



**VII. AWARDING OF CONTRACTS & PUBLIC HEARING:**

1. Resolution -Award Contract—City Hall Roof
2. Award contract—Wallin Hockey Rink: Spiral Fence

**VIII. REPORTS FROM CITY STAFF:**

**A. Public Works**

1. Authorize Test Drilling for New Municipal Well

**B. Planning**

1. Resolution—Variance #2003-51: Addition to Non-Conforming Structure—Dan Miller (1986 Oak Street)
2. Resolution—Site Plan #2003-47: Regina Medical Center Parking Lot (1175 Nininger Road)
3. Resolution—Preliminary Plat #2003-48: Glendale Heights—Tom Ryan
4. Resolution—Site Plan #2003-50: Chiropractic Clinic—Dr. Chad Petterson (SE Corner of South Frontage Road & Bahls Drive)
5. Resolution—Site Plan #2003-44: 30-Unit Condo Building—John Wesley Investments (Lot 1, Block 1, Williams Addition)
6. Concept Plan Review—Schoolhouse Square: Camegaran, LLC
7. Second Reading—Ordinance Amendment: Chapter 10.23-24—Industrial Park Uses

**C. Administration**

**IX. COMMENTS FROM AUDIENCE:**

**X. UNFINISHED BUSINESS:**

**XI. NEW BUSINESS:**

**XII. REPORTS FROM CITY COMMITTEES, OFFICERS,  
COUNCILMEMBERS:**

**XIII. ADJOURNMENT:**

**Next Regular City Council Meeting on Monday, August 4, 2003**

**Hastings, Minnesota  
July 7, 2003**

The City Council of the City of Hastings, Minnesota met in a regular meeting on Monday July 7, 2003 at 5:30 PM, in the Volunteer Room at the Hastings City Hall, 101 East 4<sup>th</sup>, Street, Hastings, Minnesota.

**Members Present:** Mayor Mike Werner, City Councilmembers Hazlet, Hicks, Riveness, Moratzka, Schultz, Yandrasits

**Members Absent:** None

**Staff Members Present:** City Administrator Dave Osberg  
Administrative Assistant/City Clerk Melanie Mesko Lee  
City Attorney Shawn Moynihan  
Planning Director John Hinzman  
HRA Director John Grossman

**Approval of Minutes**

Mayor Werner asked if there were any corrections or additions to the minutes of the regular meeting of June 16, 2003 or the special meeting of June 23, 2003. Hearing none, the minutes were approved as presented.

**Council Items to be Considered**

Moved by Councilmember Hicks, seconded by Councilmember Yandrasits to add Request to Grade South Oaks 2<sup>nd</sup> Addition Prior to Preliminary Plat Approval as Item #9 of the Consent Agenda.

7 Ayes; Nays, none.

**Consent Agenda**

Councilmember Yandrasits requested that Item #7—Approve 2003 Rivertown Days Agreement, be moved to Administration for discussion.

Moved by Councilmember Yandrasits, seconded by Councilmember Hicks, to approve the Consent Agenda as amended.

7 Ayes; Nays, None.

1. Pay Bills As Audited
2. Resolution—Approve Renewal of Gambling Premises Permit for Knights of Columbus
3. Accept Retirement Notifications
  - a. Pat Orman
  - b. Mary Jo Anderson
4. Appoint Planning Commissioner—Greg Schmitt
5. Resolution-Award Contract—2003 Sealcoat Program
6. 2003 Budget Adjustments
7. Approve 2003 Rivertown Days Agreement
8. Authorization to Hire Part-Time Clerical Staff
9. Approve 2003 Rivertown Days Agreement

*Copy of resolutions on file.*

**Public Hearing—Liquor License Fees**

Mayor Werner opened the public hearing at 7:03 p.m.

Sara Udig, RJ's Tavern, stated opposition to the fee increase. She said that the City had not complied with the 30-day notification requirement by state statute and that the costs of running an establishment with a liquor license are already high, citing insurance costs. Ms. Udig also stated that the Department of Public Safety, Alcohol & Gambling Enforcement (AGE) told her that the City could not increase the fees after the license year had started.

Administrative Assistant/City Clerk Mesko Lee stated that the City did comply with the notification requirement; the City Council ordered a public hearing for July 7 on June 3, 2003 and staff sent out notification after that was ordered. She also stated that the proposed fees are comparable to surrounding communities and communities of similar size. Mesko Lee also stated that the information provided to her by AGE does not prohibit cities from changing license fees during a license year as long as the notification requirements have been met.

Phil Biermaier, Papa Charrito's, questioned when the notices were sent out. Mesko Lee stated that the notifications were mailed out the week of the June 3 Council meeting at which the City Council ordered the public hearing.

Hearing no further public comments, Mayor Werner closed the public hearing at 7:05 p.m.

**Resolution—Approve 2003/2004 Liquor License Fees**

Moved by Councilmember Yandrasits, seconded by Councilmember Hazlet to approve the fee increase as presented, from \$2,900 to \$3,400 annually for an on-sale liquor license.  
7 Ayes; Nays, none.

*Copy of resolution on file.*

**Public Hearing—City Code Amendment #2003-38: Downtown Master Plan Zoning**

Mayor Werner opened the public hearing at 7:15 p.m.

Planning Director Hinzman stated that no rezoning requests are to be considered as part of this action; Council is asked only to consider text changes to the zoning code.

Bess Freeman, 522 Lea Street, read a petition signed by many of the residents of "East Hastings" opposed to the rezoning and requesting that their section be removed from the plan.

Clarence Chapman, 614 East 3<sup>rd</sup> Street, stated opposition to the plan.

Pete Likes, 3000 East 4<sup>th</sup> Street, stated opposition to the plan.

Ryan Berg, 703 East 2<sup>nd</sup> Street, stated opposition to the plan.

Hearing no further public comments, Mayor Werner closed the public hearing at 7:05 p.m.

**Second Reading—City Code Amendment #2003-38: Downtown Master Plan Zoning**

Councilmember Yandrasits stated that while she supports the plan, it is clear that the residents east of the railroad tracks are opposed to it applying to them.

The Council discussed how to modify the plan to exempt the "East Hastings" residents opposed to the master plan provisions.

Moved by Councilmember Yandrasits, seconded by Councilmember Moratzka to approve the Downtown Master Plan Zoning ordinance amendment, with the exception of any portion east of the railroad tracks.

7 Ayes; Nays, none.

**7:36—7:41 p.m.—Five Minute Recess**

**Public Hearing—Designation of 502 West 7<sup>th</sup> Street as Heritage Preservation Site**

HRA Director Grossman stated that the HPC has recommended this property for designation. The property owners, Patrick and Susan Mancino, oppose the designation. The Planning Commission recommended denial of the designation. The State Historic Preservation Office does not support designation.

Mayor Werner opened the public hearing at 7:41 p.m.

Susan Mancino, 502 West 7<sup>th</sup> Street, read a statement opposing the designation.

Hearing no further public comments, Mayor Werner closed the public hearing at 7:52 p.m.

**Designation of 502 West 7<sup>th</sup> Street as Heritage Preservation Site**

Councilmember Yandrasits stated her support in recognizing the work that has gone into the evaluation of this property for designation. She stated that this type of designation contributes to the value of a property as well as the neighborhood, and that she would not support the denial of the designation.

Councilmember Riveness stated that while he agrees with the intent of Councilmember Yandrasits' statement, he feels that the designation is not appropriate due to the mistiming of the designation consideration and the issuance of a building permit.

HRA Director Grossman stated that of the approximately 60 properties identified in 1994 as potential HPC sites, there are approximately 15-20 left to be considered.

Moved by Councilmember Riveness, seconded by Councilmember Moratzka to deny the designation of 502 West 7<sup>th</sup> Street as a Heritage Preservation Site  
6 Ayes; Nays, one, Councilmember Yandrasits voting against.

**Resolution—Minor Subdivision/Variance #2003-45: 1908A Eddy Street**

Moved by Councilmember Schultz, seconded by Councilmember Hazlet to approve the resolution as presented.

7 Ayes; Nays, none.

*Copy of resolution on file.*

**First Reading (Continued)—Ordinance Amendment: Chapter 10.23-24—Industrial Park Uses**

Moved by Councilmember Yandrasits, seconded by Councilmember Hicks to approve the first reading as presented.

7 Ayes; Nays, none.

**Approve Temporary Provisions for Outdoor Social and Concert for July 18, 2003—Coliseum Bar & Grill**

This item was removed from the agenda on request of the applicant.

**Request for RV and Trailer Parking Variance**

Moved by Councilmember Yandrasits, seconded by Councilmember Schultz to deny the request for a variance to the City's parking ordinance.

7 Ayes; Nays, none.

**Approve 2003 Rivertown Days Agreement**

Councilmember Yandrasits expressed concern over local businesses being penalized by the vendor requirement in the agreement. She requested that staff work with the Chamber of Commerce and the Downtown Business Association to clarify how this provision impacts local downtown businesses.

Moved by Councilmember Yandrasits, seconded by Councilmember Schultz to approve the 2003 Rivertown Days Agreement as presented.

**Comments from Audience:**

George Werner, owner of The Coliseum Bar & Grill, requested Council consideration of adopting a 2:00 a.m. bar closing time as permitted by state statute.

**Adjournment**

Moved by Councilmember Schultz, seconded by Councilmember Moratzka to adjourn the meeting at 8:25 p.m.

7 Ayes; Nays, None.

\_\_\_\_\_  
Mayor

ATTEST

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

**CITY OF HASTINGS**  
**101 4<sup>TH</sup> Street East**  
**Hastings, MN 55033-1955**  
**651/437-4127**

# Memo

**To:** City Council  
**From:** Becky Kline  
Finance Department  
**Date:** 07/08/2003

The attached Department Report itemizes vouchers that were paid on July 8, 2003.

Thank you.

CITY OF HASTINGS  
FM Entry - Invoice Payment - Department Report

Ranges: Fund: (A)  
Dept Id: (A)  
Program: (A)  
Vendor #: (A)  
Invoice #: (A)  
Schedule Journal #: (R) 6260 - 6260  
Bank #: (A)

Options: Print Ranges/Options: Y # of copies: 1  
Page on Department: N

Department	Vendor Name	Description	Amount
PUBLIC WORKS	AGGREGATE INDUSTRIES	PEA ROCK	6,723.62
		Total for Department 300	6,723.62*
		Total for Fund 101	6,723.62*
		Grand Total	6,723.62*



**CITY OF HASTINGS**  
101 4<sup>TH</sup> Street East  
Hastings, MN 55033-1955  
651/437-4127

# Memo

**To:** City Council  
**From:** Becky Kline  
Finance Department  
**Date:** 07/15/2003

The attached Department Report itemizes vouchers that were paid on July 15, 2003.

Thank you.

CITY OF HASTINGS  
 FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
ADMINISTRATION	BOISE CASCADE OFFICE	OFFICE SUPPLIES	63.29
ADMINISTRATION	LASERSHARP, INC.	TONER CARTRIDGE/FAX	92.66
	Total for Department 105		155.95*
CITY CLERK	HASTINGS STAR GAZETT	DOWNTOWN MSTR PLAN	24.00
CITY CLERK	HASTINGS STAR GAZETT	DOWNTOWN REDEVELOP	8.00
CITY CLERK	HASTINGS STAR GAZETT	HIST PRES SITE	16.00
CITY CLERK	HASTINGS STAR GAZETT	MINOR SUBD	24.00
CITY CLERK	HASTINGS STAR GAZETT	PHOTO STUDIOS	24.00
CITY CLERK	HASTINGS STAR GAZETT	SEALCOAT PROGRAM	24.00
CITY CLERK	HASTINGS STAR GAZETT	WALLIN PARK	40.00
	Total for Department 107		160.00*
FINANCE	KERN, DeWENTER, VIER	12/31/02 AUDIT	5,000.00
FINANCE	MN GOV'T FINANCE OFF	STARK/ WEBSTER / CONFERE	400.00
	Total for Department 120		5,400.00*
MAINTENANCE	CRAWFORD DOOR CO.	MULTI CODE DOOR OPENERS	158.69
MAINTENANCE	DAKOTA COUNTY TREAS-	DAKOTA CO FUEL FEB CHGS	15.37
MAINTENANCE	DAKOTA ELECTRIC ASSN	JUN ELECTRICITY	16.86
MAINTENANCE	ELECTRO WATCHMAN, IN	QUARTERLY ALARM MONITORI	57.51
MAINTENANCE	FINAL TOUCH SERVICES	CITY HALL WINDOW CLEANIN	825.38
MAINTENANCE	FINAL TOUCH SERVICES	POLICE EXTERIOR WINDOW C	260.93
MAINTENANCE	GRAYBAR ELECTRIC	INTERCOM PHONES/BOXES	792.24
MAINTENANCE	MENARDS	ELECTRICAL PARTS	3.49
MAINTENANCE	MINNEGASCO,ACCT'S PA	JUNE GAS	682.55
MAINTENANCE	REIS,INC	DRILL BITS/SCREWS/PAINT	14.51
MAINTENANCE	REIS,INC	LAMP SOCKET	5.85
MAINTENANCE	REIS,INC	NIPPLES	3.99
MAINTENANCE	REIS,INC	OUTLET COVER	7.87
MAINTENANCE	REIS,INC	PAPER TOWEL HOLDER	6.38
MAINTENANCE	SANCO CLEANING SUPPL	CARPET SPOTTING KIT	83.07
MAINTENANCE	SCHILLING PAPER CO.	PAPER SUPPLIES	256.08
MAINTENANCE	VOSS LIGHTING	FLUORESCENT LAMPS	42.36
	Total for Department 140		3,233.13*
POLICE	AT & T WIRELESS	MDT MONTHLY SITE LEASE	355.00
POLICE	BIRCHEN ENTERPRISES	VEHICLE MAINT	248.72
POLICE	BIRCHEN ENTERPRISES	VEHICLE REPAIR	22.75
POLICE	DAKOTA COUNTY TREAS-	DAKOTA CO FUEL FEB CHGS	1,778.30
POLICE	ELECTRO WATCHMAN, IN	ALARM SERVICE QUARTERLY	57.51
POLICE	HASTINGS FORD-JEEP-E	REPAIR SQUAD 1415	321.69
POLICE	MN DEPT OF PUBLIC SA	CJDN CONNECTION	390.00
POLICE	MN DEPT OF PUBLIC SA	MDT STATE CONNECTION	380.00
POLICE	MID-AMERICAN SPECIAL	NAT'L NIGHT OUT ITEMS	340.93
POLICE	MOTOR PARTS SERVICE	FUSES	3.57
POLICE	NAT'L ASSN OF TOWN W	NAT'L NIGHT OUT ITEMS	960.57
POLICE	OSL BATTERIES	RADIO BATTERY	49.60
POLICE	UNIFORMS UNLIMITED	UNIFORM ITEMS HICKS	49.45
POLICE	UNIFORMS UNLIMITED	UNIFORM ITEMS S SCHARFE	93.65
	Total for Department 201		5,051.74*

CITY OF HASTINGS  
 FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
BUILDING AND INSPECT	CRYTEEL TRUCK EQUIP	CROSS BOX ALUMINUM TOOL	1,124.32
BUILDING AND INSPECT	DAKOTA COUNTY TREAS-	DAKOTA CO FUEL FEB CHGS	125.88
	Total for Department 230		1,250.20*
PUBLIC WORKS	COLT ELECTRIC INC.	IND PARK CONSULT INSTALL	11,274.00
PUBLIC WORKS	COMMERCIAL ASPHALT C	104.18 TON 41A	3,239.77
PUBLIC WORKS	DAKOTA COUNTY TREAS-	DAKOTA CO FUEL FEB CHGS	1,536.48
PUBLIC WORKS	DAKOTA ELECTRIC ASSN	JUN ELECTRICITY	1,140.60
PUBLIC WORKS	GERLACH SERVICE, INC.	POWER BLOWER	212.99
PUBLIC WORKS	HASTINGS TIRE & AUTO	BALANCE/DISMOUNT/MOUNT/T	195.25
PUBLIC WORKS	HASTINGS CHRYSLER .CE	CABLE SEAL	9.00
PUBLIC WORKS	KIMBALL-MIDWEST	PAINT	118.85
PUBLIC WORKS	MINNEGASCO, ACCT'S PA	JUNE GAS	63.99
PUBLIC WORKS	MILLERBERND	COVERS	80.94
PUBLIC WORKS	MOTOR PARTS SERVICE	CABLE / FUSEHOLDER	16.35
PUBLIC WORKS	MOTOR PARTS SERVICE	CIR TESTER	7.41
PUBLIC WORKS	MOTOR PARTS SERVICE	FILTERS	15.25
PUBLIC WORKS	MOTOR PARTS SERVICE	FUSEHOLDER/ SWITCH	7.72
PUBLIC WORKS	MOTOR PARTS SERVICE	PART	2.38
PUBLIC WORKS	MSC INDUSTRIAL SUPPL	SAFETY EYEWEAR / MISC	253.39
PUBLIC WORKS	NORTHERN SAFETY TECH	ROTATORS/DIAMOND MIRROR/	257.20
PUBLIC WORKS	PINE BEND PAVING, IN	ASPHALT	392.72
PUBLIC WORKS	REIS, INC	ANT POISON	5.63
PUBLIC WORKS	REIS, INC	CONCRETE BIT	14.90
PUBLIC WORKS	REIS, INC	GLOVES / KNIFE	8.79
	Total for Department 300		18,853.61*
	Total for Fund 101		34,104.63*
PARKS AND RECREATION	CEMSTONE PRODUCTS CO	CONCRETE	80.78
PARKS AND RECREATION	CHEMSEARCH	LUBRICANT	152.76
PARKS AND RECREATION	DOERER'S GENUINE PAR	FILTERS	12.76
PARKS AND RECREATION	FARMERS UNION CO-OP	ROUND-UP	336.07
PARKS AND RECREATION	GERLACH SERVICE, INC.	BLADE	16.86
PARKS AND RECREATION	GERLACH SERVICE, INC.	LINE CUPS	65.93
PARKS AND RECREATION	GERLACH SERVICE, INC.	SUPPLEIS	117.43
PARKS AND RECREATION	GERLACH SERVICE, INC.	SWITCH CREDIT	-29.47
PARKS AND RECREATION	MINNEGASCO, ACCT'S PA	JUNE GAS	104.63
PARKS AND RECREATION	NIEBUR OIL CO INC	DIESEL	919.31
PARKS AND RECREATION	NIEBUR OIL CO INC	GASOLINE	1,412.10
PARKS AND RECREATION	RENT 'N' SAVE PORTAB	TOILET RENT	225.78
PARKS AND RECREATION	SPIRAL FENCE	REPAIR BASKETBALL FENCE	1,130.00
PARKS AND RECREATION	SPRINT	PHONE	113.17
PARKS AND RECREATION	UNITED BUILDING CENT	BOLTS	.59
PARKS AND RECREATION	UNITED BUILDING CENT	DECK LUMBER	2,127.87
PARKS AND RECREATION	UNITED BUILDING CENT	LUMBER	28.65
PARKS AND RECREATION	UNITED BUILDING CENT	STAKES / NAILS	14.24
	Total for Department 401		6,829.46*
	Total for Fund 200		6,829.46*

CITY OF HASTINGS  
 FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
PARKS AND RECREATION	DIPPIN DOTS, INC.	6 BOXES	1,092.00
PARKS AND RECREATION	ELECTRO WATCHMAN, IN	ALARM MONITOR	79.88
PARKS AND RECREATION	EMILY'S	20 DZ BUNS	57.80
PARKS AND RECREATION	FIRST LINE BEVERAGES	CONCESSION SUPPLIES	1,161.79
PARKS AND RECREATION	FRITZ CO. INC.	CONCESSION CANDY	478.28
PARKS AND RECREATION	MINNEGASCO,ACCT'S PA	JUNE GAS	7,949.48
	Total for Department 401		10,819.23*
	Total for Fund 201		10,819.23*
FIRE	AMERIPRIDE LINEN & A	LINEN SERVICE	26.63
FIRE	DAKOTA COUNTY TREAS-	DAKOTA CO FUEL FEB CHGS	735.11
FIRE	DOERER'S GENUINE PAR	BRAKE FLUID	2.79
FIRE	EMERGENCY APPARATUS	REPAIR PARTS	159.06
FIRE	FIRE INSTRUCTORS ASS	FIRE CODES	227.29
FIRE	IDRA BANK	VIDEOS	205.00
FIRE	MINNEGASCO,ACCT'S PA	JUNE GAS	144.54
FIRE	NEXTEL COMMUNICATION	CELL PHONE SERVICE	117.51
FIRE	VERIZON WIRELESS, BE	CELL PHONE SERVICE	131.05
FIRE	WALGREEN'S	PHOTOS	39.54
FIRE	WESTBURNE SUPPLY INC	PARTS	16.04
	Total for Department 210		1,804.56*
AMBULANCE	DAKOTA COUNTY TREAS-	DAKOTA CO FUEL FEB CHGS	301.34
AMBULANCE	GAUGHAN MARY	REFUND OVERPAY CALL 2003	140.48
AMBULANCE	MOORE MEDICAL CORP.	MEDICALSUPPLIES	357.12
AMBULANCE	PRAXAIR DISTRIBUTION	MEDICAL OXYGEN	163.19
AMBULANCE	WISCONSIN PHYSICIANS	REFUND OVERPAY/ HECL 200	223.47
	Total for Department 220		1,185.60*
	Total for Fund 213		2,990.16*
PARKS AND RECREATION	HOISINGTON KOEGLER G	HOCKEY RINK/WALLIN	261.25
PARKS AND RECREATION	HOISINGTON KOEGLER G	ROADSIDE	386.64
	Total for Department 401		647.89*
	Total for Fund 401		647.89*
PUBLIC WORKS	MN DNR/ DIV LANDS &	PERMIT APPLICATION FEE	500.00
	Total for Department 300		500.00*
	Total for Fund 493		500.00*
PUBLIC WORKS	LAWRENCE BUILDERS	REFUND OVERPAY 880 LYN W	5.93
PUBLIC WORKS	LAWRENCE BUILDERS	REFUND OVERPAY 880 LYN W	5.93
PUBLIC WORKS	BARR ENGINEERING CO.	WELLHEAD DELIENATION/LAB	471.66
PUBLIC WORKS	BOISE CASCADE OFFICE	OFFICE SUPPLIES	45.25
PUBLIC WORKS	BUMPER TO BUMPER	BRACKET	4.25
PUBLIC WORKS	DAKOTA COUNTY TREAS-	DAKOTA CO FUEL FEB CHGS	468.92
PUBLIC WORKS	DAKOTA ELECTRIC ASSN	JUN ELECTRICITY	45.58

CITY OF HASTINGS  
 FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
PUBLIC WORKS	ELECTRO WATCHMAN, IN	ALARM MONITORING	57.51
PUBLIC WORKS	GRAPHIC DESIGN	FORMS	79.88
PUBLIC WORKS	GRAPHIC DESIGN	WATER BILL PROCESSING	323.92
PUBLIC WORKS	MINNEGASCO,ACCT'S PA	JUNE GAS	145.82
PUBLIC WORKS	NAT'L WATERWORKS	BATTERIES	201.95
PUBLIC WORKS	NAT'L WATERWORKS	FLAGS	228.67
PUBLIC WORKS	NIEBUR IMPLEMENT CO	ASPHALT BLADE/FILTERS	481.17
PUBLIC WORKS	REIS, INC	BAGS	5.31
PUBLIC WORKS	REIS, INC	BATTERIES	13.83
PUBLIC WORKS	SBC PAGING	PAGER SERVICES	14.45
PUBLIC WORKS	TWIN CITY WATER CLIN	WATER ANALYSIS	160.00
	Total for Department 300		2,760.03*
	Total for Fund 600		2,760.03*
PUBLIC WORKS	DAKOTA ELECTRIC ASSN	JUN ELECTRICITY	30.01
PUBLIC WORKS	FLEXIBLE PIPE TOOL C	FITTINGS / NOZZLE	216.53
PUBLIC WORKS	OTTO EXCAVATING, INC	SEWER MAIN REPAIR	2,282.50
PUBLIC WORKS	SHERWIN-WILLIAMS	PAINT	29.76
	Total for Department 300		2,558.80*
	Total for Fund 601		2,558.80*
CITY CLERK	DAKOTA COUNTY TREAS-	DAKOTA CO FUEL FEB CHGS	1,157.11
	Total for Department 107		1,157.11*
	Total for Fund 610		1,157.11*
PARKS AND RECREATION	DALCO	PAPER SUPPLIES	533.21
PARKS AND RECREATION	ELECTRO WATCHMAN, IN	ALARM CHARGE	57.51
PARKS AND RECREATION	MINNEGASCO,ACCT'S PA	JUNE GAS	152.48
PARKS AND RECREATION	MN DEPT/LABOR & INDU	REGISTRATION PERMIT	10.00
PARKS AND RECREATION	O'CONNOR PLBG & HEAT	WATER HEATER REPAIR	287.00
	Total for Department 401		1,040.20*
	Total for Fund 615		1,040.20*
PUBLIC WORKS	FARMERS UNION CO-OP	LUBE OIL	637.47
PUBLIC WORKS	GLENWOOD INGLEWOOD C	COOLER RENTAL	40.59
PUBLIC WORKS	K.R. WEST CO. INC.	REPAIR LABOR	4,942.00
PUBLIC WORKS	MOTOR PARTS SERVICE	HOSE	5.84
PUBLIC WORKS	MSC INDUSTRIAL SUPPL	ABSORBENT PADS	329.80
PUBLIC WORKS	PRAXAIR DISTRIBUTION	CYLINDER RENTAL	18.67
PUBLIC WORKS	WASTE MANAGEMENT	DUMPSTER RENTAL	71.00
	Total for Department 300		6,045.37*
	Total for Fund 620		6,045.37*
	Grand Total		69,452.88*

CITY OF HASTINGS  
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
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CITY OF HASTINGS  
 FM Entry - Invoice Payment - Department Report

VI-1

Department	Vendor Name	Description	Amount
	REGINA MEDICAL CENTE	JULY	100.00
	Total for Department 000		100.00*
COUNCIL AND MAYOR	FILTERFRESH	COFFEE SERVICE	180.00
	Total for Department 102		180.00*
ADMINISTRATION	AT&T	LONG DISTANCE CHARGES	73.23
ADMINISTRATION	GRAPHIC DESIGN	A/R INVOICE FORMS	167.21
ADMINISTRATION	NEXTEL COMMUNICATION	CELL PHONE SERVICE	35.85
ADMINISTRATION	SPRINT	DEC - JUNE TELEPHONE CHA	3,276.60
	Total for Department 105		3,552.89*
CITY CLERK	GREG J HOMES	REFUND OVERPAY BACKGROUN	500.00
CITY CLERK	LAS MARGARITAS	REFUND OVERPAY BACKGROUN	500.00
CITY CLERK	RED FEATHER RESTAURA	REFUND OVERPAY BACKGROUN	500.00
CITY CLERK	TAMALES RESTAURANT	REFUND OVERPAY BACKGROUN	500.00
	Total for Department 107		2,000.00*
FINANCE	SPRINT	DEC - JUNE TELEPHONE CHA	1,170.21
	Total for Department 120		1,170.21*
MAINTENANCE	ATC ASSOCIATES INC	PROF SERV / ROOF SPECS	750.00
MAINTENANCE	DAKOTA COUNTY TREAS-	DAKOTA CO FUEL MONTHLY C	15.34
MAINTENANCE	SPRINT	DEC - JUNE TELEPHONE CHA	234.04
MAINTENANCE	TERRY'S ACE HARDWARE	GLUE	2.86
MAINTENANCE	TERRY'S ACE HARDWARE	JACKS	14.46
MAINTENANCE	TERRY'S ACE HARDWARE	SUPPLIES	1.59
	Total for Department 140		1,018.29*
PLANNING	SPRINT	DEC - JUNE TELEPHONE CHA	936.17
	Total for Department 150		936.17*
M.I.S.	SPRINT	DEC - JUNE TELEPHONE CHA	468.08
	Total for Department 160		468.08*
POLICE	AT&T	LONG DISTANCE CHARGES	85.90
POLICE	CITY OF MPLS.	AUTOMATED PAWN SYSTEM	181.00
POLICE	DAKOTA COUNTY TREAS-	DAKOTA CO FUEL MONTHLY C	1,725.52
POLICE	GALLS, INC.	RESERVES / FLASHLIGHTS	179.95
POLICE	MILLER & HOLMES, INC	SQUAD CAR WASHES	125.00
POLICE	MUNSON MICHAEL	EXPENSE REIMBURSEMENT	68.70
POLICE	NOWLAN, CRAIG	PARKING/	4.00
POLICE	OSL BATTERIES	RADIO BATTERY REPAIR	239.73
POLICE	ARCH WIRELESS	PAGER LEASE	394.82
POLICE	PETERSEN, ROXANN	UNIFORM	136.92
POLICE	PETERSEN, ROXANN	UNIFORM PURCHASES	8.85
POLICE	SOLUTIONS 4SURE INC.	SCANNER	203.48
POLICE	SPRINT	DEC - JUNE TELEPHONE CHA	9,829.77
POLICE	TERRY'S ACE HARDWARE	SHIPPING	8.09
POLICE	TOP DOG INC.	JULY ANIMAL CONTROL	1,350.00
	Total for Department 201		14,541.73*

CITY OF HASTINGS  
 FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
BUILDING AND INSPECT	DAKOTA COUNTY TREAS-	DAKOTA CO FUEL MONTHLY C	184.16
BUILDING AND INSPECT	SPRINT	DEC - JUNE TELEPHONE CHA	1,404.25
	Total for Department 230		1,588.41*
PUBLIC WORKS	AT&T	LONG DISTANCE CHARGES	6.47
PUBLIC WORKS	COPY EQUIPMENT INC.	PAPER / SCAN TO DISC	226.41
PUBLIC WORKS	DAKOTA COUNTY TREAS-	DAKOTA CO FUEL MONTHLY C	1,660.64
PUBLIC WORKS	GURNEY, DAVID	MILEAGE	28.44
PUBLIC WORKS	KIMBALL-MIDWEST	WASHERS / SCREWS / FUSES	129.35
PUBLIC WORKS	SPRINT	DEC - JUNE DATA CONNECTI	1,112.93
PUBLIC WORKS	SPRINT	DEC - JUNE TELEPHONE CHA	3,276.59
PUBLIC WORKS	TERRY'S ACE HARDWARE	BOLT /PROPANE CYLINDER	14.33
PUBLIC WORKS	TERRY'S ACE HARDWARE	FASTENERS	15.13
PUBLIC WORKS	TERRY'S ACE HARDWARE	MISC SUPPLIES	39.01
PUBLIC WORKS	TERRY'S ACE HARDWARE	PLASTIC NUMBERS	24.61
PUBLIC WORKS	TERRY'S ACE HARDWARE	POWDER CHAULK	4.24
PUBLIC WORKS	TERRY'S ACE HARDWARE	PRIMER	4.25
PUBLIC WORKS	TERRY'S ACE HARDWARE	VELCRO	3.18
	Total for Department 300		6,545.58*
PARKS AND RECREATION	FIRST NAT'L BANK	AUGUST LOAN 0320243279	1,527.35
	Total for Department 401		1,527.35*
	Total for Fund 101		33,628.71*
PARKS AND RECREATION	AT&T	LONG DISTANCE CHARGES	7.02
PARKS AND RECREATION	GRAPHIC DESIGN	POSTERS	3.20
PARKS AND RECREATION	SPRINT	DEC - JUNE DATA CONNECTI	2,225.86
PARKS AND RECREATION	SPRINT	DEC - JUNE TELEPHONE CHA	2,340.42
	Total for Department 401		4,576.50*
	Total for Fund 200		4,576.50*
PARKS AND RECREATION	AMERICAN RED CROSS	MANIKIN RENTAL	60.00
PARKS AND RECREATION	AT&T	LONG DISTANCE CHARGES	1.59
PARKS AND RECREATION	EMILY'S	10 DZ BUNS	57.80
PARKS AND RECREATION	EMILY'S	6 DZ BUNS	34.68
PARKS AND RECREATION	FIRST LINE BEVERAGES	CONCESSION SUPPLIES	728.65
PARKS AND RECREATION	GRAPHIC DESIGN	POOL CARDS	12.78
PARKS AND RECREATION	MIDWEST COCA-COLA BT	COKE SUPPLIES	262.50
PARKS AND RECREATION	RECREATION SUPPLY CO	FLOAT BELT/ BAR	448.69
PARKS AND RECREATION	RECREONICS, INC.	POOL SUPPLIES	73.06
PARKS AND RECREATION	SPRINT	DEC - JUNE TELEPHONE CHA	468.08
PARKS AND RECREATION	SPRINT	YELLOW PAGE ADV	39.00
PARKS AND RECREATION	WEST COAST NETTING	NYLON ROPE	126.00
	Total for Department 401		2,312.83*
	Total for Fund 201		2,312.83*
CABLE	SPRINT	DEC - JUNE TELEPHONE CHA	234.04



CITY OF HASTINGS  
 FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
		Total for Department 420	234.04*
		Total for Fund 205	234.04*
CABLE	ALPHA VIDEO AND AUDI COUNCIL CHAMBERS CAMERA		8,072.19
		Total for Department 420	8,072.19*
		Total for Fund 206	8,072.19*
	REGINA MEDICAL CENTE JULY		270.00
		Total for Department 000	270.00*
FIRE	AT&T	LONG DISTANCE CHARGES	27.00
FIRE	DAKOTA COUNTY TREAS-	DAKOTA CO FUEL MONTHLY C	559.00
FIRE	SCHUTT, MIKE	TRAINING / FIREWORKS	20.00
FIRE	SPRINT	DEC - JUNE TELEPHONE CHA	5,148.92
		Total for Department 210	5,754.92*
AMBULANCE	DAKOTA COUNTY TREAS-	DAKOTA CO FUEL MONTHLY C	194.08
		Total for Department 220	194.08*
		Total for Fund 213	6,219.00*
PARKS AND RECREATION ASSOC	CONSTRUCTION P AD BIDS/	WALLIN HOCKEY	112.84
PARKS AND RECREATION ASSOC	CONSTRUCTION P AD/ BIDS	WALLIN HOCKEY	112.84
PARKS AND RECREATION HOISINGTON KOEGLER G	PIONEER PARK		2,646.40
PARKS AND RECREATION HOISINGTON KOEGLER G	WALLIN HOCKEY RINK		1,789.02
		Total for Department 401	4,661.10*
		Total for Fund 401	4,661.10*
HOUSING AND REDEVELO EHLERS & ASSOC		JUNE SERVICES	5,539.04
HOUSING AND REDEVELO HOISINGTON KOEGLER G		JUNE SERVICES	2,137.42
HOUSING AND REDEVELO SPRINT		DEC - JUNE TELEPHONE CHA	234.04
		Total for Department 500	7,910.50*
		Total for Fund 404	7,910.50*
PUBLIC WORKS	MCNAMARA CONTRACTING GS DR	PAY EST	143,481.17
PUBLIC WORKS	PEMBER EXCAVATING IN FINAL	PAY ESTIMATE #5	15,085.82
		Total for Department 300	158,566.99*
		Total for Fund 492	158,566.99*
PUBLIC WORKS	A-1 EXCAVATING	GS DR EXT/BRIDGE	443,395.01
PUBLIC WORKS	ASSOC CONSTRUCTION P RSO	AD FOR BIDS	502.32
		Total for Department 300	443,897.33*
		Total for Fund 493	443,897.33*

CITY OF HASTINGS  
 FM Entry - Invoice Payment - Department Report

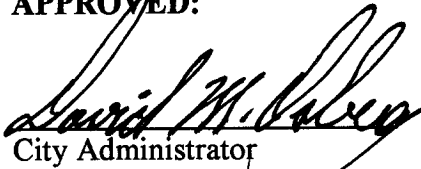
Department	Vendor Name	Description	Amount
PUBLIC WORKS	DAKOTA COUNTY TREAS-	DAKOTA CO FUEL MONTHLY C	686.18
PUBLIC WORKS	GOPHER STATE ONE-CAL	LOCATES	249.55
PUBLIC WORKS	NAT'L WATERWORKS	METERS / BRACKETS / MXU'	1,723.45
PUBLIC WORKS	REGINA MEDICAL CENTE	JULY	40.00
PUBLIC WORKS	SHERWIN-WILLIAMS	PAINT / THINNER	102.02
PUBLIC WORKS	SPRINT	DEC - JUNE DATA CONNECTI	1,112.93
PUBLIC WORKS	SPRINT	DEC - JUNE TELEPHONE CHA	936.17
PUBLIC WORKS	TERRY'S ACE HARDWARE	BRUSH	17.03
PUBLIC WORKS	TERRY'S ACE HARDWARE	BRUSH / PAINT	27.72
PUBLIC WORKS	TERRY'S ACE HARDWARE	CAULK FOAM	11.58
PUBLIC WORKS	TERRY'S ACE HARDWARE	DRAIN / FITTINGS	11.17
PUBLIC WORKS	TERRY'S ACE HARDWARE	KEYS	17.76
PUBLIC WORKS	TERRY'S ACE HARDWARE	MISC SUPPLIES	17.52
PUBLIC WORKS	TERRY'S ACE HARDWARE	PAINT	24.86
PUBLIC WORKS	TERRY'S ACE HARDWARE	ROLLERS	2.75
		Total for Department 300	4,980.69*
		Total for Fund 600	4,980.69*
PUBLIC WORKS	MCES	WASTEWATER SERVICE AUG	62,053.33
PUBLIC WORKS	MN PIPE & EQUIPMENT	SEWER WYE/ PIPE/MISC	175.58
PUBLIC WORKS	REGINA MEDICAL CENTE	JULY	10.00
		Total for Department 300	62,238.91*
		Total for Fund 601	62,238.91*
CITY CLERK	DAKOTA COUNTY TREAS-	DAKOTA CO FUEL MONTHLY C	886.39
CITY CLERK	DIXON, THOMAS	UNIFORMS	77.00
CITY CLERK	SPRINT	DEC - JUNE TELEPHONE CHA	234.04
		Total for Department 107	1,197.43*
		Total for Fund 610	1,197.43*
PARKS AND RECREATION AT&T		LONG DISTANCE CHARGES	.23
PARKS AND RECREATION BECKER ARENA PRODUCT		RINK BOARDS CLEANING	-159.75
PARKS AND RECREATION BECKER ARENA PRODUCT		WEST RINK BOARDS CLEANED	585.75
PARKS AND RECREATION MIDTOWN FOOD CENTER		SOLAR SALT	77.75
PARKS AND RECREATION REGINA MEDICAL CENTE		JULY	30.00
PARKS AND RECREATION SPRINT		DEC - JUNE DATA CONNECTI	2,225.86
PARKS AND RECREATION SPRINT		DEC - JUNE TELEPHONE CHA	936.17
PARKS AND RECREATION TERRY'S ACE HARDWARE		BRUSH / SCREWS	16.95
PARKS AND RECREATION TERRY'S ACE HARDWARE		SOCKET	2.65
PARKS AND RECREATION TERRY'S ACE HARDWARE		SUPPLIES	28.04
PARKS AND RECREATION WASTE MANAGEMENT		DUMPSTER / CIRCUS	130.16
		Total for Department 401	3,873.81*
		Total for Fund 615	3,873.81*
PUBLIC WORKS	AT&T	LONG DISTANCE CHARGES	10.58
PUBLIC WORKS	NORTH AMERICAN HYDRO	REPAIR LABOR / RENTAL	56,903.01


CITY OF HASTINGS  
FM Entry - Invoice Payment - Department Report


Department	Vendor Name	Description	Amount
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		Total for Department 300	56,913.59*
		Total for Fund 620	56,913.59*
		Grand Total	799,283.62*

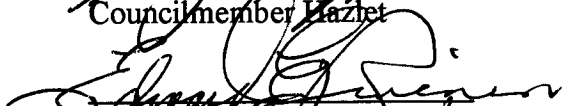
July 21, 2003

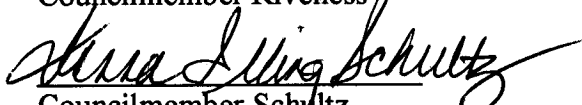
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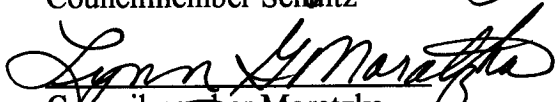
  
City Administrator

  
Finance Director

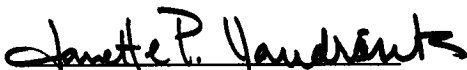
  
Councilmember Hazlet


  
Councilmember Riveness

  
Councilmember Schultz

  
Councilmember Moratzka

  
Councilmember Hicks

  
Councilmember Yandrasits

  
Mayor Werner

MEMORANDUM

VI-2

TO: Honorable Mayor and City Councilmembers  
FROM: Dave Osberg, City Administrator  
DATE: July 17, 2003  
SUBJECT: Resolution-School House Square Grant Application

**Recommended City Council Action**

It is recommended that the City Council take action approving the attached Resolution approving submittal of a Liveable Communities Grant application to the Metropolitan Council for the School House Square Project.

**Background**

On Monday June 30, 2003 an application was submitted to the Metropolitan Council for Liveable Communities grant funding for the School House Square Project. City Staff and representatives from the School House Square development collaborated on the completion of the application, to assure its submittal on Monday June 30, 2003. The process allows for adoption in July, of the authorizing Resolution. A significant portion of the grant application is enclosed in the packet for your review. Note in the application that funding is sought for the following items:

- a.) Underground parking structure
- b.) Historic street lighting
- c.) Burying of utility lines
- d.) Pedestrian plaza and transit shelter
- e.) Streetscaping improvements to improve the aesthetics and public safety



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David M. Osberg  
City Administrator

cc. Pat Regan, School House Square

**Resolution #**

**City of Hastings, Minnesota**

**Authorizing Application for a Development  
Grant Through the Livable Communities  
Demonstration Program**

**Whereas,** The City of Hastings is a participant in the Livable Communities Act's Housing Incentives Program for 2003 as determined by the Metropolitan Council, and is therefore eligible to make application for funds under the Liveable Communities Demonstration Account; and

**Whereas,** The City of Hastings has identified the Schoolhouse Square project as one that meets the Demonstration Account's purpose and criteria; and

**Whereas,** The City of Hastings has the institutional, managerial and functional capability to ensure adequate project administration; and

**Whereas,** The City of Hastings certifies that it will comply with all applicable laws and regulations as stated in the contract agreements; and

**Whereas,** The City Council of the City of Hastings, Minnesota agrees to act as legal sponsor for the project contained in the development grant application submitted on June 30, 2003; and

**Be it Further Resolved,** that the City Administrator is hereby authorized to apply to the Metropolitan Council for this funding on behalf of the City of Hastings, and to execute such agreements as are necessary to implement the project on behalf of the applicant.

**Adopted by the Hastings City Council, this 21<sup>st</sup> Day of July, 2003**

**Ayes:**  
**Nays:**

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**Michael D. Werner**  
Mayor

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**Melanie Mesko Lee**  
City Clerk

**-seal-**

## LIVABLE COMMUNITIES DEMONSTRATION ACCOUNT DEVELOPMENT GRANT APPLICATION FORM 2003

Instructions: Submit form and attachments by 4:30 p.m. on June 30, 2003. Use font size 11. Use of bulleted lists is encouraged. Do not attach a coversheet, page(s), or use any graphic images on top of the application form. Limit application to 12 pages plus attachments, for a total of no more than 19 pages.

### Project Information:

Project Name:	Schoolhouse Square
Applicant (Governmental Unit):	City of Hastings
Project Location (city):	City of Hastings
Address (street boundaries or Major intersection):	Northeast corner of Vermillion Street (Highway 61) and 10 <sup>th</sup> Street
Primary Project Contact: Name:	John Hinzman
Title:	Planning Director
Address:	101 East 4 <sup>th</sup> Street Hastings, MN 55033
Phone:	651-480-2378
Fax:	651-437-7082
E-mail:	jhinzman@ci.hastings.mn.us
Authorized official(s) - (names and titles for contract execution)	Michael Werner, Mayor David M. Osberg, City Administrator

### Project Summary

In the space below, summarize the project goals and components.

