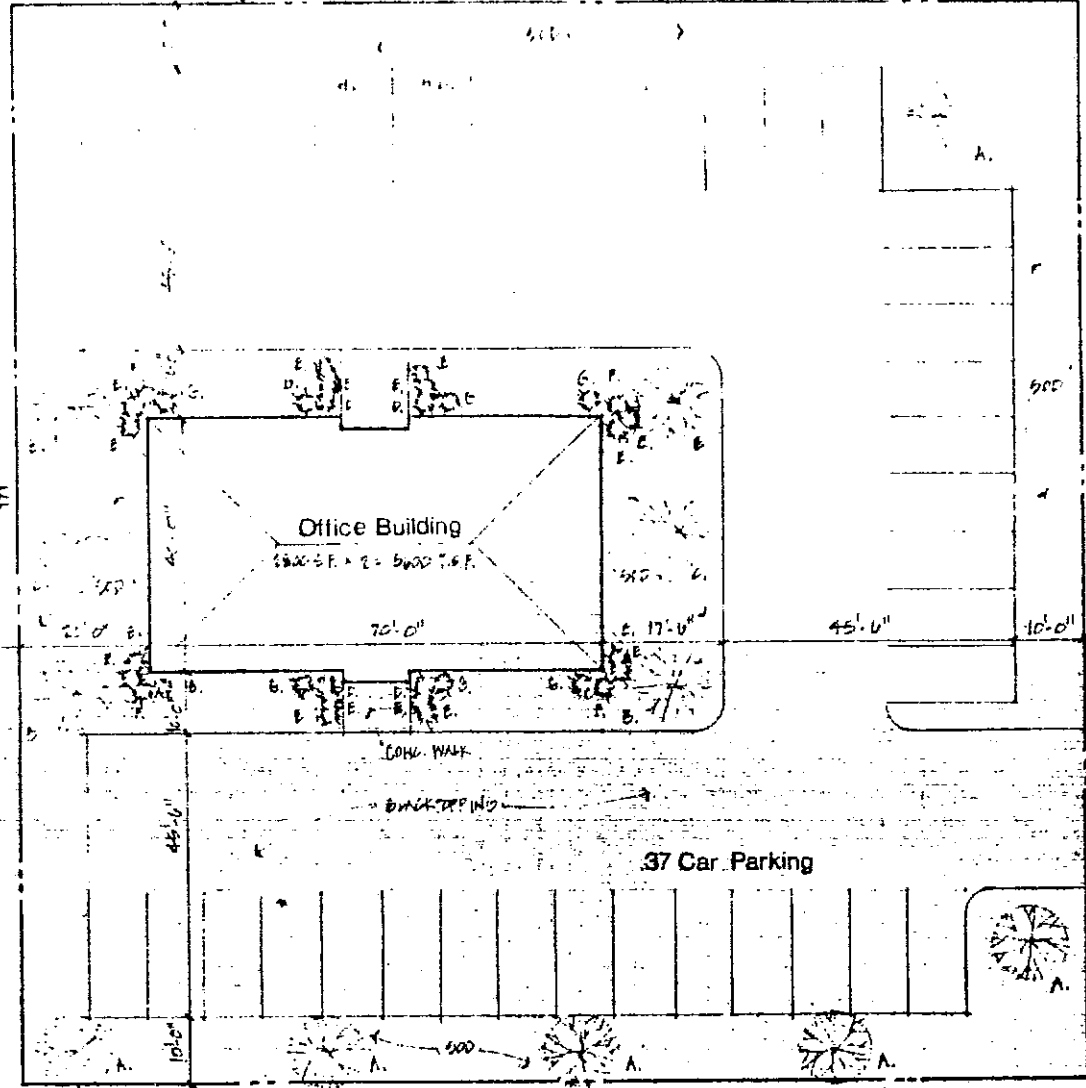
The applicant is requesting a Parking Variance for a site that is approximately 6/10th of an acre in size in order to accomodate a 5,600 square foot office building.

The applicant submitted two site plans for the planning commission to review. That which is noted as Alternative I was submitted in anticipation of the zoning ordinance being amended to allow 1 space for each 150 square feet of floor area. Thus what is being proposed is a 37 car parking facility with the 5600 square foot office building

However, the commission has not recommended that the ordinance be amended but have made a recommendation to allow the parking variance as submitted because it provides for a better layout and use of the land, because there is less lot coverage utilized for blacktop, and more opportunity to provide landscape features which in the long run it is felt would improve the character, quality and aesthetics of the proposal.