(Limit 20 lines)

Schoolhouse Square in Hastings is a mixed-use, historic redevelopment located six blocks south of the Mississippi River on U.S. Highway 61 at 10<sup>th</sup> Street. Prior to its recent demolition and subsequent land sale, there had been a Hastings Public School on this now seven-acre site continuously since 1867. The historical significance of the site and its central location within the city create a marquis place for a significant redevelopment project, which will be reflective and respectful of that legacy. Hastings has, for nearly 150 years, literally and figuratively "grown up" around the school located here. Every person between the ages of 12 and 112 who attended Hastings Schools has been educated on this site.

The components of the project include:

- Two retail/office buildings with 46,000 square feet of available space for lease
- One 56-unit condominium building with underground parking for residents
- Twelve luxury two-story for sale townhomes with brick face and front porches
- Fourteen "stacked flat" for sale townhomes with lower price points
- Pedestrian-friendly Public Plaza featuring school bell tower and historic artwork
- Public Parking Structure under the condominium with space for up to 76 cars
- Pedestrian Promenade connecting to Historic Downtown District, Tot Lot, and Midtown
- Traffic light and lane upgrades, historic street lights, and a dedicated Transit Shelter

The goals of this project are to create a successful mixed-use redevelopment with historic architecture, to provide connections and improve safety within pedestrian, vehicle and transit traffic patterns, to provide distinctive housing options, parks, and green spaces to the neighborhood and to memorialize the legacy of education which has effectively caused this river city's heart to beat right here ever since the mid-1800's.

# 1. Project Funding Request and Timeline *(limit one page, landscape layout)*

Complete the following section, listing project tasks and specific task details in priority order, requested amount of funds, and timeline. See grant information page for eligible/ineligible uses. For the *Task/Eligible Cost*, provide as much specificity and detail about the task as you can. Examples: If the *Task/Eligible Cost* is Underground Parking, the details might include information about location of parking structure if there is more than one, how many stalls and cost per stall. If the *Task/Eligible Cost* is Acquisition, the details might include number, type and location of buildings, or size of parcel; and if cost includes demolition and relocation.

Priority	Task / Eligible Cost	\$ Request	Start Date	End Date
1	Underground Parking Structure beneath condominium building: 76 stalls @ \$12,500 each	\$ 950,000	Spring 2004	Winter 2004
2	Historic Street Lighting links between Downtown, the site, and McNamara Stadium: 80 @ \$4000	\$ 320,000	Summer 2004	Fall 2004
3	Bury overhead utility lines on site: per Xcel Energy estimate	\$ 75,000	Spring 2004	Summer 2004
4	Public Pedestrian Plaza at 10 <sup>th</sup> St. and Hwy 61 and Transit Shelter at 10 <sup>th</sup> St. and Ramsey St.	\$ 75,000	Spring 2004	Summer 2004
5	Public Safety and Historic Streetscaping improvements	\$ 68,000	Spring 2004	Summer 2004
6				
7				
8				
9				
10				
Total dollars requested and the start and completion date for the entire project or phase:		\$1,488,000	Spring 2004	Fall 2004

In the following section, list any components of the proposed project previously funded with an LCDA grant, indicating the amount of grant award received, start date and completion date (or anticipated completion date) of that component.

Previously Funded LCDA Components	\$ Received	Start Date	End Date
Hastings Historic Downtown - A master Plan for Mixed Use Redevelopment and Expansion	\$ 58,500	May 2002	May 2003
Hastings Middle School Site - Tax Base Revitalization Account Grant - Polluted Land	\$ 256,555	December 2001	March 2002

In the following section, if applicable, list future phases of the project and estimated start and completion dates.

Future Phases	Start Date	End Date



## 2. Additional Project Information *(limit one page)*

- In the space below, provide additional project information or history of the site (not included in the project summary on page 1), including any plans to phase the project.

*(Limit 20 lines)*

The Schoolhouse Square site holds a special place in the hearts and minds of many Hastings residents due to the continual history of education that took place here since the mid-1800s. In 1857, a Baptist University was partially built here and remained unfinished until 1867, when the Hastings Board of Education bought it and completed what became Irving School, the City's first high school. In 1899, Irving was razed so a new school building could be built. Old Central, as that school eventually became known, was utilized until 1959 and razed in 1961 to allow for expansion of a new junior-senior high school that had been built adjacent to Old Central in 1954. The 1954 school was expanded in 1959 and 1964 and was used as Hastings Senior High until 1974, when it became Hastings Junior High. This entire building was a junior high and then a middle school until 2001. It was demolished in 2002, after the newest Hastings High School was built. The school received Met Council funds for part of that demolition. Schoolhouse Square will memorialize the site's legacy of education by accurately replicating the façade of the venerable Old Central School on the condominium building now planned there. Since 1934, immediately across Highway 61, Todd Field (now McNamara Stadium at Todd Field) has stood as a focal point of Hastings' school spirit and civic pride. Our police still close the highway Friday nights each Fall as thousands of fans flood the stands to support their Raiders. One serious limitation of Todd Field is the lack of on-site parking. Limestone block walls and iron fencing are architectural features of this bowl stadium and are also planned for Schoolhouse Square. This site was featured in the Met Council funded urban design study called Improving on the Original... A Plan for the Heart of Hastings. The consultant for this project, Bruce Chamberlain, described Schoolhouse Square as a figurative bridge between the Downtown and Midtown Commercial districts. By reflecting this history and connecting to Downtown, Midtown and the stadium, Schoolhouse Square will remain a unique asset for the neighborhood, for Hastings, and for the entire region.

- In the space below, state how LCDA funding will overcome obstacles or provide a catalyst. Describe any time constraints, financial hardship or complexity that requires LCDA funding. Address what could not be accomplished but for receipt of an LCDA grant.

*(Limit 20 lines)*

LCDA funding will help Schoolhouse Square and Hastings overcome the following obstacles:

- Historic replica architecture requires funds normally available for other construction needs
- High vehicle traffic counts demand major structural road and pedestrian safety improvements.
- Mixed-use redevelopment plan causes further strain to existing parking shortages in neighborhood
- Prior site lacked any major public green space, was unsafe for pedestrians, and was transit deficient
- Nonexistent functional connections for pedestrian traffic between Downtown, the site, and Midtown

LCDA funding will provide a significant catalyst as Schoolhouse Square can become the bell weather site for redevelopment along the entire Midtown Hastings Highway 61 corridor. Much of the Midtown area's development is now seen as seriously deferred. There is nothing quite like looking to a new, standing successful project to cause the dominoes of further redevelopment to align themselves and fall into place.

The following items could not be accomplished but for the receipt of this LCDA grant:

- Historical brick architectural treatment in conjunction with significant public improvements
- Public underground parking structure for 76 cars
- Major improvements to public pedestrian connections with adjoining neighborhoods and attractions
- Public Plaza including bell tower at 10<sup>th</sup> and Vermillion Streets with enhanced safety features
- Major investments in historic street lights, limestone retaining walls, fencing, and Transit Shelter

The above items are essential for creating an integrated, historic, connected and public-friendly redevelopment and would be eliminated or significantly curtailed without the assistance of LCDA funds.



B. **Mix and Type of Uses:** List the number and types of commercial, retail, office, government/civic, arts/cultural, entertainment or other uses existing or planned in the project site.

Type of Use	Number of Existing Uses	Square Footage or Acreage	Number of Planned Uses	Square Footage or Acreage	Indicate if planned uses are new construction or rehab	
					New	Rehab
Commercial						
Retail	0	0	6	17,900 s.f.	X	
Restaurant	0	0	2	8,400 s.f.	X	
Office	0	0	8	19,180 s.f.	X	
Government/Civic						
Arts/Cultural						
Entertainment						
Open Space/Public Space	0	0	5	65,340 s.f.	X	
Other (list)						

C. **Type and Tenure of Housing:** List the number of housing units by type and tenure (owner/renter) currently in the project site area and planned.

	Total # of Units	# Units Owner	# Units Rental	Distinguishing Features: (# of stories, architectural design)
<b>Existing Housing:</b>	2	2	0	
Single-family	2	2	0	
Townhouse				
Apartments or Condominiums				
Duplexes				
Other (list):				
<b>Planned Housing:</b>	82	82	0	
Single-family				
Townhouse	12	12	0	2 levels, row townhomes
Apartments or Condominiums	56	56	0	3 stories face Vermillion, 4 stories face Ramsey, design will match old school building
Duplexes				
Other (list): Stacked flats	14	14	0	2 two-level units and 12 single level units; stacked flat townhomes

D. **Housing Density:**

Current Overall Density (units per acre – net)	Planned overall density (units per acre – net)
0.3	11

E. **Housing Affordability:** List affordability levels for existing and planned housing in the following format: (Area median income - \$75,300)

	# of Units up to 50% of Area Median Income	# of Units at 50-80% of Area Median Income	# of Units at Market Rate	# of Affordable units to be demolished (if any)
Existing housing				
Planned housing	0	24	58	N/A
<b>Yes</b> <b>No</b> (Check appropriate box)				
<b>X</b> <b>Are there mechanisms to ensure long-term affordability? If yes, what type?</b>				
(Check any that apply)				
Land trust				
Resale price indexing				
Other (list):				

F. **Employment connections:** Estimate the number of jobs within 2 miles of the project site and list major employers.

Number of Jobs	Check appropriate number	Major employers within 2 mile
More than 5,000	X	Dakota County, Smead Manufacturing, ISD 200, Intek, Wal-Mart, City of Hastings, Hastings Industrial Park, Downtown and Vermillion Street retail, Target, Cub Foods, Hastings Marketplace
3,000-5,000		
1,000-3,000		
500-1,000		
Less than 500		

G. **Creation of new jobs:**

Yes	No	(Check appropriate box)
X		<b>Will this project create any new jobs? If yes, how many and what type?</b>
<b>Number</b>	<b>Type</b>	
10	Bank	
15	Dunn Brothers Coffee	
90	Restaurant	
60	Retail/Office/Professional	

H. **Adjacent land uses and relationships:** Describe any plans or opportunities to link adjacent land uses to the project site.  
(Limit 8 lines)

Schoolhouse Square will provide a pedestrian connection linking Sibley Street north and south of the project to the City's sidewalk system connecting to Downtown (6 blocks) and the Mississippi Riverfront parks and trails. A small Tot Lot park will be incorporated along 8<sup>th</sup> Street to serve the needs of Schoolhouse Square and the neighboring community. Linear parks will be created along Vermillion Street (Highway 61) and next to the condominium for better pedestrian access through the site. The building architecture and site plan will incorporate characteristics of the late 19<sup>th</sup> Century school building. Placement of the townhomes along Ramsey Street will buffer the more intensive commercial and high-density residences from the existing homes to the east.

I. Describe how the project links to transit, if transit is available.  
(Limit 8 lines)

The City of Hastings operates the Hastings TRAC, an on-call shuttle bus service. The approved development plan for the site includes the incorporation of a Pergola transit bus shelter on the corner of 10<sup>th</sup> and Ramsey streets for existing and future transit bus service. The bus shelter will also provide a safe area to/from which school-aged residents of the site and neighborhood can be transported on local school bus service.

J. **Environmental protection and enhancement:**

Yes	No	(Check appropriate box)
X		Does this project include environmental protection practices and environmental enhancement measures? If yes, what kind?
(Check all that apply)		
		Ecologically sensitive stormwater management practices – including draining, filtering and retaining storm water in innovative ways that maximize use of natural systems
X		Preservation or restoration of existing trees and other natural vegetation
		Use of natural resources to create communities amenities, e.g. restoration of buried creeks and wetlands
X		Provision of green spaces for recreation and scenic value
X		Other (describe): Installed storm sewer system for storm water management

K. **Replicability:** State how you will use components of or processes developed for the project in other locations in your community, or in the comprehensive plan and zoning codes.  
(Limit 8 lines)

Schoolhouse Square is consistent with goals and initiatives of the newly adopted City of Hastings Downtown Master Plan recently subsidized by the Metropolitan Council. The development would serve as a model for future redevelopment by implementing finer streetscaping details, encouraging mixed-use retail residential projects, improving the safety of Vermillion Street pedestrian crossings, creating enhanced open-space through redevelopment projects and encouraging redevelopment consistent with the architectural style of Historic Hastings. The project is located at a prominent intersection in the City and will provide a connection to Historic Downtown Hastings via Sibley Street, while in turn serving as a catalyst for future redevelopment of Vermillion Street further south.

## Partnerships and Community Participation *(Begin new page)*

- A. **Planning and Implementation Partnerships:** List and briefly describe the type and nature of partnerships in the project among government, private, for-profit and non-profit sectors.

Name of Partners	Type of Partnership
City of Hastings	LCDA grant applicant
School District 200	Former property owner / demolition of school
Metropolitan Council	Provided grant for school demolition
Camegaran, LLC	Commercial development
JHL Construction	Townhome development
Schoolhouse Partners, LLC	Residential development
Stotko-Speedling Construction	Commercial Construction Management

- B. **Community's role:** Describe any public participation processes (including residents, businesspersons and others) in developing the proposal, including the process to date, and plans for future community involvement in project implementation.  
Limit 8 lines

During approval of the Comprehensive Plan Amendment, Rezoning, and Development Plan approvals, neighboring residents and property owners were invited to participate in public hearings to review and comment on the land use changes, and design of the proposed buildings. Future approvals for Site Plan components would trigger additional notification and opportunities for review and comment. The City Council, Planning Commission, and neighboring residents have been supportive of the project.

- C. **City's role:** How has the city supported the project?  
Limit 8 lines

The City has been involved with this development prior to the establishment of the Schoolhouse Square development team. The City provided funds to assist the school district in paying for the demolition of the school building on the property. Following the demolition and subsequent land sale, the City Council approved the Comprehensive Plan, Rezoning, and Development Plan for Schoolhouse Square and has been very supportive of the design, layout and uses proposed. The City and developer have entered into a Development Agreement to ensure the density and uses proposed by the developer, as well as architectural style and amenities included in the Development Plan.

## 5. Regulatory And Implementation Tools and Strategies *(Begin new page)*

### A. City review/regulatory process: *(check appropriate box)*

Yes	No	
X		Were any new city review or regulatory processes or procedures used or developed for this project
If yes, describe them: (limit 6 lines)		
<p>The City created a Development Plan approval for the project. Development Plan approval serves as a formal concept plan, ensuring the general uses, layout, density, and architectural style of the development, but requires formal Site Plan approval before construction of any component. Upon Site Plan review, plans will be reviewed against the Development Plan to ensure consistency. The process guarantees densities and uses for the developer, but still allows some site modifications, and final review by the City, before construction can commence.</p>		

### B. Zoning/regulatory changes: *(check appropriate box)*

Yes	No	
X		Were any zoning or other regulatory tools necessary for the project to be implemented as planned?
State status of development or city adoption of them: (limit 6 lines)		
<p>Land use change from U-II (4-8 units per acre) to U-III (8+ units per acre). Approved by City Council on September 3, 2002. Further review waived by Met Council on November 19, 2002 (Ref. File #18248-9). Rezoned from R-2 Medium Density Residence to R-5 High Density Residence, and C-3 Community Regional Commerce. Approved as a Planned Residential Development (PUD) by the City Council on September 3, 2002. Development Plan also approved by City Council September 3, 2002.</p>		

### C. Design standards: *(check appropriate box)*

Yes	No	
X		Were any design standards developed?
If yes, state status of adoption or inclusion in formal regulatory processes, and how the standards were or will be used: (limit 6 lines)		
<p>General Design Standards were approved as part of the Development Plan process. The City Council agreed architectural elements of the Development Plan were acceptable. Both the City and Developer have entered into a Development Agreement to ensure future Site Plan approvals are consistent with the standards and drawings of the Development Plan.</p>		

## 6. Developability *(Begin new page)*

### A. Market and feasibility studies: (check appropriate box)

Yes	No	
	X	Have market and feasibility studies been conducted for the project?
If so, state briefly the conclusions of the studies: (limit 4 lines)		
Experienced residential and commercial developers who are members of the Schoolhouse Square development team have performed general residential and commercial market analysis. The types and amounts of both residential and commercial portions of the property have been determined based on this analysis.		

### B. Developer's role: (check appropriate box)

Yes	No	
X		Is a developer(s) committed to the project? If yes -
Name of Developer(s)		Type of contract or commitment
Camegaran, LLC		Commercial development
Schoolhouse Partners, LLC		Residential development
JHL Construction		Townhome development

## 7. Readiness and Financial Aspects of the Project

### A.

Yes	No	
X		Is the development site as represented currently within a designated development district, or an approved development (i.e. PUD)?

### B. Describe the applicant's controls of the site, or sites represented in the proposal? (check appropriate box)

	Under option
X	Own
	Condemnation
	Within a TIF District
X	Other (list): The lots on which the 12 row townhomes will be built have been sold to local builder JHL Construction, Inc. Construction commenced June, 2003.

### C. If the site is not under the applicant's control, what steps will need to be taken in order to do so? Limit 5 lines

Not applicable.
-----------------

### D.

Yes	No	
	X	Are market studies or appraisals available for all components of the project (i.e. retail, office, ownership housing, rental housing)?



E.

<b>Yes</b>	<b>No</b>	
N/A		If the developer is acquiring the development site from the city, is the site being sold at fair-market value?

F.

<b>Yes</b>	<b>No</b>	
X		Has an architect/engineer been selected for the project?
If yes, what level of completion are the drawings at? (limit 4 lines)		
Site plans, grading and utility engineering plans are complete. Grading and utility contracts are signed and construction started. Twelve townhome building plans are complete. Townhome building permits are complete and construction started June 2003. Other building elevations are complete. Detailed construction plans are in process.		

G. How have costs been determined? (check appropriate box)

<input checked="" type="checkbox"/>	Bidding
<input checked="" type="checkbox"/>	Contracting estimates
<input checked="" type="checkbox"/>	Developer estimates
<input type="checkbox"/>	City estimates
<input type="checkbox"/>	Other (list):

H. If commercial is proposed, provide as much specificity as possible regarding the type of tenants and projected rents.

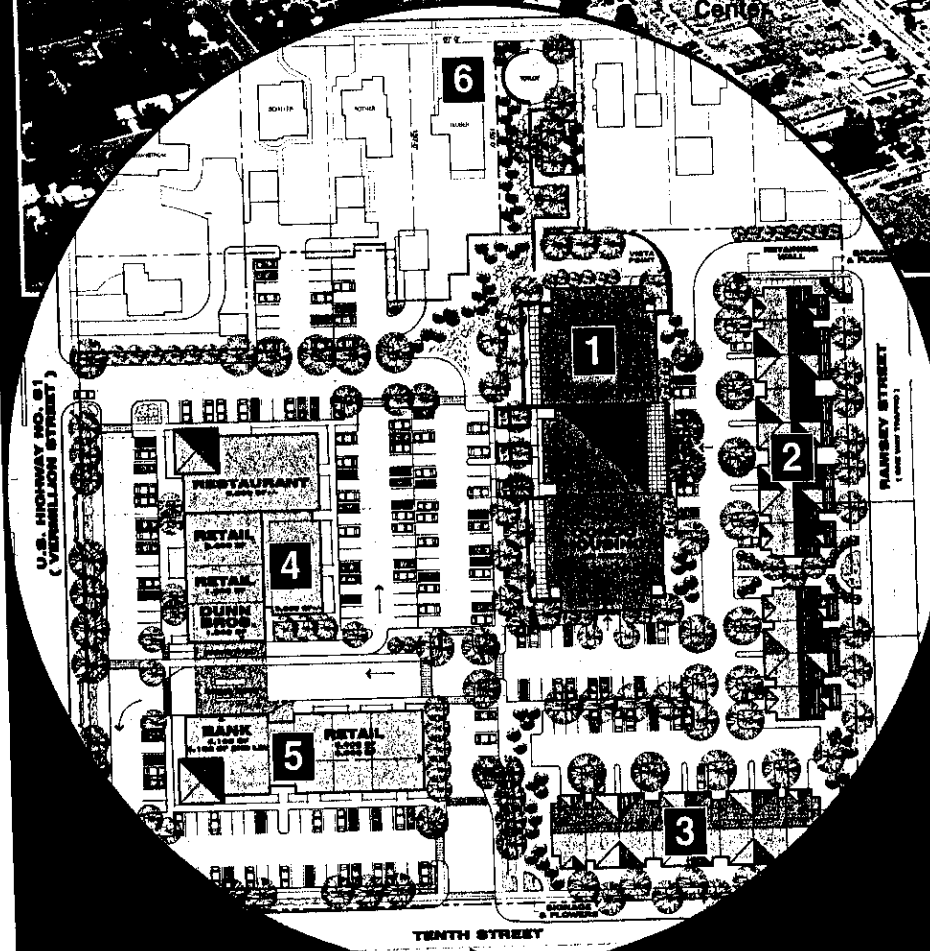
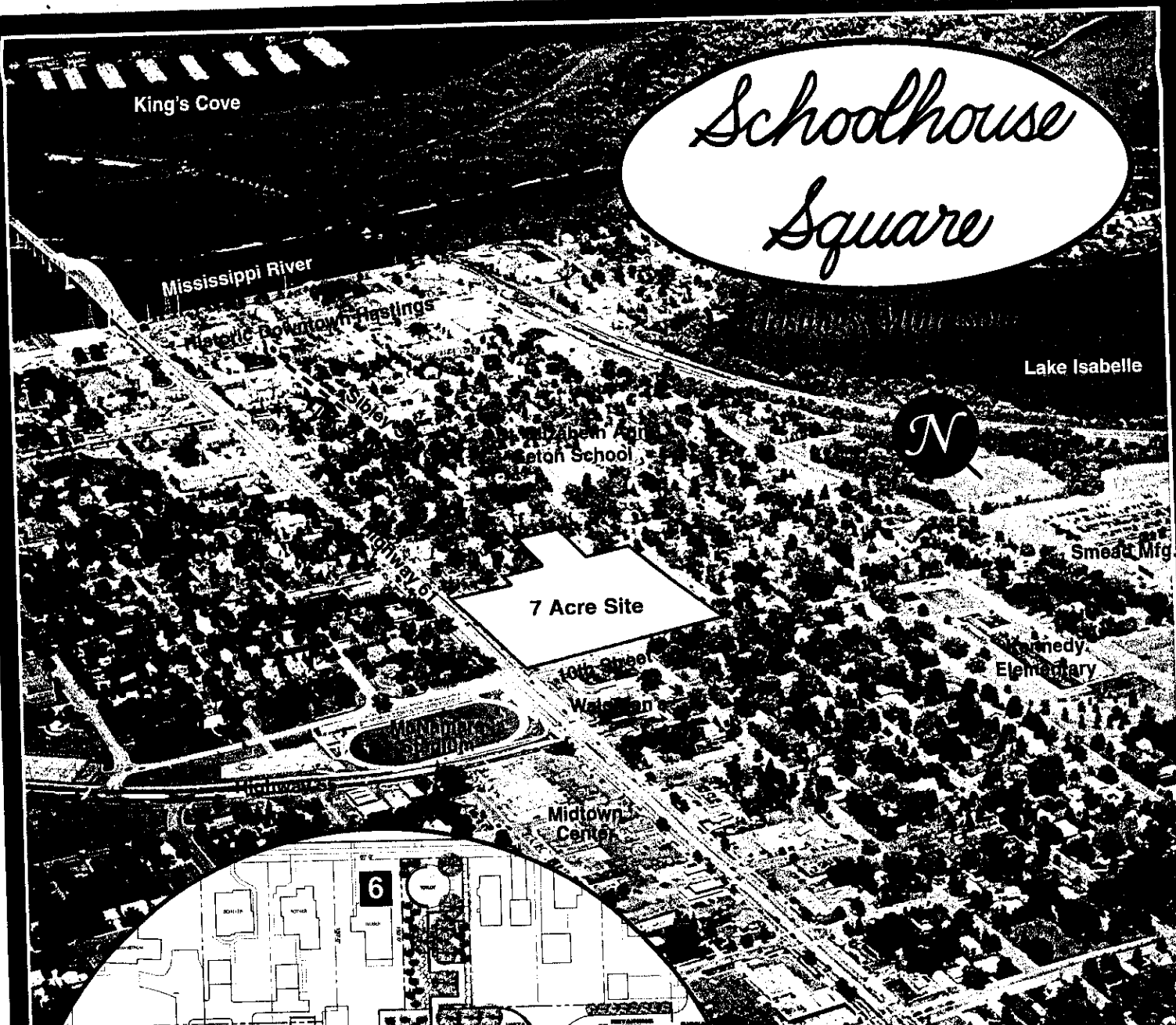
Type of Tenant	Projected Rents
Restaurant	\$17.00 - \$22.00 p.s.f.
Retail-Dunn Bros. Coffee	\$17.00 - \$22.00 p.s.f.
Service oriented- salon	\$17.00 - \$22.00 p.s.f.
Office/Financial- bank, insurance, professional offices	\$17.00 - \$22.00 p.s.f.

I.

<b>Yes</b>	<b>No</b>	
	X	Does the applicant intend to apply for LCDA funds for this project in future years for additional phases or components?

J. Provide project sources/uses budgets on the following page.

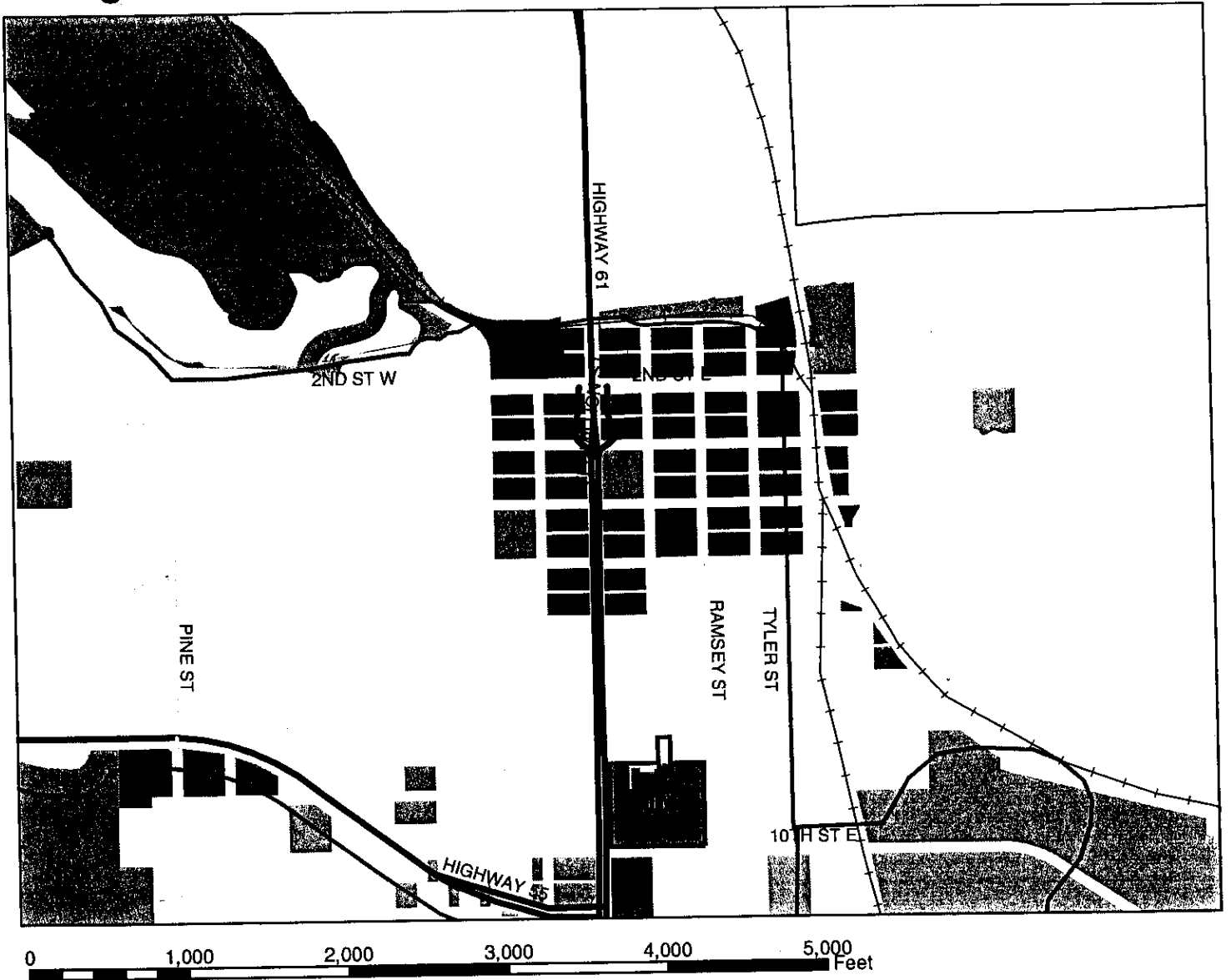
# Schoolhouse Square



## Hastings' New Historic Mixed-Use Development On Highway 61 and Near Highway 55.

- 1 56 Unit Condominium with Public and Private Underground Parking.
- 2 12 Townhomes – 2-story + basements.
- 3 14 “Stacked Flat” Townhomes
- 4 Commercial/Office Building – Restaurant, Dunn Brothers Coffee Shop, Retail Shops, and 2nd story Offices.
- 5 Bank/Retail Shops and 2nd Story Offices.
- 6 Pedestrian Promenade – Tot Lot.

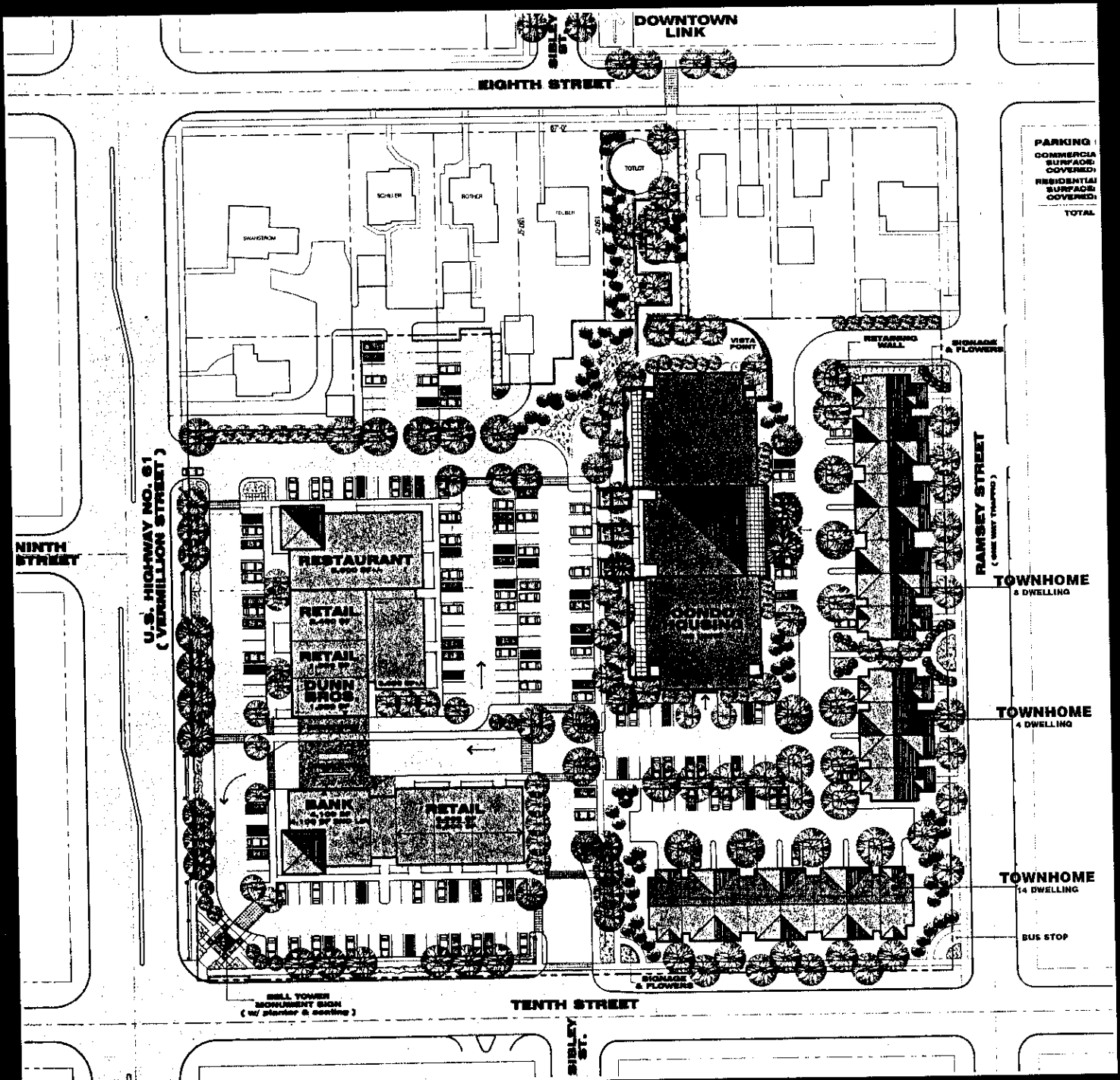
# City of Hastings - Schoolhouse Square Regional Infrastructure and 2020 Planned Land Use



- |                                 |                    |                                 |
|---------------------------------|--------------------|---------------------------------|
| Regional Park                   | Principal Arterial | Airports in the Regional System |
| Park Reserve                    | A Minor Augmentor  | Agricultural                    |
| Special Recreation Feature      | A Minor Reliever   | Rural Residential               |
| State                           | A Minor Expander   | Single Family Residential       |
| Federal                         | A Minor Connector  | Multi-Family Residential        |
| Local Trail                     | B Minor            | Commercial                      |
| Regional Trail                  | Major Collector    | Industrial                      |
| State Trail                     | Minor Collector    | Mixed Use - Single Units        |
| Sewer Interceptor Lift Stations | Park and Ride Lots | Multiple Uses - Several Units   |
| Gravity Sewer                   | Railroads          | Institutional                   |
| Force Main Sewer                | Bus Routes         | Park and Recreation             |
|                                 |                    | Open Space: Restricted Use      |
|                                 |                    | Open Water                      |

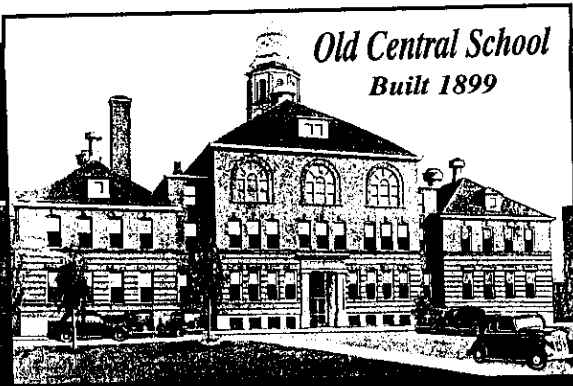
# Schoolhouse Square – Hastings – Site Layout

## Schoolhouse Square



Planning and design by Design Forum Inc.

# Schoolhouse Square – Hastings – Residential Images



*Schoolhouse  
Square*

Replica 56 Unit Condominiums



Public Parking Ramp Underground – Resident's Parking Ramp Underground

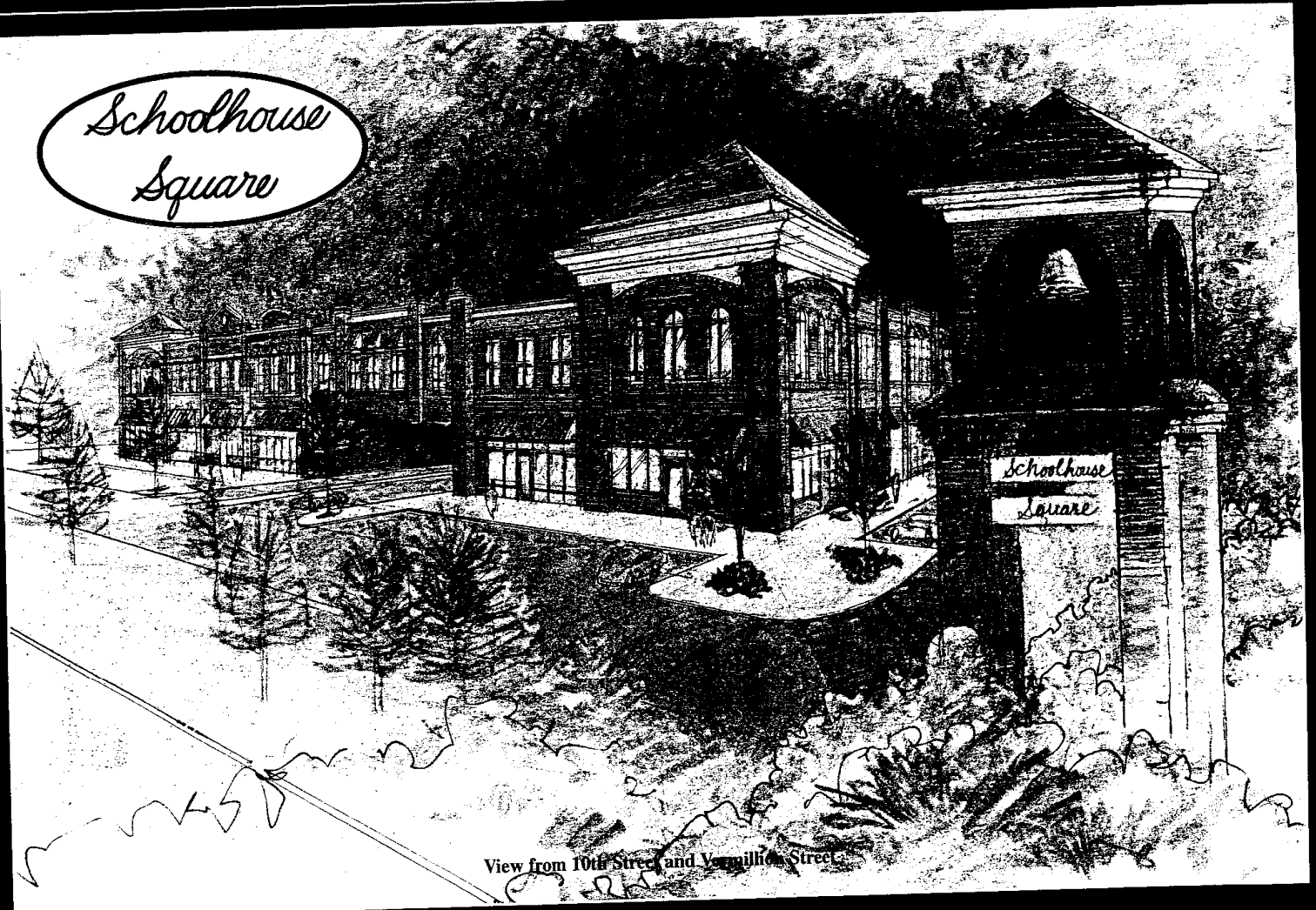
## Townhomes at Schoolhouse Square



View from Ramsey Street and 10th Street (Looking West)

# Schoolhouse Square – Hastings – Commercial Buildings

*Schoolhouse  
Square*

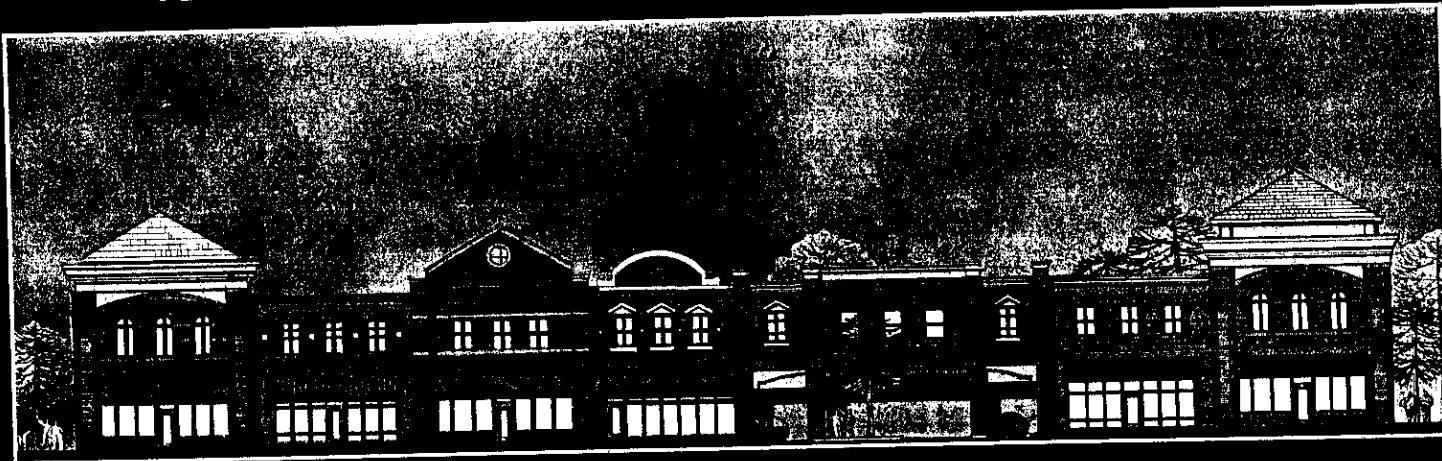


View from 10th Street and Vermillion Street

# Schoolhouse Square – Hastings – Commercial Images

*Schoolhouse  
Square*

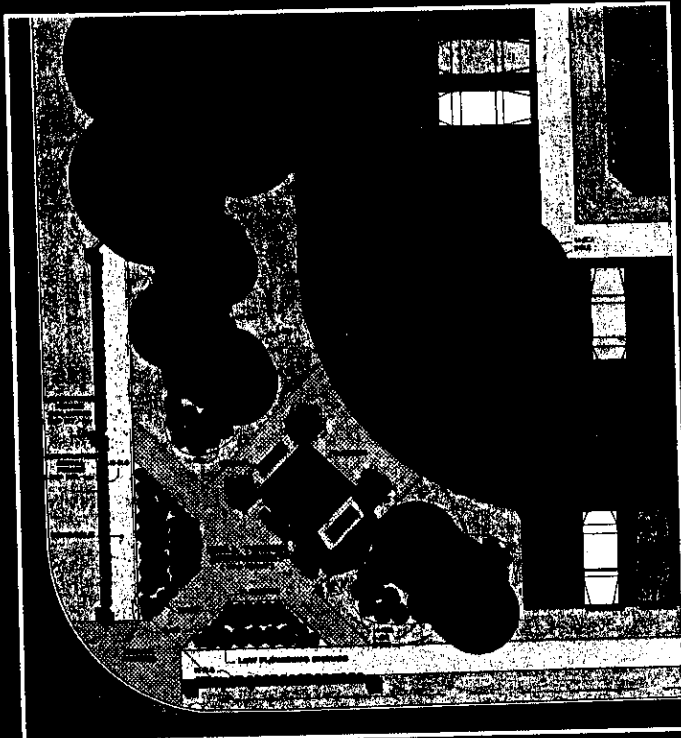
## Typical Retail/Office Elevations



Looking from Vermillion Street facing East

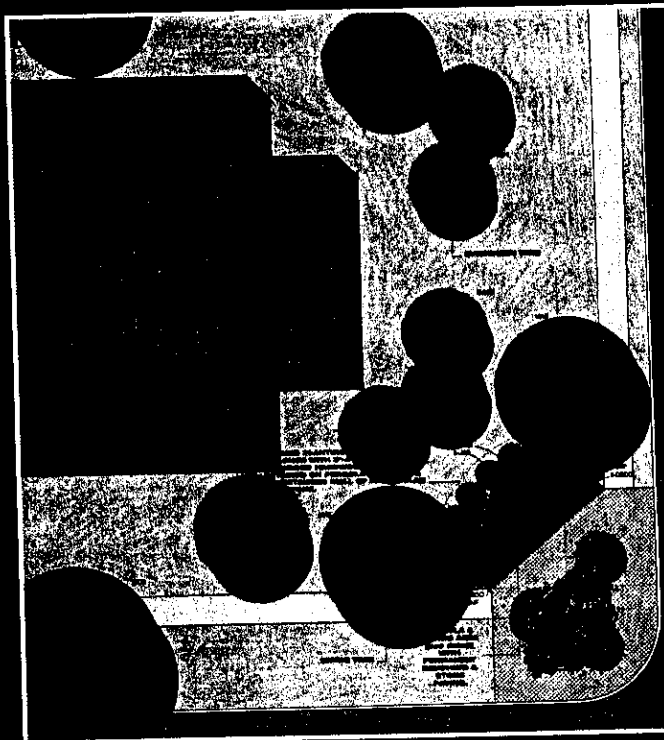
## Schoolhouse Square - Hastings - Public Spaces

### Historic Public Plaza with Bell Tower



Corner of 10th Street and Vermillion Street

### Transit Shelter



Corner of 10th Street and Ramsey Street

## Memorandum

**VI-3**

To: Mayor Werner & City Councilmembers  
 From: Melanie Mesko Lee, Administrative Assistant/City Clerk  
 Re: Part-Time Information Technology Position & Renaming of MIS  
 Coordinator position  
 Date: July 31, 2002

Requested Action:

Approval of the attached point value and salary schedule for a part-time IT support staff position, a position approved for in the 2003 budget.

Background Information:

In 2002, a part-time IT support staff position description was approved by the City Council. For 2003, this position was included in the budget, but the point value and salary schedule has not been approved by the City Council. Following is the recommended point value and salary for this position. Should Council choose to approve this request, staff would begin the advertising and recruitment immediately.

Classification Factor	Proposed Value	Justification
Formal Preparation & Experience	4+C 107 points	Equivalent to high school plus some additional formal preparation & 2-3 years experience
Decision Making	3CS 172 points	Moderate impact of judgment (supervision is available), and suggests information across multiple departments
Thinking/Problem Solving	4C 131 points	Department-wide complexity of challenges and problems, and must choose best alternative among possibilities
Interactions/ Communications	3+C 115 points	Provides specialized information to others; interactions with others regarding basic procedures and policies
Work Environment	1L 50 points	Low, minimal potential for accidents
<b>TOTAL POINTS</b>	<b>575</b>	

2003 proposed salary structure for PT IT position:

	STEP G	STEP F	STEP E	STEP D	STEP C	STEP B	STEP A
Hourly	\$19.74	\$20.50	\$21.25	\$22.00	\$22.74	\$23.49	\$24.25
Monthly (86.65 hours)	\$1,710.47	\$1,776.33	\$1,841.31	\$1,906.30	\$1,970	\$2,035	\$2,187
Yearly (1040 hours)	\$20,530	\$21,320	\$22,100	\$22,880	\$23,650	\$24,430	\$25,220



The proposed point value for this position was determined by evaluation of the projected job duties as well as an internal comparison with existing City positions. Internally, this position's value falls between the Aquatic Manager and the Building Inspector positions. Proposed salary structure was determined by a comparison to similar communities' pay values for a similar type position. Again, the salary structure fits between the Aquatic Manager and the Building Inspector positions.

The position description has been approved by the City Council, and funds have been allocated in 2003 to fill it. The IT Department has approximately \$27,700 budgeted for this position for 2003, of which some has been reallocated to professional services to accommodate outside staffing support.

If you have any questions about this memo, please feel free to contact me.

MEMORANDUM

VI-4

To: Mayor Werner and City Councilmembers  
From: Melanie Mesko Lee, Administrative Assistant/City Clerk  
Date: July 21, 2003  
Re: Approve Off-Sale Liquor License at DuGarel's (formerly Buccaneer Bowling Alley)

Council Action Requested:

Approve off-sale liquor license.

Background:

At the time of their license renewal, DuGarel's submitted a request for an off-sale liquor license in addition to their on-sale & Sunday on-sale licenses. The State is currently conducting an investigation to ensure that the establishment complies with all state requirements for an off-sale liquor license. There is no limitation to the number of off-sale liquor licenses the City can issue.

Should the Council approve this request, DuGarel's will be invoiced the amount for the annual off-sale liquor license.

Attachments:

1. Resolution  
Application materials on file

**CITY OF HASTINGS  
DAKOTA COUNTY, MINNESOTA**

**RESOLUTION NO. 07 -03**

**RESOLUTION APPROVING APPLICATION FOR ISSUANCE  
OF AN OFF-SALE ON-SALE LIQUOR LICENSE AT DUGAREL'S**

**WHEREAS**, Greg Jablonske has presented application to the City of Hastings for an off-sale liquor license at DuGarel's in Hastings, Minnesota; and

**WHEREAS**, this establishment has previously been issued an on-sale and Sunday on-sale liquor license in compliance with City and State requirements; and

**WHEREAS**, there has been no information found that would disqualify either Mr. Jablonske nor Ms. Jessica Ruter, the manager, from being issued an off-sale liquor license within the City of Hastings; and

**WHEREAS**, the State of Minnesota is conducting its own investigation to ensure that DuGarel's complies with all state requirements associated with an off-sale liquor license.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Hastings that the Mayor and Administrative Assistant/City Clerk are authorized and directed to sign this resolution approving the issuance of an off-sale liquor license to DuGarel's, upon successful completion of the investigation conducted by the State of Minnesota, and upon continued compliance with city and state liquor license regulations.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF HASTINGS THIS 14<sup>th</sup> DAY  
OF JULY 2003.**

**Ayes:**

**Nays:**

**Absent:**

\_\_\_\_\_  
Michael D. Werner, Mayor

\_\_\_\_\_  
Melanie Mesko Lee, Administrative Assistant/City Clerk

**(SEAL)**

# MEMORANDUM

To: Mayor Werner & City Councilmembers  
From: Melanie Mesko Lee, Administrative Assistant/City Clerk  
Date: July 16, 2003  
Re: Approve First Reading & Order Public Hearing for Amendment to Chapter 9—Relating to Keeping of Dogs & Cats

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**VI-5**

## Council Action Requested

Council is requested to approve the first reading and order a public hearing for August 4, 2003 to consider an amendment to the City Code, Chapter 9, changing the number of permitted cats and dogs.

## Background Information:

Current City Code limits the number of licensed cats or dogs a homeowner may have to no more than two. Staff is recommending a minor change to the code to allow homeowners to license no more than three dogs, cats, or a combination of dogs/cats. This proposed change is consistent with many other communities' regulations.

## Attachments:

1. Revised Ordinance

1<sup>ST</sup> READING DRAFT  
July 7, 2003

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

AN ORDINANCE OF THE CITY OF HASTINGS, MINNESOTA  
AMENDING CHAPTER 9, SUBDIVISION 15 OF THE  
HASTINGS CITY CODE PERTAINING TO:  
KENNELS

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

I. HASTINGS CITY CODE CHAPTER 9 , SUBDIVISION 15 OF THE HASTINGS CITY  
CODE IS AMENDED AS FOLLOWS:

- a) **SUBD. 15. KENNELS.** No person, or combination of persons, shall keep or harbor ~~three or more~~ more than three cats or dogs or combination thereof in excess of the age of three months on any parcel within the City of Hastings without first obtaining an annual kennel license from the City Clerk in accordance with Section 5.75 of the Hastings City Code. Provided, however, that this Section shall not in any way limit or apply to "small animal clinics" holding a special use permit as provided for in Ordinance No. 23, Second Series. Violation of this Subdivision shall be deemed to be a misdemeanor, and in addition may be enforced by civil proceedings for a restraining order in a court of competent jurisdiction.

ALL OTHER SECTIONS SHALL REMAIN UNCHANGED

II. VIOLATION A MISDEMEANOR

Every person who violates a section, subdivision, paragraph, or provision of this chapter when they perform an act thereby prohibited or declared unlawful, or fails to act when such failure is thereby prohibited or declared unlawful, and upon conviction thereof shall be punished as for a misdemeanor.

ADOPTED by the Hastings City Council on this \_\_\_\_\_ day of \_\_\_\_\_ 2003.

\_\_\_\_\_  
Michael D. Werner, Mayor

ATTEST:

\_\_\_\_\_  
Melanie Mesko Lee, City Clerk

I HEREBY CERTIFY that the above is a true and correct copy of an ordinance presented to and adopted by the City of Hastings, County of Dakota, Minnesota, on the \_\_\_\_\_ of \_\_\_\_\_, 2003, as disclosed by the records of the City of Hastings on file and of record in the office.

---

Melanie Mesko Lee, City Clerk

(SEAL)

This instrument drafted by:  
City of Hastings (JWH)  
101 4th St.  
Hastings, MN 55033

MEMORANDUM

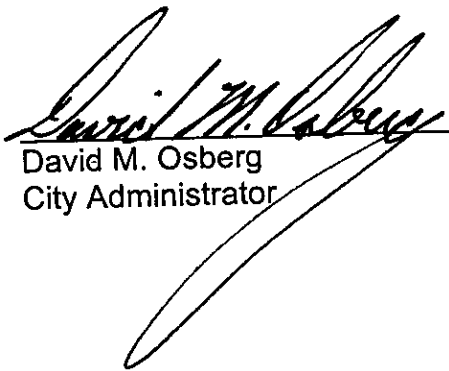
TO: Honorable Mayor and City Councilmembers  
FROM: Dave Osberg, City Administrator  
DATE: July 17, 2003  
SUBJECT: Resolution of Congratulations for Spirit of Life Award to Sharon Hoffman Avent

**RECOMMENDED CITY COUNCIL ACTION**

It is recommended that the City Council take action approving the attached Resolution Offering Commendation and Congratulations to Sharon Hoffman Avent, Recipient of the City of Hope "*Spirit of Life Award*"

**Background**

Mayor Werner recently received notice of request to provide recognition on behalf of the City of Hastings for an award that Sharon Hoffman Avent will be receiving in September from the National Office Products Industry. Adoption of the attached Resolution will provide that recognition in a timely manner, and will be forwarded for inclusion in the program, which is scheduled for September 23, 2003 in Chicago, Illinois.



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David M. Osberg  
City Administrator

**RESOLUTION #**

**Hastings City Council  
Hastings, Minnesota**

**Resolution of the City of Council of the City of Hastings Offering Commendation and  
Congratulations to Sharon Hoffman Avent, Recipient of the  
City of Hope  
"Spirit of Life Award"**

**WHEREAS**, Smead Manufacturing was founded in 1906 in Hastings and is still headquartered in our community, grossing over \$500 million annually, and 2,600 employees worldwide; serving as an significant fixture in our community; and

**WHEREAS**, In 1998 Sharon Hoffman Avent assumed the title of President and Chief Executive Officer at Smead Manufacturing; and

**WHEREAS**, Smead Manufacturing has remained as a woman run business since 1955, continuing to provide high quality products to its customers throughout the world; and

**WHEREAS**, Sharon Hoffman Avent has been a lifelong resident of our community, contributing her time and talents to various organizations, including the boards of Regina Healthcare, Minnesota Historical Society, and the Hastings Public Schools Foundations; and

**WHEREAS**, The City of Hope National Medical Center and Beckman Research Institute, is one of the world's leading research and treatment centers for cancer and other serious diseases; and

**WHEREAS**, the National Office Products Industry was founded with the purpose of establishing a continuous flow of industry-supported fund raising events on behalf of City of Hope, and in that effort honors annually an exceptional leader with City of Hope's highest honor, The *Spirit of Life Award*; and

**WHEREAS**, The *Spirit of Life Award* is presented to volunteers who have made a commitment to helping those in need, and are selected for notable contributions to their community and profession; and

**WHEREAS**, Sharon Hoffman Avent will be honored with The *Spirit of Life Award* by the National Office Products Industry on behalf of the City of Hope National Medical Center and Beckman Research institute in Chicago, Illinois on Tuesday September 23, 2003;



**WHEREAS**, Sharon Hoffman Avent will be the first woman ever awarded this prestigious award since its inception in 1983; and

**NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL, OF THE CITY OF HASTINGS, THIS 21<sup>st</sup> Day of July, 2003, that**

*Sharon Hoffman Avent*

Is to be commended and congratulated for being named the recipient of the 2003 *Spirit of Life* award, to be presented by the National Office Products Industry, on behalf of the City of Hope National Medical Center and Beckman Research Institute, on Tuesday September 23, 2003 in Chicago, Illinois.

**Adopted by the Hastings City Council  
This 21<sup>st</sup> Day of July, 2003**

Ayes:  
Nays:  
Absent

---

Michael D. Werner  
Mayor

---

Melanie Mesko Lee  
Administrative Assistant/City Clerk

(SEAL)

# MEMO

**To:** Honorable Mayor and City council members  
**From:** Lori A. Webster, Finance Director  
**Subject:** Resolutions and Recommendations for \$5,520,000 GO Improvement Bonds, Series 2003 A..  
**Date:** July 17, 2003

Attached (included in your packet) you will find the Recommendations for the issuance of \$5,520,000 GO Improvement Bonds, Series 2003A , as prepared by the City's advisors, Springsted, Inc.

Attached for Council approval is a Resolution providing for the Sale of these bonds, as prepared by the City's bond counsel, Mary Dryseth of Briggs and Morgan. As part of this resolution, City Council is asked to grant authority to the City Administrator and City Finance Director to approve the winning bid for the sale of bonds on Tuesday , August 19, 2003. This will eliminate the need to hold a special council meeting to award the bids. As usual, bids will be received at Springsted offices on that day.

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

**Recommended Council Action**

Approve the attached Resolution providing for the sale of \$5,520,000 GO Improvement Bonds, Series 2003A.

EXTRACT OF MINUTES OF A MEETING OF THE  
CITY COUNCIL OF THE CITY OF  
HASTINGS, MINNESOTA

HELD: July 21, 2003

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Hastings, Dakota County, Minnesota, was duly called and held at the City Hall in said City on Monday, the 21st day of July, 2003, at 7:00 P.M., for the purpose of authorizing the issuance of \$5,520,000 General Obligation Improvement Bonds, Series 2003A.

The following members were present:

and the following were absent:

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

RESOLUTION AUTHORIZING THE ISSUANCE OF  
\$5,520,000 GENERAL OBLIGATION IMPROVEMENT  
BONDS, SERIES 2003A, PROVIDING FOR THEIR ISSUANCE  
AND LEVYING A TAX FOR THE PAYMENT THEREOF

- A. WHEREAS, the City Council of the City of Hastings, Minnesota (the "City"), has heretofore determined and declared that it is necessary and expedient to issue \$5,520,000 General Obligation Improvement Bonds, Series 2003A of the City, pursuant to Minnesota Statutes, Chapters 429 and 475, to finance various improvement projects in the City (the "Improvements"); and
- B. WHEREAS, the construction of each of the improvement projects to be financed by the Bonds have heretofore been ordered; and
- C. WHEREAS, proposals to purchase the Bonds will be solicited on behalf of the City by Springsted Incorporated, an independent financial consultant, and therefore the City is authorized to negotiate the sale of the Bonds without compliance with the public sale requirements of Chapter 475; and
- D. WHEREAS, it is in the best interests of the City that the Bonds be issued in book-entry form as hereinafter provided; and
- E. WHEREAS, proposals for the Bonds will be received at the offices of Springsted Incorporated until 11:00 A.M. on Tuesday, August 19, 2003.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hastings, Minnesota, as follows:

1. Details on Bonds. The City shall proceed forthwith to issue the Bonds, in the form and upon the terms set forth in this Resolution. The authority to accept the most favorable bid on the Bonds, the interest rates to be borne by each maturity and the amount of the purchaser's discount is hereby delegated by the City Council to the City Administrator and the City Finance Director (collectively, the "Pricing Committee"); provided that the true interest cost on the Bonds shall not exceed four and fifty hundredths percent (4.50%). The Bonds will be sold to the purchaser on substantially the terms set forth in this Resolution and in the Terms of proposal attached hereto as Exhibit A.

2. Terms of Bonds.

(a) Title; Original Issue Date; Denominations; Maturities; Term Bonds. The Bonds shall be titled "General Obligation Improvement Bonds, Series 2003A", shall be dated September 1, 2003, as the date of original issue and shall be issued forthwith on or after such date as fully registered bonds. The Bonds shall be numbered from R-1 upward in the denomination of \$5,000 each or in any integral multiple thereof of a single maturity. The Bonds shall mature on February 1 in the years and amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2006	\$595,000	2011	\$545,000
2007	560,000	2012	545,000
2008	555,000	2013	540,000
2009	550,000	2014	540,000
2010	545,000	2015	545,000

As may be requested by the Purchaser, one or more term Bonds may be issued having mandatory sinking fund redemption and final maturity amounts conforming to the foregoing principal repayment schedule, and corresponding additions may be made to the provisions of the applicable Bond(s).

(b) Book Entry Only System. The Depository Trust Company, a limited purpose trust company organized under the laws of the State of New York or any of its successors or successors to its functions hereunder (the "Depository") will act as securities depository for the Bonds, and to this end:

(i) The Bonds shall be initially issued and, so long as they remain in book entry form only (the "Book Entry Only Period"), shall at all times be in the form of a separate single fully registered Bond for each maturity of the Bonds; and for purposes of complying with this requirement under paragraphs 5 (with respect to redemption) and 10 (with respect to registration, transfer and exchange) Authorized Denominations for any Bond shall be deemed to be limited during the Book Entry Only Period to the outstanding principal amount of that Bond.

(ii) Upon initial issuance, ownership of the Bonds shall be registered in a bond register maintained by U.S. Bank National Association (the "Bond Registrar") in the name of CEDE & CO., as the nominee (it or any nominee of the existing or a successor Depository, the "Nominee").

(iii) With respect to the Bonds neither the City nor the Bond Registrar shall have any responsibility or obligation to any broker, dealer, bank, or any other financial institution for which the Depository holds Bonds as securities depository (the "Participant") or the person for which a Participant holds an interest in the Bonds shown on the books and records of the Participant (the "Beneficial Owner"). Without limiting the immediately preceding sentence, neither the City, nor the Bond Registrar, shall have any such responsibility or obligation with respect to (A) the accuracy of the records of the Depository, the Nominee or any Participant with respect to any ownership interest in the Bonds, or (B) the delivery to any Participant, any Owner or any other person, other than the Depository, of any notice with respect to the Bonds, including any notice of redemption, or (C) the payment to any Participant, any Beneficial Owner or any other person, other than the Depository, of any amount with respect to the principal of or premium, if any, or interest on the Bonds, or (D) the consent given or other action taken by the Depository as the Registered Holder of any Bonds (the "Holder"). For purposes of securing the vote or consent of any Holder under this Resolution, the City may, however, rely upon an omnibus proxy under which the Depository assigns its consenting or voting rights to certain Participants to whose accounts the Bonds are credited on the record date identified in a listing attached to the omnibus proxy.

(iv) The City and the Bond Registrar may treat as and deem the Depository to be the absolute owner of the Bonds for the purpose of payment of the principal of and premium, if any, and interest on the Bonds, for the purpose of giving notices of redemption and other matters with respect to the Bonds, for the purpose of obtaining any consent or other action to be taken by Holders for the purpose of registering transfers with respect to such Bonds, and for all purpose whatsoever. The Bond Registrar, as paying agent hereunder, shall pay all principal of and premium, if any, and interest on the Bonds only to or upon the Holder of the Bonds as shown on the bond register, and all such payments shall be valid and effective to fully satisfy and discharge the City's obligations with respect to the principal of and premium, if any, and interest on the Bonds to the extent of the sum or sums so paid.

(v) Upon delivery by the Depository to the Bond Registrar of written notice to the effect that the Depository has determined to substitute a new Nominee in place of the existing Nominee, and subject to the transfer provisions in paragraph 10 hereof (with respect to registration, transfer and exchange), references to the Nominee hereunder shall refer to such new Nominee.

(vi) So long as any Bond is registered in the name of a Nominee, all payments with respect to the principal of and premium, if any, and interest on such Bond and all notices with respect to such Bond shall be made and given, respectively, by the Bond Registrar or City, as the case may be, to the Depository as provided in the Letter of Representations, to the Depository required by the Depository as a condition to its acting

as book-entry Depository for the Bonds (said Letter of Representations, together with any replacement thereof or amendment or substitute thereto, including any standard procedures or policies referenced therein or applicable thereto respecting the procedures and other matters relating to the Depository's role as book-entry Depository for the Bonds, collectively hereinafter referred to as the "Letter of Representations").

(vii) All transfers of beneficial ownership interests in each Bond issued in book-entry form shall be limited in principal amount to Authorized Denominations and shall be effected by procedures by the Depository with the Participants for recording and transferring the ownership of beneficial interests in such Bonds.

(viii) In connection with any notice or other communication to be provided to the Holders pursuant to this Resolution by the City or Bond Registrar with respect to any consent or other action to be taken by Holders, the Depository shall consider the date of receipt of notice requesting such consent or other action as the record date for such consent or other action; provided, that the City or the Bond Registrar may establish a special record date for such consent or other action. The City or the Bond Registrar shall, to the extent possible, give the Depository notice of such special record date not less than 15 calendar days in advance of such special record date to the extent possible.

(ix) Any successor Bond Registrar in its written acceptance of its duties under this Resolution and any paying agency registrar agreement, shall agree to take any actions necessary from time to time to comply with the requirements of the Letter of Representations.

(x) In the case of a partial prepayment of a Bond, the Holder may, in lieu of surrendering the Bonds for a Bond of a lesser denomination as provided in paragraph 5 hereof (with respect to redemption), make a notation of the reduction in principal amount on the panel provided on the Bond stating the amount so redeemed.

(c) Termination of Book-Entry Only System. Discontinuance of a particular Depository's services and termination of the book-entry only system may be effected as follows:

(i) The Depository may determine to discontinue providing its services with respect to the Bonds at any time by giving written notice to the City and discharging its responsibilities with respect thereto under applicable law. The City may terminate the services of the Depository with respect to the Bond if it determines that the Depository is no longer able to carry out its functions as securities depository or the continuation of the system of book-entry transfers through the Depository is not in the best interests of the City or the Beneficial Owners.

(ii) Upon termination of the services of the Depository as provided in the preceding paragraph, and if no substitute securities depository is willing to undertake the functions of the Depository hereunder can be found which, in the opinion of the City, is willing and able to assume such functions upon reasonable or customary terms, or if the City determines that it is in the best interests of the City or the Beneficial Owners of the Bond that the Beneficial Owners be able to obtain certificates for the Bonds, the Bonds

shall no longer be registered as being registered in the bond register in the name of the Nominee, but may be registered in whatever name or names the Holder of the Bonds shall designate at that time, in accordance with paragraph 10 hereof (with respect to registration, transfer and exchange). To the extent that the Beneficial Owners are designated as the transferee by the Holders, in accordance with paragraph 10 hereof (with respect to registration, transfer and exchange), the Bonds will be delivered to the Beneficial Owners.

(iii) Nothing in this subparagraph (c) shall limit or restrict the provisions of paragraph 10 hereof (with respect to registration, transfer and exchange).

(d) Letter of Representations. The provisions in the Letter of Representations are incorporated herein by reference and made a part of the resolution, and if and to the extent any such provisions are inconsistent with the other provisions of this resolution, the provisions in the Letter of Representations shall control.

3. Purpose. The Bonds shall provide funds to finance the construction of various improvement projects in the City (the "Improvements"). The total cost of the Improvements, which shall include all costs enumerated in Minnesota Statutes, Section 475.65, is estimated to be at least equal to the amount of the Bonds. Work on the Improvements shall proceed with due diligence to completion. The City covenants that it shall do all things and perform all acts required of it to assure that work on the Improvements proceeds with due diligence to completion and that any and all permits and studies required under law for the Improvements are obtained.

4. Interest. The Bonds shall bear interest payable semiannually on February 1 and August 1 of each year (each, an "Interest Payment Date"), commencing August 1, 2004 calculated on the basis of a 360-day year of twelve 30-day months, at the respective rates to be set by the Pricing Committee.

5. Redemption. All Bonds maturing in the years 2011 to 2015, shall be subject to redemption and prepayment at the option of the City on February 1, 2010, and on any date thereafter at a price of par plus accrued interest. Redemption may be in whole or in part of the Bonds subject to prepayment. If redemption is in part, the City shall determine the maturities and principal amounts within each maturity to be prepaid; and if only part of the Bonds having a common maturity date are called for prepayment, the specific Bonds to be prepaid shall be chosen by lot by the Bond Registrar. Bonds or portions thereof called for redemption shall be due and payable on the redemption date, and interest thereon shall cease to accrue from and after the redemption date. Mailed notice of redemption shall be given to the paying agent and to each affected registered holder of the Bonds.

To effect a partial redemption of Bonds having a common maturity date, the Bond Registrar prior to giving notice of redemption shall assign to each Bond having a common maturity date a distinctive number for each \$5,000 of the principal amount of such Bond. The Bond Registrar shall then select by lot, using such method of selection as it shall deem proper in its discretion, from the numbers so assigned to such Bonds, as many numbers as, at \$5,000 for each number, shall equal the principal amount of such Bonds to be redeemed. The Bonds to be

redeemed shall be the Bonds to which were assigned numbers so selected; provided, however, that only so much of the principal amount of each such Bond of a denomination of more than \$5,000 shall be redeemed as shall equal \$5,000 for each number assigned to it and so selected. If a Bond is to be redeemed only in part, it shall be surrendered to the Bond Registrar (with, if the City or the Bond Registrar so requires, a written instrument of transfer in form satisfactory to the City and the Bond Registrar duly executed by the holder thereof or his attorney duly authorized in writing) and the City shall execute and the Bond Registrar shall authenticate and deliver to the holder of such Bond, without service charge, a new Bond or Bonds of the same series having the same stated maturity and interest rate and of any authorized denomination or denominations, as requested by such holder, in aggregate principal amount equal to and in exchange for the unredeemed portion of the principal of the Bond so surrendered.

6. Bond Registrar. U.S. Bank National Association, in Saint Paul, Minnesota, is appointed to act as bond registrar and transfer agent with respect to the Bonds (the "Bond Registrar"), and shall do so unless and until a successor Bond Registrar is duly appointed, all pursuant to any contract the City and Bond Registrar shall execute which is consistent herewith. The Bond Registrar shall also serve as paying agent unless and until a successor paying agent is duly appointed. Principal and interest on the Bonds shall be paid to the registered holders (or record holders) of the Bonds in the manner set forth in the form of Bond and paragraph 12 of this resolution (with respect to interest payment and record date).

7. Form of Bond. The Bonds, together with the Bond Registrar's Certificate of Authentication, the form of Assignment and the registration information thereon, shall be in substantially the following form:



UNITED STATES OF AMERICA  
STATE OF MINNESOTA  
DAKOTA COUNTY  
CITY OF HASTINGS

R-\_\_\_\_\_ \$ \_\_\_\_\_

GENERAL OBLIGATION IMPROVEMENT  
BOND, SERIES 2003A

<u>INTEREST RATE</u>	<u>MATURITY DATE</u>	<u>DATE OF ORIGINAL ISSUE</u>	<u>CUSIP</u>
%		September 1, 2003	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: \_\_\_\_\_ DOLLARS

KNOW ALL PERSONS BY THESE PRESENTS that the City of Hastings, Dakota County, Minnesota (the "Issuer"), certifies that it is indebted and for value received promises to pay to the registered owner specified above, or registered assigns, in the manner hereinafter set forth, the principal amount specified above, on the maturity date specified above, unless called for earlier redemption, and to pay interest thereon semiannually on February 1 and August 1 of each year (each, an "Interest Payment Date"), commencing August 1, 2004, at the rate per annum specified above (calculated on the basis of a 360-day year of twelve 30-day months) until the principal sum is paid or has been provided for. This Bond will bear interest from the most recent Interest Payment Date to which interest has been paid or, if no interest has been paid, from the date of original issue hereof. The principal of and premium, if any, on this Bond are payable upon presentation and surrender hereof at the principal office of U.S. Bank National Association, in Saint Paul, Minnesota (the "Bond Registrar"), acting as paying agent, or any successor paying agent duly appointed by the Issuer. Interest on this Bond will be paid on each Interest Payment Date by check or draft mailed to the person in whose name this Bond is registered (the "Holder" or "Bondholder") on the registration books of the Issuer maintained by the Bond Registrar and at the address appearing thereon at the close of business on the fifteenth day of the calendar month next preceding such Interest Payment Date (the "Regular Record Date"). Any interest not so timely paid shall cease to be payable to the person who is the Holder hereof as of the Regular Record Date, and shall be payable to the person who is the Holder hereof at the close of business on a date (the "Special Record Date") fixed by the Bond Registrar whenever money becomes available for payment of the defaulted interest. Notice of the Special Record Date shall be given to Bondholders not less than ten days prior to the Special Record Date. The principal of and premium, if any, and interest on this Bond are payable in lawful money of the United States of America. So long as this Bond is registered in the name of the Depository or its Nominee as provided in the Resolution hereinafter described, and as those terms are defined therein, payment of principal of, premium, if any, and interest on this Bond and notice with respect thereto shall be made as provided in the Letter of Representations, as defined

in the Resolution, and surrender of this Bond shall not be required for payment of the redemption price upon a partial redemption of this Bond. Until termination of the book-entry only system pursuant to the Resolution, Bonds may only be registered in the name of the Depository or its Nominee.

Redemption. All Bonds of this issue (the "Bonds") maturing in the years 2011 through 2015, are subject to redemption and prepayment at the option of the Issuer on February 1, 2010, and on any date thereafter at a price of par plus accrued interest. Redemption may be in whole or in part of the Bonds subject to prepayment. If redemption is in part, the Issuer shall determine the maturities and principal amount within each maturity to be prepaid; and if only part of the Bonds having a common maturity date are called for prepayment, the specific Bonds to be prepaid shall be chosen by lot by the Bond Registrar. Bonds or portions thereof called for redemption shall be due and payable on the redemption date, and interest thereon shall cease to accrue from and after the redemption date. Mailed notice of redemption shall be given to the paying agent and to each affected Holder of the Bonds.

Selection of Bonds for Redemption; Partial Redemption. To effect a partial redemption of Bonds having a common maturity date, the Bond Registrar shall assign to each Bond having a common maturity date, a distinctive number for each \$5,000 of the principal amount of such Bond. The Bond Registrar shall then select by lot, using such method of selection as it shall deem proper in its discretion from the numbers assigned to the Bonds, as many numbers as, at \$5,000 for each number, shall equal the principal amount of such Bonds to be redeemed. The Bonds to be redeemed shall be the Bonds to which were assigned numbers so selected; provided, however, that only so much of the principal amount of such Bond of a denomination of more than \$5,000 shall be redeemed as shall equal \$5,000 for each number assigned to it and so selected. If a Bond is to be redeemed only in part, it shall be surrendered to the Bond Registrar (with, if the Issuer or the Bond Registrar so requires, a written instrument of transfer in form satisfactory to the Issuer and the Bond Registrar duly executed by the Holder thereof or his attorney duly authorized in writing) and the Issuer shall execute and the Bond Registrar shall authenticate and deliver to the Holder of such Bond, without service charge, a new Bond or Bonds of the same series having the same stated maturity and interest rate and of any authorized denomination or denominations, as requested by such Holder, in aggregate principal amount equal to and in exchange for the unredeemed portion of the principal of the Bond so surrendered.

Issuance; Purpose; General Obligation. This Bond is one of an issue in the total principal amount of \$5,520,000, all of like date of original issue and tenor, except as to number, maturity, interest rate, denomination and redemption privilege, which Bond has been issued pursuant to and in full conformity with the Constitution and laws of the State of Minnesota and pursuant to a resolution adopted by the City Council of the Issuer on July 21, 2003 (the "Resolution"), for the purpose of providing money to finance various infrastructure improvement projects. This Bond is payable out of the General Obligation Improvement Bonds, Series 2003A Fund of the Issuer. This Bond constitutes a general obligation of the Issuer, and to provide moneys for the prompt and full payment of its principal, premium, if any, and interest when the same become due, the full faith and credit and taxing powers of the Issuer have been and are hereby irrevocably pledged.

Denominations; Exchange; Resolution. The Bonds are issuable solely as fully registered bonds in the denominations of \$5,000 and integral multiples thereof of a single maturity and are exchangeable for fully registered Bonds of other authorized denominations in equal aggregate principal amounts at the principal office of the Bond Registrar, but only in the manner and subject to the limitations provided in the Resolution. Reference is hereby made to the Resolution for a description of the rights and duties of the Bond Registrar. Copies of the Resolution are on file in the principal office of the Bond Registrar.

Transfer. This Bond is transferable by the Holder in person or by his, her or its attorney duly authorized in writing at the principal office of the Bond Registrar upon presentation and surrender hereof to the Bond Registrar, all subject to the terms and conditions provided in the Resolution and to reasonable regulations of the Issuer contained in any agreement with the Bond Registrar. Thereupon the Issuer shall execute and the Bond Registrar shall authenticate and deliver, in exchange for this Bond, one or more new fully registered Bonds in the name of the transferee (but not registered in blank or to "bearer" or similar designation), of an authorized denomination or denominations, in aggregate principal amount equal to the principal amount of this Bond, of the same maturity and bearing interest at the same rate.

Fees upon Transfer or Loss. The Bond Registrar may require payment of a sum sufficient to cover any tax or other governmental charge payable in connection with the transfer or exchange of this Bond and any legal or unusual costs regarding transfers and lost Bonds.

Treatment of Registered Owners. The Issuer and Bond Registrar may treat the person in whose name this Bond is registered as the owner hereof for the purpose of receiving payment as herein provided (except as otherwise provided above with respect to the Record Date) and for all other purposes, whether or not this Bond shall be overdue, and neither the Issuer nor the Bond Registrar shall be affected by notice to the contrary.

Authentication. This Bond shall not be valid or become obligatory for any purpose or be entitled to any security unless the Certificate of Authentication hereon shall have been executed by the Bond Registrar.

Qualified Tax-Exempt Obligation. This Bond has been designated by the Issuer as a "qualified tax-exempt obligation" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

IT IS HEREBY CERTIFIED AND RECITED that all acts, conditions and things required by the Constitution, laws of the State of Minnesota and Charter of the Issuer to be done, to happen and to be performed, precedent to and in the issuance of this Bond, have been done, have happened and have been performed, in regular and due form, time and manner as required by law, and that this Bond, together with all other debts of the Issuer outstanding on the date of original issue hereof and the date of its issuance and delivery to the original purchaser, does not exceed any constitutional, statutory or Charter limitation of indebtedness.

IN WITNESS WHEREOF, the City of Hastings, Dakota County, Minnesota, by its City Council has caused this Bond to be executed on its behalf by the facsimile signatures of its Mayor and its Administrator, the corporate seal of the Issuer having been intentionally omitted as permitted by law.

Date of Registration:

\_\_\_\_\_

Registrable by: U.S. Bank National Association  
Saint Paul, Minnesota

Payable at: U.S. Bank National Association  
Saint Paul, Minnesota

BOND REGISTRAR'S  
CERTIFICATE OF  
AUTHENTICATION  
This Bond is one of the  
Resolution mentioned  
within.

CITY OF HASTINGS  
DAKOTA COUNTY,  
MINNESOTA

U.S. Bank National Association  
Bond Registrar

/s/ Facsimile  
Mayor

/s/ Facsimile  
Administrator

By \_\_\_\_\_  
Authorized Signature

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ABBREVIATIONS

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM - as tenants in common

TEN ENT - as tenants by the entireties

JT TEN - as joint tenants with right of survivorship  
and not as tenants in common

UTMA - \_\_\_\_\_ as custodian for \_\_\_\_\_  
(Cust) (Minor)

under the \_\_\_\_\_ Uniform  
(State)

Transfers to Minors Act

Additional abbreviations may also be used  
though not in the above list.

## ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto \_\_\_\_\_ the within Bond and does hereby irrevocably constitute and appoint \_\_\_\_\_ attorney to transfer the Bond on the books kept for the registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_  
Notice: The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or any change whatever.

Signature Guaranteed:

\_\_\_\_\_  
Signature(s) must be guaranteed by a national bank or trust company or by a brokerage firm having a membership in one of the major stock exchanges or any other "Eligible Guarantor Institution" as defined in 17 CFR 240.17 Ad-15(a)(2).

The Bond Registrar will not effect transfer of this Bond unless the information concerning the transferee requested below is provided.

Name and Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Include information for all joint owners  
if the Bond is held by joint account.)

***Use only for Bonds when they are  
Registered in Book Entry Only System***

**PREPAYMENT SCHEDULE**

This Bond has been prepaid in part on the date(s) and in the amount(s) as follows:

<u>Date</u>	<u>Amount</u>	<u>Authorized Signature Of Holder</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
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_____	_____	_____
_____	_____	_____

8. Execution; Temporary Bonds. *The Bonds shall be printed (or, at the request of the Purchaser, typewritten) shall be executed on behalf of the City by the signatures of its Mayor and Administrator and be sealed with the seal of the City; provided, however, that the seal of the City may be a printed (or, at the request of the Purchaser, photocopied) facsimile; and provided further that both of such signatures may be printed (or, at the request of the Purchaser, photocopied) facsimiles and the corporate seal may be omitted on the Bonds as permitted by law. In the event of disability or resignation or other absence of either such officer, the Bonds may be signed by the manual or facsimile signature of that officer who may act on behalf of such absent or disabled officer. In case either such officer whose signature or facsimile of whose signature shall appear on the Bonds shall cease to be such officer before the delivery of the Bonds, such signature or facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he or she had remained in office until delivery. The City may elect to deliver, in lieu of printed definitive bonds, one or more typewritten temporary bonds in substantially the form set forth above, with such changes as may be necessary to reflect more than one maturity in a single temporary bond. The temporary bonds may be executed with photocopied facsimile signatures of the Mayor and Administrator. Such temporary bonds shall, upon the printing of the definitive bonds and the execution thereof, be exchanged therefor and canceled.*

9. Authentication. No Bond shall be valid or obligatory for any purpose or be entitled to any security or benefit under this resolution unless a Certificate of Authentication on such Bond, substantially in the form hereinabove set forth, shall have been duly executed by an authorized representative of the Bond Registrar. Certificates of Authentication on different Bonds need not be signed by the same person. The Bond Registrar shall authenticate the signatures of officers of the City on each Bond by execution of the Certificate of Authentication on the Bond and by inserting as the date of registration in the space provided the date on which the Bond is authenticated, except that for purposes of delivering the original Bonds to the Purchaser, the Bond Registrar shall insert as a date of registration the date of original issue, which date is September 1, 2003. The Certificate of Authentication so executed on each Bond shall be conclusive evidence that it has been authenticated and delivered under this resolution.

10. Registration; Transfer; Exchange. The City will cause to be kept at the principal office of the Bond Registrar a bond register in which, subject to such reasonable regulations as the Bond Registrar may prescribe, the Bond Registrar shall provide for the registration of Bonds and the registration of transfers of Bonds entitled to be registered or transferred as herein provided.

Upon surrender for transfer of any Bond at the principal office of the Bond Registrar, the City shall execute (if necessary), and the Bond Registrar shall authenticate, insert the date of registration (as provided in paragraph 9 with respect to authentication) of, and deliver, in the name of the designated transferee or transferees, one or more new Bonds of any authorized denomination or denominations of a like aggregate principal amount, having the same stated maturity and interest rate, as requested by the transferor; provided, however, that no Bond may be registered in blank or in the name of "bearer" or similar designation.

At the option of the Holder, Bonds may be exchanged for Bonds of any authorized denomination or denominations of a like aggregate principal amount and stated maturity, upon surrender of the Bonds to be exchanged at the principal office of the Bond



Registrar. Whenever any Bonds are so surrendered for exchange, the City shall execute (if necessary), and the Bond Registrar shall authenticate, insert the date of registration of, and deliver the Bonds which the Holder making the exchange is entitled to receive.

All Bonds surrendered upon any exchange or transfer provided for in this resolution shall be promptly cancelled by the Bond Registrar and thereafter disposed of as directed by the City.

All Bonds delivered in exchange for or upon transfer of Bonds shall be valid general obligations of the City evidencing the same debt, and entitled to the same benefits under this resolution, as the Bonds surrendered for such exchange or transfer.

Every Bond presented or surrendered for transfer or exchange shall be duly endorsed or be accompanied by a written instrument of transfer, in form satisfactory to the Bond Registrar, duly executed by the Holder thereof or his, her or its attorney duly authorized in writing.

The Bond Registrar may require payment of a sum sufficient to cover any tax or other governmental charge payable in connection with the transfer or exchange of any Bond and any legal or unusual costs regarding transfers and lost Bonds.

Transfers shall also be subject to reasonable regulations of the City contained in any agreement with the Bond Registrar, including regulations which permit the Bond Registrar to close its transfer books between record dates and payment dates. The Administrator is hereby authorized to negotiate and execute the terms of said agreement.

11. Rights Upon Transfer or Exchange. Each Bond delivered upon transfer of or in exchange for or in lieu of any other Bond shall carry all the rights to interest accrued and unpaid, and to accrue, which were carried by such other Bond.

12. Interest Payment; Record Date. Interest on any Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond is registered (the "Holder") on the registration books of the City maintained by the Bond Registrar and at the address appearing thereon at the close of business on the fifteenth (15th) day of the calendar month next preceding such Interest Payment Date (the "Regular Record Date"). Any such interest not so timely paid shall cease to be payable to the person who is the Holder thereof as of the Regular Record Date, and shall be payable to the person who is the Holder thereof at the close of business on a date (the "Special Record Date") fixed by the Bond Registrar whenever money becomes available for payment of the defaulted interest. Notice of the Special Record Date shall be given by the Bond Registrar to the Holders not less than ten (10) days prior to the Special Record Date.

13. Treatment of Registered Owner. The City and Bond Registrar may treat the person in whose name any Bond is registered as the owner of such Bond for the purpose of receiving payment of principal of and premium, if any, and interest (subject to the payment provisions in paragraph 12 above with respect to interest payment and record date) on, such Bond and for all other purposes whatsoever whether or not such Bond shall be overdue, and neither the City nor the Bond Registrar shall be affected by notice to the contrary.

14. Delivery; Application of Proceeds. The Bonds when so prepared and executed shall be delivered by the Finance Director to the Purchaser upon receipt of the purchase price, and the Purchaser shall not be obliged to see to the proper application thereof.

15. Fund and Accounts. There is hereby created a special fund to be designated the "General Obligation Improvement Bonds, Series 2003A Fund" (the "Fund") to be administered and maintained by the Finance Director as a bookkeeping account separate and apart from all other funds maintained in the official financial records of the City. The Fund shall be maintained in the manner herein specified until all of the Bonds and the interest thereon have been fully paid. There shall be maintained in the Fund two (2) separate accounts, to be designated the "Construction Account" and "Debt Service Account", respectively.

(i) Construction Account. To the Construction Account there shall be credited the proceeds of the sale of the Bonds, less accrued interest received thereon, and less capitalized interest in any amount (together with interest earnings thereon and subject to such other adjustments as are appropriate to provide sufficient funds to pay interest due on the Bonds on or before February 1, 2005), and less any amount paid for the Bonds in excess of \$5,464,800, plus any special assessments levied with respect to the Improvements and collected prior to completion of the Improvements and payment of the costs thereof. From the Construction Account there shall be paid all costs and expenses of making the Improvements listed in paragraph 16 (with respect to assessments), including the cost of any construction contracts heretofore let and all other costs incurred and to be incurred of the kind authorized in Minnesota Statutes, Section 475.65; and the moneys in said account shall be used for no other purpose except as otherwise provided by law; provided that the proceeds of the Bonds may also be used to the extent necessary to pay interest on the Bonds due prior to the anticipated date of commencement of the collection of taxes or special assessments herein levied or covenanted to be levied; and provided further that if upon completion of the Improvements there shall remain any unexpended balance in the Construction Account, the balance (other than any special assessments) may be transferred by the Council to the fund of any other improvement instituted pursuant to Minnesota Statutes, Chapter 429, and provided further that any special assessments credited to the Construction Account shall only be applied towards payment of the costs of the Improvements upon adoption of a resolution by the City Council determining that the application of the special assessments for such purpose will not cause the City to no longer be in compliance with Minnesota Statutes, Section 475.61, Subdivision 1.