Alternative #1

103



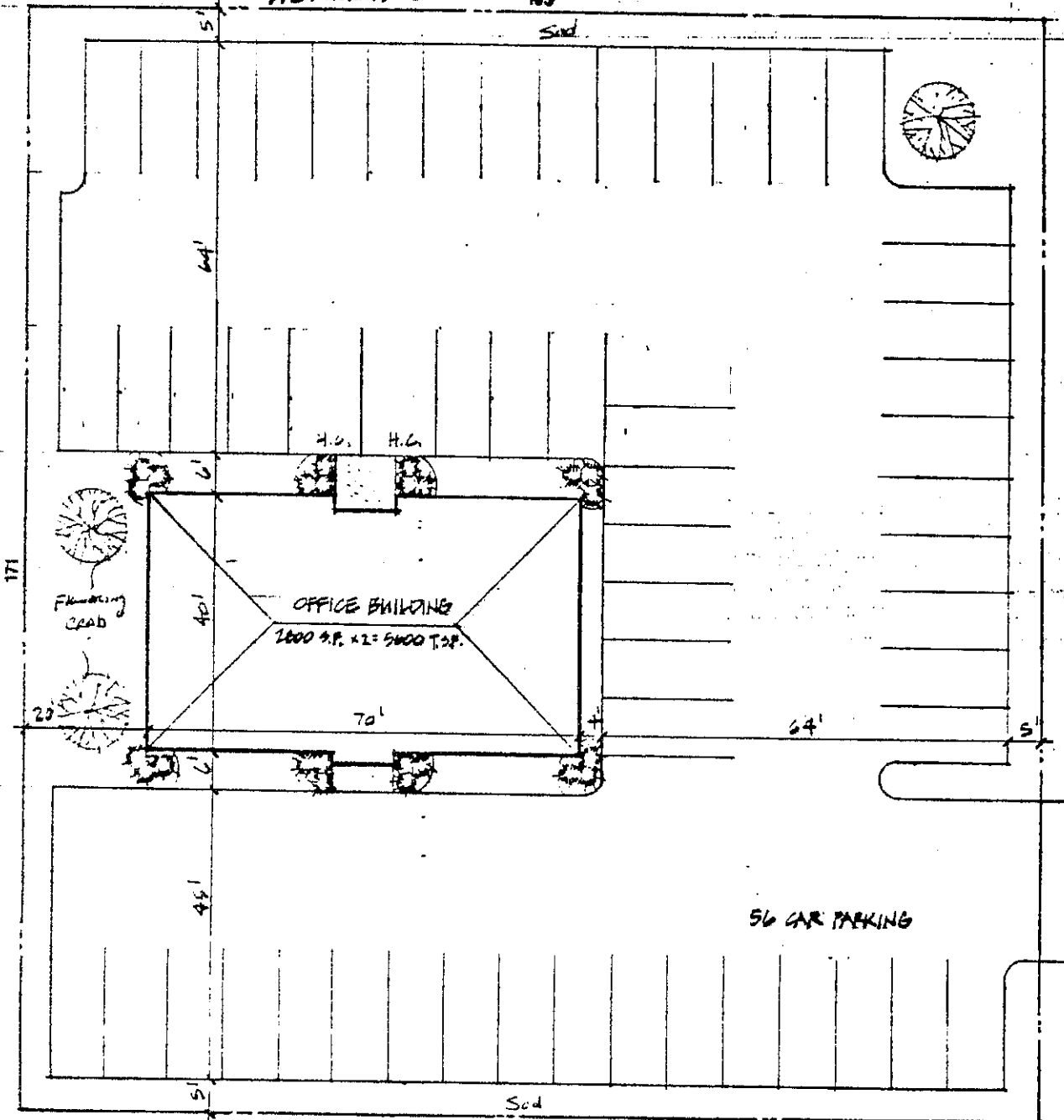
Site Plan

REVISED JAN 24, 1965
5-30-85



George S. W. Lane

Alternative #2 163



OFFICE BUILDING FOR
 CWL DEVELOPERS, INC.
 1112 HIGHWAY 55, HASTINGS
 ALTERNATE SITE PLAN
 N 8-7-85



VIA 8

MEMO

DATE: AUGUST 13, 1985

TO: MAYOR AND CITY COUNCIL

FROM: TOM LOUCKS

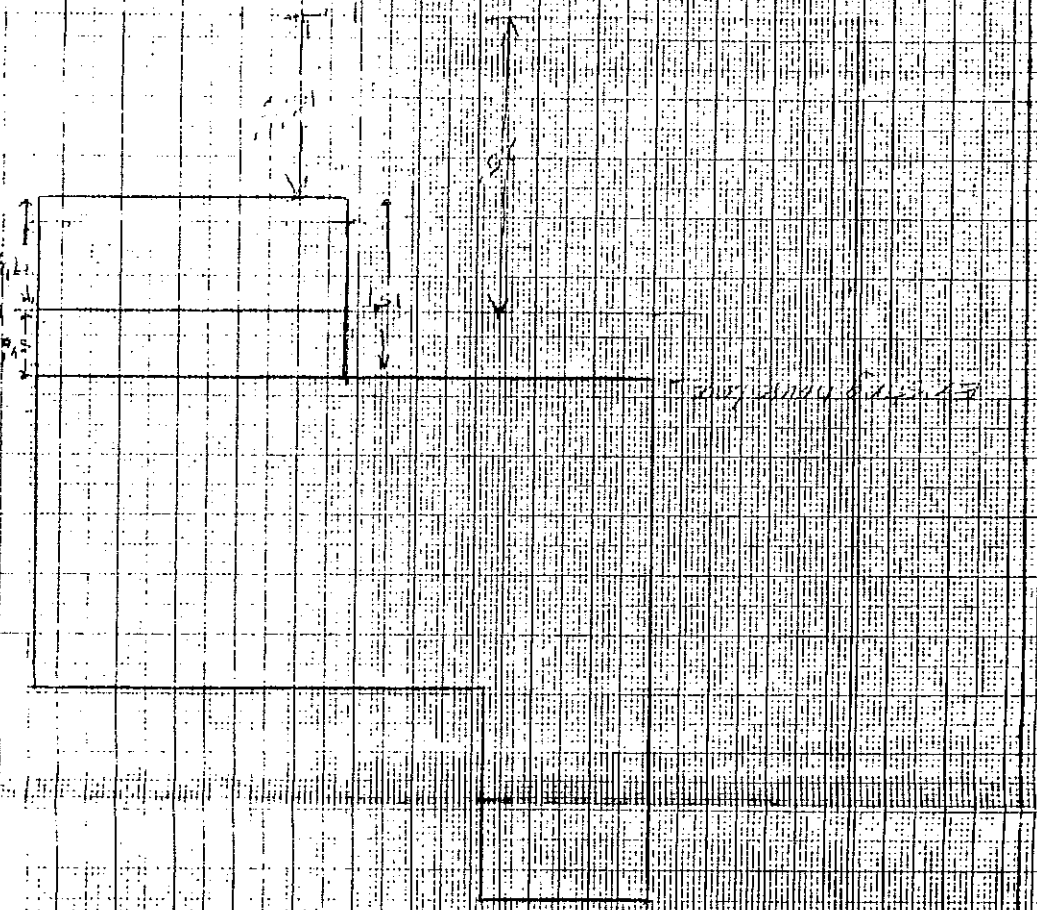
SUBJECT: Ben Stephens-2112 WESTVIEW DRIVE-9.5 FOOT FRONTYARD SETBACK VARIANCE

The applicant requested a 9.5 foot variance from the existing 25 foot setback to a setback of 15 feet in order to allow extending a garage out from the house toward the street line. The Planning Commission unanimously recommended that the variance be denied because 1) there were no special conditions which were peculiar to the land, structures or buildings on the site; 2) that literal interpretation of the city code would not deprive the applicant of rights commonly enjoyed by other properties in the same area; 3) that the special conditions and circumstances that result from this request are created by those of the applicant; and 4) the granting of the variance would confer on the applicant a special privilege that is denied to other lands and structures in the same area.

~~Western Drive~~

22nd Street

Existing Setback
2' Downward of
Variance



V189

MEMO

TO: GARY E. BROWN

FROM: KEITH ROSCH

KR

SUBJECT: CAR PORT

There was a misunderstanding at the council meeting of 8-5-85. I would like to have it put back on the agenda of August 19, 1985 council meeting.

MEMO

DATE: JULY 29, 1985

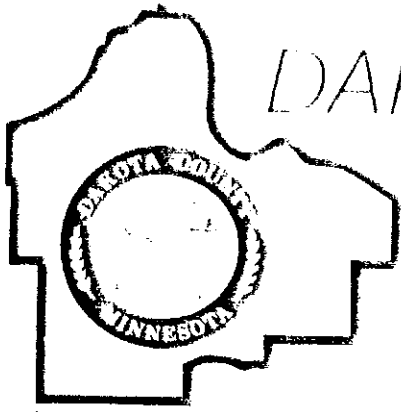
TO: MAYOR AND COUNCIL

FROM: TOM LOUCKS

SUBJECT: KEITH ROSCH-3 FOOT SIDEYARD SETBACK VARIANCE-914 W. THIRD STREET

The applicant is requesting a 3 foot sideyard variance in order to accomodate construction of a carport which will be attached to an existing garage located on the site. It is the intent of the applicant to build the carport up to the limits of the property line.

Upon review of all the factual information presented, the Planning Commission recommended that the application be denied and that the applicant construct the proposed carport to a minimum 30 inch sideyard setback which is required by the zoning ordinance in the R2 district.



DAKOTA COUNTY

FREDERICK W. JOY, JR.
COUNTY ADMINISTRATOR

DAKOTA COUNTY GOVERNMENT CENTER

ROCKY HILL, ILLINOIS 60453

July 29, 1985

LuAnn Stoffel, Mayor
City of Hastings
1171 Southview Drive
Hastings, MN 55033

Dear Mayor Stoffel,

This letter is to acknowledge receipt of the resolution passed by the Hastings City Council on July 15, regarding the City's interest in the County Courthouse and Jail. The resolution was presented to the County Board on July 23.

As the County has demonstrated in the past, we feel it is important that the City and County continue to communicate regarding the status of the Courthouse and Jail. For this reason, I would like to state the County's current schedule for a new Jail and future Courts Building.

At the present time, the County intends to construct a 104-bed jail at the Government Center site, to be completed in 1988. Based upon findings of our consultant, it appears that the County will probably need to retain the existing jail for use at some point in the future as "overflow" when the new jail reaches capacity. This approach is being taken to insure that the County does not "overbuild" the new jail in terms of capacity.

As far as the use of the Courthouse, it appears that the County will have a need for that building for at least five more years. It is not conceivable that the courts function could be removed from the Courthouse until a new Courts building is constructed on the Government Center site. Based upon the County's current funding scheme for capital projects, it does not appear that funds for a Courts building will be available until after the new Jail is completed. Once the new Jail is occupied, however, space currently occupied by the County Sheriff in the Courthouse would be vacated (about 2800 sq.ft.). No use has yet been determined for that space, but obviously the County's office space needs will also have increased by that time.

In summary, even though the County projects a dedicated use for the jail and courthouse over the next five years, it is our feeling that the County shares the same goal as the City; that being to allow for the optimum use of both buildings into the future. Over the next two years, some rather extensive renovation of the Courthouse will occur, following an extensive interior renovation in 1984. This should demonstrate the County's interest in maintaining the structure for future use.

The County Board remains open to discuss any option for the current and future use of the jail and courthouse with the City at any time.

Sincerely,

Frederick W. Joy
Frederick W. Joy
County Administrator

FWJ:vk

ABATEMENTS--

August 5, 1985

Real Estate: Approved

Bud Groth
#19-32150-070-28
Hastings, City of

Property in below average condition. Previous value too high. The 1982 estimated market value should be reduced from \$38,645 to \$27,700. The 1983 estimated market value should be reduced from \$42,600 to \$30,500. The estimated market value for 1984 should be reduced from \$46,900 to \$33,600.

TO: Mayor and Council
FROM: Gary E. Brown
SUBJECT: Chamber request of Official City Maps
DATE: August 15, 1985

As the Council may recall, the Chamber of Commerce requested that the City participate in the preparation of City Maps. On August 6, 1985, a private firm approach the Chamber of Commerce (The day after the Council meeting) regarding the preparation of a City Map in conjunction with the Chamber of Commerce. Their approach would be to sell advertising as the City Council suggested to pay for the construction of the map and obviously to make a profit. We believe that they have worked with 27 other communities in Minnesota and therefore a good reputation. It is conceivable however that they will not be able to sell much advertising as they need in order to complete the project so within the next four to six weeks we may find that we will still have to come up with a way to fund the project but at least at the present time we believe that it can be done privately. No action is needed at this time from the City Council.

c1

August 13, 1985

TO: Mayor and Council
FROM: Heritage Preservation Commission
RE: Appointments and terms of members

1. Under Section 3, B. of the Ordinance Revision, members shall have demonstrated interest or expertise in historic preservation and at least two members shall have professional qualifications. The following list shows the qualifications of the present members:

Thomas Olson - Professional in the areas of architecture and design; owner of registered historic building.

Raulo Malm - Professional in the area of building trades; expertise in principles of rehabilitation.

Bertrand Goderstad - Expertise in area of architectural history; owner of registered building, demonstrated interest in preservation.

Jerome Hoeschen - Demonstrated interest in preservation and heritage of community; owner of registered building.

Mike Simacek - Expertise in building trades and planning, demonstrated interest in preservation.
2. Florence Peterson and Hazel Jacobsen have both demonstrated dedication to historic preservation during their eight years of service on the Commission. Their terms have expired but they will continue temporarily until their successors are appointed. They have been community leaders in heritage preservation, and will continue to assist the Commission with research and advice in the future.
3. The five new members have been appointed for two year terms. As soon as two more new members are appointed, one, two and three year terms will be allocated to insure that their terms do not expire simultaneously.

ORDINANCE REVISION

SEC. 218 HERITAGE PRESERVATION COMMISSION

Section 1. Public Policy and Purpose.

The City Council finds that historical, architectural, archaeological, engineering and cultural heritage of this city is among its important assets. Therefore, the purpose of this chapter is to establish a municipal program of heritage preservation, as authorized by Minnesota Statutes 471.193, to promote the use and conservation of historic properties for the education, inspiration, pleasure and enrichment of the citizens and visitors of Hastings.

Section 2. Definitions.

For the purpose of this chapter, the following words or phrases shall have the meanings respectively ascribed to them by this section.

- A. Significance: The quality of the information, example, interest or meaning represented by the site for understanding and appreciating the past, development or culture.
- B. Historic significance: Associated with activities, processes, events, trends or persons of importance to the community, state or nation.
- C. Architectural significance: Possessing distinctive characteristics of a style, place, period, method or materials of construction, builder or architect.
- D. Cultural significance: A landmark or setting of man-made or natural features, or a combination, possessing meaning primarily by long association or identification with the community and its citizens.
- E. Archaeological significance: An area of land possessing the potential to reveal information important to historic or pre-historic studies.
- F. Engineering significance: A work demonstrating a technology, design or method characteristic of a historic period or activity.
- G. Heritage Preservation Site: An area, district, building, structure or object, when designated for preservation for reasons of its significance by the City Council.

When a concentration of properties are linked by significance and located in a contiguous area, they may be defined by a boundary and designated a Heritage Preservation District with the same protection and meaning as a Historic Preservation Site under this ordinance. Land and structures which do not contribute to the significance of the district may be included within the boundaries of the Heritage Preservation District when necessary to protect the significance and visual unity of the whole.

Section 3. Heritage Preservation Commission Established.

A. This ordinance establishes the Hastings Heritage Preservation Commission with the following responsibilities:

1. To conduct continuing surveys and research in order to identify properties which have historic, architectural, archaeological, engineering or cultural significance to the community.

2. To recommend properties which meet the criteria of significance stated herein for designation as Heritage Preservation Sites.

3. To protect Heritage Preservation Sites by public review of all proposed alterations, relocations, demolitions or new construction within designed site boundaries.

4. To advise property owners and educate the public in appropriate maintenance, rehabilitation or restoration methods. To encourage continued uses, compatible with their character, of Heritage Preservation Sites.

5. To promote public recognition and appreciation for Heritage Preservation Sites.

B. Members. The Hastings Heritage Preservation Commission, hereinafter the "Commission" shall consist of seven voting members appointed by the Mayor, with the advice and consent of the City Council. Members must reside in the municipality.

1. At least one member will be an architect, or if an architect not be available, an experienced person of the building trades.

2. At least one member will be a professional or experienced person in the areas of history, architectural history, archaeology, planning, real estate, design, building trades, landscape architecture or law.

3. The other members shall be drawn from persons with a demonstrated interest and/or expertise in historic preservation.

4. One member will be designated as their representative by the County Historical Society.

5. The Planning Commission and the Housing and Redevelopment Authority shall each designate one of their members as their liason who shall be notified of all meetings of the Historic Preservation Commission.

C. Appointment of Members. Members shall be appointed by the Mayor with the approval of the Council upon recommendations by the Commission. Initial appointments shall be two members for one year, two members for two years and three members for three years. Subsequent appointments shall be for a term of three years. Vacancies from resignation or other causes shall be filled by appointment for the remainder of the unexpired term. Members shall serve without compensation and continue to hold office until their successors have been appointed and qualified.

D. Organization. The Commission, when formed, shall elect from its members, such officers as it may deem necessary. The Commission shall have the power to designate and appoint from its members various committees with powers and

duties of the Commission. The Commission shall make such rules and regulations as it may deem advisable and necessary for the conduct of its affairs, for the purpose of carrying out the intent of this ordinance, which are not inconsistent with the laws of the City and the State of Minnesota.

E. Annual Report. The Commission shall make an annual report by October 31st, containing a statement of its activities and plans, to the Mayor, the City Council, the City Administrator, the Building Official, and the Chairman of the Hastings Housing and Redevelopment Authority, the City Planner, and the State Historic Preservation Officer.

F. Meetings. The Commission shall meet no less than four times a year: to initiate surveys and nominations of properties, to review potential Heritage Preservation Sites, to make recommendations of properties to City Council for designation, and to prepare the Commission's annual report.

In addition, the Commission will meet at its earliest convenience, when called by the Chairman, to review such building permits or applications as are referred to it by the City Building Official or City Planner.

G. Staff Assistance. To accomplish the intent and purpose of this ordinance, the City of Hastings shall provide the Commission with adequate staff support and supplies, including the assistance of City Building Official, the City Planner, and other staff designated by the City Administrator to perform the duties prescribed under this ordinance.

Section 4. Designation of Heritage Preservation Sites.

A. Surveys. The Commission shall conduct a continuing survey of properties and shall provide procedures for citizens to nominate properties for consideration as Heritage Preservation Sites. The Commission shall conduct research and documentation of properties which it has reason to believe are significant to the community.

B. Criteria. The Commission shall recommend properties to the City Council for designation as Heritage Preservation Sites. In order to be recommended for designation, the Commission must determine that the property being considered possesses historic, architectural, cultural, archaeological or engineering significance as defined above. Furthermore in making its recommendation, the Commission shall consider the following conditions:

1. That the location and setting is compatible with future preservation and use.

2. That the physical condition is such that preservation maintenance or adaptive use is economically feasible.

3. That the distinguishing characteristics of significance are for the most part original and intact or capable of restoration.

4. The existing or proposed use is compatible with the preservation and maintenance of the site.

C. Planning Commission Review.

The Heritage Preservation Commission shall advise the City Planning Commission of the proposed designation of a Heritage Preservation Site, including boundaries and secure from the City Planning Commission its recommendation with respect to the relationship of Heritage Preservation Site designation to the comprehensive plan of the City of Hastings, its opinions as to the effect of the proposed designation upon the surrounding neighborhood, and its opinion and recommendation as to any other planning consideration which may be relevant to the proposed designation, together with its recommendation of approval, rejection, or modification of the proposed designation. The said recommendation shall become part of the official record concerning the proposed designation and shall be submitted by the Heritage Preservation Commission along with its recommendation concerning the proposed designation to the City Council. The Heritage Preservation Commission may make such modifications, changes, and alternations concerning the proposed designation as it deems necessary in consideration of the recommendations of the City Planning Commission.

D. Findings and Recommendations.

The eligibility of a property for designation as an Heritage Preservation Site shall be determined by the Commission in open meeting, notice of which shall have been sent to all owners of property considered for designation, with opportunity for public comment. The Commission shall adopt a resolution of recommendation for each site or for a district.