(ii) Debt Service Account. There are hereby irrevocably appropriated and pledged to, and there shall be credited to, the Debt Service Account: (a) all collections of special assessments herein covenanted to be levied with respect to the Improvements and either initially credited to the Construction Account and not already spent as permitted above and required to pay any principal and interest due on the Bonds or collected subsequent to the completion of the Improvements and payment of the costs thereof; (b) all accrued interest received upon delivery of the Bonds; (c) all funds paid for the Bonds in excess of \$5,464,800; (d) capitalized interest in any amount (together with interest earnings thereon and subject to such other adjustments as are appropriate to provide sufficient funds to pay interest due on the Bonds on or before February 1, 2005); (e) all collections of taxes herein or hereafter levied for the payment of the Bonds and interest thereon; (f) all funds remaining in the Construction Account after completion of the Improvements and payment of the costs thereof, not so transferred to the account of another

improvement; (g) all investment earnings on funds held in the Debt Service Account; and (h) any and all other moneys which are properly available and are appropriated by the governing body of the City to the Debt Service Account. The Debt Service Account shall be used solely to pay the principal and interest and any premiums for redemption of the Bonds and any other general obligation bonds of the City hereafter issued by the City and made payable from said account as provided by law.

No portion of the proceeds of the Bonds shall be used directly or indirectly to acquire higher yielding investments or to replace funds which were used directly or indirectly to acquire higher yielding investments, except (1) for a reasonable temporary period until such proceeds are needed for the purpose for which the Bonds were issued and (2) in addition to the above in an amount not greater than the lesser of five percent (5%) of the proceeds of the Bonds or \$100,000. To this effect any special assessments against benefitted properties are also pledged to the Debt Service Account, in excess of amounts which under then-applicable federal arbitrage regulations may be invested without regard to yield shall not be invested at a yield in excess of the applicable yield restrictions imposed by said arbitrage regulations on such investments after taking into account any applicable "temporary periods" or "minor portion" made available under the federal arbitrage regulations. Money in the Fund shall not be invested in obligations or deposits issued by, guaranteed by or insured by the United States or any agency or instrumentality thereof if and to the extent that such investment would cause the Bonds to be "federally guaranteed" within the meaning of Section 149(b) of the Internal Revenue Code of 1986, as amended (the "Code").

16. Assessments. It is hereby determined that no less than twenty percent (20%) of the cost to the City of each Improvement financed hereunder within the meaning of Minnesota Statutes, Section 475.58, Subdivision 1(3), shall be paid by special assessments to be heretofore levied against every assessable lot, piece and parcel of land benefitted by any of the Improvements. The City hereby covenants and agrees that it will let all construction contracts not heretofore let within one (1) year after ordering each Improvement financed hereunder unless the resolution ordering the Improvement specifies a different time limit for the letting of construction contracts. The City hereby further covenants and agrees that it will do and perform as soon as they may be done all acts and things necessary for the final and valid levy of such special assessments, and in the event that any such assessment be at any time held invalid with respect to any lot, piece or parcel of land due to any error, defect, or irregularity in any action or proceedings taken or to be taken by the City or the City Council or any of the City officers or employees, either in the making of the assessments or in the performance of any condition precedent thereto, the City and the City Council will forthwith do all further acts and take all further proceedings as may be required by law to make the assessments a valid and binding lien upon such property. It is hereby determined that the assessments shall be payable in equal, consecutive installments of principal, with interest on the declining balance, with general taxes for the years shown below and with interest on the declining balance of all such assessments at a rate per annum not greater than the maximum permitted by law and not less than 4.50% per annum:

<u>Improvement Designation</u>	<u>Amount</u>	<u>Levy Years</u>	<u>Collection Years</u>
Riverwood/South Oaks	\$	2004-2013	2005-2014
Gen. Sieben Drive Extension	\$	2004-2013	2005-2014

At the time the assessments are in fact levied the City Council shall, based on the then-current estimated collections of the assessments, make any adjustments in any ad valorem taxes required to be levied in order to assure that the City continues to be in compliance with Minnesota Statutes, Section 475.61, Subdivision 1.

17. Tax Levy; Coverage Test. To provide moneys for payment of the principal and interest on the Bonds there shall be levied upon all of the taxable property in the City a direct annual ad valorem tax which shall be spread upon the tax rolls and collected with and as part of other general property taxes in the City for the years and in the amounts sufficient, together with other revenues herein pledged for the payment of the Bonds, sufficient to produce at least five percent (5%) in excess of the amount needed to meet when due the principal and interest payments on the Bonds. The tax levies shall be irrevocable so long as any of the Bonds are outstanding and unpaid, provided that the City reserves the right and power to reduce the levies in the manner and to the extent permitted by Minnesota Statutes, Section 475.61, Subdivision 3.

18. General Obligation Pledge. For the prompt and full payment of the principal and interest on the Bonds, as the same respectively become due, the full faith, credit and taxing powers of the City shall be and are hereby irrevocably pledged. If the balance in the Debt Service Account is ever insufficient to pay all principal and interest then due on the Bonds and any other bonds payable therefrom, the deficiency shall be promptly paid out of any other funds of the City which are available for such purpose, and such other funds may be reimbursed with or without interest from the Debt Service Account when a sufficient balance is available therein.

19. Certificate of Registration. The Clerk is hereby directed to file a certified copy of this resolution with the County Auditor of Dakota County, Minnesota, together with such other information as they shall require, and to obtain the County Auditor's certificates that the Bonds have been entered in the County Auditor's Bond Register, and the tax levy authorized by law has been made.

20. Records and Bonds. The officers of the City are hereby authorized and directed to prepare and furnish to the Purchaser, and to the attorneys approving the legality of the issuance of the Bonds, certified copies of all proceedings and records of the City relating to the Bonds and to the financial condition and affairs of the City, and such other affidavits, certificates and information as are required to show the facts relating to the legality and marketability of the Bonds as the same appear from the books and records under their custody and control or as otherwise known to them, and all such certified copies, certificates and affidavits, including any heretofore furnished, shall be deemed representations of the City as to the facts recited therein.

21. Defeasance. When all Bonds have been discharged as provided in this paragraph, all pledges, covenants and other rights granted by this resolution to the registered holders of the Bonds shall, to the extent permitted by law, cease. The City may discharge its obligations with respect to any Bonds which are due on any date by irrevocably depositing with the Bond Registrar on or before that date a sum sufficient for the payment thereof in full; or if any Bond should not be paid when due, it may nevertheless be discharged by depositing with the Bond Registrar a sum sufficient for the payment thereof in full with interest accrued to the date of such deposit. The City may also discharge its obligations with respect to any prepayable Bonds called for redemption on any date when they are prepayable according to their terms, by depositing with the Bond Registrar on or before that date a sum sufficient for the payment thereof in full, provided that notice of redemption thereof has been duly given. The City may also at any time discharge its obligations with respect to any Bonds, subject to the provisions of law now or hereafter authorizing and regulating such action, by depositing irrevocably in escrow, with a suitable banking institution qualified by law as an escrow agent for this purpose, cash or securities described in Minnesota Statutes, Section 475.67, Subdivision 8, bearing interest payable at such times and at such rates and maturing on such dates as shall be required, subject to sale and/or reinvestment, to pay all amounts to become due thereon to maturity or, if notice of redemption as herein required has been duly provided for, to such earlier redemption date.

22. Negative Covenant as to Use of Proceeds and Improvements. The City hereby covenants not to use the proceeds of the Bonds or to use the Improvements, or to cause or permit them to be used, or to enter into any deferred payment arrangements for the cost of the Improvements, in such a manner as to cause the Bonds to be "private activity bonds" within the meaning of Sections 103 and 141 through 150 of the Code.

23. Tax-Exempt Status of the Bonds; Rebate. The City shall comply with requirements necessary under the Code to establish and maintain the exclusion from gross income under Section 103 of the Code of the interest on the Bonds, including without limitation (1) requirements relating to temporary periods for investments, (2) limitations on amounts invested at a yield greater than the yield on the Bonds, and (3) the rebate of excess investment earnings to the United States. The Issuer expects to satisfy the 18 month expenditure exemption for gross proceeds of the Bonds as provided in Section 1.148-7(d) of the Regulations.

24. Designation of Qualified Tax-Exempt Obligations; Issuance Limit. In order to qualify the Bonds as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code, the City hereby makes the following factual statements and representations:

- (a) the Bonds are issued after August 7, 1986;
- (b) the Bonds are not "private activity bonds" as defined in Section 141 of the Code;
- (c) the City hereby designates the Bonds as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code;

(d) the reasonably anticipated amount of tax-exempt obligations (other than private activity bonds, treating qualified 501(c)(3) bonds as not being private activity bonds) which will be issued by the City (and all entities treated as one issuer with the City, and all subordinate entities whose obligations are treated as issued by the City) during this calendar year 2003 will not exceed \$10,000,000; and

(e) not more than \$10,000,000 of obligations issued by the City during this calendar year 2003 have been designated for purposes of Section 265(b)(3) of the Code.

25. Compliance with Reimbursement Bond Regulations. The provisions of this paragraph are intended to establish and provide for the City's compliance with United States Treasury Regulations Section 1.150-2 (the "Reimbursement Regulations") applicable to the "reimbursement proceeds" of the Bonds, being those portions thereof which will be used by the City to reimburse itself for any expenditure which the City paid or will have paid prior to the Closing Date (a "Reimbursement Expenditure").

The City hereby certifies and/or covenants as follows:

(a) Not later than 60 days after the date of payment of a Reimbursement Expenditure, the City (or person designated to do so on behalf of the City) has made or will have made a written declaration of the City's official intent (a "Declaration") which effectively (i) states the City's reasonable expectation to reimburse itself for the payment of the Reimbursement Expenditure out of the proceeds of a subsequent borrowing; (ii) gives a general and functional description of the property, project or program to which the Declaration relates and for which the Reimbursement Expenditure is paid, or identifies a specific fund or account of the City and the general functional purpose thereof from which the Reimbursement Expenditure was to be paid (collectively the "Project"); and (iii) states the maximum principal amount of debt expected to be issued by the City for the purpose of financing the Project; provided, however, that no such Declaration shall necessarily have been made with respect to: (i) "preliminary expenditures" for the Project, defined in the Reimbursement Regulations to include engineering or architectural, surveying and soil testing expenses and similar prefatory costs, which in the aggregate do not exceed 20% of the "issue price" of the Bonds, and (ii) a *de minimis* amount of Reimbursement Expenditures not in excess of the lesser of \$100,000 or 5% of the proceeds of the Bonds.

(b) Each Reimbursement Expenditure is a capital expenditure or a cost of issuance of the Bonds or any of the other types of expenditures described in Section 1.150-2(d)(3) of the Reimbursement Regulations.

(c) The "reimbursement allocation" described in the Reimbursement Regulations for each Reimbursement Expenditure shall and will be made forthwith following (but not prior to) the issuance of the Bonds and in all events within the period ending on the date which is the later of three years after payment of the Reimbursement Expenditure or one year after the date on which the Project to which the Reimbursement Expenditure relates is first placed in service.

(d) Each such reimbursement allocation will be made in a writing that evidences the City's use of Bond proceeds to reimburse the Reimbursement Expenditure and, if made within 30 days after the Bonds are issued, shall be treated as made on the day the Bonds are issued.

Provided, however, that the City may take action contrary to any of the foregoing covenants in this paragraph 25 upon receipt of an opinion of its Bond Counsel for the Bonds stating in effect that such action will not impair the tax-exempt status of the Bonds.

26. Continuing Disclosure.

(a) The City is the sole obligated person with respect to the Bonds. The City hereby agrees, in accordance with the provisions of Rule 15c2-12 (the "Rule"), promulgated by the Securities and Exchange Commission (the "Commission") pursuant to the Securities Exchange Act of 1934, as amended, and a Continuing Disclosure Undertaking (the "Undertaking") hereinafter described to:

(1) Provide or cause to be provided, in a timely manner, to (i) each nationally recognized municipal securities information repository ("NRMSIR") or to the Municipal Securities Rulemaking Board ("MSRB") and (ii) the state information depository (the "SID"), if any, notice of the occurrence of certain material events with respect to the Bonds in accordance with the Undertaking.

(2) The City agrees that its covenants pursuant to the Rule set forth in this paragraph and in the Undertaking are intended to be for the benefit of the holders and any other beneficial owners of the Bonds and shall be enforceable on behalf of such holders and beneficial owners; provided that the right to enforce the provisions of these covenants shall be limited to a right to obtain specific enforcement of the City's obligations under the covenants.

(b) The Mayor and Administrator of the City, or any other officer of the City authorized to act in their place, (the "Officers") are hereby authorized and directed to execute on behalf of the City the Undertaking in substantially the form presented to the Council, subject to such modifications thereof or additions thereto as are (i) consistent with the requirements under the Rule, (ii) required by the purchaser of the Bonds and (iii) acceptable to the Officers.

27. Official Statement. In connection with said competitive negotiated sale, the Administrator, Finance Director and other officers or employees of the City are hereby authorized to cooperate with Springsted and participate in the preparation of an official statement for the Bonds, and to execute and deliver it on behalf of the City upon its completion.

28. Severability. If any section, paragraph or provision of this resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this resolution.

29. Headings. Headings in this resolution are included for convenience of reference only and are not a part hereof, and shall not limit or define the meaning of any provision hereof.

The motion for the adoption of the foregoing resolution was duly seconded by member \_\_\_\_\_ and, after a full discussion thereof and upon a vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

Whereupon said resolution was declared duly passed and adopted.



STATE OF MINNESOTA  
COUNTY OF DAKOTA  
CITY OF HASTINGS

I, the undersigned, being the duly qualified and acting Clerk of the City of Hastings, Minnesota, DO HEREBY CERTIFY that I have compared the attached and foregoing extract of minutes with the original thereof on file in my office, and that the same is a full, true and complete transcript of the minutes of a meeting of the City Council of said City, duly called and held on the date therein indicated, insofar as such minutes relate to authorizing the issuance of \$5,520,000 General Obligation Improvement Bonds, Series 2003A of said City.

WITNESS my hand this \_\_\_\_ day of \_\_\_\_\_, 2003.

\_\_\_\_\_  
Clerk

## EXHIBIT A

### TERMS OF PROPOSAL

\$5,520,000

### CITY OF HASTINGS, MINNESOTA GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2003A

#### (BOOK ENTRY ONLY)

Proposals for the Bonds will be received on Tuesday, August 19, 2003, until 11:00 A.M., Central Time, at the offices of Springsted Incorporated, 85 East Seventh Place, Suite 100, Saint Paul, Minnesota, after which time they will be opened and tabulated. Consideration for award of the Bonds will be by a Pricing Committee immediately following the opening of the proposals.

#### SUBMISSION OF PROPOSALS

Springsted will assume no liability for the inability of the bidder to reach Springsted prior to the time of sale specified above. All bidders are advised that each Proposal shall be deemed to constitute a contract between the bidder and the City to purchase the Bonds regardless of the manner in which the Proposal is submitted.

(a) **Sealed Bidding.** Proposals may be submitted in a sealed envelope or by fax (651) 223-3046 to Springsted. Signed Proposals, without final price or coupons, may be submitted to Springsted prior to the time of sale. The bidder shall be responsible for submitting to Springsted the final Proposal price and coupons, by telephone (651) 223-3000 or fax (651) 223-3046 for inclusion in the submitted Proposal.

**OR**

(b) **Electronic Bidding.** Notice is hereby given that electronic proposals will be received via PARITY®. For purposes of the electronic bidding process, the time as maintained by PARITY® shall constitute the official time with respect to all Bids submitted to PARITY®. *Each bidder shall be solely responsible for making necessary arrangements to access PARITY® for purposes of submitting its electronic Bid in a timely manner and in compliance with the requirements of the Terms of Proposal.* Neither the City, its agents nor PARITY® shall have any duty or obligation to undertake registration to bid for any prospective bidder or to provide or ensure electronic access to any qualified prospective bidder, and neither the City, its agents nor PARITY® shall be responsible for a bidder's failure to register to bid or for any failure in the proper operation of, or have any liability for any delays or interruptions of or any damages caused by the services of PARITY®. The City is using the services of PARITY® solely as a communication mechanism to conduct the electronic bidding for the Bonds, and PARITY® is not an agent of the City.

If any provisions of this Terms of Proposal conflict with information provided by PARITY®, this Terms of Proposal shall control. Further information about PARITY®, including any fee charged, may be obtained from:

PARITY®, 40 West 23<sup>rd</sup> Street, 5<sup>th</sup> Floor, New York City, New York 10010, Customer Support, (212) 404-8102.

#### DETAILS OF THE BONDS

The Bonds will be dated September 1, 2003, as the date of original issue, and will bear interest payable on February 1 and August 1 of each year, commencing August 1, 2004. Interest will be computed on the basis of a 360-day year of twelve 30-day months.

The Bonds will mature February 1 in the years and amounts as follows:

2006	\$595,000	2009	\$550,000	2012	\$545,000	2014	\$540,000
2007	\$560,000	2010	\$545,000	2013	\$540,000	2015	\$545,000
2008	\$555,000	2011	\$545,000				

Proposals for the Bonds may contain a maturity schedule providing for a combination of serial bonds and term bonds. All term bonds shall be subject to mandatory sinking fund redemption and must conform to the maturity schedule set forth above at a price of par plus accrued interest to the date of redemption. In order to designate term bonds, the proposal must specify "Years of Term Maturities" in the spaces provided on the Proposal Form.

#### BOOK ENTRY SYSTEM

The Bonds will be issued by means of a book entry system with no physical distribution of Bonds made to the public. The Bonds will be issued in fully registered form and one Bond, representing the aggregate principal amount of the Bonds maturing in each year, will be registered in the name of Cede & Co. as nominee of The Depository Trust Company ("DTC"), New York, New York, which will act as securities depository of the Bonds. Individual purchases of the Bonds may be made in the principal amount of \$5,000 or any multiple thereof of a single maturity through book entries made on the books and records of DTC and its participants. Principal and interest are payable by the registrar to DTC or its nominee as registered owner of the Bonds. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants will be the responsibility of such participants and other nominees of beneficial owners. The purchaser, as a condition of delivery of the Bonds, will be required to deposit the Bonds with DTC.

#### REGISTRAR

The City will name the registrar that shall be subject to applicable SEC regulations. The City will pay for the services of the registrar.

## OPTIONAL REDEMPTION

The City may elect on February 1, 2010, and on any day thereafter, to prepay Bonds due on or after February 1, 2011. Redemption may be in whole or in part and if in part at the option of the City and in such manner as the City shall determine. If less than all Bonds of a maturity are called for redemption, the City will notify DTC of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant's interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. All prepayments shall be at a price of par plus accrued interest.

## SECURITY AND PURPOSE

The Bonds will be general obligations of the City for which the City will pledge its full faith and credit and power to levy direct general ad valorem taxes. In addition the City will pledge special assessments against benefited property. The proceeds will be used to finance various improvement projects within the City.

## TYPE OF PROPOSALS

Proposals shall be for not less than \$5,464,800 and accrued interest on the total principal amount of the Bonds. Proposals shall be accompanied by a Good Faith Deposit ("Deposit") in the form of a certified or cashier's check or a Financial Surety Bond in the amount of \$55,200, payable to the order of the City. If a check is used, it must accompany the proposal. If a Financial Surety Bond is used, it must be from an insurance company licensed to issue such a bond in the State of Minnesota, and preapproved by the City. Such bond must be submitted to Springsted Incorporated prior to the opening of the proposals. The Financial Surety Bond must identify each underwriter whose Deposit is guaranteed by such Financial Surety Bond. If the Bonds are awarded to an underwriter using a Financial Surety Bond, then that purchaser is required to submit its Deposit to Springsted Incorporated in the form of a certified or cashier's check or wire transfer as instructed by Springsted Incorporated not later than 3:30 P.M., Central Time, on the next business day following the award. If such Deposit is not received by that time, the Financial Surety Bond may be drawn by the City to satisfy the Deposit requirement. The Deposit received from the purchaser, the amount of which will be deducted at settlement and no interest will accrue to the purchaser, will be deposited by the City. In the event the purchaser fails to comply with the accepted proposal, said amount will be retained by the City. No proposal can be withdrawn or amended after the time set for receiving proposals unless the meeting of the City scheduled for award of the Bonds is adjourned, recessed, or continued to another date without award of the Bonds having been made. Rates shall be in integral multiples of 5/100 or 1/8 of 1%. Rates must be in level or ascending order. Bonds of the same maturity shall bear a single rate from the date of the Bonds to the date of maturity. No conditional proposals will be accepted.

## AWARD

The Bonds will be awarded on the basis of the lowest interest rate to be determined on a true interest cost (TIC) basis. The City's computation of the interest rate of each proposal, in accordance with customary practice, will be controlling.

The City will reserve the right to: (i) waive non-substantive informalities of any proposal or of matters relating to the receipt of proposals and award of the Bonds, (ii) reject all proposals without cause, and, (iii) reject any proposal that the City determines to have failed to comply with the terms herein.

#### BOND INSURANCE AT PURCHASER'S OPTION

If the Bonds qualify for issuance of any policy of municipal bond insurance or commitment therefor at the option of the underwriter, the purchase of any such insurance policy or the issuance of any such commitment shall be at the sole option and expense of the purchaser of the Bonds. Any increased costs of issuance of the Bonds resulting from such purchase of insurance shall be paid by the purchaser, except that, if the City has requested and received a rating on the Bonds from a rating agency, the City will pay that rating fee. Any other rating agency fees shall be the responsibility of the purchaser.

Failure of the municipal bond insurer to issue the policy after Bonds have been awarded to the purchaser shall not constitute cause for failure or refusal by the purchaser to accept delivery on the Bonds.

#### CUSIP NUMBERS

If the Bonds qualify for assignment of CUSIP numbers such numbers will be printed on the Bonds, but neither the failure to print such numbers on any Bond nor any error with respect thereto will constitute cause for failure or refusal by the purchaser to accept delivery of the Bonds. The CUSIP Service Bureau charge for the assignment of CUSIP identification numbers shall be paid by the purchaser.

#### SETTLEMENT

Within 40 days following the date of their award, the Bonds will be delivered without cost to the purchaser through DTC in New York, New York. Delivery will be subject to receipt by the purchaser of an approving legal opinion of Briggs and Morgan, Professional Association, of Saint Paul and Minneapolis, Minnesota, and of customary closing papers, including a no-litigation certificate. On the date of settlement, payment for the Bonds shall be made in federal, or equivalent, funds that shall be received at the offices of the City or its designee not later than 12:00 Noon, Central Time. Unless compliance with the terms of payment for the Bonds has been made impossible by action of the City, or its agents, the purchaser shall be liable to the City for any loss suffered by the City by reason of the purchaser's non-compliance with said terms for payment.

#### CONTINUING DISCLOSURE

On the date of actual issuance and delivery of the Bonds, the City will execute and deliver a Continuing Disclosure Undertaking (the "Undertaking") whereunder the City will covenant for the benefit of the owners of the Bonds to provide certain financial and other information about the City and notices of certain occurrences to information repositories as specified in and required by SEC Rule 15c2-12(b)(5).

## OFFICIAL STATEMENT

The City has authorized the preparation of an Official Statement containing pertinent information relative to the Bonds, and said Official Statement will serve as a nearly final Official Statement within the meaning of Rule 15c2-12 of the Securities and Exchange Commission. For copies of the Official Statement or for any additional information prior to sale, any prospective purchaser is referred to the Financial Advisor to the City, Springsted Incorporated, 85 East Seventh Place, Suite 100, Saint Paul, Minnesota 55101, telephone (651) 223-3000.

The Official Statement, when further supplemented by an addendum or addenda specifying the maturity dates, principal amounts and interest rates of the Bonds, together with any other information required by law, shall constitute a "Final Official Statement" of the City with respect to the Bonds, as that term is defined in Rule 15c2-12. By awarding the Bonds to any underwriter or underwriting syndicate submitting a proposal therefor, the City agrees that, no more than seven business days after the date of such award, it shall provide without cost to the senior managing underwriter of the syndicate to which the Bonds are awarded 150 copies of the Official Statement and the addendum or addenda described above. The City designates the senior managing underwriter of the syndicate to which the Bonds are awarded as its agent for purposes of distributing copies of the Final Official Statement to each Participating Underwriter. Any underwriter delivering a proposal with respect to the Bonds agrees thereby that if its proposal is accepted by the City (i) it shall accept such designation and (ii) it shall enter into a contractual relationship with all Participating Underwriters of the Bonds for purposes of assuring the receipt by each such Participating Underwriter of the Final Official Statement.

Dated July 21, 2003

BY ORDER OF THE CITY COUNCIL

/s/ Melanie Mesko Lee  
City Clerk

# Recommendations

For

## City of Hastings, Minnesota

\$5,520,000

General Obligation Improvement Bonds, Series 2003A

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**Presented to:**

Honorable Michael Werner, Mayor  
Members, City Council  
Mr. David Osberg, City Manager  
Ms. Lori Webster, Finance Director  
City of Hastings  
101 Fourth Street East  
Hastings, MN 55033-1955

Study No.: H0412Q4  
SPRINGSTED Incorporated  
July 16, 2003



**SPRINGSTED**  
*Advisors to the Public Sector*

## RECOMMENDATIONS

Re: Recommendations for the Issuance of \$5,520,000 General Obligation Improvement Bonds, Series 2003A (the "Bonds" or the "Issue")

We respectfully request your consideration of our recommendations for the above-named issues. Bond proceeds will be used to finance various infrastructure improvement projects throughout the City. Construction of the improvements is currently underway and are expected to be fully completed in the spring of 2004.

We recommend the following for the Bonds:

1. *Action Requested* To establish the date and time of receiving bids and establish the terms and conditions of the offering.
2. *Sale Date and Time* Tuesday, August 19, 2003 at 11:00 A.M., with award of the Bonds immediately following the sale. To avoid the necessity of holding a special meeting, the City Council will delegate the authority to award the Bonds to City staff, subject to certain conditions, at its regular meeting on July 21, 2003.
3. *Method of Sale* The Bonds will be sold through a competitive bidding process. In the interest of obtaining as many bids as possible, we have included a provision in the attached Terms of Proposal for underwriters to submit their bid electronically through the electronic bidding platform of PARITY<sup>®</sup>. In addition, physical bids (by phone or fax) will be accepted at the offices of Springsted.
4. *Authority for the Bonds* The Bonds are being issued pursuant to Minnesota Statutes, Chapters 475 and 429.
5. *Repayment Term* The Bonds will mature annually February 1, 2006 through 2015. Interest will be payable semi-annually each February 1 and August 1, commencing August 1, 2004.
6. *Security and Payment Cycle*
  - (a) *Security* The Bonds are general obligations of the City.
  - (b) *Source of Payment* The Bonds will be repaid with a combination of special assessments and ad valorem property taxes.
  - (c) *Payment Cycle* The City will make its first levy for the Bonds in 2004 for collection in 2005.



Capitalized interest included in the principal amount of the Bonds will be used to make the interest payments due through February 1, 2005. Thereafter, each year's first-half collection of assessments and taxes will be used to pay the interest payment due August 1 in the year of collection. Second-half collections of assessments and taxes, plus surplus first-half collections, will be used to pay the February 1 principal and interest payment due in the following year.

7. *Prepayment Provisions*

The City may elect on February 1, 2010, and on any date thereafter, to prepay the Bonds due on or after February 1, 2011, at a price of par plus accrued interest.

8. *Credit Rating Comments*

An application will be made to Moody's Investors Service for a rating on the Bonds. The City's current general obligation credit rating is "A2".

9. *Federal Treasury Regulations Concerning Tax-Exempt Obligations*

(a) *Bank Qualification*

Under Federal Tax Law, financial institutions cannot deduct from income for federal income tax purposes, expense that is allocable to carrying and acquiring tax-exempt bonds. There is an exemption to this for "bank qualified" bonds, which can be so designated if the issuer does not issue more than \$10 million of tax exempt bonds in a calendar year. Issues that are bank qualified generally receive slightly lower interest rates than issues that are not bank qualified. Since the City expects to issue less than \$10 million of tax exempt obligations in 2003, the Bonds are designated as bank qualified.

(b) *Rebate Requirements*

All tax-exempt issues are subject to the federal arbitrage and rebate requirements, which require all excess earnings created by the financing to be rebated to the U.S. Treasury. The requirements generally cover two categories: bond proceeds and debt service funds. There are exceptions to rebate that may apply in both of these categories.

Bond proceeds deposited to a project/construction fund may qualify for exemption from rebate if it meets a 6-month,

18-month, or 24-month spending exception. The City expects to meet the 18-month exemption. The 18-month spending exception requires a certain percentage of the proceeds be spent at six-month intervals. If the Bond proceeds, and investment earnings thereon, meet all six-month spending percentages, the City may retain the interest earnings.

Springsted currently provides arbitrage and rebate services for the City under a separate contract. An amendment to that contract adding this Issue has been provided to City staff.

(c) *Bona Fide Debt Service Fund*

The City must maintain a bona fide debt service fund for the Bonds or be subject to yield restriction. This requires restricting the investments held in the debt service fund to the yield on the Issues and/or paying back excess investment earnings in the debt service fund to the federal government. A bona fide debt service fund is a fund for which there is an equal matching of revenue to debt service expense, with carry over permitted equal to the greater of the investment earnings in the fund during that year or 1/12 the debt service of that year.

With improvement bonds additional diligence should be exercised in monitoring the debt service fund due to the potential accumulation of assessment prepayments which could cause the fund to become non-bona fide.

(d) *Economic Life*

The average life of the Issues cannot exceed 120% of the economic life of the projects to be financed. The economic life of the improvements financed by the Bonds is at least 20 years. The average life of the Bonds is 6.855 years; therefore the Bonds are within the economic life requirements.

(e) *Federal Reimbursement Regulations*

Federal reimbursement regulations require the City to make a declaration, within 60 days of the actual payment, of its intent to reimburse itself from expenses paid prior to the receipt of Bond proceeds. It is our understanding the City has taken whatever actions are necessary to comply with the federal reimbursement regulations in regards to the Bonds.

10. *Continuing Disclosure*

The Bonds are subject to continuing disclosure requirements set forth by the Securities and Exchange Commission. The SEC rules require the City to undertake an annual update of certain Official Statement information and report any material events to the national repositories. Springsted currently provides continuing disclosure services for the City under a separate contract. An amendment to that contract adding the Bonds has been provided to City staff.

11. *Attachments*

- Sources and Uses of Funds
- Assessment Income Schedule
- Debt Service Schedule
- Terms of Proposal

## DISCUSSION

### The Bonds

The Bonds will finance street and utility improvement projects within the City. In addition to Bond proceeds, the City will use intergovernmental and City funds totaling \$821,030 to pay for project costs. A detailed sources and uses of funds are shown on page 6.

Special assessments against benefited properties, in the aggregate amount of \$3,658,534, will be filed on or about November 1, 2004. Assessments will be amortized with equal annual payments of principal. Interest will be charged on the outstanding balance at a rate equal to 1.50% over the rate on the Bonds, or approximately 4.50% using current estimates. The resulting estimated assessment income cash flow is shown on page 7. Assessment income will not be sufficient to pay 100% of the debt service requirements for the Bonds. Debt service will be paid with a combination of special assessments and ad valorem property taxes.

Our recommended principal structure for the Bonds is shown on page 8. Debt service has been structured around the projected annual assessment income to result in even annual tax levies over a term of ten years. Page 8 shows the following information:

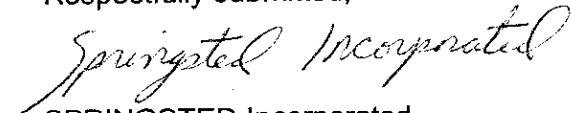
- Columns 1 through 5 show the principal payment dates, annual principal, estimated interest rates and projected total principal and interest payments, given the current market environment.
- Column 6 shows the capitalized interest included in the principal amount of the Bonds to make the interest payments due through February 1, 2005.
- Column 7 the net debt service followed in column 8 by the 5% overlevy which is required by State statute and serves as a protection to bondholders and the City in the event of delinquencies in the collection of assessments or taxes.
- Column 9 shows the total projected assessment income developed on page 7.
- Column 10 shows the difference between columns 8 and 9 and represents the projected annual levy amounts required to fund the difference between assessment income and 105% of debt service.

City of Hastings, Minnesota  
July 16, 2003

Based on projected assessment income, it is expected that the City will be required to annually levy ad valorem property taxes in the average amount of approximately \$210,300 to pay debt service on the Bonds.

Springsted is pleased to again be of service to the City of Hastings.

Respectfully submitted,

  
SPRINGSTED Incorporated

Provided to Staff: Rebate and Continuing Disclosure Contract Amendments  
mb

**\$5,520,000**  
**City of Hastings, Minnesota**  
**General Obligation Improvement Bonds, Seires 2003A**

**SOURCES & USES**

Dated 09/01/2003

Delivered 09/01/2003

<b>SOURCES OF FUNDS</b>	
Par Amount of Bonds.....	\$5,520,000.00
WAC Fund.....	343,082.76
2002 Construction Bonding.....	200,000.00
SAC Fund.....	185,062.90
Century South Box Culvert Escrow.....	85,059.42
Municipal State Aid Funds.....	7,826.78
<b>TOTAL SOURCES.....</b>	<b>\$6,341,031.86</b>
 <b>USES OF FUNDS</b>	
Riverwood/South Oaks.....	3,109,599.49
Gen. Sieben Drive Extention.....	2,944,698.64
Deposit to Capitalized Interest (CIF) Fund.....	197,872.92
Total Underwriter's Discount (1.000%).....	55,200.00
Costs of Issuance.....	33,250.00
Rounding Amount.....	410.81
<b>TOTAL USES.....</b>	<b>\$6,341,031.86</b>

Springsted Incorporated  
 Advisors to the Public Sector

File = Hastin~1.sf-GO Improvement Bonds, 2003A- SINGLE PURPOSE  
 7/ 9/2003 9:36 AM

**City of Hastings, Minnesota**  
**General Obligation Improvement Bonds, Series 2003A**

**ASSESSMENT INCOME SCHEDULE**

Date	Principal	Coupon	Interest	Total P+I
12/31/2004	-	-	-	-
12/31/2005	365,853.47	4.500%	192,073.07	557,926.54
12/31/2006	365,853.47	4.500%	148,170.66	514,024.13
12/31/2007	365,853.46	4.500%	131,707.24	497,560.70
12/31/2008	365,853.46	4.500%	115,243.84	481,097.30
12/31/2009	365,853.46	4.500%	98,780.44	464,633.90
12/31/2010	365,853.46	4.500%	82,317.02	448,170.48
12/31/2011	365,853.46	4.500%	65,853.62	431,707.08
12/31/2012	365,853.46	4.500%	49,390.22	415,243.68
12/31/2013	365,853.46	4.500%	32,926.82	398,780.28
12/31/2014	365,853.46	4.500%	16,463.40	382,316.86
<b>Total</b>	<b>3,658,534.62</b>	<b>-</b>	<b>932,926.33</b>	<b>4,591,460.95</b>

**DATE AND TERM STRUCTURE**

Interest Accrual Date..... 11/01/2004  
 Last Day of First Year of Collection..... 12/31/2005

Springsted Incorporated  
 Advisors to the Public Sector

File = Hastin-1.sf-Assessments for 2003A- SINGLE PURPOSE  
 7/ 9/2003 9:41 AM

**\$5,520,000**  
**City of Hastings, Minnesota**  
**General Obligation Improvement Bonds, Seires 2003A**

**DEBT SERVICE SCHEDULE**

Date	Principal	Coupon	Interest	Total P+I	Capitalized Interest	Net New D/S	105% of Total	Projected Assessment Income	Annual Levy
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
2/01/2004	-	-	-	-	-	-	-	-	-
2/01/2005	-	-	197,872.92	197,872.92	(197,872.92)	-	-	-	-
2/01/2006	595,000.00	1.400%	139,675.00	734,675.00	-	734,675.00	771,408.75	557,926.54	213,482.21
2/01/2007	560,000.00	1.750%	131,345.00	691,345.00	-	691,345.00	725,912.25	514,024.13	211,888.12
2/01/2008	555,000.00	2.050%	121,545.00	676,545.00	-	676,545.00	710,372.25	497,560.70	212,811.55
2/01/2009	550,000.00	2.350%	110,167.50	660,167.50	-	660,167.50	693,175.88	481,097.30	212,078.58
2/01/2010	545,000.00	2.600%	97,242.50	642,242.50	-	642,242.50	674,354.63	464,633.90	209,720.73
2/01/2011	545,000.00	2.800%	83,072.50	628,072.50	-	628,072.50	659,476.13	448,170.48	211,305.65
2/01/2012	545,000.00	2.950%	67,812.50	612,812.50	-	612,812.50	643,453.13	431,707.08	211,746.05
2/01/2013	540,000.00	3.050%	51,735.00	591,735.00	-	591,735.00	621,321.75	415,243.68	206,078.07
2/01/2014	540,000.00	3.200%	35,265.00	575,265.00	-	575,265.00	604,028.25	398,780.28	205,247.97
2/01/2015	545,000.00	3.300%	17,985.00	562,985.00	-	562,985.00	591,134.25	382,316.86	208,817.39
<b>Total</b>	<b>5,520,000.00</b>	<b>-</b>	<b>1,053,717.92</b>	<b>6,573,717.92</b>	<b>(197,872.92)</b>	<b>6,375,845.00</b>	<b>6,694,637.25</b>	<b>4,591,460.95</b>	<b>2,103,176.30</b>

**DATE AND TERM STRUCTURE**

Dated..... 9/01/2003  
 Delivery Date..... 9/01/2003  
 First Coupon Date..... 8/01/2004

**YIELD STATISTICS**

Bond Year Dollars..... \$37,840.00  
 Average Life..... 6.855 Years  
 Average Coupon..... 2.7846668%  
 Net Interest Cost (NIC)..... 2.9305442%  
 True Interest Cost (TIC)..... 2.9284032%  
 Bond Yield for Arbitrage Purposes..... 2.7648463%  
 All Inclusive Cost (AIC)..... 3.0279706%

THE CITY HAS AUTHORIZED SPRINGSTED INCORPORATED TO NEGOTIATE THIS ISSUE ON ITS BEHALF. PROPOSALS WILL BE RECEIVED ON THE FOLLOWING BASIS:

TERMS OF PROPOSAL

\$5,520,000

CITY OF HASTINGS, MINNESOTA  
GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2003A

(BOOK ENTRY ONLY)

Proposals for the Bonds will be received on Tuesday, August 19, 2003, until 11:00 A.M., Central Time, at the offices of Springsted Incorporated, 85 East Seventh Place, Suite 100, Saint Paul, Minnesota, after which time they will be opened and tabulated. Consideration for award of the Bonds will be by a Pricing Committee immediately following the opening of the proposals.

SUBMISSION OF PROPOSALS

Springsted will assume no liability for the inability of the bidder to reach Springsted prior to the time of sale specified above. All bidders are advised that each Proposal shall be deemed to constitute a contract between the bidder and the City to purchase the Bonds regardless of the manner in which the Proposal is submitted.

(a) **Sealed Bidding.** Proposals may be submitted in a sealed envelope or by fax (651) 223-3046 to Springsted. Signed Proposals, without final price or coupons, may be submitted to Springsted prior to the time of sale. The bidder shall be responsible for submitting to Springsted the final Proposal price and coupons, by telephone (651) 223-3000 or fax (651) 223-3046 for inclusion in the submitted Proposal.

OR

(b) **Electronic Bidding.** Notice is hereby given that electronic proposals will be received via PARITY<sup>®</sup>. For purposes of the electronic bidding process, the time as maintained by PARITY<sup>®</sup> shall constitute the official time with respect to all Bids submitted to PARITY<sup>®</sup>. *Each bidder shall be solely responsible for making necessary arrangements to access PARITY<sup>®</sup> for purposes of submitting its electronic Bid in a timely manner and in compliance with the requirements of the Terms of Proposal.* Neither the City, its agents nor PARITY<sup>®</sup> shall have any duty or obligation to undertake registration to bid for any prospective bidder or to provide or ensure electronic access to any qualified prospective bidder, and neither the City, its agents nor PARITY<sup>®</sup> shall be responsible for a bidder's failure to register to bid or for any failure in the proper operation of, or have any liability for any delays or interruptions of or any damages caused by the services of PARITY<sup>®</sup>. The City is using the services of PARITY<sup>®</sup> solely as a communication mechanism to conduct the electronic bidding for the Bonds, and PARITY<sup>®</sup> is not an agent of the City.

If any provisions of this Terms of Proposal conflict with information provided by PARITY<sup>®</sup>, this Terms of Proposal shall control. Further information about PARITY<sup>®</sup>, including any fee charged, may be obtained from:

PARITY<sup>®</sup>, 40 West 23<sup>rd</sup> Street, 5<sup>th</sup> Floor, New York City, New York 10010, Customer Support, (212) 404-8102.



## DETAILS OF THE BONDS

The Bonds will be dated September 1, 2003, as the date of original issue, and will bear interest payable on February 1 and August 1 of each year, commencing August 1, 2004. Interest will be computed on the basis of a 360-day year of twelve 30-day months.

The Bonds will mature February 1 in the years and amounts as follows:

2006	\$595,000	2009	\$550,000	2012	\$545,000	2014	\$540,000
2007	\$560,000	2010	\$545,000	2013	\$540,000	2015	\$545,000
2008	\$555,000	2011	\$545,000				

Proposals for the Bonds may contain a maturity schedule providing for a combination of serial bonds and term bonds. All term bonds shall be subject to mandatory sinking fund redemption and must conform to the maturity schedule set forth above at a price of par plus accrued interest to the date of redemption. In order to designate term bonds, the proposal must specify "Years of Term Maturities" in the spaces provided on the Proposal Form.

## BOOK ENTRY SYSTEM

The Bonds will be issued by means of a book entry system with no physical distribution of Bonds made to the public. The Bonds will be issued in fully registered form and one Bond, representing the aggregate principal amount of the Bonds maturing in each year, will be registered in the name of Cede & Co. as nominee of The Depository Trust Company ("DTC"), New York, New York, which will act as securities depository of the Bonds. Individual purchases of the Bonds may be made in the principal amount of \$5,000 or any multiple thereof of a single maturity through book entries made on the books and records of DTC and its participants. Principal and interest are payable by the registrar to DTC or its nominee as registered owner of the Bonds. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants will be the responsibility of such participants and other nominees of beneficial owners. The purchaser, as a condition of delivery of the Bonds, will be required to deposit the Bonds with DTC.

## REGISTRAR

The City will name the registrar that shall be subject to applicable SEC regulations. The City will pay for the services of the registrar.

## OPTIONAL REDEMPTION

The City may elect on February 1, 2010, and on any day thereafter, to prepay Bonds due on or after February 1, 2011. Redemption may be in whole or in part and if in part at the option of the City and in such manner as the City shall determine. If less than all Bonds of a maturity are called for redemption, the City will notify DTC of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant's interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. All prepayments shall be at a price of par plus accrued interest.

## SECURITY AND PURPOSE

The Bonds will be general obligations of the City for which the City will pledge its full faith and credit and power to levy direct general ad valorem taxes. In addition the City will pledge special assessments against benefited property. The proceeds will be used to finance various improvement projects within the City.