E. State Historic Preservation Office's review of future Heritage Preservation Sites.

Prior to making its recommendation to the Council, every proposal of designation by the Commission shall be sent to the State Historic Preservation Office for review and comment in writing within sixty days.

F. Council Designation.

The Commission shall forward its recommendations, together with its findings of significance and eligibility, and with the comments of the Planning Commission and of the State Historic Preservation Office, to the City Council.

The City Council, upon recommendation of the Commission may, by resolution, designate a Heritage Preservation Site. Prior to such designation, the City Council shall hold a public hearing, notice of which shall have been published in a newspaper of general circulation at least 20 days prior to the date of the hearing, and notice of the hearing shall be sent to all owners of property which is proposed to be designated a Heritage Preservation Site and to all property owners within 200 feet of the boundary of the area to be designated a Heritage Preservation Site.

G. Acquisition.

The Commission may recommend to the City Council, after review and comment by the City Planning Commission, that certain property eligible for or designated as

a Heritage Preservation Site be acquired by gift, by negotiation, or by eminent domain as provided in Chapter 117 of Minnesota Statutes.

H. Recording of Heritage Preservation Sites.

1. The office of the City Clerk shall record with the Dakota County Recorder or the Dakota County Registrar of Titles, the legal description of all buildings, lands, or areas designated as Heritage Preservation Sites by the Council, and shall send a copy to the Building Official.

2. Heritage Preservation Commission records.

a. The Commission shall keep current and public a list of all properties designated as Heritage Preservation Sites, or included in the State or the National Register of Historic Places.

b. The Commission will provide the Building Official and the City Planner with current lists and maps showing Heritage Preservation Sites and Districts for their use in referring applications to the Commission.

c. The Commission will conform to the procedures of the Division of Archives and Manuscripts of the Minnesota Historical Society and to Minnesota Statutes 138.17 on the disposition of records.

Section 5. Additional Powers and Duties of the Commission.

The Commission shall have the following powers and duties in addition to those otherwise specified in this chapter:

A. The Commission shall review and comment on applications pertaining to land use, signs, subdivisions and site plans on properties designated Heritage Preservation Sites referred to the Heritage Preservation Commission by the Planning Commission or City Council.

B. The Commission shall request, as needed, the Planning Commission, the Housing and Redevelopment Authority or the City Council to adopt measures required or appropriate for the preservation, protection or maintenance of Heritage Preservation Sites included but not limited to variances or amendments to the zoning code, rules governing construction, demolition, alteration or use, or the removal or repair of blighting influence incompatible with the physical well-being of designated properties.

C. The Commission shall provide general preservation plans and guidelines to owners of Heritage Preservation Sites regarding maintenance, restoration, and rehabilitation.

D. The Commission shall promote public recognition and appreciation for Heritage Preservation Sites. It shall periodically publish a register of designated and potential Heritage Preservation Sites and Districts, along with guidelines and preservation programs available at that time.

E. The Commission may contract the services, on a permanent or part-time basis, of technical experts and such persons as may be required to perform its duties;

subject to approval of the City Council.

F. The Commission has the authority to accept gifts and contributions to be made to the City, and to assist the City Staff in the preparation of applications for grant funds to be made by the City, for the purpose of Heritage Preservation.

G. The Commission shall make no application to the National Register or to the State of Minnesota for the designation of an Historic Site or District without the consent of the City Council.

Section 6. Review of Permits.

A. Pursuant to provision of the Uniform Building Code, as adopted by City Council, Section 303 (a) Issuance of Permits, the Building Official shall immediately refer applications for building permits for proposed alterations, relocations, demolition or new construction within the boundaries of designated Heritage Preservation Sites of the City of Hastings to the Heritage Preservation Commission for their review and written approval or disapproval. Alteration includes but is not limited to remodeling, repair, signs or fences that will change the exterior appearance. Demolition may include the whole or any part of a building.

B. Permit Application and Plans. Every application for a building permit in relation to property designated as a Heritage Preservation Site shall be accompanied by plans, photographs, specifications or a written description fully describing the proposed work which shall be provided to the Heritage Preservation Commission.

C. Permit Issuance. The Building Official shall not issue permits for these applications until receiving written approval from the Heritage Preservation Commission, subject however; to paragraphs F,G, and H of this Section.

D. Commission Review. The Heritage Preservation Commission shall meet at its earliest convenience upon receipt of the application to determine if the work adversely affects the preservation and architectural character of the Heritage Preservation Site. The Commission may, by rule, designate a sub-committee of the Commission to review applications and approve Certificates of No Change, authorizing the Building Official to issue permits. All applications which do not meet the conditions for a Certificate of No Change shall be reviewed at a full Commission meeting.

1. The Heritage Preservation Commission shall conduct a public hearing for the purpose of receiving the recommendations from concerned citizens and the applicant. Notice of the public hearing shall be published in a newspaper of general circulation and sent to the permit applicant at least seven days prior to the date of the hearing.

2. If it is determined that the work to be performed does not adversely affect the site, the application shall be approved and the Building Official immediately informed in writing.

3. If it is determined that the work to be performed does adversely affect the site or district, the application shall be disapproved and the Building Official immediately informed in writing. The Commission shall furnish the permit applicant with a copy of the decision together with recommendations for changes necessary before the Commission will reconsider the permit application.

E. Criteria. When reviewing an application as described under paragraph D of this Section, the Commission shall consider whether the work affects the Heritage Preservation Site in the following cases.

1. Proposed alteration or addition to an existing building, structure or site. The Commission will consider whether or not the work will adversely impair the significance or character of the Heritage Preservation Site. The Commission's written findings shall refer to the following criteria.

(a) The distinguishing original qualities, character or appearance shall not be destroyed. The removal or alteration of historic or original material, or distinctive architectural features shall be avoided. In the event that removal or alteration of historic or original material is determined to be necessary, the work shall be done in such a way as to minimize the adverse effect.

(b) Deteriorated architectural features shall be repaired rather than replaced. In the event that replacement is determined to be necessary, the replacement shall be an accurate duplication of the design, color, texture and other visual qualities of the original, substantiated by historic, physical or pictorial evidence rather than on conjecture.

(c) The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting, other cleaning methods, sealants, coatings and paints shall not damage or appreciably change the material, color and texture of original surfaces.

(d) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy original, historic, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.

(e) Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.

(f) The Commission will be guided by the Secretary of the Interior's Standards for Rehabilitation, as well as by any local standards or guidelines adopted by the Commission for Heritage Preservation Sites, districts and neighborhoods. In all cases, the Commission will give consideration to the amount and quality of original material and design remaining in the building when applying criteria, guidelines and standards. Consideration will also be given to clear cases of

economic hardship or to deprivation of reasonable use of the owners property.

2. Proposed demolition or removal of a building or structure. The Commission will consider whether or not the demolition or removal is necessary, and its effect on the surrounding building and neighborhood. The Commission's written findings shall refer to the following criteria.

(a) Consideration shall be given to the significance or architectural merit of the building itself, and the contribution the building makes to the historic or architectural character of the neighborhood or district.

(b) Consideration will be given to the economic value, usefulness and replacement cost of the building as it now stands and as remodeled or rehabilitated, in comparison to the value or usefulness of any proposed structures designated to replace the present building or buildings.

(c) Consideration will be given to the present structural integrity of the building to determine whether or not it constitutes a clear and present danger to the life and safety of the public. The Commission may contract for a professional estimate of the structural integrity and an estimate of the cost of correcting dangerous deficiencies, with Council approval.

(d) Consideration will be given to the effect of demolition and of proposed new construction on the adjacent buildings and on the architectural and historic character of the neighborhood or district.

3. Proposed new construction or relocation. The Commission will consider the effect of the work on the historic and architectural character of the surrounding buildings and neighborhood. The Commission's written findings shall refer to the following criteria.

(a) Contemporary design for new construction shall not be discouraged, but should be compatible with scale, color, texture, materials and other visual qualities of the surrounding buildings and neighborhood.

(b) The new building should be compatible with the height, width, depth, massing and setback or the surrounding buildings.

(c) The amount of solid wall to window and door openings, and the placement of window and door openings, should be proportional to that of the surrounding buildings and neighborhood.

(d) The shape and pitch of the roof or cornice should be compatible with that of the surrounding buildings and neighborhood.

F. Limitations. If within 30 days from the filing of building permit application, the Commission has neither approved or denied the building permit application, the plans and permit application shall be deemed to have been approved by the Commission, and if all other requirements of the City have been met, the Building Official shall authorize a permit for the proposed work. By vote of the Commission and notification of the Building Official, the 30 day period may be extended by 15 days in cases where professional study or recommendation is required

and the 30 day period is not sufficient to do the work. No permit shall issue or work commence in the event the Commission disapproves the application in accordance with this ordinance.

G. Emergency Repair. In emergency situations where immediate repair is needed to protect the safety of the structure and its inhabitants, the Building Official may approve temporary or limited repair without prior Heritage Preservation Commission action. In the case of a permit issued pursuant to this paragraph, the Building Official shall immediately notify the Heritage Preservation Commission of its action and specify the facts or conditions constituting the emergency situation.

H. Appeal to City Council. The permit applicant or any party aggrieved by the decision of the Heritage Preservation Commission shall, within ten (10) days of the date of the Heritage Preservation Commission's order and decision, have a right to appeal such order and decision to the City Council. The appeal shall be made by delivering to the City Clerk two copies of a Notice of Appeal and statement of reasons setting forth the grounds for the appeal. The City Clerk shall transmit one copy of the Notice of Appeal and statement to the City Council and one copy to the Heritage Preservation Commission. The Heritage Preservation Commission, in any written order denying a permit application, shall advise the applicant of this right to appeal to the City Council and include this paragraph in all such orders.

Section 7. Penalty for Violation.

An owner or occupant of any area, place, building, structure, or other object within a duly designated Heritage Preservation Site who violates the provision of this chapter shall be guilty of a misdemeanor. Any architect, builder, contractor, agent, person or corporation who assists in the commission of a violation of this chapter shall be guilty of a misdemeanor. For each day an owner or occupant of any area place building, structure, or other object within a duly designated Heritage Preservation Site allows any work to be performed on any area, place, building, structure or other object in violation of Section 6 herein, it shall constitute a separate violation of this chapter, and it shall be punishable as such. A Heritage Preservation Site on which there exists any remodeling, repairing, construction, or a building moved in violation of this chapter, is hereby declared a nuisance, and the imposition of the penalties herein prescribed shall not prevent the City of Hastings from instituting an appropriate action or proceeding to prevent an unlawful remodeling, repair, construction, building, building moving or demolition, or to restrain, correct or abate a violation.

Section 8. Repository for Documents.

A separate file in the Building Official's office is designated as the repository for at least one copy of all Commission minutes, forms, studies, reports, recommendations and correspondence required under Sections 4, 5 and 6 of this ordinance.

All minutes and records will be available for public inspection during normal business hours.

Section 9. Severability.

In case any section of this ordinance is held invalid by a court of competent jurisdiction, the invalidity shall extend only to the section affected, and other sections of this ordinance shall continue in full force and effect.

Section 10. Former "Historic Places" designated as Historic Preservation Sites.

By Resolution 125-77, the City Council of the City of Hastings endorsed and concurred with the listing of certain properties on the State and National Registers of Historic Places, and designated them as "historic places" in the City of Hastings. In recognition that the City Council found those properties appropriate for preservation, said properties are hereby designated Historic Preservation Sites within the meaning of this ordinance. These properties are as follows:

VanDyke-Libby House at 612 Vermillion Street.
Byron Howes House at 718 Vermillion Street.
Rudolph Latto House at 620 Ramsey Street.
Dakota County Courthouse at Vermillion Street between 3rd & 4th.
Full Gospel Assembly Church at northeast corner of 8th & Vermillion
Thompson-Fasbender House at 649 West 3rd Street
Ignatius Eckert House at 724 Ashland Street
Hastings West 2nd Street Residential Historic District
Hastings East 2nd Street Commercial Historic District
W.G. LeDuc House at 1629 Vermillion Street

The following properties, placed on the National Register with City Council approval in 1979, are also hereby designated Historic Preservation Sites within the meaning of this ordinance.

Fasbender Clinic at 801 Pine Street
Hastings Foundry - Star Iron Works at 707 E. 1st Street
MacDonald-Todd House at 309 W. 7th Street

TO: Mayor and City Council
FROM: Dianne Latuff *Dianne*
SUBJECT: Cable Commission Appointment
DATE: August 15, 1985

The Cable Commission has a vacancy due to the resignation of Pastor Smith. Mr. Art Siebenaler has expressed interest in being on the Commission.

Staff is recommending Art Siebenaler be appointed to fill the unexpired term of Pastor Smith on the Cable Commission.

c1

TO: Mayor and Council
FROM: Gary E. Brown
SUBJECT: 1985 Contract Amendment-Local 320 Fire
DATE: August 15, 1985

Subsequent to the passing of the most recent Fair Labor Standards Act (FLSA), the City has been put in the position of renegotiating the Fire contract to bring into compliance with FLSA.

Since the FLSA was neither brought on by the City nor by the employees, all concerned have attempted to renegotiate the contract so that it maintains equity with the existing contract for both employer and employee.

The following is an overview of the points that have been discussed:

- 1). The FLSA does not allow for work in excess of 53 hours (For Firefighters) at straight time and the City's firefighters currently work 56 hours.

The 56 hour schedule will remain, but the hourly rate will be reduced to compensate for the 3 hours worked at $1\frac{1}{2}$ time. (So ultimately the monthly gross remains the same).

- 2). There will be general language changes regarding 'on-call' time clarification, ambulance runs/fire calls, and instructional/educational time. The FLSA does not allow for flat rates to be paid, but requires $1\frac{1}{2}$ time. The Fire Department has also requested a minimum of $1\frac{1}{2}$ hours for ambulance calls.
- 3). Holidays are now paid in cash for 90 hours at the regular rate. Since the regular rate is reduced the hours would be adjusted to $92\frac{1}{2}$.
- 4). The final point is that if there should be action by Congress to eliminate public safety employees, or all public employees, from the most recent action of FLSA, that the city would revert back to the existing contract in 1985.

The Fair Labor Standards Act is quite complex but most definitely sets certain standards. Please feel free to contact either Dianne or myself if you have any questions.

Staff recommends the 1985 Fire Contract be amended as cited above.

c1

TO: Mayor and Council
FROM: Gary E. Brown
SUBJECT: Anson Elevator
DATE: August 15, 1985

The Anson Elevator is currently in a bankruptcy proceedings and is being considered for sale. The Mortgage Holder is accepting proposals through August 23, 1985. The Mayor has made several inquiries of interested parties regarding the possible conversion of this elevator to a Residential Housing Unit. I have had discussion with the Dakota County HRA regarding possible Housing Financial tools. Mayor would further discuss with the Council some opinions which she feels are available to the City.

c1

TO: Mayor and Council
FROM: Gary E. Brown
SUBJECT: Letter from School District (Zoning Request)
DATE: August 15, 1985

Over a year ago the School District requested that the City rezone their Agricultural land to Commercial. At that time the City Planner, Paul Burns suggested to the City Council that a market analysis be done on the amount of land needed to serve Hastings and the surrounding area. The Planner expressed concern of having too much commercial land available and thereby deleting the existing commercial properties. This increases the demand upon services and requires citizens to travel further to do shopping.

Please find enclosed a copy of the comprehensive plan which does indeed deal with the proposed commercial zone. Staff believes that the request should be sent to the Planning Commission for their consideration and recommendations. It is conceivable that some sort of compromise might be reached in regards rezoning as it relates to a portion of the land being zoned commercial and the remaining portion possibly being zoned residential (Multi Family).

cl

Phone 437-6111



Hastings Public Schools

INDEPENDENT SCHOOL DISTRICT 200
HASTINGS, MINNESOTA 55033

August 8, 1985

Kenneth J. LaCroix
SUPERINTENDENT

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

Dear Mr. Brown:

The District 200 Board of Education has for sometime held extensive discussion on the future of the land owned by the district on the western edge of the City of Hastings at the intersection of Highway 55 and Pleasant Drive. It was unanimously agreed and formally resolved that the Board of Education request of the City Council that the land be zoned from agricultural to commercial status.

Attached is a graphic of the piece of property; it is bordered by Pleasant Drive on the east, Highway 55 on the north and the corporate city limits on the west. The area is approximately 57 acres.

The original parcel was approximately 71 acres, purchased some fifteen (15) years ago with the intent that some day District 200 may want to build a school facility on that site. In the past fifteen years, the demographics of the district and the attendance areas have changed dramatically. Fifteen years ago, that area west of town was completely vacant. Fifteen years ago, the district was in the process of doubling its student population.