## TYPE OF PROPOSALS

Proposals shall be for not less than \$5,464,800 and accrued interest on the total principal amount of the Bonds. Proposals shall be accompanied by a Good Faith Deposit ("Deposit") in the form of a certified or cashier's check or a Financial Surety Bond in the amount of \$55,200, payable to the order of the City. If a check is used, it must accompany the proposal. If a Financial Surety Bond is used, it must be from an insurance company licensed to issue such a bond in the State of Minnesota, and preapproved by the City. Such bond must be submitted to Springsted Incorporated prior to the opening of the proposals. The Financial Surety Bond must identify each underwriter whose Deposit is guaranteed by such Financial Surety Bond. If the Bonds are awarded to an underwriter using a Financial Surety Bond, then that purchaser is required to submit its Deposit to Springsted Incorporated in the form of a certified or cashier's check or wire transfer as instructed by Springsted Incorporated not later than 3:30 P.M., Central Time, on the next business day following the award. If such Deposit is not received by that time, the Financial Surety Bond may be drawn by the City to satisfy the Deposit requirement. The Deposit received from the purchaser, the amount of which will be deducted at settlement and no interest will accrue to the purchaser, will be deposited by the City. In the event the purchaser fails to comply with the accepted proposal, said amount will be retained by the City. No proposal can be withdrawn or amended after the time set for receiving proposals unless the meeting of the City scheduled for award of the Bonds is adjourned, recessed, or continued to another date without award of the Bonds having been made. Rates shall be in integral multiples of 5/100 or 1/8 of 1%. Rates must be in level or ascending order. Bonds of the same maturity shall bear a single rate from the date of the Bonds to the date of maturity. No conditional proposals will be accepted.

## AWARD

The Bonds will be awarded on the basis of the lowest interest rate to be determined on a true interest cost (TIC) basis. The City's computation of the interest rate of each proposal, in accordance with customary practice, will be controlling.

The City will reserve the right to: (i) waive non-substantive informalities of any proposal or of matters relating to the receipt of proposals and award of the Bonds, (ii) reject all proposals without cause, and, (iii) reject any proposal that the City determines to have failed to comply with the terms herein.

## BOND INSURANCE AT PURCHASER'S OPTION

If the Bonds qualify for issuance of any policy of municipal bond insurance or commitment therefor at the option of the underwriter, the purchase of any such insurance policy or the issuance of any such commitment shall be at the sole option and expense of the purchaser of the Bonds. Any increased costs of issuance of the Bonds resulting from such purchase of insurance shall be paid by the purchaser, except that, if the City has requested and received a rating on the Bonds from a rating agency, the City will pay that rating fee. Any other rating agency fees shall be the responsibility of the purchaser.

Failure of the municipal bond insurer to issue the policy after Bonds have been awarded to the purchaser shall not constitute cause for failure or refusal by the purchaser to accept delivery on the Bonds.

## CUSIP NUMBERS

If the Bonds qualify for assignment of CUSIP numbers such numbers will be printed on the Bonds, but neither the failure to print such numbers on any Bond nor any error with respect thereto will constitute cause for failure or refusal by the purchaser to accept delivery of the Bonds. The CUSIP Service Bureau charge for the assignment of CUSIP identification numbers shall be paid by the purchaser.

## SETTLEMENT

Within 40 days following the date of their award, the Bonds will be delivered without cost to the purchaser through DTC in New York, New York. Delivery will be subject to receipt by the purchaser of an approving legal opinion of Briggs and Morgan, Professional Association, of Saint Paul and Minneapolis, Minnesota, and of customary closing papers, including a no-litigation certificate. On the date of settlement, payment for the Bonds shall be made in federal, or equivalent, funds that shall be received at the offices of the City or its designee not later than 12:00 Noon, Central Time. Unless compliance with the terms of payment for the Bonds has been made impossible by action of the City, or its agents, the purchaser shall be liable to the City for any loss suffered by the City by reason of the purchaser's non-compliance with said terms for payment.

## CONTINUING DISCLOSURE

On the date of actual issuance and delivery of the Bonds, the City will execute and deliver a Continuing Disclosure Undertaking (the "Undertaking") whereunder the City will covenant for the benefit of the owners of the Bonds to provide certain financial and other information about the City and notices of certain occurrences to information repositories as specified in and required by SEC Rule 15c2-12(b)(5).

## OFFICIAL STATEMENT

The City has authorized the preparation of an Official Statement containing pertinent information relative to the Bonds, and said Official Statement will serve as a nearly final Official Statement within the meaning of Rule 15c2-12 of the Securities and Exchange Commission. For copies of the Official Statement or for any additional information prior to sale, any prospective purchaser is referred to the Financial Advisor to the City, Springsted Incorporated, 85 East Seventh Place, Suite 100, Saint Paul, Minnesota 55101, telephone (651) 223-3000.

The Official Statement, when further supplemented by an addendum or addenda specifying the maturity dates, principal amounts and interest rates of the Bonds, together with any other information required by law, shall constitute a "Final Official Statement" of the City with respect to the Bonds, as that term is defined in Rule 15c2-12. By awarding the Bonds to any underwriter or underwriting syndicate submitting a proposal therefor, the City agrees that, no more than seven business days after the date of such award, it shall provide without cost to the senior managing underwriter of the syndicate to which the Bonds are awarded 150 copies of the Official Statement and the addendum or addenda described above. The City designates the senior managing underwriter of the syndicate to which the Bonds are awarded as its agent for purposes of distributing copies of the Final Official Statement to each Participating Underwriter. Any underwriter delivering a proposal with respect to the Bonds agrees thereby that if its proposal is accepted by the City (i) it shall accept such designation and (ii) it shall enter into a contractual relationship with all Participating Underwriters of the Bonds for purposes of assuring the receipt by each such Participating Underwriter of the Final Official Statement.

Dated July 21, 2003

BY ORDER OF THE CITY COUNCIL

/s/ Melanie Mesko Lee  
City Clerk

# **MEMO**

**VI-8**

TO: Honorable Mayor and City Council members  
FROM: Lori A. Webster, Finance Director  
RE: 2003 Budget adjustments/ Transfers  
DATE: July 17, 2003

The City Council is asked to authorize the following budget adjustment requests received city departments :

## **HRA/ DOWNTOWN TIF**

\$ 37,541.95 budget transfer of fund to Downtown TIF from HRA along with corresponding budget adjustments. (See attached memo from John Grossman)

## **HRA/ DOWNTOWN TIF**

\$ 19,585.00 transfer of funds to Guardian Angles TIF from HRA for administrative costs to be reimbursed at 10% of the annual TIF proceeds until paid off.

## **BUILDING INSPECTIONS AND SAFETY DEPT**

\$ 1,124.32 budget adjustment transfer from office supplies ( 101-230-2301-6201) to small tools and equipment ( 101-230-2301-6240) for tool storage boxes for inspection vehicles.

## **HPC – PIONEER ROOM**

\$ 100.00 increase to artifacts ( 210-170-1704-6561) with corresponding decrease to the budget in conferences ( 210-170-1704-6323).

As always, should you have any questions on this information, please feel free to contact me.

## **Council Action Requested**

Authorize the above 2003 budget adjustments and operating transfers and as indicated.

July 11, 2003

TO: Char Stark, Assistant Finance Director

FROM: John Grossman, HRA Director



RE: Fund transfers and TIF Report

The HRA approved the following transfers from HRA fund balance at their meeting on July 10, 2003.

✓ 1. The HRA has approved a \$150,000 loan to Sherman Associates for remodeling former Guardian Angels church.

*done  
7/7/03*

This amount to be transferred from the HRA undesignated balance to account number 404-500-6005-6520. Rehab loans.

2. The HRA is funding the preparation and management of a request for proposals by Ehlers and Hoisington Koegler. The amount is estimated to be \$30,000. This is in addition to \$5,000 budgeted.

*done  
7/11/03*

This amount to be transferred from the HRA undesignated balance to account number 404-500-6008-6311. Redevelopment Expert and Prof.

3. Ehlers Assoc. advises the HRA and finance department that the state auditor's office has ruled that the use of TIF for maintenance of property (even though purchased by TIF) is not a legal TIF expense. The total spent since 1986 is \$37,541.95.

This amount to be transferred from the HRA undesignated balance to the Downtown TIF fund.

CITY OF HASTINGS

FINANCE DEPARTMENT

BUDGET/ACCOUNT ADJUSTMENT

Please Check one:

Budget Adjustment

Account (Journal Entry) Adjustment

Account Number(s) Affected:

DEBT 101-230-2301-6201 CREDIT 101-230-2301-6240

DEBT \_\_\_\_\_ CREDIT \_\_\_\_\_

Explain:

Tool Storage boxes for 803, 804 inspection  
vehicles.

1,124.32

Requested By: W. Mesner

Date Requested: 7/8/03

**OFFICE USE ONLY**

Finance Approval \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Requires Council Approval?

If YES, Approved by Council on \_\_\_\_\_

JE Entered \_\_\_\_\_ JE Number \_\_\_\_\_

JE Date \_\_\_\_\_

**CITY OF HASTINGS  
FINANCE DEPARTMENT  
BUDGET/ACCOUNT ADJUSTMENT**

Please Check One:

- Account (Journal Entry) Adjustment
- Budget Adjustment (Council Approval Required)
- Fund Transfer (Council Approval Required)

Account Number(s) Affected:

EXP	REV
210 - 170 - 1704 - 6561	

+ 100<sup>05</sup>

EXP	REV
210 - 170 - 1704 - 6323	

- 100<sup>06</sup>

Amount of Adjustment/Transfer: \$ \_\_\_\_\_

Reason for Adjustment/Transfer:

Move 100<sup>05</sup> Budget From Conferences to  
Artifacts.

Requested By: CAstark per Cindy

Date Requested: 7/2/08

OFFICE USE ONLY		
Approved by Council on _____		
Finance Approval _____	Date _____	
JE Entered _____	JE Number _____	JE Date _____

# Memorandum

VI-9

To: Mayor and City Council Members  
From: Mary McNamara, Parks Director  
Date: July 16, 2003  
Subject: Park Dedication Fees

The Natural Resource & Recreation Commission reviewed the current park dedication fees of \$850/per unit cash in lieu of land. The Commission also reviewed the Industrial (8% of land or \$1,200 per acre) and Commercial (\$1,500 per acre). The last time the City of Hastings increased the park dedication fees was by resolution in 1993.

The NRRC reviewed a survey of communities that was completed this year on park dedication fees, they considered the cost to develop/redevelop parks, and reviewed the five years Parks Capital Improvement Plan. The NRRC also considered the equity between the value of land donated for park purposes verses cash in lieu of land.

The NRRC is recommending to the City Council that Park Dedication fees be increased from \$850.00 per unit to \$1800 per unit as of August 14, 2003 and on January 1, 2004 increased to \$2,200 and on January 1, 2005, \$2,500. I have learned from talking to Shawn Moynihan that since the fees are being adopted by the ordinance the soonest this ordinance would be effective would be August 14, 2003. Staff did schedule a meeting on Monday, June 30, 2003 for developers to solicit concerns on the proposed increase. No one showed up for the 3:00 meeting. I did receive two phone calls from developers concerned about the proposed increases. The comments were:

The proposed increase is too much at once and could be \$1,500 per unit.

One developer showed up late for the scheduled meeting and I did leave a message on his voice mail to contact me with his concerns but he did not return the call.

The NRRC is proposing that the Park Dedication fees for Industrial and Commercial be increased from 8% to 10% of gross land area or at the sole discretion of the City Council, \$1,200 per acre for industrial, \$1,500 per acre for commercial subdivisions.

I am attaching a copy of the park dedication fees survey that the NRRC used as well as a letter from Shawn Moynihan regarding park dedication fees in general.

## COUNCIL ACTION

Pass the first reading of the attached ordinance and schedule a public hearing and the second reading for the next city council meeting.



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

**AN ORDINANCE OF THE CITY OF HASTINGS AMENDING  
CITY CODE SECTION 11.07 BY  
CHANGING PARK DEDICATION REQUIREMENTS**

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

- I. Hastings City Code Section 11.07 Subdivision 2 is hereby deleted in its entirety and replaced with the following new language.

**Section 11.07 Subdivision 2.** The amount of land to be dedicated in accordance herewith shall be as follows:

- A. **Residential Development.** The amount of land that all new residential subdivisions shall dedicate for public parks, playgrounds, public open space or storm water holding areas or ponds, as required by this chapter, shall be a percentage of the gross land area being platted based upon the proposed density per gross acre as shown below:

<b><u>Proposed Density (units) Per Gross Acre of Plat</u></b>	<b><u>Percentage of Gross Area of Plat to be Dedicated</u></b>
0.0-1.9	9%
2.0-3.5	11%
3.6-5.9	13%
6.0-10	15%
10+	Add 0.6% per unit over 10

- B. **Commercial/Industrial Development.**

The amount of land to be dedicated in accordance herewith shall be 10% of the gross land area to be platted.

- II. Hastings City Code Section 11.07 Subdivision 4 is hereby deleted in its entirety and replaced with the following new Subdivision 4.

**Section 11.07 Subdivision 4.** Cash in lieu of land. The City may at its discretion require the developer to make a cash payment to the City in lieu of land to meet public land dedication requirements. The cash amounts shall be determined as follows:

- A. **Residential Development.**

1. \$1,800.00 per unit for plats receiving final approval on or after August 14, 2003.
2. \$2,002.00 per unit for plats receiving final approval on or after January 1, 2004.
3. \$2,500.00 per unit for plats receiving final approval on or after January 1, 2005.

B. **Commercial/Industrial Development.**

1. \$1,200.00 per gross acre of industrial development.
2. \$1,500.00 per gross acre of commercial development.

C. Any cash so obtained shall be used by the City only for the acquisition of land or equipment for parks, playgrounds, public open space, trails or debt retirement in connection with land previously acquired for such purposes. The City Council may, upon request of a subdivider, delay time of payment of cash in lieu of land beyond the time of final plat approval by the City (no later than commencement of construction of public improvements. Any delayed payment in accordance herewith shall bear interest at 8% per annum from the date of plat approval to the date of payment.

This ordinance was adopted by the Hastings City Council on this \_\_\_ day of \_\_\_\_\_, 2003.

***CITY OF HASTINGS***

\_\_\_\_\_  
Michael D. Werner, Mayor

***ATTEST:***

\_\_\_\_\_  
Melanie Mesko Lee, Administrative Asst./City Clerk

CITY	SINGLE FAMILY	DUPLEX	TOWN HOME	MULTIPLE FAMILY	COMMERCIAL	INDUSTRIAL
Andover	\$1,700	N/A	\$1,700	\$1,700	10% FMV \$5,000	10% FMV \$3,400
Blaine	\$1,700	\$1,700	\$1,700	\$2,400	\$387/1,000 sf	\$258/1000 sf
Bloomington	\$3,800	\$3,100	\$3,100	\$2,000	\$4,600	\$4,800
Brooklyn Park	\$2,000	\$2,000	\$2,000	\$2,000	\$6,500	\$4,000
Burnsville	\$1,647	\$1,680	\$1,515	\$1,504	\$9,000	\$9,000
Chaska	\$1,600	\$1,600	\$1,225	\$975	\$3,350	\$3,350
Coon Rapids	\$1,117	\$950	\$950	\$760	4% FMV	4% FMV
Cottage Grove	\$1,000	\$750	\$750	\$760	\$5,468	\$4,875
Eagan	\$1,733	\$1,731	\$1,589	\$1,598	8%	8%
Edina	8%	8%	8%	8%	\$6,600	\$6,600
Eden Prairie	\$2,300	\$2,300	\$2,300	\$2,300	\$1,000	\$1,000
Fridley	\$1,500	\$750	\$750	\$750	\$3,950	\$2,950
Inver Grove Heights	\$1,400	\$1,400	\$1,400	\$1,500	\$5,400	\$3,200
Lakeville	\$1,500	\$1,500	\$1,500	\$1,500	\$6,500	\$4,800
Maple Grove	\$2,400	\$2,400	\$2,400	\$2,400	9% FMV	9% FMV
Maplewood	\$1,020	\$1,728	\$810	N/A	\$2,400	\$3,000
Minnetonka	\$550	\$500	\$550	\$500	\$2,200	\$2,200
Oakdale	\$1,000	\$1,000	\$1,000	\$1,000	\$6,400	\$6,400
Oakdale	\$2,300	\$2,300	\$2,300	\$2,300	\$3,550	\$3,550
Plymouth	\$1,685	\$1,685	\$1,685	\$1,685	\$3,550	\$3,550
Prior Lake						
Richfield						
Rosemount	\$1,800	\$1,800	\$1,800	\$1,800	10% FMV	10% FMV
Roseville	\$500	\$400	\$400	\$350	\$4,280	\$4,280
Shakopee	\$2,200	\$2,200	\$2,200	\$1,900	5% FMV	5% FMV
St. Louis Park	\$900	\$900	\$900	\$900	\$3,000	\$3,000
Woodbury	\$1,500	\$1,500	\$1,100	\$1,100	\$3,000	\$3,000
Woodbury	\$1,500	\$1,500	\$1,100	\$1,100	\$4,659	\$4,141
AVERAGE	\$1,611	\$1,559	\$1,484	\$1,451		

Pk/Tr Fees Combined  
 Y  
 N-Fees N/A  
 Y  
 None  
 Y  
 Y  
 N/A  
 Y

Eagan- Parks and Trail Dedication Fees added for comparative purposes. Appears to be one of few that keeps the fees separate.  
 Prior Lake- Comm/ Ind- 10% gross land area for parkland dedication. Land must be dry upland with slopes less than 10%  
 Richfield- City has no parks or trail dedication fee. They are considering such an ordinance.  
 Note: Residential dedication fees are calculated per unit. Commercial and Industrial fees are calculated per acre unless otherwise noted.

Shaded area means entry is variable; can not be calculated into MSA

#3543 P.004/004  
 MAPLE GROVE PARKS & REC.  
 MAR. 16. 2003 21:16 763 494 6454



**FLUEGEL & MOYNIHAN P.A.**

Attorneys At Law

Donald J. Fluegel \*  
Shawn M. Moynihan  
Daniel J. Fluegel

1303 South Frontage Road, Suite 5  
Hastings, MN 55033-2477

Telephone 651-438-9777  
Fax 651-438-9775

July 1, 2003

Marty McNamara, Parks Director  
City of Hastings  
Hastings City Hall  
101 East 4<sup>th</sup> Street  
Hastings, MN 55033

**Re: *Park Dedication Fees***

Dear Marty:

You asked me to address several questions relating to park dedication fees in the city. Specifically, the questions you have raised were as follows:

- A. Can the city impose park dedication fees on commercial and industrial plats in the city?
- B. Can park dedication fees be used in a part of town different from the subdivision that generated those park dedication fees, regardless where that park is located?
- C. Can park dedication fees be used towards a community park?

**Background.**

Minnesota law allows cities to require a reasonable portion of any proposed subdivision to be dedicated to the public for use as parks or other recreational facilities. (Minn Stat 462.358 Subdivision 2b) That same statute allows the city to accept cash instead of land dedication. Those cash payments are to be placed in a special fund and used by the city only for the purposes for which the money was obtained.

There are only three reported court cases in Minnesota which deal with park dedication issues. Basically, the court has said that the land dedication requirements or fees imposed must be in reasonable proportion to the needs created by the subdivision that is paying those fees or dedicating the land. The questionable of what is a "reasonable proportion" is a facts and circumstances test. This means to determine reasonableness, you need to look at the individual facts of each particular situation. If challenged, the city has the burden of proving that its park dedication requirements bear a reasonable relationship between the development and the city's need for the park dedication.

A. Can the city access park dedication fees on commercial and industrial developments?

Briefly stated, the city can impose park dedication fees on commercial and industrial developments so long as the city can meet its burden of proving that commercial and industrial developments put demands on the city's park systems and that the park dedication requirement will address those demands. Arguably, both of these uses bring people into town that may use the parks and trails. Persons visiting a commercial development may stop and use some of the park amenities while they are in town. Employees of businesses in the commercial and industrial subdivisions may also use the park systems. It is not uncommon to see such employees using the parks and trails during their lunch hour. Especially those parks and trails near the commercial and industrial developments. The amount of the park dedication requirement or fees imposed on commercial and industrial must bear a reasonable relationship to the need created by those developments. As you can appreciate, calculating this number is not an exact science. The city must be able to support its fees by looking at all of the facts and circumstances surrounding that commercial or industrial development.

B. Can park dedication fees which are collected be spent in a part of town different from the development that paid those fees?

I believe some portion of the park dedication fees collected by the city can be used towards maintenance and improvement of community parks such as Lake Rebecca Park, Roadside Park, Veterans Park and CP Adams Park. I do not believe park dedication fees can be used to maintain other neighborhood parks such as Dakota Hills Park, Lions Park, Lake Isabelle Park and other similar neighborhood parks, unless the new development will be expected to use one of those neighborhood parks. As I stated, the purpose of park dedication fees is to meet the park dedication needs that will be created by a particular subdivision. I question if a subdivision on the west end of town will be increasing the use of small neighborhood parks such as Lake Isabelle Park, Lions Park and Dakota Hills Park. New residents in town may on occasion visit these small neighborhood park but those visits will be infrequent. Park dedication fees need to be spent on parks in that subdivision or parks nearby that subdivision that its residents are expected to use.

C. Can park dedication fees be used toward a community park such as Lake Rebecca Park, Roadside Park, Veterans Park, CP Adams Park, etc.?

I believe some portion of the park dedication fees collected can be used for improvements to community parks such as the ones listed above.

The burden for the city is to show that there is a reasonable relationship between the park dedication fee and the impact that development will have on parks. In my opinion, it is reasonable to believe that a new residential development will cause some increase use of community parks. Community parks, by definition, are designed to attract users from the entire city. This is contrary to neighborhood parks which are designed to handle lower volumes of usage, predominantly coming from the immediate surrounding area.

The important question here is how much of a park dedication fee from a particular subdivision can be used to maintain or improve community parks? I don't have a formula that can be used to determine this amount. Instead, some how the city needs to determine the impact a new subdivision


will cause on existing community parks. Once that has been determined, then, arguably, some percentage of that park dedication fee could be used to improve or maintain community parks. Please keep in mind, it is likely that this dollar amount will be small when considering one subdivisions impact on the overall community park usage.

I do not believe that all or substantially all of a park dedication fee can be used to improve community parks. Park dedication fees are meant to alleviate the demand for parks caused by a particular development. It is not likely that a particular development will cause such an increase usage of community parks, when compared to the overall usage of the park, that would justify spending all or substantially all of the park dedication fee on community parks. Instead, those park dedication fees must be spent predominantly on creating or maintaining parks that residents of the subdivision will be expected to use.

Please let me know if you have any further questions regarding this topic. If you would like me to attend any NRRC or park committee of the council to go over this in person, please let me know.


Very truly yours,

**FLUEGEL & MOYNIHAN P.A.**

  
Shawn M. Moynihan  
City Attorney

SMM:ham

**MEMO**

**TO:** Mayor and Council  
**FROM:** Marty McNamara   
**SUBJECT:** Excess Equipment Civic Arena – LP Gas System  
**DATE:** July 21, 2003

The Civic Arena Manager, Jim McGree, is requesting Council to declare the back-up LP Gas System as excess equipment. Staff would accept bids for equipment; the estimated value is \$2,500.

If you have any questions, please contact Jim McGree at 437-4940.

# Memo

**To:** Mayor Werner and City Council  
**From:** John Hinzman, Planning Director  
**Date:** July 21, 2003  
**Subject:** Amend Development Agreement – River Valley Clinic.

## REQUEST

The City Council is asked to approve the following amendment to the existing Development Agreement executed in 1987 for the River Valley Clinic pertaining to width of a future access road to Pleasant Drive:

2. ...This access shall be constructed to City specifications, including, but not limited to ~~36 feet in width~~, a minimum width of 28 feet, concrete curb and gutter and bituminous surface. Parking shall be prohibited on the access roadway from Pleasant Drive to the Parking Lot. ...

The request is submitted in conjunction with a Site Plan Review for construction of a parking lot and access road for Regina Medical Center.

The City Attorney will present the formal amendment document to the City Council prior to the meeting.

## RECOMMENDATION

The Public Works director has reviewed the change and has agreed to a minimum width of 28 feet, provided parking is prohibited.

## ATTACHMENTS

- Original 1987 Agreement



AGREEMENT

This Agreement made this 20 day of Nov, 1987, by and between the City of Hastings, a Minnesota Municipal Corporation, (City), The Sisters of Charity of Our Lady, Mother of Mercy, Inc., a Connecticut Corporation, (Sisters of Charity) and Regina Medical Complex, Inc., a Minnesota Corporation, (Regina Medical Complex).

WHEREAS, Sisters of Charity is the owner of property legally described as:

See attached Exhibit A.

WHEREAS, River Valley Clinic, P.A., has submitted a site plan to the City for the construction of a medical clinic on a parcel of property now owned by Sisters of Charity and which is adjacent to the property described above; and

WHEREAS, the proposed site plan shows access to the clinic to be off of First Street; and

WHEREAS, concerns have been raised to the City Council by neighboring residents about the increase in traffic on First Street generated by the proposed clinic; and

WHEREAS, to allow the clinic project to be approved by the City and proceed to construction on property now owned by Sisters of Charity, Sisters of Charity agree to the following compromise which addresses the concerns of the City.

NOW, THEREFORE, IT IS AGREED BY ALL PARTIES TO THIS AGREEMENT AS FOLLOWS:

1. The Sisters of Charity, for itself, its successors or assigns of the property legally described as:

See attached Exhibit A

(hereinafter "subject project") agree that Sisters of Charity, its successors or assigns of the subject property will construct an additional access from the proposed clinic to Pleasant Drive upon the occurrence of either of the following events:

(a) The traffic count on First Street is 2,500 or more cars per day for any 15 days in a 30 consecutive day period. The 15 days need not be consecutive days; or

(b) There are six motor vehicle accidents on First Street within any consecutive 24 month period. Accidents are to be defined as any incident for which a written Accident Report is required to be sent to the Commissioner of Public Safety pursuant to Minn. Stat. §169.09, Subd. 7, now in effect and as it may be amended from time to time.

2. That upon the occurrence of either 1 (a) or 1 (b), Sisters of Charity, its successors or assigns in any part of the subject property shall construct an additional access from the proposed medical clinic parking lot to Pleasant Drive. This access shall cross the subject property at a location to be mutually agreed upon between the City and Sisters of Charity, its successors or assigns. This access shall be constructed to City specifications, including, but not limited to, 36 feet in width, concrete curb and gutter and bituminous surfacing. This access shall be completely constructed within 120 days after Sisters of Charity, its successors or assigns in any part of the subject property receives notice from the City that either of the events of 1 (a) or 1 (b) has occurred. This deadline may be extended by the City in its sole discretion if it feels that good cause exists why construction cannot be completed within 120 days. In the event Sisters of Charity, its successors or

assigns fail to construct this access within 120 days as provided above, the City shall be allowed to construct this access and assess the cost of construction against the entire subject property. If the City has to construct this access as provided above, Sisters of Charity, its successors or assigns in the subject property agree to allow the City and its contractors onto the subject property to construct this access. All costs of construction of this access shall be paid by the owner or owners of the subject property.

3. It is understood and agreed by Sisters of Charity for itself and for its successors or assigns, that the obligations of this Agreement are to run with the subject property and bind Sisters of Charity, its successors or assigns of the subject property. The obligation of this Agreement shall be a burden upon the subject property and shall not be considered a personal obligation of Sisters of Charity.

4. Sisters of Charity warrant to the City of Hastings that there is no other person or entity which has any legal interest in the subject property or any part thereof and that Sisters of Charity have full authority to enter into this Agreement.

CITY OF HASTINGS, A MINNESOTA  
MUNICIPAL CORPORATION

By 

LuAnn Stoffel, its Mayor

By 

Barbara C. Thompson, its City Clerk

THE SISTERS OF CHARITY OF OUR LADY,  
MOTHER OF MERCY, A CONNECTICUT CORPORATION

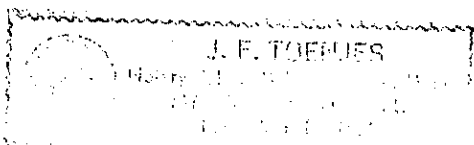
By Sister Tabitha Van Deursen  
Sister Tabitha Van Deursen  
Its President

REGINA MEDICAL COMPLEX, INC., A  
MINNESOTA CORPORATION

By John W. Junkman  
Its Administrator

STATE OF MINNESOTA )  
COUNTY OF DAKOTA ) ss.

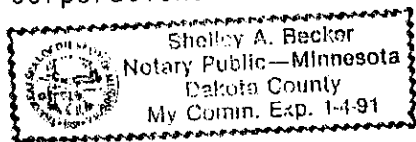
The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of November, 1987, by LuAnn Stoffel and Barbara C. Thompson, the Mayor and the City Clerk of the City of Hastings, a Minnesota Municipal Corporation.



J. E. Toebes  
Notary Public

STATE OF MINNESOTA )  
COUNTY OF DAKOTA ) ss.

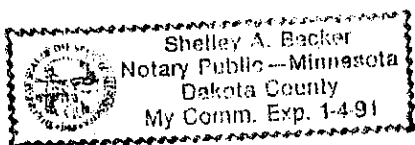
The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of November, 1987, by Sister Tabitha Van Deursen, the President of The Sisters of Charity of Our Lady, Mother of Mercy, a Connecticut Corporation.



Shelley A. Becker  
Notary Public x

STATE OF MINNESOTA )  
COUNTY OF DAKOTA ) ss.

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of November, 1987, by John W. Junkman, the Administrator of Regina Medical Complex, Inc., a Minnesota Corporation.



Shelley A. Becker  
Notary Public x

This instrument drafted by:

Hertogs, Fluegel, Sieben, Polk,  
Jones & LaVerdiere, P.A.  
999 Westview Drive  
Hastings, Minnesota 55033  
Telephone: (612) 437-3148  
(SMM)

EXHIBIT A TO AGREEMENT  
DATED THE 20<sup>th</sup> DAY OF November, 1987  
BY AND BETWEEN THE CITY OF HASTINGS, A MUNICIPAL CORPORATION, AND  
THE SISTERS OF CHARITY OF OUR LADY, MOTHER OF MERCY, INC.,  
A CONNECTICUT CORPORATION

That part of the Southeast Quarter (SE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ), Section 20, Township 115, Range 17, Dakota County, Minnesota, lying south of the Hastings and Nininger Road, now known as C.S.A.H. No. 42, and lying east of Pleasant Drive, except the east 228 feet thereof and also except that part of the Southeast Quarter (SE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section 20, Township 115, Range 17, contained in the parcel described as follows:

Commencing at the southwest corner of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$  of SW $\frac{1}{4}$ ) of Section 21, Township 115, Range 17, thence north 0 degrees 30 minutes 45 seconds east, bearing assumed, along the west line of said Southwest Quarter (SW $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ), a distance of 888.31 feet to the southwesterly right-of-way line of County Road No. 42, also being the point of beginning of the land to be described; thence south 53 degrees 57 minutes 31 seconds east, along said right-of-way line, a distance of 35.93 feet; thence south 15 degrees 34 minutes 51 seconds west a distance of 345.70 feet; thence north 53 degrees 01 minutes 46 seconds west a distance of 489.50 feet; thence north 36 degrees 58 minutes 14 seconds east a distance of 317.89 feet to the southwesterly right-of-way line of said County Road No. 42; thence southeasterly, along said southwesterly right-of-way line, to the point of beginning.

# Memo

VI-12

**To:** Mayor Werner and City Council

**From:** John Hinzman, Planning Director

**Date:** July 21, 2003

**Subject:** Order Public Hearing – Disposition of City Property: South Oaks 2<sup>nd</sup> Addition (Lawcon Property on Bohlken Drive)

## REQUEST

The City Council is asked to hold a public hearing to consider disposing of approximately 0.95 acres of property located between the future extension of Bohlken Drive and the Vermillion River in South Oaks of Hastings. The property is currently enrolled in the federal Lawcon program, and is the subject of a land conversion and property exchange with a 0.98 acre parcel owned by Greg Jablonske.

The public hearing and final action would be scheduled for the August 4, 2003 City Council meeting.

## BACKGROUND

As part of the Preliminary Plat approval for South Oaks of Hastings in 2001, the City and Mr. Jablonske entered into an agreement to exchange the subject parcel owned by the City, with a similar parcel owned by Jablonske. The subject parcel was originally given to the city from the federal government as part of a federal flood control program. Conditions have been placed on the property that prohibit its outright sale, but allow for an exchange of like property. As part of the Lawcon conversion process an appraisal of the values of both parcels were completed to confirm their equal value. The application for the conversion and property exchange was submitted to the Minnesota Department of Natural Resources in March, 2003. The DNR has given verbal approval to the conversion, and the City is awaiting for final paperwork to complete the execution.

The City Council approved the Preliminary Plat of South Oaks of Hastings subject to execution of the Lawcon conversion prior to final platting of the affected area.

## ATTACHMENTS

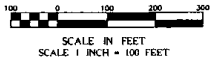
- Site Map

# SOUTH OAKS OF HASTINGS

SOUTHERN LINE OF LOT 1, BLOCK 4, BOHLKEN ESTATES 4TH ADDITION.  
 WEST BOUNDARY CORNER OF LOT 1, BLOCK 4, BOHLKEN ESTATES 4TH ADDITION.

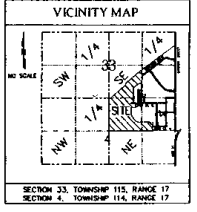
Existing City Property  
Lawson

Existing Jablonske Property

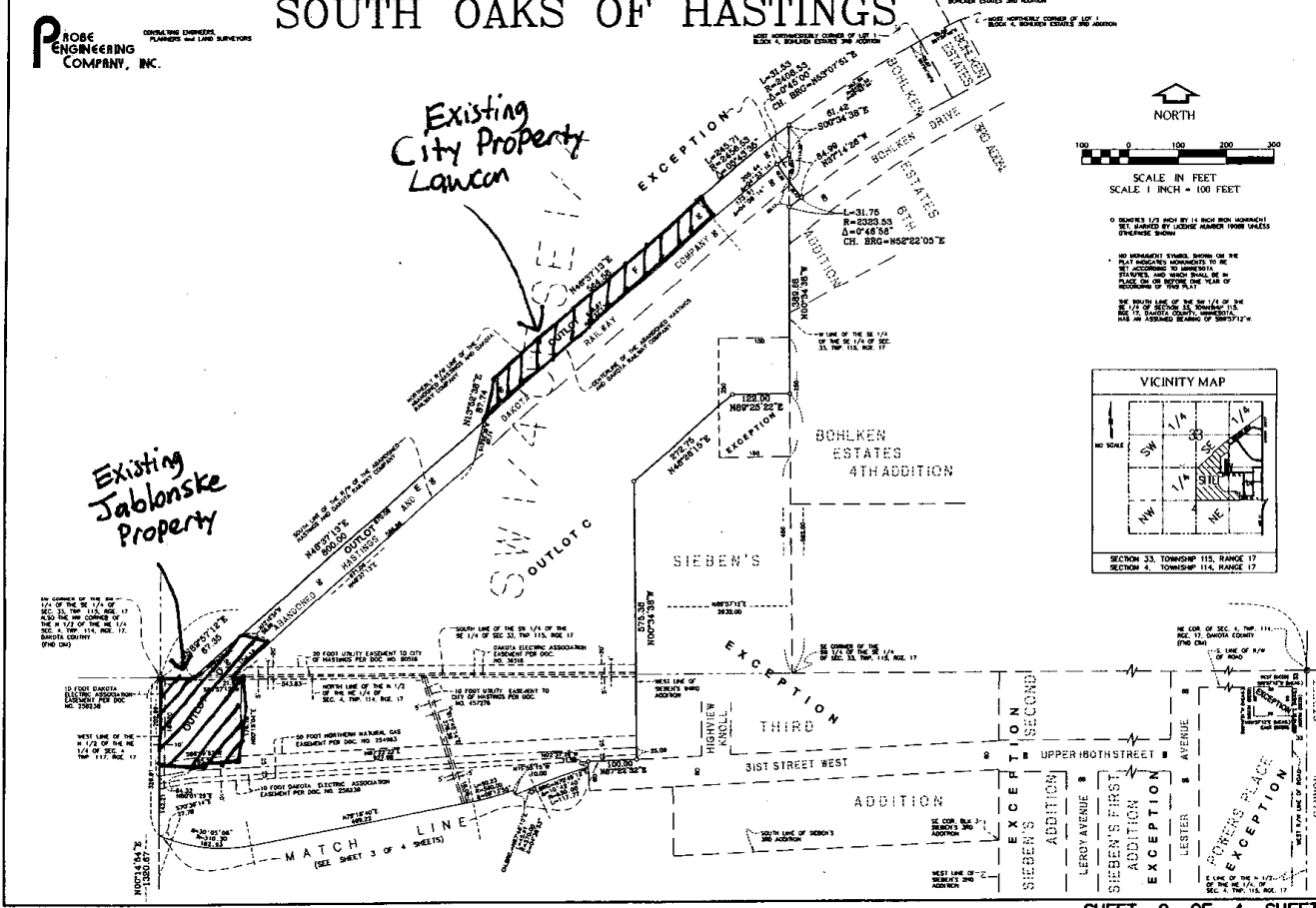


SCALE IN FEET  
SCALE 1 INCH = 100 FEET

0 BENCH 1/2 INCH BY 14 BENCH MARK MONUMENT SET BY BUREAU OF LAND SURVEY 1908 UNLESS OTHERWISE SHOWN.  
 1 NO IRREGULAR SYMBOL SHOWN ON THE PLAT INDICATES MONUMENTS TO BE SET ACCORDING TO SURVEY DATA PLACED ON OR REFERRED TO BY THE TITLE OF THIS PLAT.  
 2 THE SOUTH LINE OF THE SW 1/4 OF THE SE 1/4 OF SECTION 33, TOWNSHIP 115, RANGE 17, RANGE 17, SECTION 4, TOWNSHIP 114, RANGE 17, IS AN IRREGULAR BENCH OF SURVEY.



VICINITY MAP  
SECTION 33, TOWNSHIP 115, RANGE 17  
SECTION 4, TOWNSHIP 114, RANGE 17



Official Copy



July 16, 2003

VI-13

TO: The Honorable Mayor and Council  
FROM: John Grossman, HRA Director  
RE: Authorize request for quotes for wayside panels

The City has been awarded grant funds by the National Park Service through the Mississippi Natural and Recreation River office in St. Paul. The \$65,000 grant is for the creation of ten wayside interpretive panels on the trail along the Mississippi River. See the enclosed cooperative agreement. The City provided a \$15,000 match for part of the initial payment for design services. The balance of the design services and the fabrication of the panels will be covered by the grant funds.

Split Rock Studios was selected and has now completed the designs of the interpretive panels. The research and writing process has including two public workshops and numerous revisions. See the enclosed example of one panel. The map in the lower left corner shows the planned locations of the panels.

Fabrication of the panels and the metal supports is the next step. They are estimated to cost around \$25,000. Competitive bidding is not required for this amount. There are at least three Minnesota firms in this line of work that will be asked for quotes.

The metal supports will look like the enclosed drawing. The Parks Department agrees to install them. We expect fabrication to be completed this fall. Installation will depend on weather, but no later than next spring.

**ACTION REQUESTED:** Authorize the solicitation of quotes for the wayside panels and supports.

**Department of the Interior  
National Park Service**

Effective Date: August 1, 2001

Modification No. 3 Cooperative Agreement No: 1443CA628699 006

Cooperator or Servicing Agency: City of Hastings  
101 East 4<sup>th</sup> Street  
Hastings, MN 55033

Fiscal Year 2002 Funding

Account No: 6286-7104-402-99      Total: \$41,000 obligated in FY99  
6286-MCE-N-412A-00              24,716 added – modification No. 1, FY 00  
65,716 cumulative total

Object Class: 412A

The above-referenced agreement is modified as follows:

1. The FY99 Cooperative Agreement, Article IV – Term of Agreement is amended to continue in force until September 1, 2003.

The Modification is subject to all provisions included in the agreement dated September 8, 1999.

**National Park Service**

Signature:

*Theora McVay*

Name:

Theora McVay

Title:

Contracting Officer

Date:

*August 8, 2002*

**City of Hastings**

Signature:

*John Grossman*

Name:

John Grossman

Title:

HRA Director/ HPC Staff

Date:

*August 29, 2002*



City of Hastings

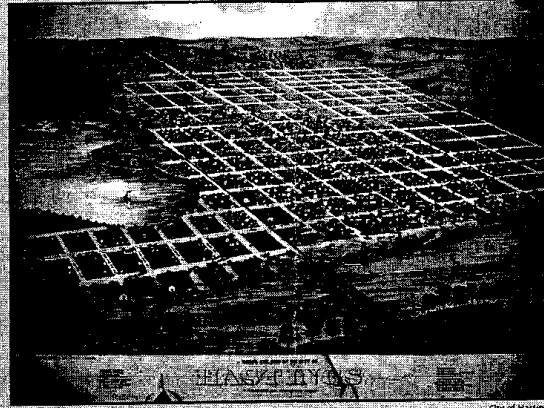


National Park Service  
U.S. Department of the Interior  
Mississippi National River and Recreation Area

# Hastings Grows

From 1856 to 1865, in its first decade of existence, the city of Hastings grew by 2,500 people, enjoying a boom of settlement also experienced by other cities along the Mississippi.

A steady flow of settlers, including many immigrants, contributed to a rapid growth of farming and industry in the region—and Hastings became a hub of commercial activity.



This birdseye view shows the city of Hastings taking shape. Steamboats load and unload at the public levee, and farms stretch to the horizon.

## The Arrival of Immigrants

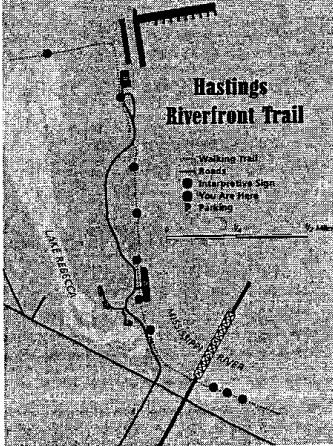
The treaties of 1851 relocated the Dakota to reservations, opening abundant land west of the Mississippi to settlement. Many of the early settlers were immigrants who came to Hastings primarily from northern European countries such as Germany, Ireland, and Sweden.

Drawn to Hastings because of its location on the river and the fertile and inexpensive farmland nearby, many immigrants established farms, while others started businesses or found work in the growing city.

Henry Hach and his wife Anna Maria, both German immigrants, arrived from the state of New York in 1864. Like many immigrants, they brought a craft or a trade with them. They started their shoe business in this shop on Vermillion Street.



Eileen Olson



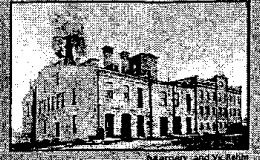
## Grain and Lumber: Early Industry in Hastings

Before the railroads were built, Hastings was among the largest grain markets in Minnesota. The city's location on the Mississippi made it a natural spot for grain to be bought, sold, milled, and shipped by river to national markets.

Numerous lumber mills were also established in Hastings because of its proximity to the river. From the 1880s until the 1910s, the river near Hastings was used mostly for floating logs cut from central Minnesota forests.



City of Hastings



Margery and Ye Kelle

In 1865, lumber production at the Libbey sawmill rose to 100 wagon loads per day. The mill closed in 1906 when the pine forests of Minnesota had all been cut down.

By the 1870s, elevators and warehouses dotted the landscape of the levee near where you are standing.





WAYSIDES

PRODUCTS

SERVICES

THE PROCESS

CONTACT US

WHAT'S NEW

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**PRODUCTS: Low Profile Bases**


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[Cantilevered Low Profile Base](#)

[Traditional Low Profile](#)

[Custom Mounted Low Profile Bases – Masonry Mount](#)

[Custom Mounted Low Profile Bases – Rail Mount](#)

[Portable Exhibit Bases](#)

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This white paper handout is furnished in Acrobat PDF format, and requires free [Acrobat Reader](#) software:

[Hardware Options for Wayside Exhibits](#)

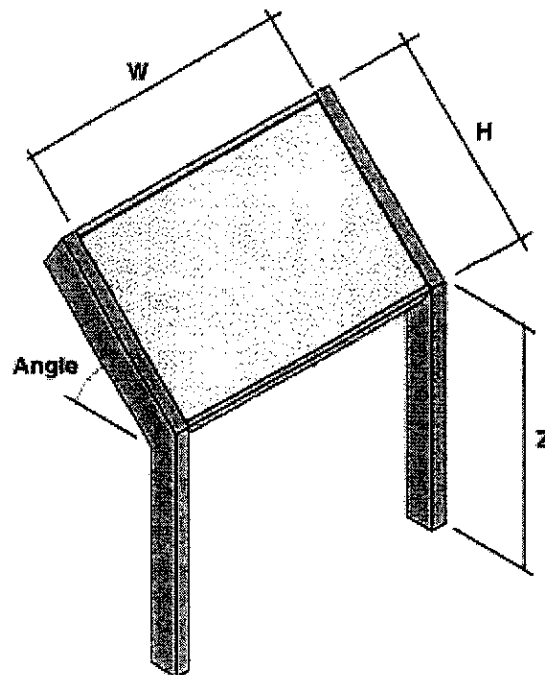
(PDF: 372k / 1 page / 17 x 11)

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### **Cantilevered Low Profile Base**

This new version of the low profile base has become the preferred style for NPS interpretive exhibits. The base's simple, unadorned form helps diminish its visual intrusion and makes it appropriate for any park landscape. Made entirely of welded aluminum extrusions, the base assembly will not rust or otherwise corrode, even in harsh marine environments. A textured finish, polyurethane enamel paint adds to the base's durability. When necessary, exhibit panels can be easily replaced by removing rivets that secure the top of the frame assembly.

Examples of the Cantilevered Low Profile base can be seen at [Arches National Park](#).



**Panel Sizes (WxH):** 24"x18", 24"x24", 36"x24", 42"x24", Custom

**Front Edge Height (Z):** 32"

**Angle:** 30 or 45 Degrees

**Colors:** Medium Gray, Dark Brown, Custom

---

### **Traditional Low Profile Base**

Introduced into the national parks in the early 1980s, this low profile base quickly became the standard model for

# Request For Payment

**Date:** July 16, 2003  
**Project:** 2002 General Sieben Drive  
**Contractor:** McNamara Contracting  
**Request Number:** 6  
**Payment Period:** 6/1/2003 - 6/30/2003

ITEM	ORIGINAL BID			COMPLETED			
	Unit	Quantity	Unit Price	This Period		To Date	
				Quantity	Amount	Quantity	Amount
2002 General Sieben Drive				0		0	
1.5" non-metallic conduit	LF	500	\$3.50	0	\$0.00	600	\$2,100.00
10" gate valve & box	Each	2	\$1,645.00	0	\$0.00	2	\$3,290.00
10" watermain ductile iron cl 52	LF	547	\$37.50	0	\$0.00	515.5	\$19,331.25
10" wet tap	Each	1	\$5,180.00	0	\$0.00	1	\$5,180.00
12" FES with trash guard	Each	1	\$1,015.00	0	\$0.00	1	\$1,015.00
12" RC Pipe Sewer Des 3006 CL V	LF	696	\$37.10	0	\$0.00	720	\$26,712.00
15" FES with trash guard	Each	3	\$1,107.00	0	\$0.00	4	\$4,428.00
15" RC Pipe Sewer Des 3006 CL V	LF	775	\$39.20	0	\$0.00	764	\$29,948.80
18" FES with trash guard	Each	1	\$1,200.00	0	\$0.00	1	\$1,200.00
18" RC Pipe Sewer Des 3006 CL V	LF	173	\$41.90	0	\$0.00	197	\$8,254.30
21" RC pipe sewer des 3006 cl v	LF	336	\$52.00	0	\$0.00	333	\$17,316.00
24" FES with trash guard	Each	2	\$1,730.00	0	\$0.00	2	\$3,460.00
24" RC pipe sewer des 3006 cl v	LF	224	\$69.85	0	\$0.00	196	\$13,690.60
24" solid line white epoxy	LF	330	\$7.30	281	\$2,051.30	281	\$2,051.30
24" solid line yellow epoxy	LF	182	\$7.35	160	\$1,176.00	160	\$1,176.00
36" FES with trash guard	Each	1	\$2,760.00	0	\$0.00	1	\$2,760.00
36" RC pipe sewer des 3006 cl v	LF	81	\$162.10	0	\$0.00	372.2	\$60,333.62
4" broken line white epoxy	LF	2625	\$0.60	488	\$292.80	488	\$292.80
4" Concrete Walk	SF	17000	\$5.85	0	\$0.00	17166.17	\$100,422.09
4" double solid line yellow epoxy	LF	2876	\$1.15	3848	\$4,425.20	3848	\$4,425.20
4" gate valve & box	Each	1	\$720.00	0	\$0.00	1	\$720.00
4" perf pipe drain	LF	85	\$15.00	0	\$0.00	90	\$1,350.00
4" ridged steel conduit	LF	441	\$15.75	0	\$0.00	556	\$8,757.00

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ITEM	ORIGINAL BID			COMPLETED			
	Unit	Quantity	Unit Price	This Period		To Date	
				Quantity	Amount	Quantity	Amount
4" solid line white epoxy	LF	2885	\$0.60	7961	\$4,776.60	7961	\$4,776.60
4" solid yellow epoxy	LF	950	\$0.60	372	\$223.20	372	\$223.20
4" watermain ductile iron cl 52	LF	39	\$31.00	0	\$0.00	8.6	\$266.60
5' Concrete Sidewalk	SF	4827.95	\$5.35	0	\$0.00	4827.95	\$25,829.53
6" Concrete Driveway Pavement	SY	16	\$50.00	0	\$0.00	181.46	\$9,073.00
6" ductile iron pipe sewer cl 52 (0-8' depth)	LF	36	\$60.80	0	\$0.00	11.5	\$699.20
6" gate valve & box	Each	1	\$835.00	0	\$0.00	2	\$1,670.00
6" PVC Sch 40 Sanitary Sewer Pipe 0' - 8' depth	LF	86	\$21.50	0	\$0.00	86	\$1,849.00
6" Watermain Ductile Iron CL 52	LF	58	\$31.70	0	\$0.00	56.75	\$1,798.98
8" DIP Sanitary Sewer Pipe Cl 52	LF	35.5	\$64.00	0	\$0.00	35.5	\$2,272.00
8" gate valve & box	Each	4	\$1,143.00	0	\$0.00	3	\$3,429.00
8" Outside Drop Sanitary Manhole	LF	5.9	\$350.00	0	\$0.00	5.9	\$2,065.00
8" PVC Pipe sewer sdr 35 (0-8' depth)	LF	95	\$27.20	0	\$0.00	398	\$10,825.60
8" PVC pipe sewer sdr 35 (10'-12' depth)	LF	50	\$31.90	0	\$0.00	143.5	\$4,577.65
8" PVC pipe sewer sdr 35 (16'-18' depth)	LF	335	\$75.55	0	\$0.00	2	\$151.10
8" PVC SDR 35 Sanitary Sewer Pipe 8' - 10' depth	LF	289	\$29.55	0	\$0.00	289	\$8,539.95
8" Watermain Ductile Iron CL 52	LF	461	\$33.10	0	\$0.00	422	\$13,968.20
8.0' Bury Hydrant	Each	1	\$1,450.00	0	\$0.00	1	\$1,450.00
Adjust Frame & Ring Casting	Each	4	\$450.00	0	\$0.00	6	\$2,700.00
Adjust Gate Valve Boxes	Each	1	\$350.00	10	\$3,500.00	11	\$3,850.00
Adjust Gate Valves	Ea	10	\$350.00	0	\$0.00	10	\$3,500.00
Aggregate Base cl 5 (cv)	CY	5875	\$21.50	9.44	\$202.96	7874.59	\$169,303.69
B-624 Curb & Gutter	LF	308	\$20.00	0	\$0.00	308	\$6,160.00
Bituminous Material for Tack Coat	Gal	1799	\$2.50	1725	\$4,312.50	1975	\$4,937.50
Bituminous Non-wear course (lv3)	Ton	2300	\$35.60	0	\$0.00	3172.16	\$112,928.90
Bituminous Non-wear course (mv3)	Ton	2328	\$35.60	0	\$0.00	971.4	\$34,581.84
Bituminous Wear Course (mv4)	Ton	1920	\$39.20	2129.98	\$83,495.22	2260.46	\$88,610.03
bollard	Each	32	\$545.00	0	\$0.00	32	\$17,440.00
casting assembly (r-1642)	each	3	\$700.00	0	\$0.00	3	\$2,100.00
casting assembly (r-2501)	Each	1	\$590.00	0	\$0.00	1	\$590.00
casting assembly a-7d (storm)	Each	1	\$710.00	0	\$0.00	1	\$710.00
catch basin casting assembly r-3067-v (storm)	each	22	\$690.00	0	\$0.00	22	\$15,180.00

ITEM	ORIGINAL BID			COMPLETED			
	Unit	Quantity	Unit Price	This Period		To Date	
				Quantity	Amount	Quantity	Amount
Clearing	Tree	2	\$250.00	0	\$0.00	3	\$750.00
Common Excavation (ev)(p)	CY	8308	\$12.10	0	\$0.00	8497.11	\$102,815.03
Concrete curb & gutter b618	LF	9215	\$8.30	0	\$0.00	7793.5	\$64,686.05
Concrete Walk Revised	SF	5302	\$8.55	0	\$0.00	5302	\$45,332.10
connect to exist storm sewer	Each	9	\$1,267.00	0	\$0.00	13	\$16,471.00
consruct drainage structure des 66-4020	Each	1	\$4,426.00	0	\$0.00	1	\$4,426.00
construct drainage structure des 48-4020	Each	9	\$2,120.50	0	\$0.00	11	\$23,325.50
construct drainage structure des 60-4020	Each	3	\$3,390.00	0	\$0.00	4	\$13,560.00
construct drainage structure design s-10	Each	12	\$1,349.40	0	\$0.00	14	\$18,891.60
Construct Sanitary Manhole	Each	5	\$3,600.00	0	\$0.00	5	\$18,000.00
deciduous shrub #2 cont	shrub	362	\$42.00	0	\$0.00	370	\$15,540.00
deciduous tree 2.0" cal B&B	Tree	113	\$300.00	0	\$0.00	120	\$36,000.00
Disk Anchoring	Acre	2	\$240.00	1	\$240.00	3	\$720.00
erosion control blanket category 2	SY	25	\$4.20	0	\$0.00	600	\$2,520.00
Extra #1	Each	1	\$22,623.00	0	\$0.00	1	\$22,623.00
Extra #2	Each	1	\$4,097.67	0	\$0.00	1	\$4,097.67
F&I sign panel type c	SF	307	\$25.50	0	\$0.00	320.25	\$8,166.38
geotextile fabric	SY	100	\$5.00	0	\$0.00	131.3	\$656.50
Granular Borrow(cv)(2)(3)	CY	600	\$10.25	0	\$0.00	159.01	\$1,629.85
Grubbing	Tree	2	\$250.00	0	\$0.00	3	\$750.00
handhole	Each	6	\$895.00	0	\$0.00	20	\$17,900.00
Incentive Bonus (per addendum)	LS	1	\$25,000.00	0	\$0.00	1	\$25,000.00
inlet protection filter aggregate	Each	14	\$200.00	0	\$0.00	1	\$200.00
install lighting system (7 lights)	LS	1	\$40,500.00	0	\$0.00	0.85	\$34,425.00
install salvaged 24" end section	Each	2	\$435.00	0	\$0.00	2	\$870.00
install salvaged casting	each	2	\$200.00	0	\$0.00	2	\$400.00
install salvaged hydrant	Each	3	\$1,297.00	0	\$0.00	3	\$3,891.00
insulation	SY	20	\$25.95	0	\$0.00	3.57	\$92.64
irrigation system	LS	1	\$8,300.00	0	\$0.00	0.85	\$7,055.00
Kentucky Coffee Trees	Ea	19	\$325.00	0	\$0.00	19	\$6,175.00
landscape edger	LF	400	\$5.25	0	\$0.00	329.5	\$1,729.88
Manhole overdepth	LF	40	\$156.60	0	\$0.00	14.46	\$2,264.44

ITEM	ORIGINAL BID			COMPLETED			
	Unit	Quantity	Unit Price	This Period		To Date	
				Quantity	Amount	Quantity	Amount
Mill Bituminous Surface (2.0")	SY	3920	\$1.85	5817	\$10,761.45	5817	\$10,761.45
Mill Bituminous Surface (full depth)	SY	5773	\$2.50	0	\$0.00	5883	\$14,707.50
Mobilization	lump sum	1	\$85,000.00	0	\$0.00	1	\$85,000.00
Mulch	Acre	2	\$240.00	1	\$240.00	3	\$720.00
ornamental tree 1.5" cal B&B	Tree	24	\$273.00	0	\$0.00	24	\$6,552.00
Overlay Trail-Spec	LF	760	\$4.77	0	\$0.00	760	\$3,625.20
Pavement Marking Removal (LF)	LF	2500	\$0.80	1964	\$1,571.20	1964	\$1,571.20
Pavement Marking Removal (SF)	SF	3050	\$2.35	2790	\$6,556.50	2970	\$6,979.50
pavement message (left arrow) epoxy	Each	9	\$104.00	14	\$1,456.00	14	\$1,456.00
pavement message (left thru arrow) epoxy	Each	2	\$135.00	2	\$270.00	2	\$270.00
pavement message (only) epoxy	Each	11	\$175.00	22	\$3,850.00	22	\$3,850.00
pavement message (right arrow) epoxy	Each	8	\$104.00	15	\$1,560.00	15	\$1,560.00
pavement message (right thru arrow) epoxy	Each	3	\$135.00	3	\$405.00	3	\$405.00
pavement message (thru arrow) epoxy	each	3	\$84.00	4	\$336.00	4	\$336.00
Pedestrian curb ramp	Each	5	\$300.00	0	\$0.00	4	\$1,200.00
perennial #1 cont	Plt	398	\$21.00	0	\$0.00	397	\$8,337.00
Protective Ramping of Concrete Curb	LF	7943	\$2.75	0	\$0.00	7943	\$21,843.25
random riprap cl III	CY	46	\$145.00	0	\$0.00	45	\$6,525.00
Reinforced Concrete Cross Gutters	SF	1184.4	\$6.75	0	\$0.00	1184.4	\$7,994.70
Remove Bituminous Pavement (full depth)	SF	914	\$5.00	0	\$0.00	778.11	\$3,890.55
Remove bituminous trail	SY	245	\$10.00	0	\$0.00	672.89	\$6,728.90
Remove catch basin	Each	3	\$475.00	0	\$0.00	3	\$1,425.00
Remove Concrete Curb & Gutter	LF	3527	\$5.50	0	\$0.00	3951	\$21,730.50
Remove concrete walk	SY	3205	\$9.00	0	\$0.00	658.1	\$5,922.90
Remove Culvert	LF	90	\$23.75	0	\$0.00	50	\$1,187.50
Remove Loop Detectors	Each	4	\$130.00	0	\$0.00	9	\$1,170.00
Remove Sewer (Storm)	LF	156	\$23.75	0	\$0.00	232	\$5,510.00
Remove Sign	Each	16	\$25.00	0	\$0.00	18	\$450.00
Repair & Overlay bit. Trail	LF	760	\$4.77	760	\$3,625.20	760	\$3,625.20
revised emer vehicle preemption system	LS	1	\$5,100.00	0.75	\$3,825.00	0.75	\$3,825.00
revised signal system	signal	1	\$147,000.00	0	\$0.00	1	\$147,000.00
Rock Excavation (ev)(1)(2)	CY	10	\$140.00	0	\$0.00	5	\$700.00



ITEM	ORIGINAL BID			COMPLETED			
	Unit	Quantity	Unit Price	This Period		To Date	
				Quantity	Amount	Quantity	Amount
Salvage 15" end section	Each	2	\$102.00	0	\$0.00	2	\$204.00
Salvage 24" end section	Each	2	\$142.10	0	\$0.00	2	\$284.20
Salvage casting	each	2	\$142.10	0	\$0.00	1	\$142.10
Salvage hydrant	each	3	\$475.00	0	\$0.00	3	\$1,425.00
Sawing Bit Pavement (full depth)	LF	1577	\$4.50	0	\$0.00	221	\$994.50
seed mixture 80B	acre	2	\$2,550.00	1	\$2,550.00	3	\$7,650.00
Select topsoil borrow (cv)	CY	760	\$27.50	0	\$0.00	518.8	\$14,267.00
Sodding Type Lawn	SY	3000	\$2.35	0	\$0.00	2235.75	\$5,254.01
sodding type salt resistant	SY	694	\$4.20	0	\$0.00	520.5	\$2,186.10
Subgrade excavation (ev)(2)	CY	1180	\$12.10	0	\$0.00	1450.87	\$17,555.53
temp 24" solid line white paint	LF	195	\$2.35	0	\$0.00	208	\$488.80
temp 4" broken line white paint	LF	1785	\$0.10	0	\$0.00	624	\$62.40
temp 4" double solid line yellow paint	LF	170	\$3.15	0	\$0.00	707	\$2,227.05
temp 4" solid line white paint	LF	650	\$1.60	0	\$0.00	2665	\$4,264.00
temp pavmt message (left arrow) paint	Each	5	\$53.00	0	\$0.00	5	\$265.00
temp pavmt message (left thru arrow) paint	Each	1	\$80.00	0	\$0.00	5	\$400.00
temp pavmt message (only) paint	Each	1	\$80.00	0	\$0.00	8	\$640.00
temp pavmt message (right arrow) paint	Each	3	\$53.00	0	\$0.00	6	\$318.00
temp zebra crosswalk white paint	SF	1278	\$1.90	0	\$0.00	414	\$786.60
temporary signal system	sys	1	\$154,500.00	0	\$0.00	1	\$154,500.00
Topsoil Borrow (cv)	CY	780	\$23.50	10.48	\$246.28	257.93	\$6,061.36
Traffic Control	LS	1	\$11,500.00	0.1	\$1,150.00	1	\$11,500.00
watermain fittings	LB	2400	\$4.50	0	\$0.00	2190	\$9,855.00
zebra crosswalk white epoxy	SF	1765	\$3.80	2088	\$7,934.40	2088	\$7,934.40
					\$151,032.81		\$2,011,358.55
			Subtotal				

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**CITY OF HASTINGS**  
**2002 General Sieben Drive**  
**Payment Summary**  
6/1/2003 through 6/30/2003

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**PROJECTS:**

	This Period	Total To Date
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2002 General Sieben Drive	\$151,032.81	\$2,011,358.55
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<b>TOTAL WORK COMPLETED TO DATE:</b>	\$151,032.81	\$2,011,358.55
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**City of Hastings**  
**2002 General Sieben Drive**

Application for Payment Number: 6  
 Period Ending: 6/30/2003  
 Contractor: McNamara Contracting  
 5001 160 St. W.  
 Rosemount, MN 55068

Contractor	_____	Date	_____
<i>Tom Montgomery</i>		7/15/03	
Engineer	_____	Date	_____

Approved by: Owner \_\_\_\_\_ Date \_\_\_\_\_

**PAYMENT SUMMARY:**

Pay Est. #	Period	Retainage	Payment
1	9/1/2002 - 9/30/2002	\$0.00	\$687,282.10
2	10/1/2002 - 10/27/2002	\$10,490.33	\$492,819.13
3	11/1/2002 - 11/30/2002	\$6,090.43	\$115,718.14
4	12/1/2002 - 4/26/2003	\$2,699.63	\$51,292.93
5	5/1/2003 - 5/31/2003	\$25,221.17	\$468,711.88
6	6/1/2003 - 6/30/2003	\$7,551.64	\$143,481.17
<b>TOTALS TO DATE:</b>		\$52,053.20	\$1,959,305.35

Total Completed to Date:	\$2,011,358.55
Less Retainage:	\$52,053.20
Less Previous Payment:	\$1,815,824.18
<b>Total Amount Due:</b>	<b>\$143,481.17</b>

# Request For Payment

**Date:** July 16, 2003  
**Project:** 2003-6 General Sieben Drive Ex  
**Contractor:** A-1 Excavating, Inc.  
**Request Number:** 3  
**Payment Period:** 6/1/2003 - 6/30/2003

ITEM	ORIGINAL BID			COMPLETED			
	Unit	Quantity	Unit Price	This Period		To Date	
				Quantity	Amount	Quantity	Amount
2003-6 General Sieben Drive, Excavation & Drainage							
1" CORPORATION STOP	EA	4	\$60.00	0	\$0.00	4	\$240.00
1" CURB STOP AND BOX	EA	4	\$85.00	0	\$0.00	4	\$340.00
1" TYPE K COPPER	LF	190	\$15.50	0	\$0.00	192	\$2,976.00
10" PVC PIPE SEWER SDR 35 (14-18' DEPTH)	LF	128	\$17.00	130	\$2,210.00	130	\$2,210.00
12" GV AND BOX	EA	9	\$1,300.00	0	\$0.00	9	\$11,700.00
12" RC PIPE SEWER DES 3006 CL V	LF	638	\$22.00	0	\$0.00	631	\$13,882.00
12" WM DUCTILE IRON CL 52	LF	4000	\$26.00	412	\$10,712.00	4000	\$104,000.00
12" WM DUCTILE IRON CL 52 (PIPE RIVER CROSSING)	LF	100	\$89.00	0	\$0.00	98	\$8,722.00
15" RC PIPE SEWER DES 3006 CL V	LF	1187	\$20.00	0	\$0.00	1184	\$23,680.00
16" GV AND BOX	EA	1	\$3,600.00	0	\$0.00	1	\$3,600.00
16" WM DUCTILE IRON CL 50	LF	45	\$41.50	0	\$0.00	40	\$1,660.00
18" FES WITH TRASH GUARD	EA	3	\$675.00	0	\$0.00	1	\$675.00
18" RC PIPE SEWER DES 3006 CL V	LF	282	\$22.00	48	\$1,056.00	261	\$5,742.00
21" RC PIPE SEWER DES 3006 CL III	LF	55	\$26.00	0	\$0.00	55	\$1,430.00
21" RC PIPE SEWER DES 3006 CL V	LF	205	\$28.00	55	\$1,540.00	184	\$5,152.00
27" FES WITH TRASH GUARD	EA	1	\$1,160.00	0	\$0.00	1	\$1,160.00
27" RC PIPE SEWER DES 3006 CL III	LF	381	\$36.00	0	\$0.00	374	\$13,464.00
30" RC PIPE SEWER DES 3006 CL V	LF	33	\$46.00	0	\$0.00	24	\$1,104.00
4" C-900 FORCEMAIN	LF	730	\$11.75	408	\$4,794.00	676	\$7,943.00
4" C-900 FORCEMAIN, (PIPE RIVER CROSSING)	LF	100	\$76.00	0	\$0.00	98	\$7,448.00
4" CONC WALK	SF	24690	\$2.25	18983.9	\$42,713.78	18983.9	\$42,713.78
4" INSULATION	SY	20	\$32.00	7.11	\$227.52	35.55	\$1,137.60
4" PVC PIPE SEWER SDR 26 (SEWER SERVICE)	LF	200	\$14.00	0	\$0.00	218	\$3,052.00

ITEM	ORIGINAL BID			COMPLETED			
	Unit	Quantity	Unit Price	This Period		To Date	
				Quantity	Amount	Quantity	Amount
42" FES WITH TRASH GUARD	EA	1	\$1,975.00	0	\$0.00	1	\$1,975.00
42" RC PIPE SEWER DES 3006 CL III	LF	125	\$73.00	0	\$0.00	96	\$7,008.00
48" DIA. DRILLED SHAFT (EARTH)	LF	98	\$202.17	0	\$0.00	63.7	\$12,878.23
48" DIA. DRILLED SHAFT (ROCK)	LF	88	\$317.88	0	\$0.00	67.3	\$21,393.32
6" CONC DRIVEWAY PAVT	SY	125	\$29.00	37.6	\$1,090.40	37.6	\$1,090.40
6" GV AND BOX	EA	4	\$655.00	0	\$0.00	4	\$2,620.00
6" HYD	EA	4	\$1,700.00	0	\$0.00	4	\$6,800.00
6" WM DUCTILE IRON CL 52	LF	80	\$22.50	0	\$0.00	71	\$1,597.50
8" C-900 PIPE SEWER	LF	354	\$57.00	72	\$4,104.00	354	\$20,178.00
8" C-900 PIPE SEWER, (PIPE RIVER CROSSING)	LF	100	\$98.00	0	\$0.00	98	\$9,604.00
8" CONC DRIVEWAY PAVT	SY	44	\$39.00	41.3	\$1,610.70	41.3	\$1,610.70
8" GV AND BOX	EA	13	\$840.00	0	\$0.00	13	\$10,920.00
8" PVC PIPE SEWER SDR 26 (20-22' DEPTH)	LF	120	\$25.45	41	\$1,043.45	41	\$1,043.45
8" PVC PIPE SEWER SDR 35 (0-12' DEPTH)	LF	447	\$13.25	0	\$0.00	447	\$5,922.75
8" PVC PIPE SEWER SDR 35 (16-18' DEPTH)	LF	295	\$20.50	294	\$6,027.00	674	\$13,817.00
8" PVC PIPE SEWER SDR 35 (18-20' DEPTH)	LF	167	\$21.50	105	\$2,257.50	105	\$2,257.50
8" WM DUCTILE IRON CL 52	LF	1020	\$23.50	0	\$0.00	897	\$21,079.50
8" x 4" WYE	EA	4	\$55.00	0	\$0.00	4	\$220.00
AGG BASE CL 5- STREET	TON	18940	\$7.65	13124	\$100,398.60	17428.9	\$133,331.09
AGG BASE CL 5- TRAIL	TON	777	\$7.65	777	\$5,944.05	777	\$5,944.05
AGG BASE CL 5- WALK	TON	610	\$8.65	610	\$5,276.50	610	\$5,276.50
BIT MATERIAL FOR TACK COAT	GAL	1270	\$1.75	5	\$8.75	5	\$8.75
BIT NON-WEAR COURSE (MV 3) STREET	TON	3290	\$28.50	916.6	\$26,123.10	916.6	\$26,123.10
CATCH BASIN CASTING ASSEMBLY R-3067-V (STORM)	EA	31	\$365.00	26	\$9,490.00	26	\$9,490.00
CHIMNEY SEAL	EA	44	\$180.00	24	\$4,320.00	24	\$4,320.00
COMMON EXC - TRAILS WALKS (EV) (P)	CY	1400	\$3.00	1800	\$5,400.00	1800	\$5,400.00
CONC CURB AND GUTTER DESIGN B618	LF	8260	\$6.75	6929.7	\$46,775.48	6929.7	\$46,775.48
CONNECT TO EX STORM SEWER	EA	6	\$550.00	1	\$550.00	6	\$3,300.00
CONNECT TO EX WM	EA	6	\$100.00	1	\$100.00	6	\$600.00
CONST 8" OUTSIDE DROP	LS	2	\$1,000.00	0	\$0.00	2	\$2,000.00
CONST CONC PEDESTRIAN RAMP	EA	5	\$250.00	1	\$250.00	1	\$250.00
CONST DRAINAGE STRUCTURE DES. 4020-48	EA	1	\$1,075.00	0	\$0.00	1	\$1,075.00

ITEM	ORIGINAL BID			COMPLETED			
	Unit	Quantity	Unit Price	This Period		To Date	
				Quantity	Amount	Quantity	Amount
CONST DRAINAGE STRUCTURE DES. 4020-60	EA	2	\$1,750.00	1	\$1,750.00	2	\$3,500.00
CONST DRAINAGE STRUCTURE DES. 4020-72	EA	1	\$2,225.00	0	\$0.00	1	\$2,225.00
CONST DRAINAGE STRUCTURE DES. 4022-48	EA	7	\$1,075.00	0	\$0.00	7	\$7,525.00
CONST DRAINAGE STRUCTURE DES. 4022-60	EA	4	\$1,750.00	0	\$0.00	4	\$7,000.00
CONST DRAINAGE STRUCTURE DES. 4022-72	EA	1	\$2,225.00	0	\$0.00	1	\$2,225.00
CONST DRAINAGE STRUCTURE DESIGN S-10	EA	19	\$550.00	0	\$0.00	19	\$10,450.00
CONST DRAINAGE STRUCTURE DESIGN S-10A	EA	7	\$550.00	0	\$0.00	7	\$3,850.00
CONST SANITARY MH (0'-10')	EA	9	\$1,350.00	2	\$2,700.00	9	\$12,150.00
EROSION CONTROL	LS	1	\$2,500.00	0.2	\$500.00	0.4	\$1,000.00
GRANULAR BORROW FROM STOCKPILE (LV)	CY	6360	\$3.25	1250	\$4,062.50	2900	\$9,425.00
INSTALL PRIVATE UTILITY CONDUIT	LF	4450	\$4.00	600	\$2,400.00	4320	\$17,280.00
MOBILIZATION	LS	1	\$51,021.57	0.25	\$12,755.39	0.95	\$48,470.49
PILE TIP PROTECTION 12"	EA	24	\$31.91	0	\$0.00	24	\$765.84
RANDOM RIP RAP CLASS III	CY	321	\$51.37	77	\$3,955.49	77	\$3,955.49
RANDOM RIPRAP CLASS III (18" DEPTH)	CY	43	\$41.00	18	\$738.00	18	\$738.00
REINFORCEMENT BARS (EPOXY COATED)(P)	LB	135430	\$0.67	23382	\$15,665.94	27425	\$18,374.75
REMOVE BIT PAVT	SY	1480	\$2.00	2265	\$4,530.00	2265	\$4,530.00
REMOVE STORM SEWER	LF	400	\$7.00	0	\$0.00	406.5	\$2,845.50
ROCK EXC (EV)	CY	2735	\$29.00	0	\$0.00	1631.5	\$47,313.50
SANITARY LIFT STATION	LS	1	\$83,500.00	0	\$0.00	0.75	\$62,625.00
SANITARY MH OVERDEPTH (>10')	LF	55	\$123.00	16.18	\$1,990.14	55.02	\$6,767.46
SAWING BIT PAVT (FULL DEPTH)	LF	1310	\$2.50	2256	\$5,640.00	2256	\$5,640.00
SELECT GRANULAR BORROW (CV)	CY	10275	\$7.55	94.8	\$715.74	94.8	\$715.74
SPIRAL REINFORCEMENT BARS (EPOXY COATED)(P)	LB	2480	\$2.78	490	\$1,362.20	2350	\$6,533.00
STEEL H-PILING DELIVERED 12"	LF	800	\$11.63	505	\$5,873.15	767	\$8,920.21
STEEL H-PILING DRIVEN 12"	LF	800	\$1.15	459.1	\$527.97	677.1	\$778.67
STEEL H-TEST PILE 30' LONG 12"	EA	2	\$4,033.75	0	\$0.00	2	\$8,067.50
STEEL H-TEST PILE 70' LONG 12"	EA	2	\$4,610.00	2	\$9,220.00	2	\$9,220.00
STRUCTURAL CONC (3X46)	CY	86	\$170.61	0.5	\$85.31	57.5	\$9,810.08
STRUCTURAL CONC (3Y43)(P)	CY	269	\$373.54	215.5	\$80,497.87	222.3	\$83,037.94
STRUCTURE EXC	LS	1	\$2,267.20	0	\$0.00	0.5	\$1,133.60
TRAFFIC CONTROL	LS	1	\$4,800.00	0.2	\$960.00	0.6	\$2,880.00

ITEM	ORIGINAL BID			COMPLETED			
	Unit	Quantity	Unit Price	This Period		To Date	
				Quantity	Amount	Quantity	Amount
VALVE BOX AND RISER (FOR FMN TRACER WIRE)	EA	1	\$180.00	1	\$180.00	1	\$180.00
WM FITTINGS	LBS	11875	\$2.50	1305	\$3,262.50	8775	\$21,937.50
	Subtotal				\$443,395.01		\$1,081,810.95

---

**CITY OF HASTINGS**  
**General Sieben Drive Extension &**  
**Payment Summary**  
6/1/2003 through 6/30/2003

---

**PROJECTS:**

This Period

Total To Date

---

2003-6 General Sieben Drive Extension & Bridge

\$443,395.01

\$1,081,810.95

---

**TOTAL WORK COMPLETED TO DATE:**

\$443,395.01

\$1,081,810.95

---



City of Hastings

2003-6 General Sieben Drive Extension & Bridge

Application for Payment Number 3

Period Ending: 6/30/2003

Contractor: A-1 Excavating, Inc.  
P.O. Box 90  
Bloomer, WI 55068

Contractor \_\_\_\_\_ Date \_\_\_\_\_  
Engineer *Tom Montzinger* 7/15/03  
Date \_\_\_\_\_

Approved by \_\_\_\_\_ Owner \_\_\_\_\_ Date \_\_\_\_\_

PAYMENT SUMMARY:

Pay Est. #	Period	Retainage	Payment
1	4/15/2003 - 4/26/2003	\$0.00	\$138,956.54
2	5/1/2003 - 5/31/2003	\$0.00	\$499,459.40
3	6/1/2003 - 6/30/2003	\$0.00	\$443,395.01
TOTALS TO DATE:		\$0.00	\$1,081,810.95

Total Completed to Date:	\$1,081,810.95
Less Retainage:	\$0.00
Less Previous Payment:	\$638,415.94
Total Amount Due:	\$443,395.01

**CITY OF HASTINGS**  
DAKOTA COUNTY, MINNESOTA

**VI-16**

Resolution No.

**RESOLUTION ACCEPTING WORK AND ORDERING FINAL PAYMENT  
FOR THE 2002 SOUTHWEST PONDING BASIN TRAIL IMPROVEMENTS**

WHEREAS, pursuant to a written contract signed with the City of Hastings on September 3, 2002 Pember Excavating has satisfactorily completed the 2002 Southwest Ponding Basin Trail Improvements.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HASTINGS AS FOLLOWS; that the Clerk and Mayor are hereby directed to issue a proper order for the final payment of \$15,085.82 on the above said project for such contracts, taking the contractor receipt in full.

ADOPTED BY THE CITY COUNCIL OF HASTINGS, MINNESOTA, THIS 21<sup>st</sup> DAY OF JULY, 2003.

Ayes:

Nays:

*Michael D. Werner, Mayor*

ATTEST:

*Melanie Mesko Lee, City Clerk*

SEAL

Item Account Records 6/27/2003  
 2002 Trail Improvements  
 FINAL PAYMENT  
 6/1/2003 through 6/27/2003

Date	Item Description	By	Comments	Unit	Quantity	Unit Price	Item Total
7/3/2003	BITUMINOUS MATERIAL FOR TACK COAT	Egger		GAL	240	\$2.00	\$480.00
7/3/2003	TYPE LV4 BITUMINOUS WEAR COURSE (LVWE45030B) (TRAIL)	Egger	Final lift of trail paved 6/18/2003	TON	380.36	\$38.40	\$14,605.82
SubProject Total:							\$15,085.82
Total Project Amount for Period							\$15,085.82

2002 Trail Improvements - FINAL PAYMENT

MEMORANDUM

VI-17

To: Mayor Werner and City Councilmembers  
From: Melanie Mesko Lee, Administrative Assistant/City Clerk  
Date: July 16, 2003  
Re: Approval of Full On-Sale Liquor License at Westside Bar & Grill (formerly The County Pub)

Council Action Requested:

Approve the issuance of a full, on-sale liquor license at Westside Bar & Grill (formerly The County Pub), located at 880 Bahls Drive.

Background:

Kay Lauwagie has applied for a full on-sale and Sunday on-sale liquor license.

As you are aware, state law limits the number of full, on-sale liquor licenses a City can issue. This last legislative session, the City applied for, and was granted, the ability to issue three additional licenses above our statutory limit. Currently, all of our statutorily available licenses are issued and this license, if approved, would be one of the three additional licenses we were granted by the legislature. Staff is recommending approval of the full, on-sale liquor license for the full license period of July 22, 2003 through June 30, 2004, contingent upon successful completion of the background investigation currently being conducted by the Hastings Police Department..

If you have any questions, please do not hesitate to let me know.

Attachments:

1. Resolution  
Application materials on file

**CITY OF HASTINGS  
DAKOTA COUNTY, MINNESOTA**

**RESOLUTION NO. 07-\_\_\_\_-03**

**RESOLUTION APPROVING APPLICATION FOR  
FULL ON-SALE LICENSES TO KAY LAUWAGIE  
D/B/A WESTSIDE BAR & GRILL**

**WHEREAS**, Ms. Kay Lauwagie has presented an application to the City of Hastings for a full on-sale and a Sunday on-sale liquor license at Westside Bar & Grill, 880 Bahls Drive, Hastings, Minnesota; and

**WHEREAS**, the City of Hastings has three full, on-sale licenses available for issuance; and

**WHEREAS**, all necessary paperwork has been received and a successful background check is being conducted by the Hastings Police Department.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Hastings that the Mayor and Administrative Assistant/City Clerk are authorized and directed to sign this resolution approving the full, on-sale and Sunday on-sale liquor licenses at Westside Bar & Grill, 880 Bahls Drive, Hastings, Minnesota to Ms. Kay Lauwagie.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF HASTINGS THIS 21<sup>st</sup> DAY OF JULY, 2003.**

**Ayes:**

**Nays:**

**Absent:**

\_\_\_\_\_  
Michael D. Werner, Mayor

\_\_\_\_\_  
Melanie Mesko Lee, Administrative Assistant/City Clerk

**(SEAL)**

July 17, 2003

**VI-18**

**TO:** The Honorable Mayor and Council

**FROM:** John Grossman, HRA Director

**RE:** Execution of MnDOT Agreement for LeDuc Scenic Highways Grant

The Grant has been approved and work may now begin upon execution of the agreement with the Commission of Transportation. Scenic Highways funds are administered by MnDOT.

The work to be done with this grant is the research and fabrication of exhibits for the interpretation of the LeDuc House. Dakota County Historical Society will manage production of the interpretive materials on the City's behalf.

Federal funds authorized are \$164,696. The City and Dakota County Historical Society have agreed to provide the 20% match with \$21,000 each.

Please approve the attached resolution.

**CITY OF HASTINGS**  
**Dakota County, Minnesota**  
**July 21, 2003**

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

Council member \_\_\_\_\_ moved the following resolution:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HASTINGS  
AUTHORIZING EXECUTION OF AGREEMENTS WITH THE COMMISSIONER OF  
TRANSPORTATION RELATED TO LEDUC HISTORIC SITE INTERPRETATION.**

WHEREAS The City of Hastings finds that the historic and architectural heritage of the LeDuc Historic Site is a community asset and has agreements with the Minnesota Historical Society and the Dakota County Historical Society for the interpretation of the site; and

WHEREAS The City of Hastings requested funding for interpretive exhibits through the National Scenic Highways grant program, which has been approved;

BE IT RESOLVED, that pursuant to Minnesota Stat. Sec. 161.36, the Commissioner of Transportation be appointed as Agent of the City of Hastings to accept as its agent, federal aid funds which may be made available for eligible transportation related projects;

BE IT FURTHER RESOLVED, the Mayor and the City Clerk are hereby authorized and directed for and on behalf of the City to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in "Minnesota Department of Transportation Agency Agreement No. 85081", a copy of which said agreement was before the City Council and which is made a part hereof by reference.

Council member \_\_\_\_\_ seconded the resolution and upon being put to a vote:

Ayes:

Nays:

Absent:

Resolution Number \_\_\_\_\_

The resolution was declared duly adopted.

\_\_\_\_\_  
Michael D. Werner, Mayor

ATTEST: \_\_\_\_\_  
Melanie Mesko Lee, City Clerk

(seal)

STATE OF MINNESOTA  
COUNTY OF DAKOTA

I HEREBY CERTIFY that the above is a true and correct copy of a resolution presented to and adopted by the City Council of Hastings at a duly authorized meeting thereof held on the 21st day of July, 2003 as shown by the minutes of said meeting in my possession.

\_\_\_\_\_  
Melanie Mesko Lee, City Clerk

Notary Public  
My Commission expires \_\_\_\_\_.



MEMORANDUM

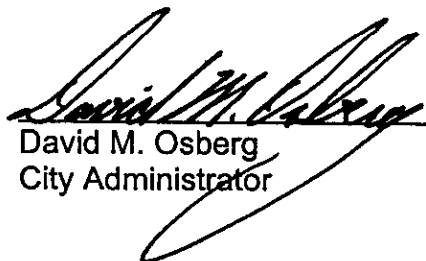
TO: Honorable Mayor and City Councilmembers  
FROM: Dave Osberg, City Administrator  
DATE: July 17, 2003  
SUBJECT: City Hall Roof Repair Bids and Award of Contract

**Recommended City Council Action**

It is recommended that the City Council take action approving the attached Resolution receiving bids and awarding a contract for the City Hall Roof Repair project, to John A. Dalsin, in the amount of \$191,139.

**Background**

Bids for the City Hall roof repair project were received on Wednesday July 8, 2003. Three bids were received, with the consultants and Staff recommending that the City Council take action approving the attached Resolution awarding the contract to John A. Dalsin.

  
\_\_\_\_\_  
David M. Osberg  
City Administrator

**Hastings City Council**

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

**Resolution of the City Council of the City of Hastings  
Receiving Bids and Awarding Contract for  
City Hall Roof Repair**

Councilmember \_\_\_\_\_ introduced the following Resolution, and  
\_\_\_\_\_ moved its adoption:

**WHEREAS**, pursuant to notification for bids for City Hall Roof Repair, bids were opened and tabulated according to law, and the following bids were received:

<b>Bidder</b>	<b>Bid Amount</b>
Berwald Roofing	\$298,299
John A. Dalsin	\$191,139
M.G. McGrath Inc	\$268,400

**WHEREAS**, It appears that John A. Dalsin is the lowest responsible bidder;

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL AS  
FOLLOWS:**

That the City Clerk and Mayor are hereby authorized and directed to enter into a contract with John A. Dalsin in the amount of \$191,139 for City Hall Roof Repair.

**Adopted by the City Council of the City of Hastings  
This 21<sup>st</sup> Day of July, 2003**

**Ayes:  
Nays:  
Absent:**

**Michael D. Werner**  
**Mayor**

ATTEST:

**Melanie Mesko Lee**  
**Administrative Assistant/City Clerk**

I HEREBY CERTIFY that the above is a true and correct copy of a resolution presented to and adopted by the City of Hastings, County of Dakota, Minnesota on the 21<sup>st</sup> Day of July, 2003, as disclosed by the records of the City of Hastings on file and of record in the office.

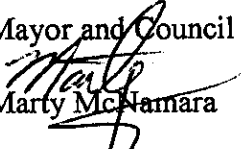
**Melanie Mesko Lee**  
**Administrative Assistant/City Clerk**

(SEAL)

This instrument drafted by:

City of Hastings  
101 E. 4<sup>th</sup> Street  
Hastings, MN 55033

MEMO

**TO:** Mayor and Council  
**FROM:**   
Marty McNamara  
**SUBJECT:** Wallin Park  
**DATE:** July 21, 2003

COUNCIL ACTION

Award Contract to Spiral Fence to construct an outdoor hockey rink at Wallin Park in the amount of \$61,700.

Staff budgeted \$100,000 in the 2003 budget to construct on Outdoor Hockey Rink at Wallin Park. The rink will be lighted, but will not have a bituminous surface. Please see the attached information regarding bids received.

Hoisington Koegler Group Inc.



July 16, 2003

Marty McNamara, Park & Recreation Director  
Hastings Park & Recreation Department  
920 West 10<sup>th</sup> Street  
Hastings, MN 55033

Re: Recommendation of Contract award – Wallin Park Outdoor Hockey Rink project.

Dear Marty:

Six bids were received for the Wallin Park Outdoor Hockey Rink project. The project includes minor site grading, construction of rink boards/hardware, chain link fencing and installation of sports lighting. The low bid of \$61,700 was offered by Spiral Fence Company. Our estimate for the project is roughly \$70,000.

References provided by the Contractor for previous projects were checked. The bonding company to be used by the Contractor was also checked for legitimacy. No issues of concern were discovered. The Contractor does have experience similar to the work of this project. Therefore, I recommend contract award for the project to Spiral Fence Company in the amount of \$61,700.

Enclosed is the bid tabulation. If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Bruce L. Chamberlain".

Bruce L. Chamberlain, ASLA  
Project Designer

Enc.