The attendance areas have changed dramatically; ten years ago, one-third of the student population lived in the rural townships and villages and two-thirds lived in the corporate city limits of the City of Hastings. Today, one-half of the school population lives in the City of Hastings and the other fifty percent live in the surrounding townships and villages.

Richard Larson
DIRECTOR
GENERAL SERVICES

Edward L. McNeary
BUSINESS MANAGER

Loren Gratz
DIRECTOR
SPECIAL SERVICES


John Taylor
DATA PROCESSING
COORDINATOR

Donald Kramlinger
DIRECTOR
COMMUNITY EDUCATION

In summary, the District 200 Board of Education does not see the aforementioned site as an appropriate location for a school building. Therefore, the board is asking, per the City of Hastings' comprehensive plan, for commercial zoning while looking to the future prospects of putting the property back on the tax rolls.

On behalf of the Board of Education, I seek your full consideration of this request. Should you have any questions, please feel free to contact me.

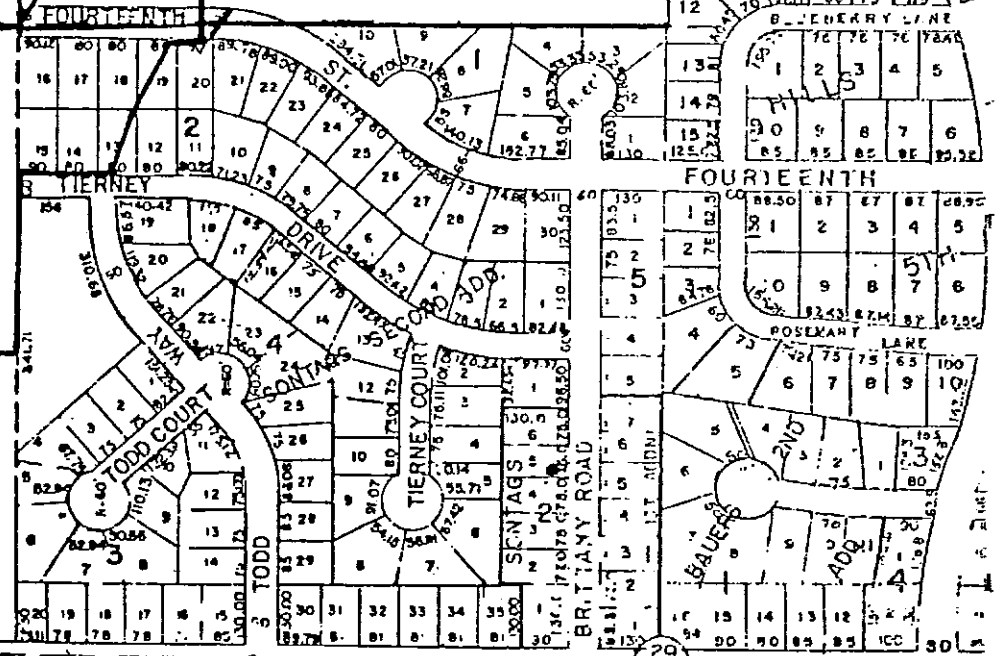
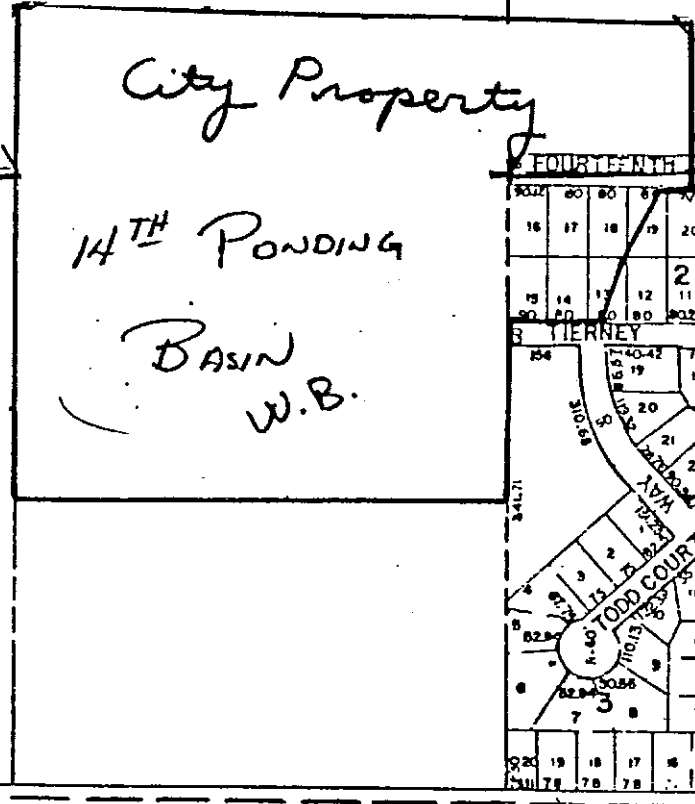
Sincerely yours,


Kenneth J. La Croix
Superintendent of Schools

KJL:sm

cc: Mr. Jack Lewis

SCHOOL DISTRICT 200 PROPERTY

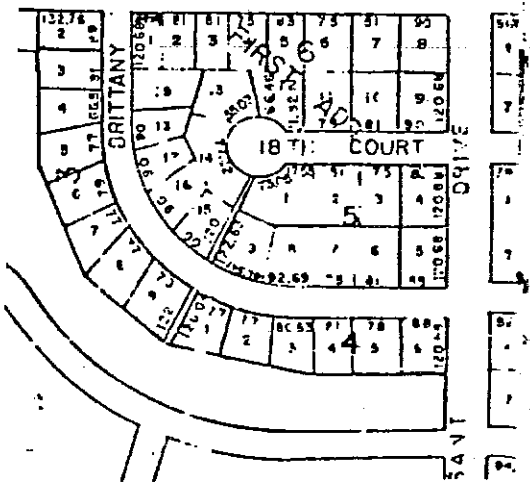


CORP. LIMITS

LEGAL DESCRIPTION

The North Half (N 1/2) of the Southwest Quarter (SW 1/4) of Section Twenty-nine (29), Township One Hundred Fifteen (115), Range Seventeen (17), subject to highway, according to the United States Government Survey thereof.

(Minus 13.05 acres sold to City of Hastings)



Limitations should also be enforced in considering adjacent use to new highway commercial. Several buildings on Vermillion Street are either already on the Historic Register or are nominated for such designation. The character and quality of these heritage homes would suffer dramatically if further encroached upon by commercial development.

3. Westview Mall

The Westview Mall area is accommodating much of the population growth of the City. The commercial space has generated some fast food establishments and expanded across TH 55.

New businesses should fill in the designated commercial area, taking advantage of the frontage roads and internal circulation system. No businesses should be allowed new direct access onto TH 55. Pleasant Drive should be used to accommodate ingress and egress to the commercial district.

4. Neighborhood Convenience

The need for neighborhood convenience centers will be minimal in the near future. Existing development accomplished this purpose fairly well. New neighborhood centers that do locate in Hastings should offer convenience goods and services to families in their immediate vicinity. Food, drugs and hardware are typical neighborhood uses, clothing and appliances are community in scale. Convenience centers should locate on collector or arterial streets.

5. Other Issues

Currently pressure is being exerted on the City to expand commercially zoned areas. This is not necessary in the immediate future as only 80% of the existing commercial land is being utilized. Planning for commercial activity necessitates land use solidarity - i.e., truck traffic, consumer traffic, deliveries, parking and pedestrians all must safely interact. Scattered commercial sites preclude any effective planning efforts. New commercial establishments should therefore locate in one of the three areas of concentration.

Some commercial uses require large amounts of open land which is unavailable along Vermillion Street or in the downtown area. These new uses should be encouraged to locate in portions of the city near Trunk Highway 61, Trunk Highway 316 and along Trunk Highway 55 in the vicinity of Pleasant Drive.

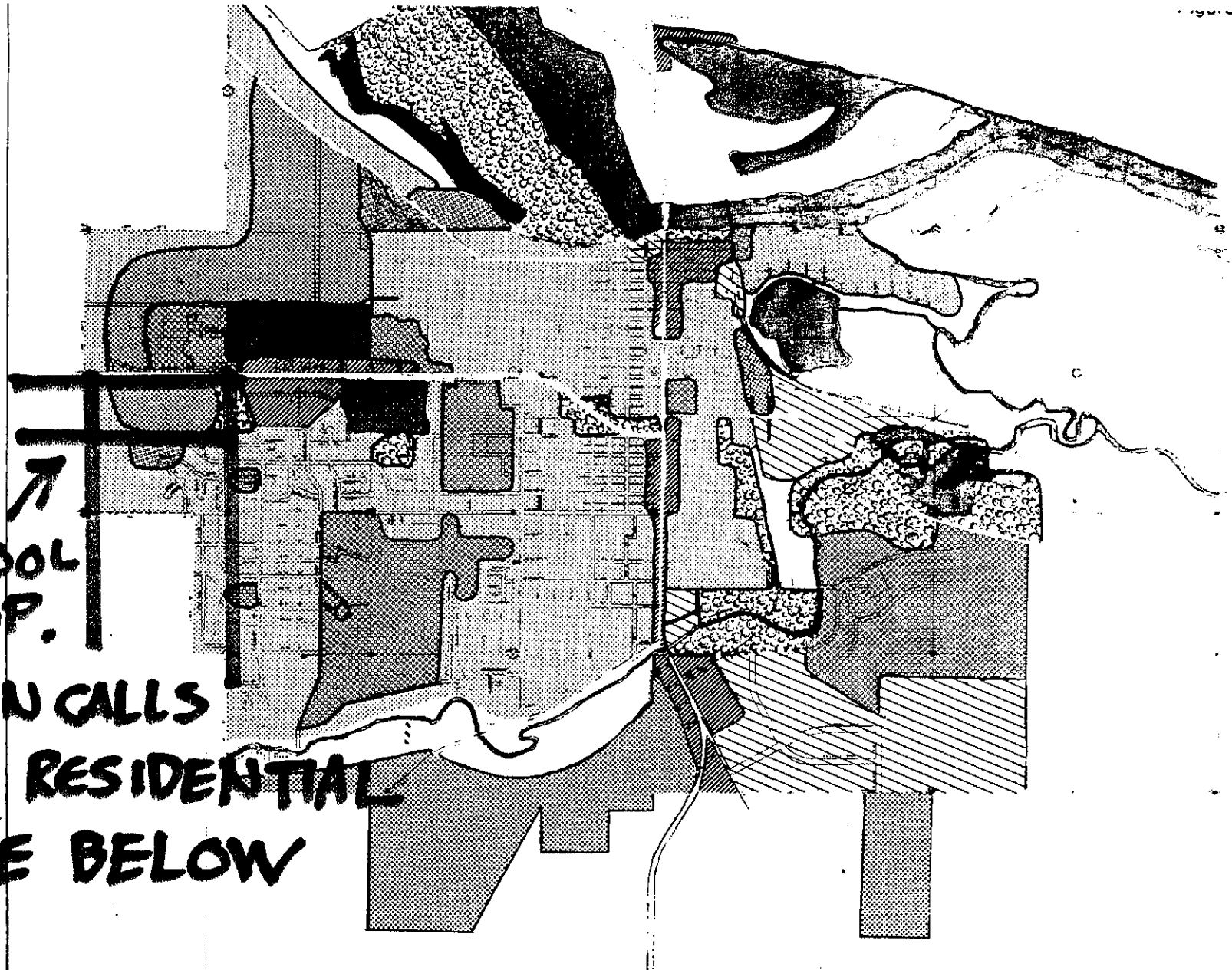
Approval of proposals for expanded commercial uses to be located in these areas should be based upon a demonstrated need for increased commercial service. Such development proposals should be accompanied by market research studies that portray the necessity for: 1) Services to be offered, 2) Project the economic feasibility of the development (success potential). In addition, the physical development plan of the proposal shall comply with the planned unit development provisions of the zoning ordinance.

COMP. PLAN, 1982

COMPREHENSIVE
PLAN 1989

VI-B-8

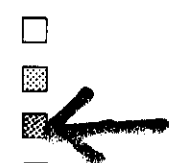
SCHOOL
PROP.
PLAN CALLS
FOR RESIDENTIAL
SEE BELOW



**City of Hastings, Minnesota
Community Planning**

LAND USE PLAN

- Low Density/Rural
- Single Family Residential
- Medium Density Residential



- Commercial
- Industrial
- Parkland
- Public/Quasi-Public

Prepared by
Tom Loucks & Associates, Inc.



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

August 15, 1985

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

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

Re: Marshan Assessment Agreement

Dear Mayor and City Council Members:

At the last Council Meeting, we were asked to provide the Council with an update on the matter between the City of Hastings and Marshan Township pertaining to the installation of sanitary sewer and water lines adjoining Marshan Township. As you may recall, in the last Council Packet there was a letter from Marshan's attorney stating that Marshan would no longer be willing to pay one-half of the interest on the deferred assessments against the benefited property along LeRoy Avenue. This would be contrary to what was agreed upon between the City and Marshan at the April 1, 1985, Council Meeting wherein the entire Town Board of Marshan was present.

At this April 1, 1985, Council Meeting, it was agreed by the Town Board to pay one-half of the interest on the deferred assessments which would eventually be levied against those residents living on the east side of LeRoy Avenue. At the present time, these residents are not capable of being assessed by the City because the Orderly Annexation Agreement prohibits assessments against those residents until they come into the City. During the period that these assessments cannot be levied, they will continue to accrue interest which will eventually have to be paid by the LeRoy Avenue residents. To help reduce the financial burden on these residents, the Township agreed to pay one-half of the interest on those deferred assessments.

After the utility lines were installed, Marshan informed City staff that the utility lines were not placed where Marshan had understood they would be located. It is Marshan's position that both utility lines were to be located 8 feet to the east of their present location. Presently, the water line is placed 10 feet into Sieben's Second Addition. The sanitary sewer line is placed on the boundary line between Sieben's Second Addition and Marshan Township right-of-way. It is the City's position that both utility lines are

located precisely where Marshan Township was told they would be placed.

This is relevant because Marshan has stated that the reason they originally agreed to pay one-half of the interest is because the utility lines are to be 8 feet to the east (towards LeRoy Avenue). By moving the pipes to the east, Marshan felt that the resident's costs of hooking up would be less because of the shorter distance between their homes and the utility lines. The City's position is that upon annexation, LeRoy Avenue will have to be widened to meet City standards. The utility lines were then placed as far to the east as possible without ending up under LeRoy Avenue once it is widened. The City would like to keep the lines out from under LeRoy Avenue so that in the event future repairs are necessary the street will not have to be torn up resulting in greater expense to the adjoining landowners.

On August 6, Jim Kleinschmidt, Tom Montgomery and myself met with Fran Teuber and Harry Schoen. Although some progress was made as a result of that meeting, no resolution has been reached. We will continue to see if this misunderstanding can be resolved. We will keep the Council advised as matters progress.

Very truly yours,

CITY OF HASTINGS, by


Shawn M. Moynihan
Assistant City Attorney

SMM/bap

CITY OF HASTINGS
STREET LIGHTING POLICY AND PROCEDURE

ADOPTED _____ 19 _____

I Policy

It shall be City policy to install street lights on the basis of need. The determination of need shall be primarily factors related to traffic safety and intersection visibility. It shall be the City's policy to light public streets not private property.

II Purpose

The purpose of this policy is to establish criteria for ordering street light installations; to program City financial responsibility; and to provide guidelines as to the type of lights and as to the spacing of lights. It is the intent to provide adequate and efficient street lighting in the City of Hastings.

III Initiation

Subd. A - Petitions from residents

Property owners or residents may petition the City Council for street lights. Petitions must be submitted to the Engineering Department by February 1 for presentation and consideration by the City Council at their first regular meeting in March. The petitioner shall be responsible for demonstrating need. No petitions will be considered for lighting on private property.

Subd. B - City Staff recommendations

Each proposed budget shall contain provisions for an estimated number of new lights. In March following adoption of the budget, the Council will be provided with a staff report proposing street light installations. This report shall include petitioned lights as well as staff recommended lights.

IV Locations

As a general rule only intersections and culdesacs are to be lit. Exceptions may occur as a result of street configuration, obstructions, or other features which necessitate midblock lighting for vehicle safety or pedestrian crossing safety. Blocks greater than 500 feet in length shall have additional lights installed with spacings of at least 200 feet.