*M:\HASTINGS\Wallin\_Park\ice rink\docs\AWARDREC.doc*

**BID TABULATION**

**9-Jul-03**

**Wallin Park Outdoor Hockey Rink**

Hastings, Minnesota

plans dated June 19, 2003

Plans prepared by:

Hoisington Koegler Group Inc.

123 North Third St., Suite 100

Minneapolis, MN 55401-1659

Owner:

Hastings Park & Recreation Department

920 West 10th Street

Hastings, MN 55033

	<u>BLACKTOP REPAIR SERVICE</u>	<u>HOFFMAN &amp; McNAMARA</u>	<u>PERKINS LANDSCAPE</u>	<u>SPIRAL FENCE</u>	<u>TENNIS WEST</u>	<u>VINCO</u>
<b>LUMP SUM BID</b>	\$ 79,890.00	\$ 69,634.00	\$ 74,578.00	<b>\$ 61,700.00</b>	\$ 78,630.00	\$ 91,532.00
bid bond enclosed	yes	yes	yes	yes	yes	yes

APPARENT LOW BID SUBMITTED BY SPIRAL FENCE

# MEMO

VIII-A-1

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**To:** Honorable Mayor and City Council  
**From:** Tom Montgomery  
**Date:** July 16, 2003  
**Re:** Authorize Test Drill for New Municipal Well

---

Council is requested to authorize the drilling of a small diameter test well, and pumping and sampling of the test well on the Lawrence Construction property on the west side of Pleasant Drive between 23<sup>rd</sup> St. and Northridge Drive. The test well would help determine if the site is feasible for the development and construction of a new municipal well.

The Lawrence Construction property is near a large trunk watermain on Northridge Drive, which would be needed to connect a future municipal well to. In addition, the site is also in the vicinity of Well #4, which has one of the lower nitrate rates on our water supply system. With development concepts being proposed for this property by Lawrence Construction, staff is recommending testing the aquifer below the site to determine if it is suitable for development of a municipal well. If so, staff would negotiate with the developer to provide a site on the property for a new well. In the past, the City has been given park land credit for a well site, with funds transferred from the Water Fund to the Parks to make up the loss of park dedication fees.

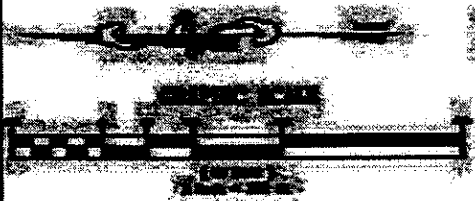
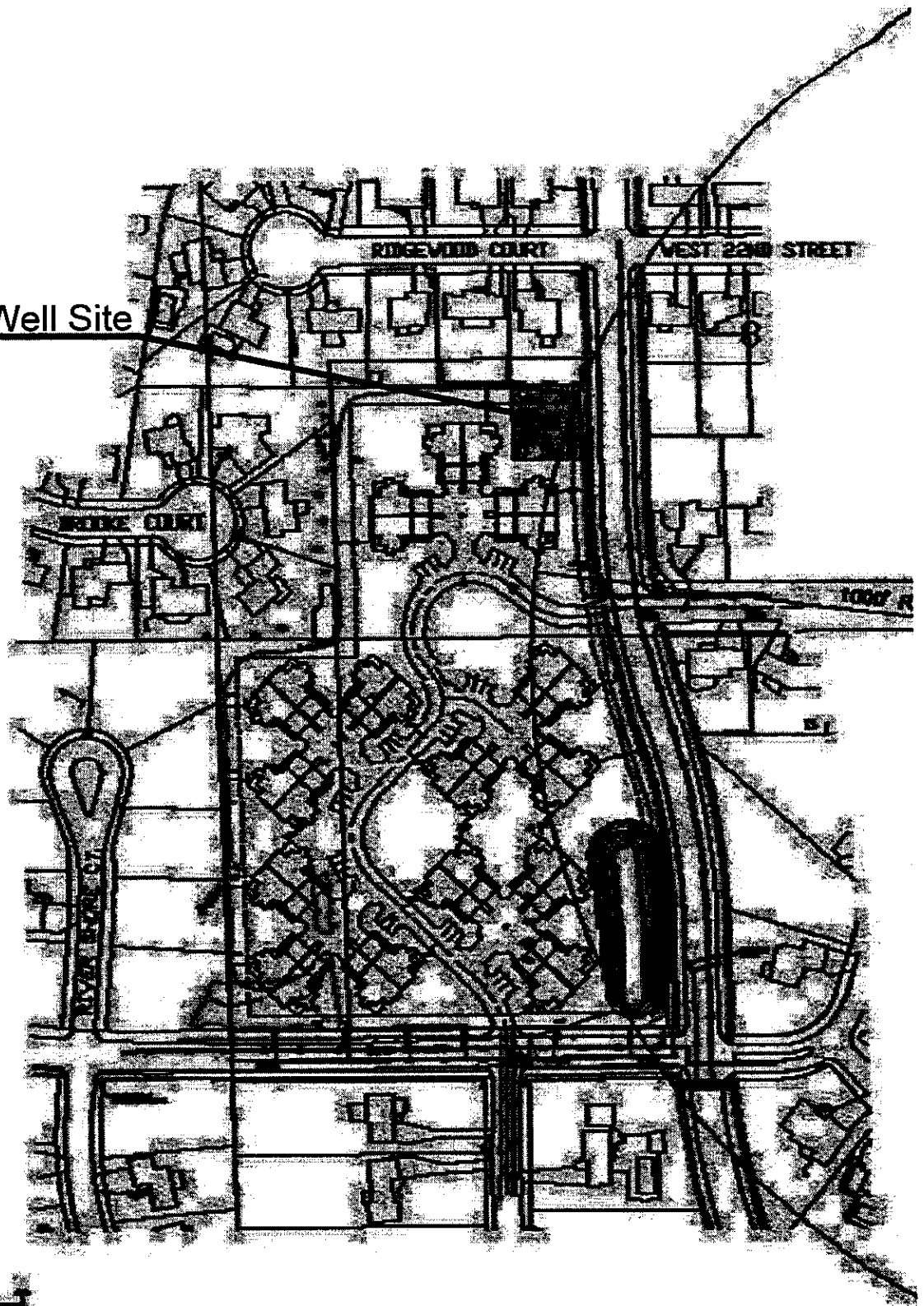
The Utility Department's 2004 budget request includes a request for funding for a new municipal well. Increased growth over the past five years and recent preliminary plat approvals of large developments such as Century South, South Pines 4, 5, & 6<sup>th</sup> Additions, South Oaks, Riverwood 7<sup>th</sup> Addition, and west half of the Wallin Addition are driving the need to create additional water supply capacity. The proposed Glendale Heights development and proposed water supply to the Hastings Veterans Home will increase the need to add a municipal well in the near future.

The last expansion to the City's pumping capacity occurred in 1998 with the rehabilitation of Well #3 and Well #4 and an overhaul and updating of the water system pumping and control system. The estimated cost of the test well drilling and sampling is \$30,000. A geologic analysis of the site indicates that the proposed well site should be far enough east to avoid the fault encountered in a 1996 attempt to develop a municipal well near General Sieben Drive and 15<sup>th</sup> Street. Ground water modeling of the site indicates that a developed municipal well on the Lawrence property will have little impact on the nearby Well #4.



CITY OF HASTINGS

Possible Well Site



**GCC**  
Engineering & Surveying  
Planning

Having created and maintained the  
survey data for the project, we are  
now providing the final survey  
data to the client.

**JOHNSON & SCHEFFEL INC**  
**LAND SURVEYORS**



# Memo

**To:** Mayor Werner and City Council

**From:** Kris Jenson, Associate Planner

**Date:** July 21, 2003

**Subject:** Dan & Deb Miller – Variance #2003-51 to enlarge a non-conforming structure located at 1986 Oak Street.

## REQUEST

Dan & Deb Miller seek to enlarge a detached garage at 1986 Oak Street. The existing garage is a legal non-conforming structure.

## RECOMMENDATION

Approval is recommended. The home and garage were constructed in the early 1960's. The proposed addition meets all required setbacks.

The variance is required due to the fact that the current side yard setback of the existing garage is approximately 0 – 1'. The Zoning Code states that a non-conforming structure may not be enlarged, thus a variance is required in order for any construction to take place.

## BACKGROUND INFORMATION

### Comprehensive Plan Classification

The use conforms to the 2020 Comprehensive Plan. The property is designated U-1 – Urban Residential.

### Zoning Classification

The subject property is zoned R-2 – Medium Density Residential. Detached garages are a permitted use in the R-2 District.

**Adjacent Zoning and Land Use**

The following land uses about the property:

<u>Direction</u>	<u>Existing Use</u>	<u>Zoning</u>	<u>Comp Plan</u>
North	Single Family Home	R-2 – Med Dens Res.	U-I – Urb Res.
East	Oak Street		
	Single Family Home	R-2 – Med Dens Res.	U-I – Urb Res.
South	Single Family Home	R-2 – Med Dens Res.	U-I – Urb Res.
West	Single Family Home	R-2 – Med Dens Res.	U-I – Urb Res.

**Existing Condition**

The existing home was built in 1963. The 22' x 24' garage is detached and sits along the north property line behind the home.

**Proposed Condition**

The proposed 16' x 24' addition would be to the south side of the garage. The setback to the rear of the property is approximately 14', and the new setback to the south would be approximately 30'.

**VARIANCE REVIEW**

**Minimum Setback Requirements**

Minimum setback requirements for an accessory structure in the R-2 District are 5'

**Review Criteria**

The following criteria have been used as findings of fact in granting variances to zoning provisions:

- A. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.
- B. The literal interpretation of the City Code would deprive the applicants of rights commonly enjoyed by other properties in the same district under the terms of Chapter 10.
- C. That the special conditions and circumstances do not result from actions of the applicant.
- D. That granting the variance requested will not confer on the applicant any special privilege that is denied by Chapter 10 to other lands, structures, or buildings in the same district. No non-conforming use of neighboring lands, structures, or buildings

in the same district, and no permitted or nonconforming use of lands, or buildings in other districts shall be considered grounds for the issuance of a variance.

**Notification of Adjoining Property Owners**

Notification has been sent to adjoining property owners. No comments have been received at this time.

**Planning Commission Recommendation**

The Planning Commission reviewed this item at their July 14<sup>th</sup> meeting, and unanimously recommended approval of the variance.

**RECOMMENDATION**

Approval of the attached resolution.

**ATTACHMENTS**

- Location Map
- Site Plan
- Application

**HASTINGS CITY COUNCIL**

**RESOLUTION NO. 07-\_\_-03**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HASTINGS  
APPROVING A VARIANCE FOR  
1986 OAK STREET HASTINGS, MINNESOTA**

Councilmember \_\_\_\_\_ introduced the following Resolution and moved its adoption:

**WHEREAS**, the Daniel and Deborah Miller have initiated consideration of a variance for the following legally described property:

Lot 210, Replat of Westwood Addition 4<sup>th</sup> Section, Dakota County, Minnesota  
Containing 9,100 square feet, more or less.

**WHEREAS**, on July 14<sup>th</sup>, 2003, a review of this variance was held before the Planning Commission of the City of Hastings, and

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF HASTINGS AS FOLLOWS:**

That a variance is approved for Section 10.06 Subd. 4 Non Conforming Structures to enlarge a legal non-conforming structure by the addition to an existing detached garage at the rear of the property at 1986 Oak Street, based on the following findings of fact:

1. That literal interpretation of the code would deprive the applicant of rights commonly enjoyed by others.
2. The proposed addition would not further encroach into the required setbacks.

**BE IT FURTHER RESOLVED**, that a copy of this resolution shall be filed with the Dakota County Recorder's Office by the Hastings City Clerk.

Council member \_\_\_\_\_ moved a second to this resolution, and upon being put to a vote it was unanimously adopted by all Council members present.

Adopted by the Hastings City Council on July 21<sup>st</sup>, 2003 by the following vote:

Ayes:

Nays:

Absent:

ATTEST:

\_\_\_\_\_  
Michael D. Werner, Mayor

\_\_\_\_\_  
Melanie Mesko Lee, Administrative Assistant/City Clerk

(City Seal)

**I HEREBY CERTIFY** that the above is a true and correct copy of resolution presented to and adopted by the City of Hastings, County of Dakota, Minnesota, on the 21<sup>st</sup> day of July, 2003, as disclosed by the records of the City of Hastings on file and of record in the office.

\_\_\_\_\_  
Melanie Mesko Lee, Administrative Assistant/City Clerk





**(SEAL)**

This instrument drafted by:  
City of Hastings (KKJ)  
101 4th St. East  
Hastings, MN 55033

# 1986 Oak St Variance to enlarge existing garage

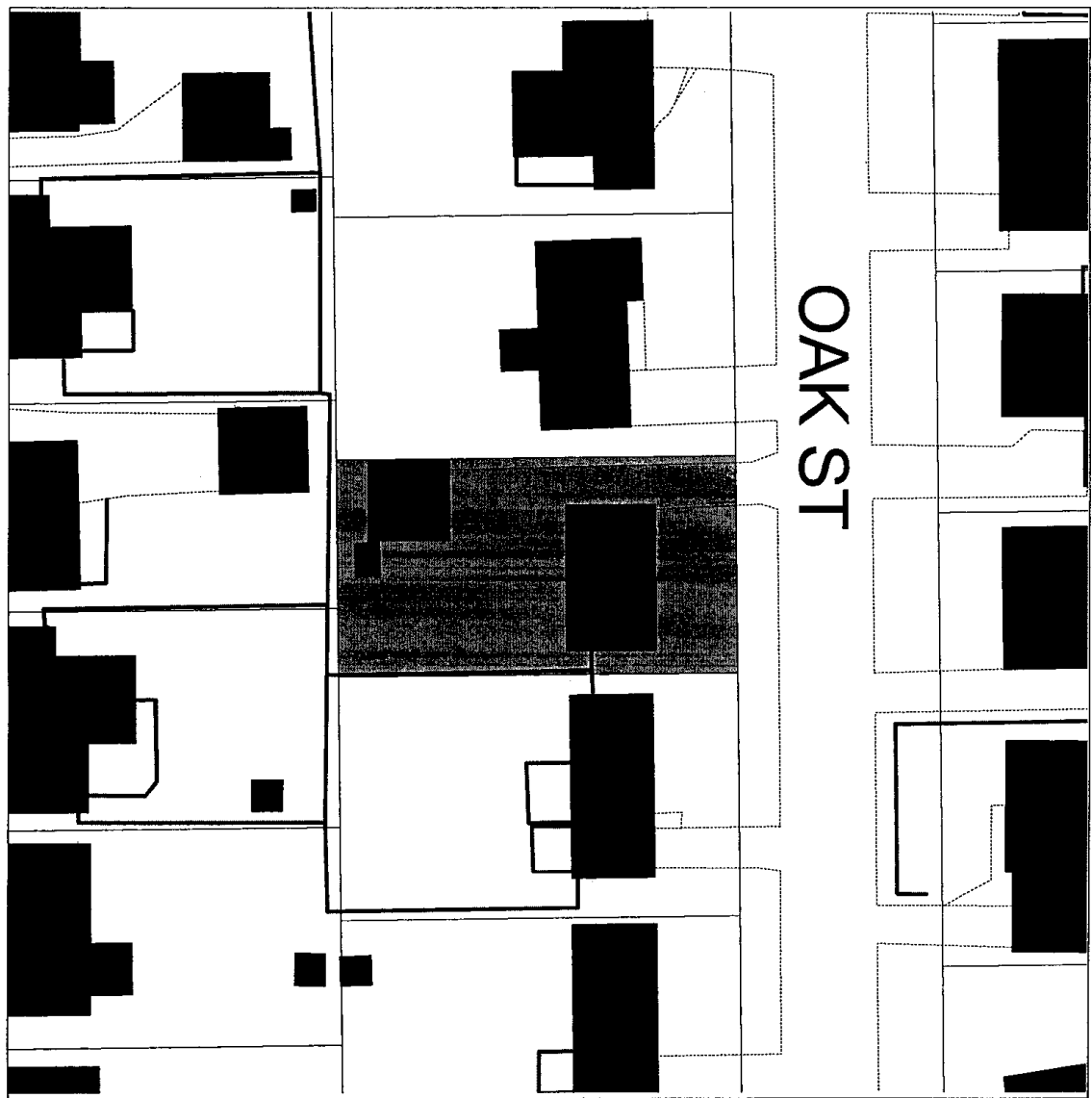
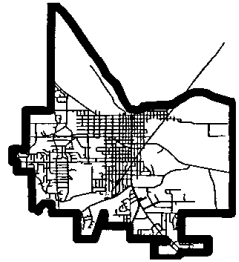
OAK ST

## Legend

-  Parcels
-  Buildings
-  Roads
-  Structures



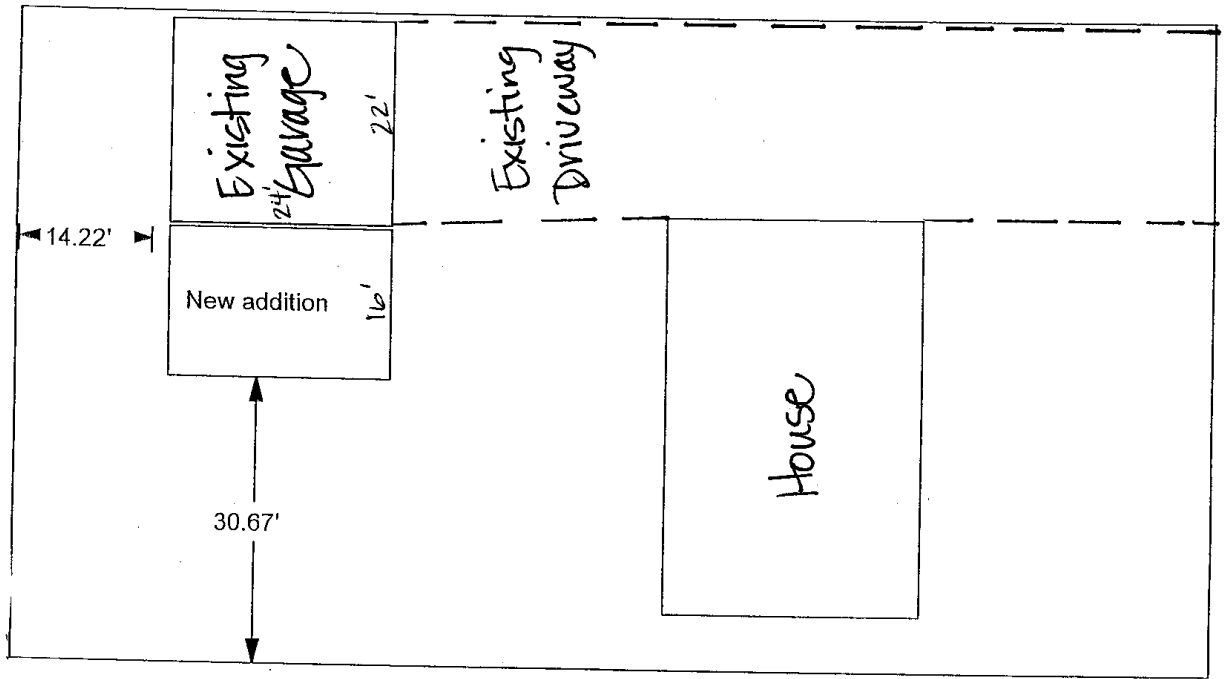
## Site Location





Site Drawing 1986 Oak Street

130



Oak St. 70



# LAND USE APPLICATION

CITY OF HASTINGS - PLANNING DEPARTMENT

101 4th Street East, Hastings, MN 55033 Phone: 651.480.2350 Fax: 651.437.7082

Address of Property: 1986 Oak Street, Hastings, MN

Legal Description of Property: Westwood Addition Fourth Section  
lot 210 Property ID number 19-63300-210-00

Applicant:  
 Name Dan & Deb Miller  
 Address 1986 Oak St  
Hastings, MN 55033  
 Phone 651-437-9579  
 Fax \_\_\_\_\_  
 Email dano1@ustfamily.net

Owner (If different from Applicant):  
 Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 Phone \_\_\_\_\_  
 Fax \_\_\_\_\_  
 Email \_\_\_\_\_

Description of Request (include site plan, survey, and/or plat if applicable):

Add 16x24 shop onto existing garage's south side  
Requesting variance because north side of garage  
is closer to the property line than 5 feet.

Check applicable box(es):

Note: All fees and escrow amounts due at time of application.

<input type="checkbox"/>
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<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

Final Plat	\$600
Minor Sub.	\$500
Rezone	\$500
Spec. Use	\$500
Variance	\$250
Annexation	\$500 plus legal expenses
EAW	\$500 plus \$1000 escrow
Prelim Plat	\$500 plus escrow:
	- Under 10 acres: \$3000 (\$500 Planning + \$2500 Engineering)
	- Over 10 acres: \$6000 (\$1000 Planning + \$5000 Engineering)
Site Plan	\$500 plus escrow:
	- 0 - 5,000 s.f.: \$1500 (Engineering)
	- 5,000 - 10,000 s.f.: \$2500 (\$500 Planning + \$2000 Engineering)
	- 10,000 - 50,000 s.f.: \$3250 (\$750 Planning + \$2500 Engineering)
	- 50,000 s.f. +: \$4000 (\$1000 Planning + \$3000 Engineering)

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

Administrative Lot Split	\$50
Comp Plan Amendment	\$500
House Move	\$500
Lot Line Adjustment	\$50
Vacate ROW/Easement	\$400

TOTAL:

Signature of Applicant	Date	Signature of <sup>Co-Applicant</sup> Owner	Date
<u>Daniel D. Miller</u>	<u>6/28/03</u>	<u>Deb Miller</u>	<u>6-28-03</u>
Applicant Name and Title - Please Print		Owner Name - Please Print	
<u>Daniel D. Miller</u>		<u>Deb Miller</u>	

Official Use Only

4/23/2003

File # 2003-51  
 Fee Paid \$250.00

Rec'd By: VJ  
 Receipt # \_\_\_\_\_

Date Rec'd 6/30/03  
 App. Complete 6/30/03

# Memo

**To:** Mayor Werner and City Council

**From:** Kris Jenson, Associate Planner

**Date:** July 21, 2003

**Subject:** Regina Medical Center - Site Plan Review #2003-47 to expand parking and add an access road to Pleasant Drive, 1175 Nininger Rd.

## REQUEST

Regina Medical Center has submitted a request for approval of an expanded parking area and access road to Pleasant Dr. This is triggered by the hospital expansion approved by the City in late 2001. The parking lot expansion and access drive received concept approval by the City at the same time, and a condition of the building expansion's approval was the approval of the parking lot and access road to Pleasant Dr.

### Planning Commission Recommendation

The Planning Commission reviewed the item at the July 14 meeting, and unanimously (6-0) recommended approval of the site plan.

## RECOMMENDED ACTION

Approval of the attached resolution.

## ATTACHMENTS

- Location Map
- Site Plan
- Application

## BACKGROUND INFORMATION

### Comprehensive Plan Classification

The proposal conforms to the 2020 Comprehensive Plan land use designation of P, Public.

### Zoning Classification

The subject property is zoned P-I, Public Institution. Medical Buildings are a permitted use.

### Adjacent Zoning and Land Use

The following land uses abuts the proposed parking lot:

<u>Direction</u>	<u>Existing Use</u>	<u>Zoning</u>	<u>Comp Plan</u>
North	Vacant	P-I – Public Institution	P - Public
East	Existing Parking Lot	P-I – Public Institution	P - Public
South	Vacant	P-I – Public Institution	P - Public
West	Pleasant Drive Presidents Add	R-3 – Med High Res.	U-II Urb. Res.

### Existing Condition

The site is currently a temporary parking area. When construction began on the most recent office addition, a parking lot was removed from service. One of the conditions of approval of the expansion was that the hospital would be allowed to use a temporary parking area during construction, and once it was completed was the construction of the additional parking areas and access drive to Pleasant Drive.

## SITE PLAN REVIEW

### History

The Hospital has had numerous additions since it was originally built in the 1950's, the most recent having been approved in 2001. In 1987, residents in the 1<sup>st</sup> Street area raised concerns regarding traffic generated by a proposed clinic at that time, which would have it's primary entrance off of 1<sup>st</sup> St. An agreement was signed by The City of Hastings and Regina Medical Center that would require the hospital/clinic to construct an access road should certain conditions (traffic counts, accident reports) be met.

With those conditions met, the access road is being constructed. However, the agreement states that the road shall be built from the River Valley Clinic (now Allina) to Pleasant Drive and to City Standards at a width of 36'. While the proposed access does not access directly to the clinic's parking lot, the parking lots is accessible via the major drive access through the parking lots, of which this proposed access is an extension. Also, Regina is proposing a 28' wide roadway, and Staff has conferred with the Eng. Dept, who feels that the proposed road is sufficient. There is no parking planned for either side of the road.

Staff has contacted the City attorney about drafting an amendment to the original agreement, which would permit the roadway to be constructed at a width of 28'. A condition of approval would be the amendment of the original agreement.

### Zoning Setbacks

The site meets the minimum parking lot setback requirement of ten feet. The proposed parking expansion area is not adjacent to any public rights-of-way. Along the southeast corner of the expansion, the proposed parking area will 'face' another parking area; however there is about 30' between the two lots, as well as a row of trees.

### **Access and Circulation**

Automobile access and circulation is adequate. The new parking area will be accessed via the existing internal roads and the construction of a new access road from Pleasant Drive. The new access lines up directly across from Jackson Drive so as to create a full intersection at that point, rather than an offset.

### **Parking**

The expansion will create an additional 94 parking spaces on site. Sixty-three spaces were constructed in front of the new addition near County Road 42.

### **Landscape Plan**

A landscaping plan will be required for the areas adjacent to and within the parking lot, to continue the plantings within the parking lot islands.

### **Lighting Plan**

Photometric plan is needed if the parking lot is to be lit. Plan must be submitted to the Planning Director for approval.

### **Grading and Utility Plans**

Grading and Utility plans are under review by the Engineering Department. Plans must be approved by the Engineering Department before permits can be issued for construction. Along with the parking lot and road access, a water main connection is being made along Nininger Rd/Cty Rd 42. This connection will be made to the existing water main at the intersection of Pleasant Drive and Cty Rd. 42, and will cause the intersection to be closed at some point. The Public Works Director is reviewing the plans and will be working with the applicant to minimize the disruption of traffic in the area.

**HASTINGS CITY COUNCIL**

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HASTINGS  
APPROVING THE SITE PLAN OF REGINA MEDICAL CENTER FOR  
CONSTRUCTION OF A PARKING LOT ADDITION AND ACCESS ROAD TO  
PLESANT DRIVE, HASTINGS, MN**

Council member \_\_\_\_\_ introduced the following Resolution and \_\_\_\_\_ moved its adoption:

**WHEREAS**, Regina Medical Center has petitioned for approval to construct a parking lot addition and access road to Pleasant Drive on property legally described as follows:

Regina Memorial Addition Outlot A, except that portion platted as Regina Memorial 2<sup>nd</sup> Addition.

**WHEREAS**, on July 14, 2003, review was conducted before the Planning Commission of the City of Hastings, as required by state law, city charter and city ordinance; and

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HASTINGS AS FOLLOWS:**

That the City Council hereby approves the site plan request of Regina Medical Center to construct a parking lot addition and access road to Pleasant Drive, subject to the following conditions:

- 1) Adherence to the attached Site Plan.
- 2) All disturbed areas on this property shall be stabilized with rooting vegetative cover to eliminate erosion problems, and shall be maintained to the requirements of the City's property maintenance ordinance.

- 3) Final approval of the development grading and utility plans by the City of Hastings. The applicant shall be liable for any costs involved in consultant review of the plans.
- 4) Any future plans to illuminate the parking lot/access road will require a photometric lighting plan to be submitted showing foot candle illumination of the property. Illumination levels are limited to 0.5 foot candles at the property line as required in the Zoning Code.
- 5) Landscaping Plan shall be submitted for review and approval by the City Forester and Planning Director.
- 6) That the original development agreement between the City of Hastings, Regina Medical Complex, and Sisters of Charity of our Lady, Mother of Mercy, dated November 20<sup>th</sup>, 1987, be amended and agreed upon by all parties to allow for the road connection to Pleasant Drive to be a paved width of 28', versus the 36' width originally stated in the agreement, prior to work commencing on the project.

**BE IT FURTHER RESOLVED**, that a copy of this resolution shall be filed with the Dakota County Recorder's Office by the Hastings City Clerk.

Council member \_\_\_\_\_ moved a second to this resolution and upon being put to a vote adopted by \_\_\_\_\_ present.

Ayes: \_\_\_\_\_  
Nays: \_\_\_\_\_  
Absent: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Michael D. Werner, Mayor

\_\_\_\_\_  
Melanie Mesko Lee  
Administrative Assistant/City Clerk

(SEAL)

I HEREBY CERTIFY that the above is a true and correct copy of resolution presented to and adopted by the City of Hastings, County of Dakota, Minnesota, on the 21<sup>st</sup> day of July, 2003, as disclosed by the records of the City of Hastings on file and of record in the office.

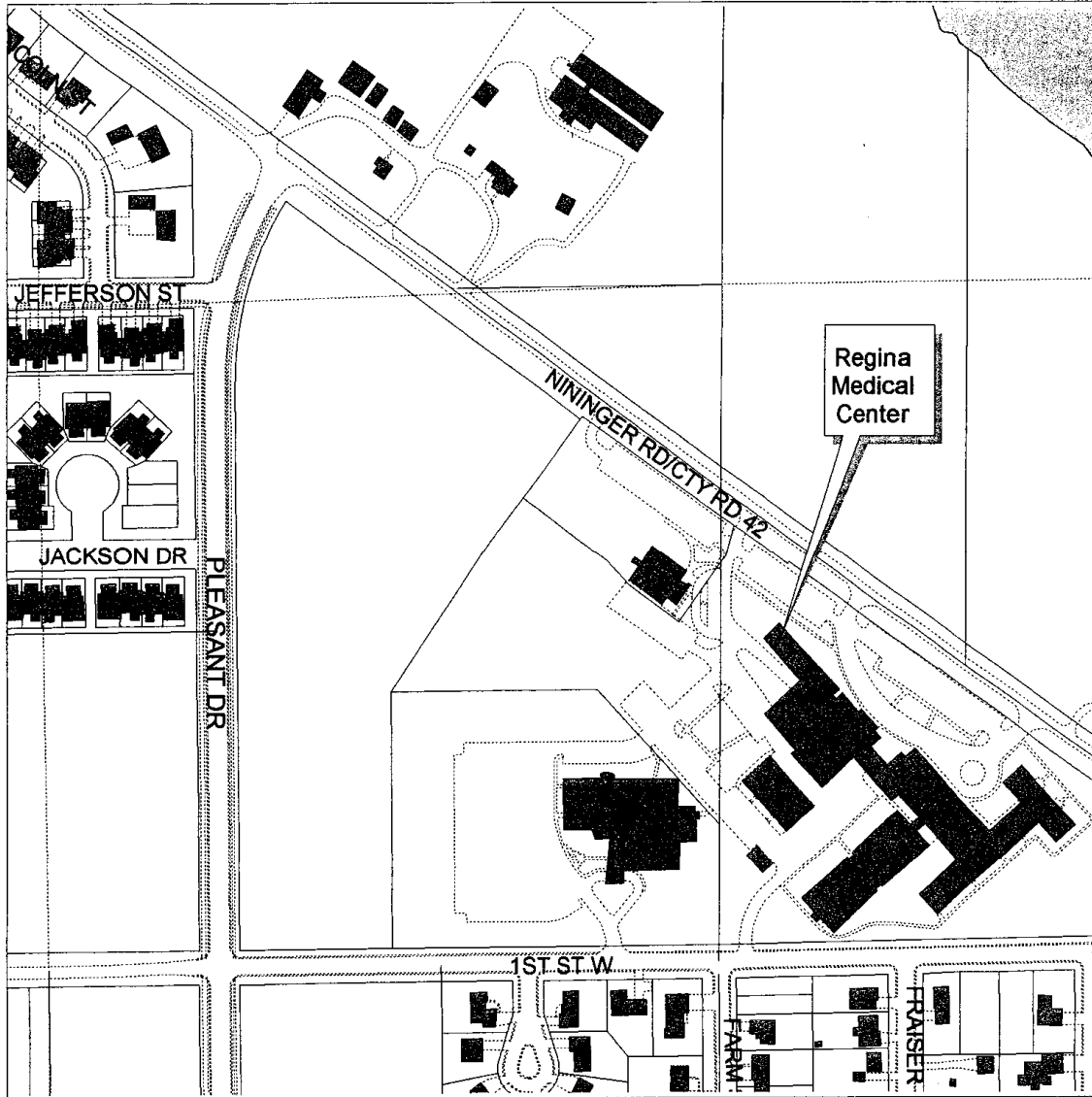
---

Melanie Mesko Lee  
Administrative Assistant/City Clerk

**(SEAL)**

This instrument drafted by:  
City of Hastings  
101 4th St. East  
Hastings, MN 55033

# Regina Medical Center - Parking Lot Expansion and Proposed Access Drive to Pleasant Dr.



**Legend**

- Buildings
- Roads
- Parcels

CITY OF HASTINGS

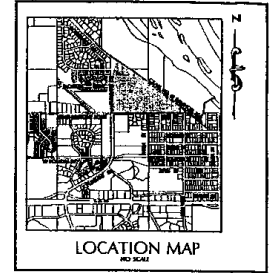
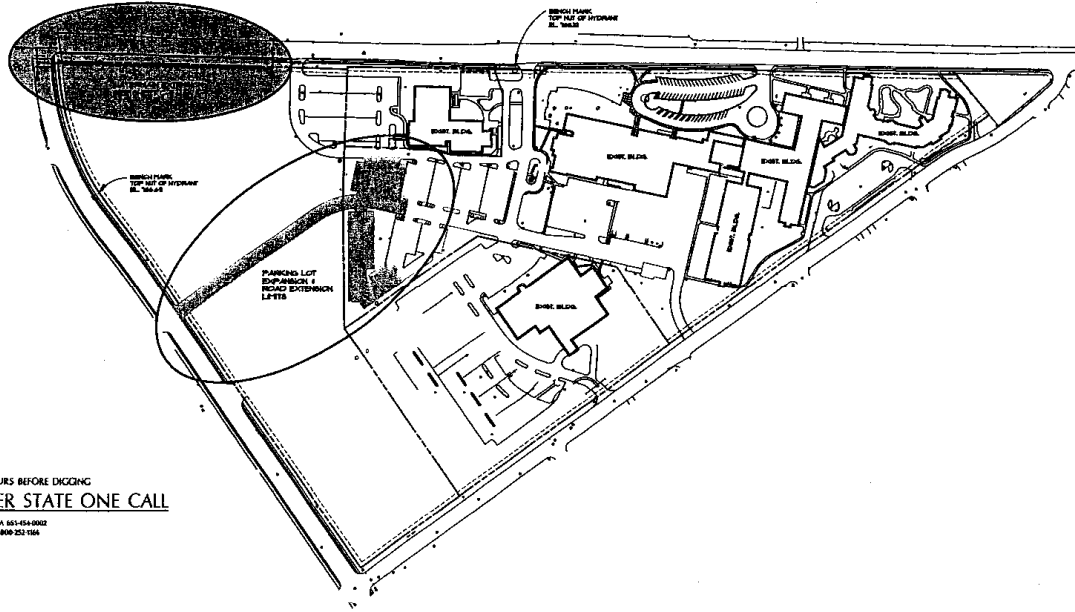
**Site Location**



# FINAL CONSTRUCTION PLANS FOR REGINA MEDICAL CENTER

PARKING LOT EXPANSION  
AND  
WATERMAIN EXTENSION

HASTINGS, MINNESOTA

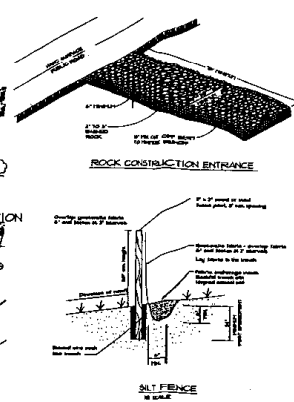
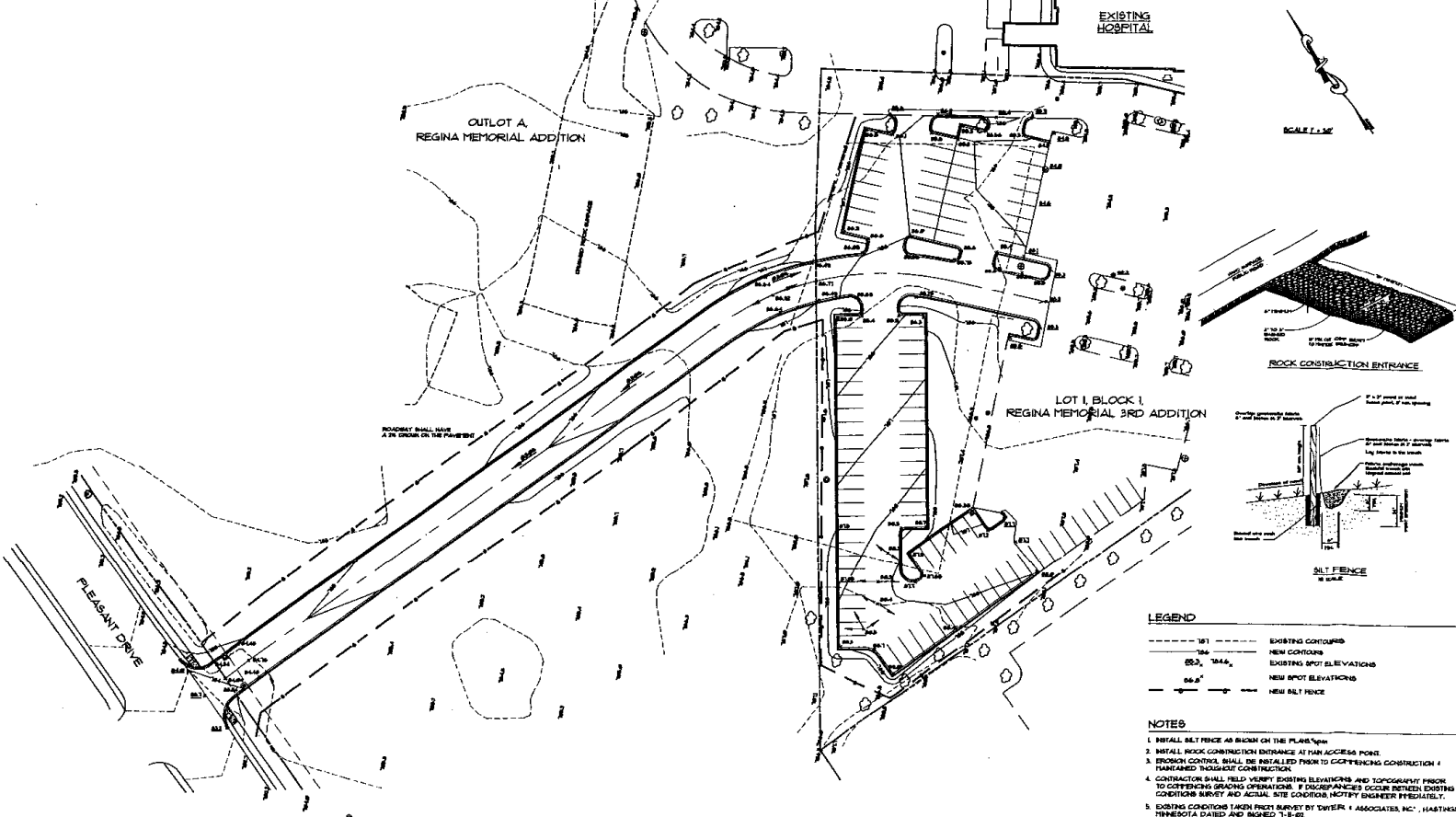


INDEX TO DRAWINGS	
SHEET NO.	SHEET TITLE
C-1	TITLE SHEET
C-2	GRADING PLAN
C-3	LAYOUT PLAN
C-4	UTILITY PLAN
C-5	WATERMAIN PLAN & PROFILE
C-6	TRAFFIC CONTROL PLAN

CALL 48 HOURS BEFORE DIGGING  
**GOPHER STATE ONE CALL**

THIRD CITY AREA 651-454-0902  
MPLS. TOLL FREE 1-800-252-1556

<p><b>REVISIONS</b></p>	<p><b>CERTIFICATION</b></p> <p>I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY CLOSE SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF MINNESOTA.</p> <p><i>[Signature]</i>      DATE: 7-11-03</p>	<p><b>SCALE</b></p> <p>MADE BY: [blank]</p> <p>CHECKED BY: [blank]</p>	<p><b>PARAMOUNT ENGINEERING &amp; DESIGN</b></p> <p>340 ALICE STREET • SUITE 200 • ST. PAUL, MINNESOTA 55101 TEL: 651.776.5981</p>	<p><b>PROJECT</b></p> <p>PARKING LOT EXPANSION AND WATERMAIN EXTENSION</p>	<p><b>TITLE SHEET</b></p> <p>REGINA MEDICAL CENTER</p> <p>HASTINGS, MINNESOTA</p>	<p><b>SHEET NO.</b></p> <p>C-1</p>
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**LEGEND**

---	EXISTING CONTOUR
---	NEW CONTOUR
55.2, 54.6	EXISTING SPOT ELEVATIONS
54.2	NEW SPOT ELEVATIONS
---	NEW SILT FENCE

- NOTES**
1. INSTALL SILT FENCE AS SHOWN ON THE PLANS.
  2. INSTALL ROCK CONSTRUCTION ENTRANCE AT MAIN ACCESS POINT.
  3. EROSION CONTROL SHALL BE INSTALLED PRIOR TO COMMENCING CONSTRUCTION & MAINTAINED THROUGHOUT CONSTRUCTION.
  4. CONTRACTOR SHALL FIELD VERIFY EXISTING ELEVATIONS AND TOPOGRAPHY PRIOR TO COMMENCING GRADING OPERATIONS. IF DISCREPANCIES OCCUR BETWEEN EXISTING CONDITIONS SURVEY AND ACTUAL SITE CONDITIONS, NOTIFY ENGINEER IMMEDIATELY.
  5. EXISTING CONDITIONS TAKEN FROM SURVEY BY 'D'WIER & ASSOCIATES, INC., HASTINGS, MINNESOTA DATED AND REVISION 11-8-02.