Main thoroughfare lighting will be at a higher light level with more lighting units. The City Council shall approve plans for these installations.

Business District Lighting will be at a higher light level with more lighting units some of which may be decorative. The City Council shall approve plans for these installations.

V. Type of Lights

High pressure sodium vapor street lights shall be installed in all City street light systems. The lighting standard in residential areas may range from 100 watt H.P.S to 150 watt H.P.S.

The wattage and spacing in each commercial and industrial area shall be reviewed by the City Council to determine the intensity of wattage and spacing of the street lights.

CITY OF HASTINGS, MINNESOTA

Dakota County, Minnesota

RESOLUTION DECLARING COSTS TO BE ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENT CITY PROJECT NO. 1985-1

WHEREAS, contracts have been let for the following project:

Project No. 1985-1 - 1985 Streets and Utilities

a. Farm St. from 2nd St. to 1st St.

Grading, gravel base, bituminous surfacing, concrete curb and gutter, sanitary sewer, watermain, services, and storm sewer.

b. Riverwood Drive from County Road 47 to 650 Feet south

Grading, gravel base, bituminous surfacing, concrete curb and gutter, sanitary sewer, watermain, services, and storm sewer.

c. Todd Court from Todd Way to 360 feet southwest

Grading, gravel base, bituminous surfacing, concrete curb and gutter, sanitary sewer, watermain and services.

d. Cory Lane from 160th St. to 270 feet south

Grading, gravel base, bituminous surfacing, concrete curb and gutter, sanitary sewer, watermain, services, and storm sewer.

e. 160th Street from Cory Lane to 1000 feet east of Millard Ave.

Grading, gravel base, bituminous surfacing, sanitary sewer and watermain.

f. Siebens 2nd Addition

1. Cannon Street -South City Limits to Upper 160th St.
2. Upper 160th St. - Cannon St. to 300 feet west of LeRoy Ave.
3. LeRoy Ave. - Upper 160th St. to 162nd St.
4. 162nd St. - Levi Ave. to 240 feet west of LeRoy Ave.

Grading, gravel base, bituminous surfacing, concrete curb and gutter, sanitary sewer, watermain, services, and storm sewer.

And the contract price for such improvements is \$428,615.50 and the expenses incurred, or to be incurred, in the making of said improvement is estimated at \$75,000.00 so that the total estimated cost of the improvement will be \$503,615.50

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

1. The amount to be specially assessed is hereby declared to be approximately \$440,000.00
2. The City Clerk with the assistance of the City Engineer shall forthwith calculate the proper amount to be specially assessed for such improvements against every lot, place, or parcel of land, without regard to cash valuation, as provided by law, and he shall file a copy of such proposed assessment in his office for public inspection.

3. The City Clerk shall, upon completion of such proposed assessment, notify the Council thereof.

Adopted by the City Council of Hastings this 19th day of August, 1985

Ayes:

Nayes:

LuAnn Stoffel, Mayor

ATTEST:

Gary E. Brown, City Clerk/Administrator

Publish: August 22, 1985 and September 5, 1985

VI-15-3

MEMO

TO: HONORABLE MAYOR AND MEMBERS OF THE COUNCIL
FROM: J.J. KLEINSCHMIDT, CITY ENGINEER
SUBJECT: REQUESTS FOR STREET LIGHTS
DATE: JULY 11, 1985

Requests for street lights are directed to this office and it would be desirable to have a street light policy. This memo is looking for direction regarding the initiation of the preparation of such a policy, if the Council agrees that such a policy is needed.

Street lights are requested for intersections, midblock areas, and cul-de-sacs. Some cities light only intersections. Some cities light intersections and midblocks if the spacing of lights would be greater than 400-500 feet.

Once a street light is installed, the City is billed for this light at a rate varying from \$110 per year for a 100 watt (overhead line) to \$193 per year for a 250 watt (underground line). Also there can be extra charges (sometimes up to \$1000 per light) for construction costs when underground lines require sod replacement or jacking under pavements. Once a light is installed the yearly charges continue as long as the light is in place.

There are people who object to street lights because the light shines in their windows or because they don't like the looks of street light poles.

James J. Kleinschmidt

jt

JULY 15, 1985

City of Hastings, Minnesota

Dakota County, Minnesota

Resolution No. _____

RESOLUTION FOR HEARING ON PROPOSED ASSESSMENTS - CITY PROJECT NO. 1985-1

WHEREAS, by a resolution of the City Council on August 19, 1985, the City Clerk was directed to prepare a proposed assessment of the cost of the improvement as follows:

Project No. 1985-1 - 1985 Streets and Utilities

a. Farm St. From 2nd St. to 1st St.

Grading, Gravel base, bituminous surfacing, concrete curb and gutter, storm sewer.

b. Riverwood Drive from County Road 47 to 650 feet south

Grading, gravel base, bituminous surfacing, concrete curb and gutter, sanitary sewer, watermain, services, and storm sewer.

c. Todd Court from Todd Way to 360 feet southwest

Grading, gravel base, bituminous surfacing, concrete curb and gutter, sanitary sewer, watermain, and services.

d. Cory Lane from 160th St. to 270 feet south

Grading, gravel base, bituminous surfacing, concrete curb and gutter, sanitary sewer, watermain, services, and storm sewer.

e. 160th Street from Cory Lane to 1000 feet east of Millard Ave.

Grading, gravel base, bituminous surfacing, sanitary sewer, and watermain

f. Siebens 2nd Addition

1. Cannon Street - South City Limits to Upper 160th St.
2. Upper 160th St. - Cannon St. to 300 feet west of LeRoy
3. LeRoy Ave. - Upper 160th St. to 162nd St.
4. 162nd St. - Levi Ave. to 240 feet west of LeRoy Ave.

Grading, gravel base, bituminous surfacing, concrete curb and gutter, sanitary sewer, watermain, services, and storm sewer.

WHEREAS, the areas benefited are described as follows:

Outlot A & Outlot B	Riverwood Addition
Park 1 & Park 2	Riverwood Addition
Lots 1-3, Block 2	Riverwood Addition
Lots 1 & 2 Block 3	Riverwood Addition
Lots 1-11 Block 3	Sontag's 2nd Addition
Lots 1-5 Block 6	Industrial Park No. 2
Lots 1 Block 1	Sunny Acres 2nd Addition
Lots 1 Block 2	Sunny Acres 2nd Addition
Lots 10-18 Block 7	Addition 13
Lots 1-3 Block 1	Valley West Addition
Lots 1-7 Block 1	Siebens 2nd Addition
Lots 1-12 Block 2	Siebens 2nd Addition
Lots 1 & 2 Block 3	Siebens 2nd Addition
Lots 8-14 Block 14	Addition #13
Lots 1-3 Block 15	Addition #13
Lots 1-3 Block 1	1st Rearrangement of Add. #13
Lots 1 & 2 Block 61	Original Town of Hastings
Lots 3 & 4 Block 62	Original Town of Hastings
E $\frac{1}{2}$ of NE $\frac{1}{4}$	Section 3, Township 114, Range 17

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

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

1. A hearing shall be held on the 16th day of September, 1985 in the City Council Chambers at 100 Sibley Street at 7:30 p.m. to pass upon the proposed assessments, and at such time and place all persons shall be given an opportunity to be heard with reference to such assessment.
2. The City Clerk is hereby directed to cause a notice of hearing on the proposed assessments to be published once in the official newspaper and to be mailed to the owner of each parcel described in the assessment roll.
3. The proposed assessment roll is on file in the office of the City Clerk, and is open for public inspection to all persons interested. Written or oral objections to the assessment roll by any property owner will be considered. No appeal may be taken as to the amount of any assessment adopted pursuant to Statute unless a written objection signed by the affected property owner is filed with the City Clerk prior to the assessment hearing or presented to the presiding officer at the hearing. An owner may appeal an assessment to District Court pursuant to Section 429.081 by serving notice of the appeal upon the Mayor or Clerk of the municipality within 30 days after the adoption of the assessment and filing such notice with the District Court within 10 days after service upon the Mayor or Clerk. As of the date of this notice, the City has not adopted any deferrment procedure pursuant to Section 435.193 to 435.195.
4. Assessments shall be proportional to the benefits to be derived by said improvements.

Dated this _____ day of August, 1985.

Ayes:

Nayes:

LuAnn Stoffel, Mayor

ATTEST:

Gary E. Brown, City Clerk/Administrator

Publish: August 22, 1985 and September 5, 1985