REVISIONS

**CERTIFICATION**  
 I HEREBY CERTIFY THAT THE PLAN WAS PREPARED BY ME OR UNDER MY CLOSE SUPERVISION AND THAT I AM A STATE LICENSED PROFESSIONAL ENGINEER.  
*[Signature]*  
 DATE: 7-11-03

DATE: 7-11-03  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 IN CHARGE: [Name]

**PARAMOUNT**  
 ENGINEERING & DESIGN  
 1100 W. 13TH STREET • SUITE 201 • ST. PAUL, MINNESOTA 55102  
 FAX: (612) 776-5591

**PROJECT**  
 PARKING LOT EXPANSION  
 AND  
 WATERMAIN EXTENSION

**GRADING PLAN**  
**REGINA MEDICAL CENTER**  
 HASTING, MINNESOTA

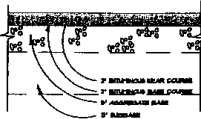
**SHEET NO.**  
 C-2

OUTLOT A,  
REGINA MEMORIAL ADDITION

SCALE 1" = 30'

LOT 1, BLOCK 1,  
REGINA MEMORIAL 3RD ADDITION

PLEASANT DRIVE



TYPICAL ROAD SECTION  
NO SCALE

REVISIONS

CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY OR UNDER THE CLOSE SUPERVISION OF THE ENGINEER OR ARCHITECT SIGNING THIS PLAN IN THE STATE OF MINNESOTA.  
*[Signature]* 7-11-03

DATE: 6-27-03  
SCALE: AS SHOWN  
DESIGNED BY: [Blank]  
CHECKED BY: [Blank]

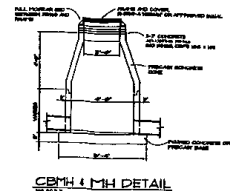
**PARAMOUNT**  
ENGINEERING & DESIGN  
3400 ANCKER STREET • SUITE 200 • ST. PAUL, MINNESOTA 55101  
TEL: 651-774-5551 FAX: 651-774-5551

PROJECT: PARKING LOT EXPANSION  
WATERMAIN EXTENSION

LAYOUT PLAN  
**REGINA MEDICAL CENTER**  
HASTINGS, MINNESOTA

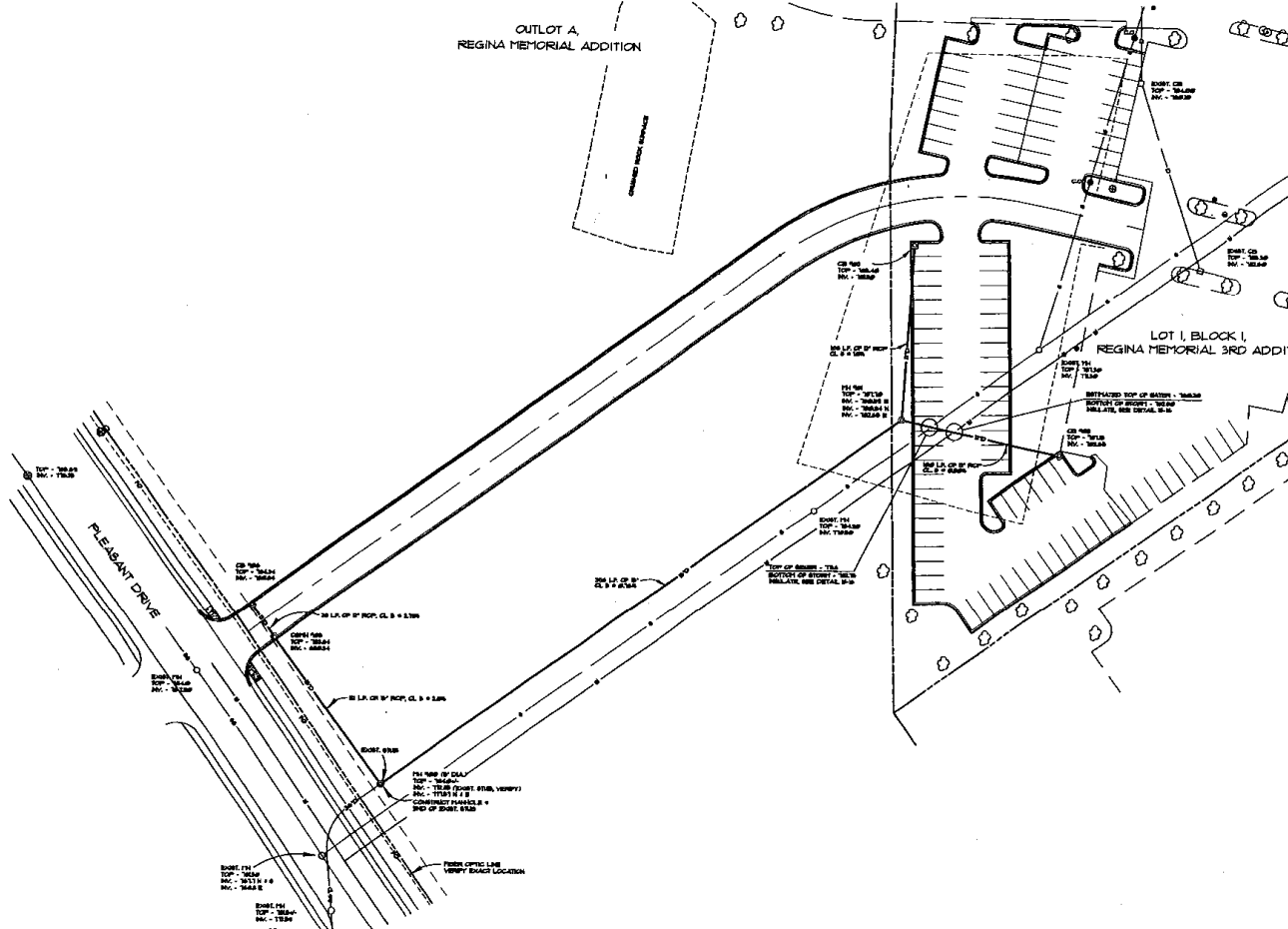
SHEET NO.  
**C-3**

OUTLOT A,  
REGINA MEMORIAL ADDITION



- LEGEND**
- 24" — 0 — EXISTING STORM SEWER W/C
  - 24" — 0 — NEW STORM SEWER MATCH BASIN & P.E.S.
  - 6" — 0 — EXISTING SANITARY SEWER W/VALVE
  - 6" — 0 — EXISTING WATER LINE W/SHUT-OFF & VALVE
  - 6" — 0 — NEW WATER LINE W/SHUT-OFF & VALVE

- NOTES**
1. CONTRACTOR SHALL VERIFY ALL UTILITIES SHOWN ON THE PLAN OR NOT PRIOR TO ANY CONSTRUCTION AND ANY DISCREPANCIES OR ADDITIONAL INFORMATION SHALL BE FORWARDED TO THE ENGINEER AS ANY REVISIONS NECESSARY CAN BE MADE PRIOR TO PROCEEDING WITH CONSTRUCTION.
  2. EXISTING SEWER AND WATER INFORMATION WITHIN THE SITE WAS OBTAINED FROM "COMPANYPAC SURVEY" BY "CONYER J. ASSOCIATES" DATED AND NUMBERED T-8-82.
  3. ALL WORK PERFORMED AND MATERIALS USED FOR CONSTRUCTION OF UTILITIES SHALL CONFORM TO THE CITY OF HAWAII STANDARDS AND DETAILS.
  4. BEFORE DIGGING CALL OTHER STATE ONE CALL (808) 464-6862



**REVISIONS**

NO.	DATE	DESCRIPTION

**CERTIFICATION**

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY CLOSE SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF HAWAII.

*Signature*      DATE: 7-11-08

**PARA▲MOUNT**  
ENGINEERING & DESIGN

1105 KEELE STREET • SUITE 208 • FT. HAIL, MINNESOTA 55126  
TEL: (612) 776-5291      FAX: (612) 776-5291

**PROJECT**  
PARKING LOT EXPANSION  
AND  
WATERMAIN EXTENSION

**UTILITY PLAN**  
REGINA MEDICAL CENTER  
HAWAII, HAWAII

**SHEET NO.**  
C-4

#2003-47

# LAND USE APPLICATION

CITY OF HASTINGS - PLANNING DEPARTMENT

101 4th Street East, Hastings, MN 55033 Phone: 651.480.2350 Fax: 651.437.7082

Address of Property: 1175 Nininger Road

Legal Description of Property: See Attached Sheet

**Applicant:**

Name Regina Medical Center  
Address 1175 Nininger Road  
Hastings, MN 55033  
Phone 651-480-4100  
Fax 651-480-4212  
Email \_\_\_\_\_

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

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_  
Fax \_\_\_\_\_  
Email \_\_\_\_\_

**Description of Request (include site plan, survey, and/or plat if applicable):**

Additional parking and new driveway out to Pleasant and hydrant connection to Pleasant St.

**Check applicable box(es):**

Note: All fees and escrow amounts due at time of application.

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<input checked="" type="checkbox"/>
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<input checked="" type="checkbox"/>

<b>Final Plat</b>	\$600
<b>Minor Sub.</b>	\$500
<b>Rezone</b>	\$500
<b>Spec. Use</b>	\$500
<b>Variance</b>	\$250
<b>Annexation</b>	\$500 plus legal expenses
<b>EAW</b>	\$500 plus \$1000 escrow
<b>Prelim Plat</b>	\$500 plus escrow: - Under 10 acres: \$3000 (\$500 Planning + \$2500 Engineering) - Over 10 acres: \$6000 (\$1000 Planning + \$5000 Engineering)
<b>Site Plan</b>	\$500 plus escrow: - 0 - 5,000 s.f.: \$1500 (Engineering) - 5,000 - 10,000 s.f.: \$2500 (\$500 Planning + \$2000 Engineering) - 10,000 - 50,000 s.f.: \$3250 (\$750 Planning + \$2500 Engineering) - 50,000 s.f. +: \$4000 (\$1000 Planning + \$3000 Engineering)

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

<b>Administrative Lot Split</b>	\$50
<b>Comp Plan Amendment</b>	\$500
<b>House Move</b>	\$500
<b>Lot Line Adjustment</b>	\$50
<b>Vacate ROW/Easement</b>	\$400

**TOTAL:**

Signature of Applicant

Date

Signature of Owner

Date

Mark Wilson

6/26/03

Applicant Name and Title - Please Print

Owner Name - Please Print

Mark Wilson - CEO

Regina Medical Center

**Official Use Only**

File # 2003-47

Rec'd By: Stinzman

Date Rec'd 6/26/03

4/23/2003

Fee Paid \$4500-

Receipt # \_\_\_\_\_

App. Complete \_\_\_\_\_

# Memo

**To:** Mayor Werner and City Council  
**From:** John Hinzman, Planning Director  
**Date:** July 21, 2003  
**Subject:** Glendale Heights – Preliminary Plat #2003-48 & Concept Plan – 31<sup>st</sup> Street and Spiral Blvd east of Enterprise Avenue – Tom Ryan

## REQUEST

Tom Ryan seeks the following actions relating to Glendale Heights located on 79.59 acres owned by Samuel Hertog and William Crist, located along Spiral Blvd and 31<sup>st</sup> Street east of Enterprise Avenue:

- 1) Approval of a Preliminary Plat to subdivide three outlots for future development and dedication of the Spiral Boulevard and 31<sup>st</sup> Street right-of-ways through the property. **No buildable lots would be created at this time.**
- 2) Review of a Conceptual Plan to subdivide the property to accommodate 581 residential dwelling units as follows:
  - 280 apartment units
  - 128 villas (8 unit buildings)
  - 129 coach homes (2-4 unit buildings)
  - 44 twin homes

## RECOMMENDATION

### Preliminary Plat

The Planning Commission recommended unanimous approval of the Preliminary Plat at the July 14, 2003 meeting. During the public hearing one resident raised concerns about further erosion of fragile bluff lands, and potential disruption of contaminated soils from the former dump site.

### Concept Plan

The Planning Commission reviewed the Concept Plan at the July 14<sup>th</sup> Meeting. The Commission generally supported the layout including the applicant's proposed alignment of 31<sup>st</sup> Street. Commissioners stated further access to properties north of Spiral Boulevard would be needed prior to future subdivision of the outlot.

## ATTACHMENTS

- Resolution
- Location Map
- Preliminary Plat
- Concept Plan
- Concept Plan – Planning Review
- Previous Glendale Heights Plan
- Engineering Review ~ John Stewart, BDM Engineering
- Application

## BACKGROUND INFORMATION

### History

The proposal is a major revision to the Glendale Heights Preliminary Plat reviewed by the Planning Commission and City Council in July of 2002. The 2002 Glendale Heights Plan was tabled last Summer until completion of transportation study, and approval of the Comprehensive Plan Amendment by Met Council. Both the transportation study, and Met Council approval have been completed.

### Comprehensive Plan Classification

The property is guided U-II, Urban Residential (4-8 units per acre). The Concept Plan density of 7.3 units per acre is consistent with the plan.

### Zoning Classification

The property is zoned R-3 – Medium High Density Residence. The applicant proposes to develop the property as a Planned Residential Development to allow for clustering of units and preservation of open space.

### Adjacent Zoning and Land Use

The following land uses about the property:

<u>Direction</u>	<u>Existing Use</u>	<u>Zoning</u>	<u>Comp Plan</u>
North	Agriculture	A - Agriculture	R-Rural
East	Shooting Range\ Aggregate Industries	A - Agriculture	R-Rural
South	Agriculture	Marshan Twp	
West	Vacant City Park	I – Industrial Park P-1 - Park	I – Industrial P-Public

### Existing Condition

The southern 1/3 and northeast corner of the site is wooded. The remainder of the site is open agriculture. The eastern portion of the site is located on a bluff, approximately 100 feet above the elevation of the eastern adjoining land.

### Proposed Condition

Development occurs most predominately in the open areas. Woodland areas are most impacted by the Spiral Blvd connection to the east and the proposed 40 unit apartment building. Remaining residential development has a minimal impact on existing trees.

### Changes from 2002 Glendale Heights Plan

Total number of units and density has decreased from the 2002 Plan. Major changes include the large reduction of apartment buildings, elimination of single family homes, and the spreading of density to attached townhome buildings. The following changes have been made since the 2002 Glendale Heights Plan:

	2002 Glendale Heights	2003 Glendale Heights
Single Family Homes	45	0
Twin Homes	78	44
Coach Homes (2-4 units)	0	129
Villas (8 units)	0	128
Apartments	500	280
<b>TOTAL UNITS</b>	<b>623</b>	<b>581</b>
<b>Gross Density</b>	<b>7.83 units per acre</b>	<b>7.3 units per acre</b>

The area of the site impacted by development is slightly larger. The most significant change is the addition of a 40 unit apartment building between Spiral and 31<sup>st</sup> Streets instead of proposed open space\park.

## PRELIMINARY PLAT REVIEW

### Background

The applicant seeks Preliminary Plat approval to dedicate the Spiral and 31<sup>st</sup> Street right-of-ways to the City in anticipation of the roadway extension between Enterprise Avenue and Glendale Road. Roadway construction and utility extensions are needed in order for the project to commence.

### Spiral Boulevard Extension

Spiral Boulevard would be extended from Enterprise Drive to Glendale Road as part of this plat. The extension would provide a critical access link to the County Road 54 – Ravenna Trail bridge across the Vermillion River, providing an alternate to the Vermillion Street Bridge.

### 31<sup>st</sup> Street Extension

31<sup>st</sup> Street is planned to be extended northeast through an existing ravine to connect to



Spiral Blvd. The existing configuration results in a long cul-de-sac at the southern border. The cul-de-sac has been stubbed for future development which may ultimately reduce its length, however the area south has limited chance of short term development. Areas to the south of the site are outside both the City limits, and 2020 Comprehensive Plan, and presently owned by the DNR. 31<sup>st</sup> Street could be constructed further south along the present alignment of the cul-de-sac and then traverse north (likely between the two cul-de-sacs) to connect with Spiral Blvd. This would require significantly more grading and disruption to the site in order to create a more gentle slope and access to Spiral Blvd. The Planning Commission supported the applicant's proposed alignment, because of the increased grade and cutting necessary to move the connection to Spiral Boulevard further east.

### **EAW**

A mandatory EAW was conducted for the site and road improvements. Notice was published in the EQB Monitor for comment. The city received comments from seven parties, primarily state and federal agencies. The Council reviewed the EAW findings and comments at the July 1, 2002 meeting, concluding that a Environmental Impact Statement (EIS) would not be warranted, and directing staff to provide responses to agencies, and incorporate comment in the development of the preliminary plat. Conditions have been added to address sensitive bluffland and woodland areas, as well as storm water runoff.

## **CONCEPT PLAN REVIEW**

### **Access and Circulation**

Spiral Boulevard and 31st Street will provide primary western access to Highway 316. Primary eastern access will be from Spiral Boulevard to Glendale Road. Temporary cul-de-sacs are proposed along the northern, southern, and western boundaries to provide further connectivity in the future. Direct access to Spiral Blvd and 31<sup>st</sup> Street is not proposed. The following changes are recommended:

- 1) A secondary access is needed to the townhome area north of Spiral Blvd. One access is planned at the time of development to serve nearly 500 units. The proposed street stubs may better link the plat in the future, but access land outside the 2020 Comprehensive Plan, and appear to have limited short term development possibility.
- 2) The proposed east\west right of way along the northern boundary must be extended to accommodate full right-of-way width. It appears only a half right-of-way is proposed.
- 3) All roads accessing the eight unit buildings shall be private.
- 4) A variance would be needed to construct the cul-de-sac along the southern property boundary. The cul-de-sac would be approximately 1,100 feet in length. The maximum length for a cul-de-sac is 500 feet. Provisions have been made to

connect the cul-de-sac upon future development to the south, however the property is not within the city or Comprehensive Plan for development and is currently owned by the State DNR.

### **Parking**

The proposed apartment buildings would require underground parking at the proposed layout and density. The surface parking that is available would not be sufficient.

### **Grading, Drainage, and Erosion Control Plan**

A Grading, Drainage, and Erosion Control Plan would be needed upon future platting. The plan must be designed to handle storm water discharge internally, without increasing the flow of water over the steep bluff.

### **Utilities**

Utilities are not presently available. The extension of Spiral Boulevard and 31<sup>st</sup> Street would make them available.

### **Hastings Industrial Park Encroachment**

Portions of the plat encroach upon city-owned Hastings Industrial Park property at the following locations: Intersection of 31<sup>st</sup> Street and southern cul-de-sac, and the intersection of Spiral Blvd and the western north\south road. Encroachments must either be eliminated, or underlying property purchased from the City.

### **Trails**

Trails are proposed along Spiral Boulevard, 31<sup>st</sup> Street, and along the western north\south road. Trails would connect the site to the City Park to the west, and through the ravine to Glendale Road. Sidewalks are planned along Glendale road and the eastern north\south road to provide connections to the trail.

### **Public Land Dedication**

The Natural Resources and Recreation Committee will need to meet to determine whether land or cash will be required by the plat. Any payment of cash in lieu of land shall be determined at the time and amount established upon Final Plat creation of lots of record.

### **Slope\Woodland Encroachments**

Some of the proposed homes encroach into the wooded steep slopes of the bluff and ravine. Slope and woodland impact should be further reduced. Homes and streets that encroach into the wooded slope are indicated on the "Planning Review" copy of the Conceptual Plan. In general a 20' rear yard area of limited slope should be preserved behind lots.

### **Industrial Park Buffer**

A 50 foot area has been noted along the western boundary adjacent to the Industrial Park. This should serve as a landscaped buffer between the uses upon future development.

## **Engineering Comments**

John Stewart of BDM Engineering, the City's consultant engineer has reviewed the project (attached). Comments included:

- Concern over length of southern cul-de-sac.
- Access from southern cul-de-sac to 31<sup>st</sup> Street
- Suggestion of realigning 31<sup>st</sup> Street for better access and diminished cul-de-sac length.
- Constructing a 4 lane section of the roadway accessing the units north of Spiral to increase emergency access.

**HASTINGS CITY COUNCIL**

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HASTINGS  
APPROVING THE PRELIMINARY PLAT OF GLENDALE HEIGHTS, A  
RESIDENTIAL SUBDIVISION GENERALLY LOCATED ALONG SPIRAL  
BOULEVARD AND 31<sup>ST</sup> STREET EAST, HASTINGS, MINNESOTA**

Council member \_\_\_\_\_ introduced the following Resolution and  
\_\_\_\_\_ moved its adoption:

**WHEREAS**, Ryan Contracting Co. has petitioned for preliminary plat approval of GLENDALE HEIGHTS, a residential subdivision consisting of 3 outlots and public right-of-way on property owned by Samuel Hertogs and William Crist generally located along the eastern extension of Spiral Boulevard and 31<sup>st</sup> Street East, legally described as follows:

The East one half of the southwest quarter of Section 35, Township 115 north, Range 17 West, Dakota County, Minnesota. Containing 79.59 acres, more or less.  
Subject to easements of record.

**WHEREAS**, on July 14, 2003, a public hearing was conducted before the Planning Commission of the City of Hastings, as required by state law, city charter and city ordinance; and

**WHEREAS** the Planning Commission recommended approval of the request to the City Council subject to the conditions contained herein; and

**WHEREAS** The City Council has reviewed the request and concurs with the recommendation of the Planning Commission.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE  
CITY OF HASTINGS AS FOLLOWS:**

That the City Council hereby approves the preliminary plat of GLENDALE HEIGHTS subject to

the following conditions:

1. Lot 1, Block 1, must be platted as an outlet.
2. All outlets must be replatted as lots of record prior to construction.
3. All property owners shall be indicated on the Preliminary Plat.
4. All street names must be identified on the Preliminary Plat.
5. Grading on any outlet shall be prohibited until approval of a Tree Preservation Plan, and Grading Plan.
6. Submission of an electronic copy of all plan sets (TIF, PDF, or similar format) prior to issuance of certificate of occupancy.
7. All Final Plats shall be submitted for approval within one year of Preliminary Plat approval, Any Preliminary Plat not finalized in accordance with this provision must be resubmitted for recertification by the Planning Commission and City Council.
8. The plat shall be liable for development exactions in the future, including but not limited to Park Dedication, and Sewer Interceptor Fees. All fees shall be paid at the amount established at the time of Final Plat approval.

Council member \_\_\_\_\_ moved a second to this resolution and upon being put to a vote adopted by \_\_\_\_\_ present.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Michael D. Werner, Mayor

\_\_\_\_\_  
Melanie Mesko Lee  
Administrative Assistant/City Clerk

I HEREBY CERTIFY that the above is a true and correct copy of resolution presented to and adopted by the City of Hastings, County of Dakota, Minnesota, on the 21<sup>st</sup> day of July, 2003, as disclosed by the records of the City of Hastings on file and of record in the office.

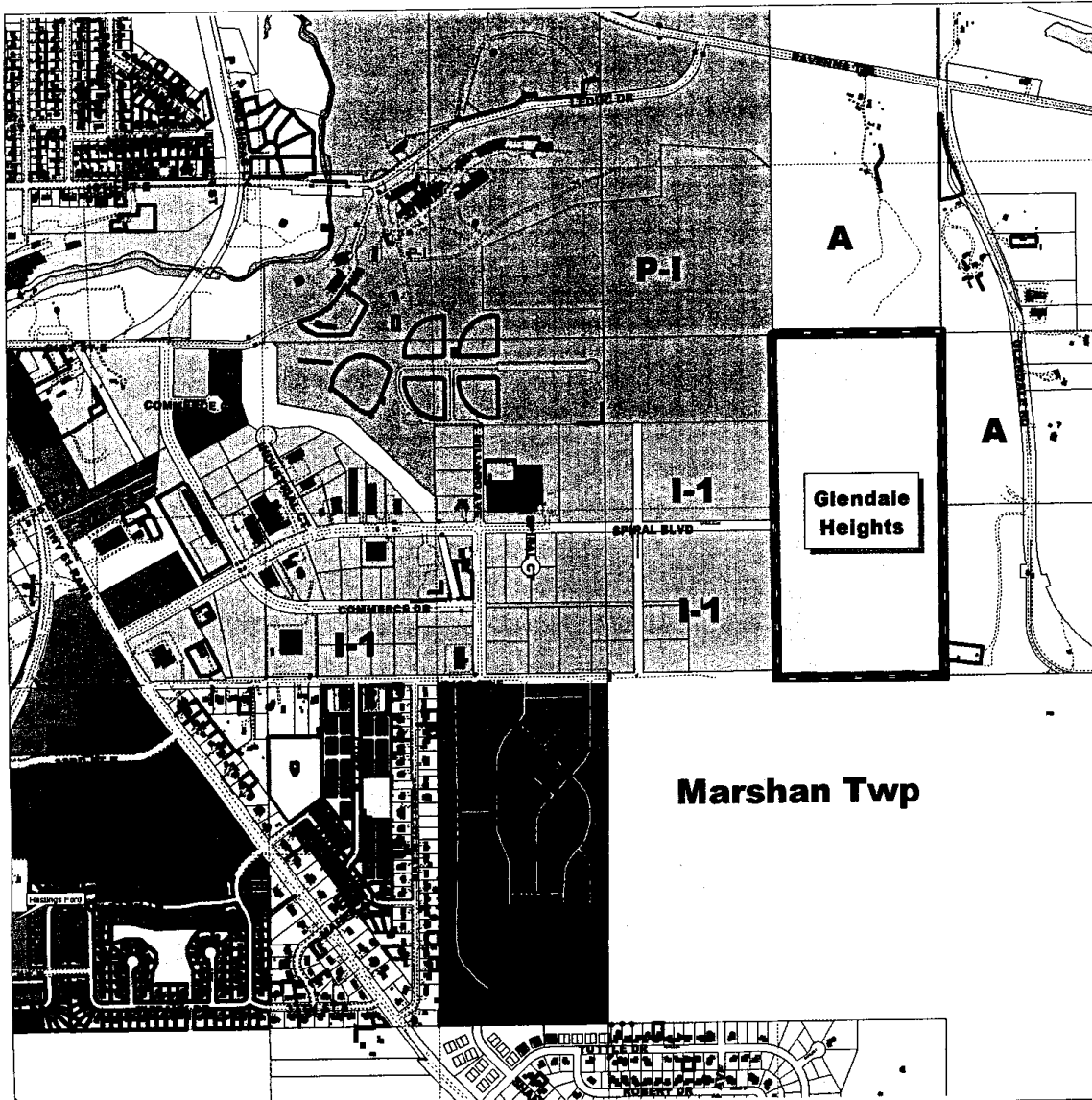
---

Melanie Mesko Lee  
Administrative Assistant/City Clerk

(SEAL)

This instrument drafted by:  
City of Hastings (JWH)  
101 4th St. East  
Hastings, MN 55033


# Glendale Heights



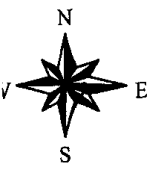
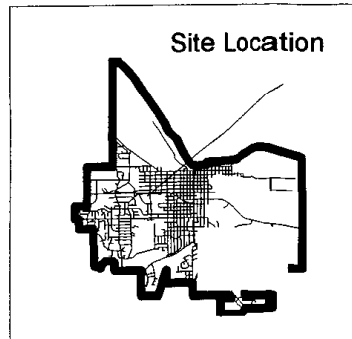
**Legend**

	City Limits		R-5
	Water		R-6
	City Parcels		COMMERCIAL
	Township Parcels		C-1
<b>Zoning</b>			C-2
<b>NATURAL RESOURCES</b>			C-3
	A		C-4
	F-W		O-1
	WAT		INDUSTRIAL
<b>RESIDENTIAL</b>			I-1
	R-1		I-2
	R-2		OTHER
	R-3		P-1
	R-4		ROW

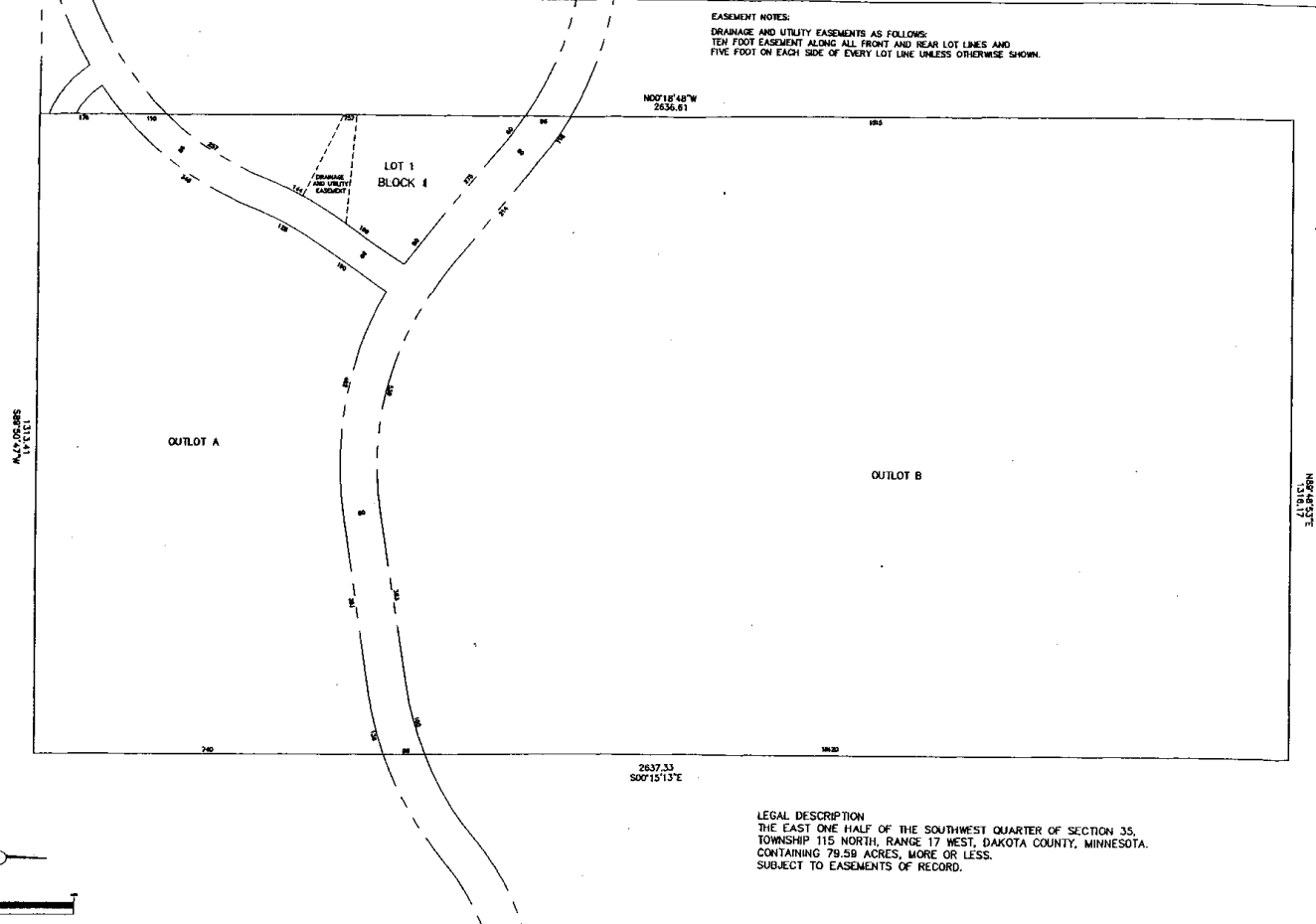
Map Date: July 11, 2003



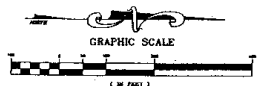
CITY OF HASTINGS

EASEMENT NOTES:  
 DRAINAGE AND UTILITY EASEMENTS AS FOLLOWS:  
 TEN FOOT EASEMENT ALONG ALL FRONT AND REAR LOT LINES AND  
 FIVE FOOT ON EACH SIDE OF EVERY LOT LINE UNLESS OTHERWISE SHOWN.



LEGAL DESCRIPTION  
 THE EAST ONE HALF OF THE SOUTHWEST QUARTER OF SECTION 35,  
 TOWNSHIP 115 NORTH, RANGE 17 WEST, DAKOTA COUNTY, MINNESOTA.  
 CONTAINING 79.59 ACRES, MORE OR LESS.  
 SUBJECT TO EASEMENTS OF RECORD.



**GGG** Engineering  
 Surveying  
 Planning  
 14200 Hwy 52 SE, Chaska, MN 55823  
 PH: 507-867-5666  
 FAX: 507-867-2828

I HEREBY CERTIFY THAT THE PLAN SPECIFIED OR REFERRED TO HEREIN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.  
*[Signature]*  
 DATE: 6/23/2010 REG. NO. 2828

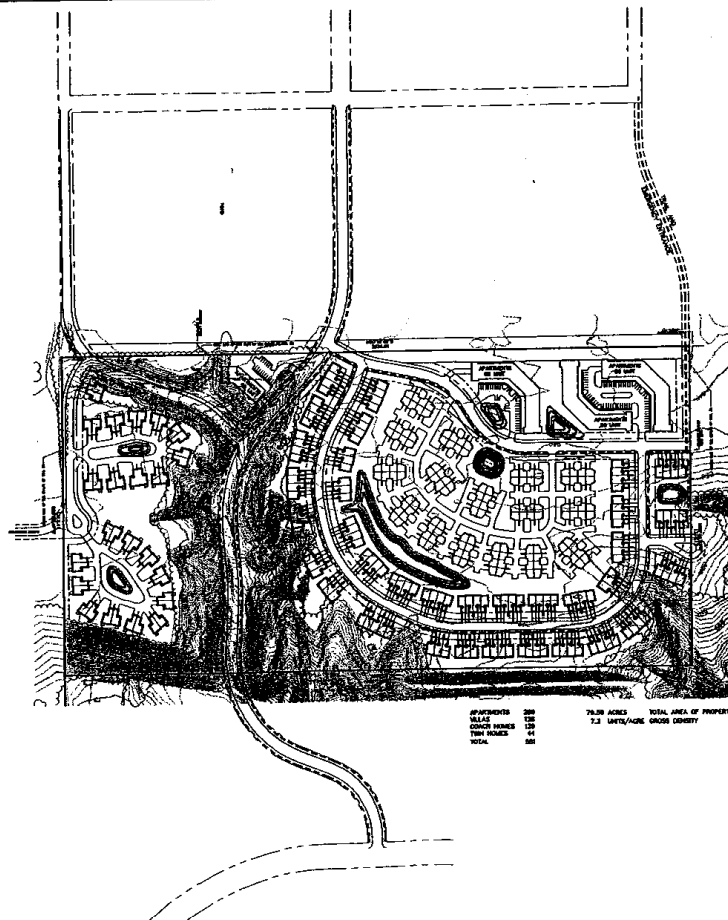
PREPARED FOR:  
**RYAN CONTRACTING CO.**  
 2100 13TH AVE. E.  
 SHAWANOPE, MN 55379  
 FILE NO.: 08728

City of Hastings  
 Dakota County, Minnesota

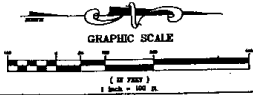
PRELIMINARY PLAT  
 OF  
 GLENDALE HEIGHTS

SHEET 1 OF 1 SHEETS





APARTMENTS	200	76.00 ACRES	TOTAL AREA OF PROPERTY
WALKS	120	7.2 LOTS/ACRE	GROSS DENSITY
CONCRETE DRIVEWAYS	120		
TREY ROADS	41		
TOTAL	561		



**GCG** Engineering  
Surveying  
Planning

PH. 207-897-1866

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATIONS, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND I AM A duly licensed PROFESSIONAL ENGINEER, ARCHITECT OR LAND SURVEYOR OF THE STATE OF MINNESOTA.

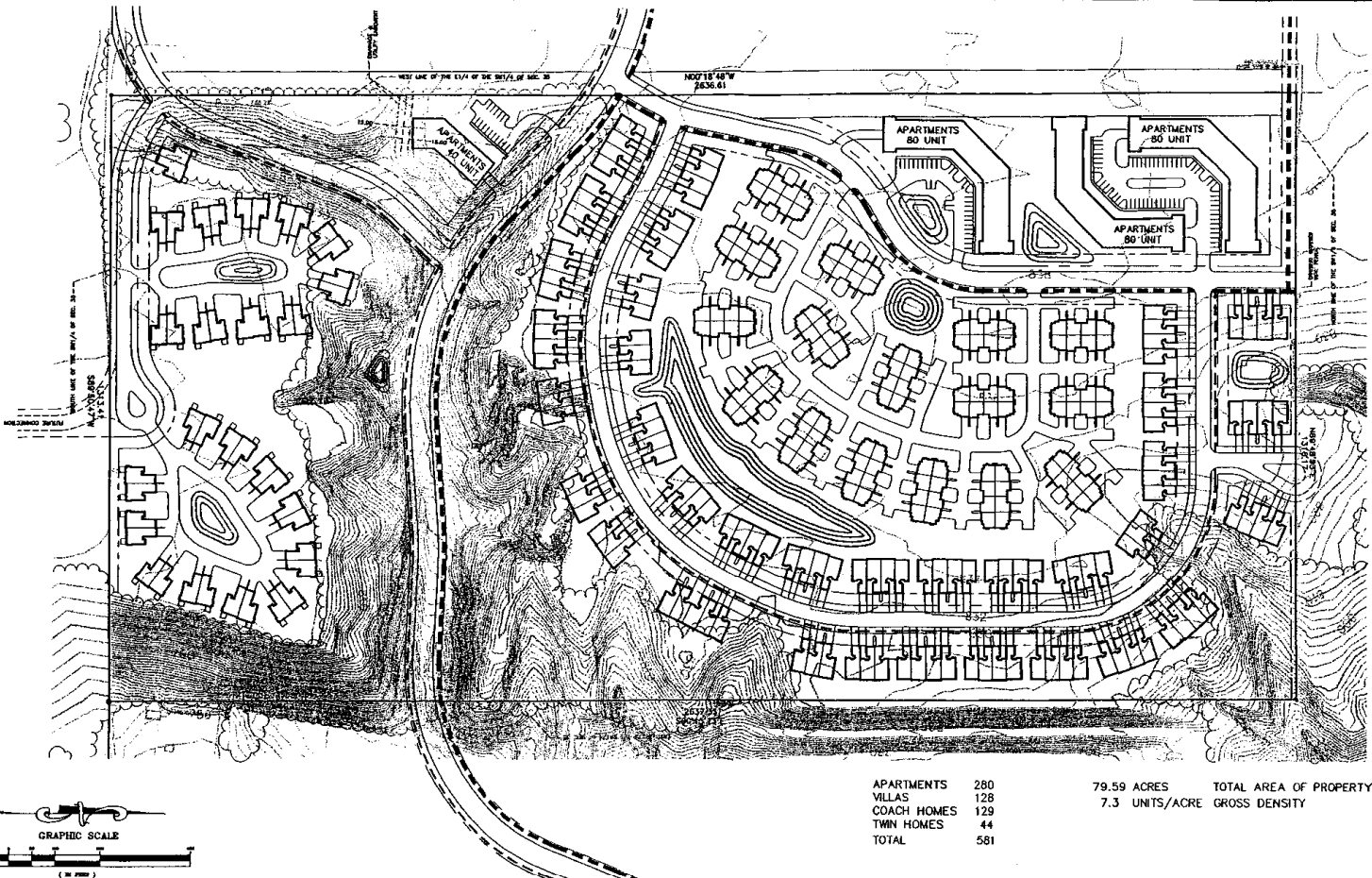
DATE: \_\_\_\_\_ REG. NO. 19322

LATEST REVISION: 6-20-2003  
Prepared For:  
**RYAN CONTRACTING CO.**  
8700 13TH AVE. E.  
BURNSVILLE, MN 55379  
FILE NO.: 01228

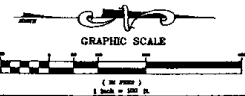
City of Hastings  
Dakota County, Minnesota

CONCEPT SKETCH PLAN  
OF  
GLENDALE HEIGHTS

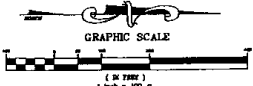
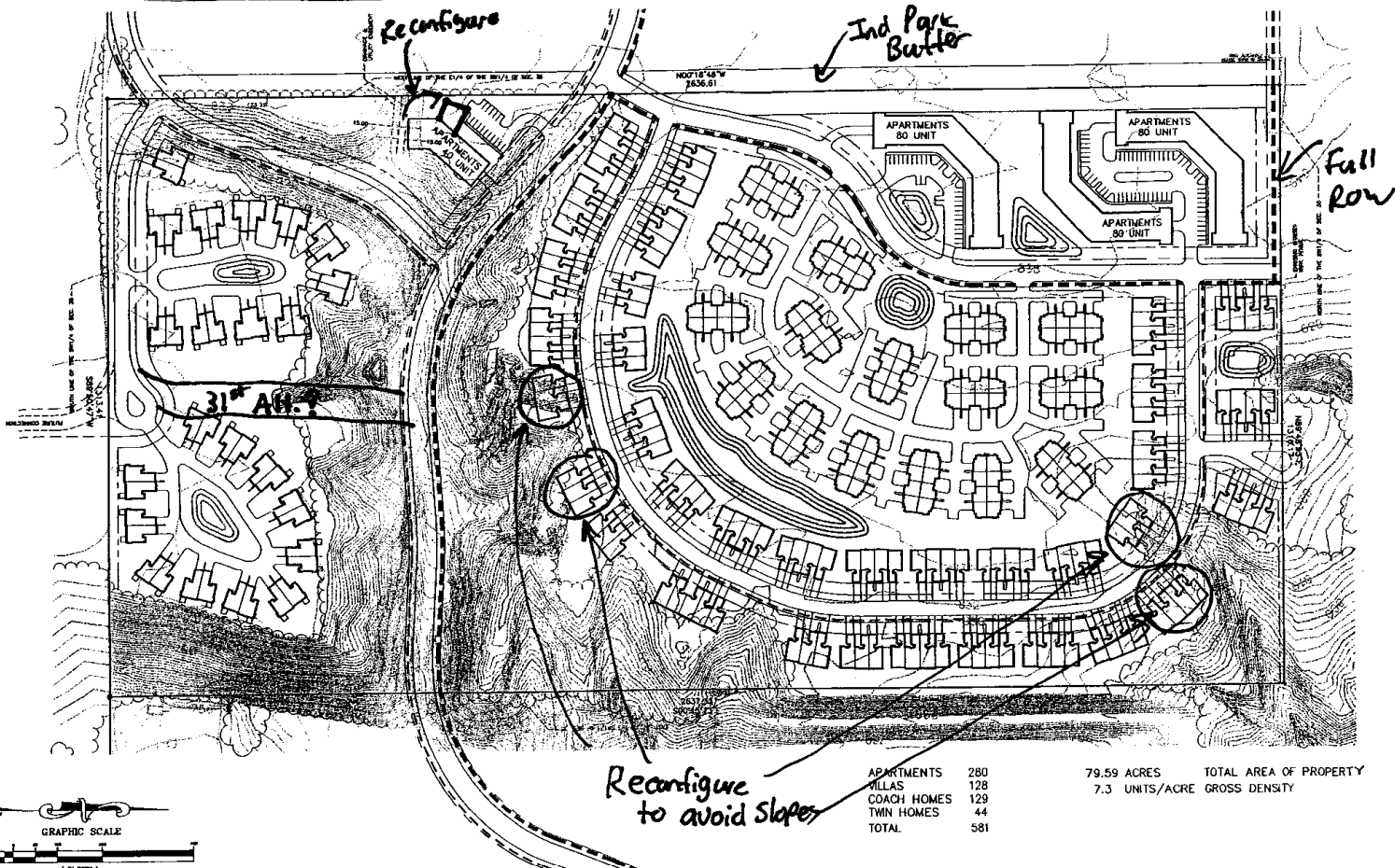
SHEET 1 OF 1 SHEETS



APARTMENTS	280	79.59 ACRES	TOTAL AREA OF PROPERTY
VILLAS	128	7.3 UNITS/ACRE	GROSS DENSITY
COACH HOMES	129		
TWIN HOMES	44		
TOTAL	581		



<p><b>GGC</b> Engineering Surveying Planning</p> <p><small>14070 Hwy. 52 S.E. Chetfield, Min. 55923 Ph. 607-847-1888</small></p>	<p>I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATIONS, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.</p> <p>DATE: _____ REG. NO. 2388</p>	<p>LATEST REVISION: 6-20-2003</p> <p>Prepared For: <b>RYAN CONTRACTING CO.</b> 8702 17TH AVE. E. SHAKOPEE, MN 55379</p> <p>FILE NO.: 01228</p>	<p>City of Hastings Dakota County, Minnesota</p>	<p>CONCEPT SKETCH PLAN OF GLENDALE HEIGHTS</p>	<p>SHEET 1 OF 1 SHEETS</p>
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Reconfigure  
to avoid slopes

APARTMENTS	280
VILLAS	128
COACH HOMES	129
TWIN HOMES	44
TOTAL	581

79.59 ACRES TOTAL AREA OF PROPERTY  
7.3 UNITS/ACRE GROSS DENSITY

**GCC** Engineering  
Surveying  
Planning

1. I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND I AM A duly Licensed Professional Engineer under the laws of the State of Minnesota.

14079 Hwy. 52 S.E. Chaska, MN. 55823 Ph. 507-867-1666 FAX \_\_\_\_\_ REG. NO. 3952

LATEST REVISION: 8-20-2003  
Prepared For:  
RYAN CONTRACTING CO.  
8700 13TH AVE. E.  
SHARON, MN 55378

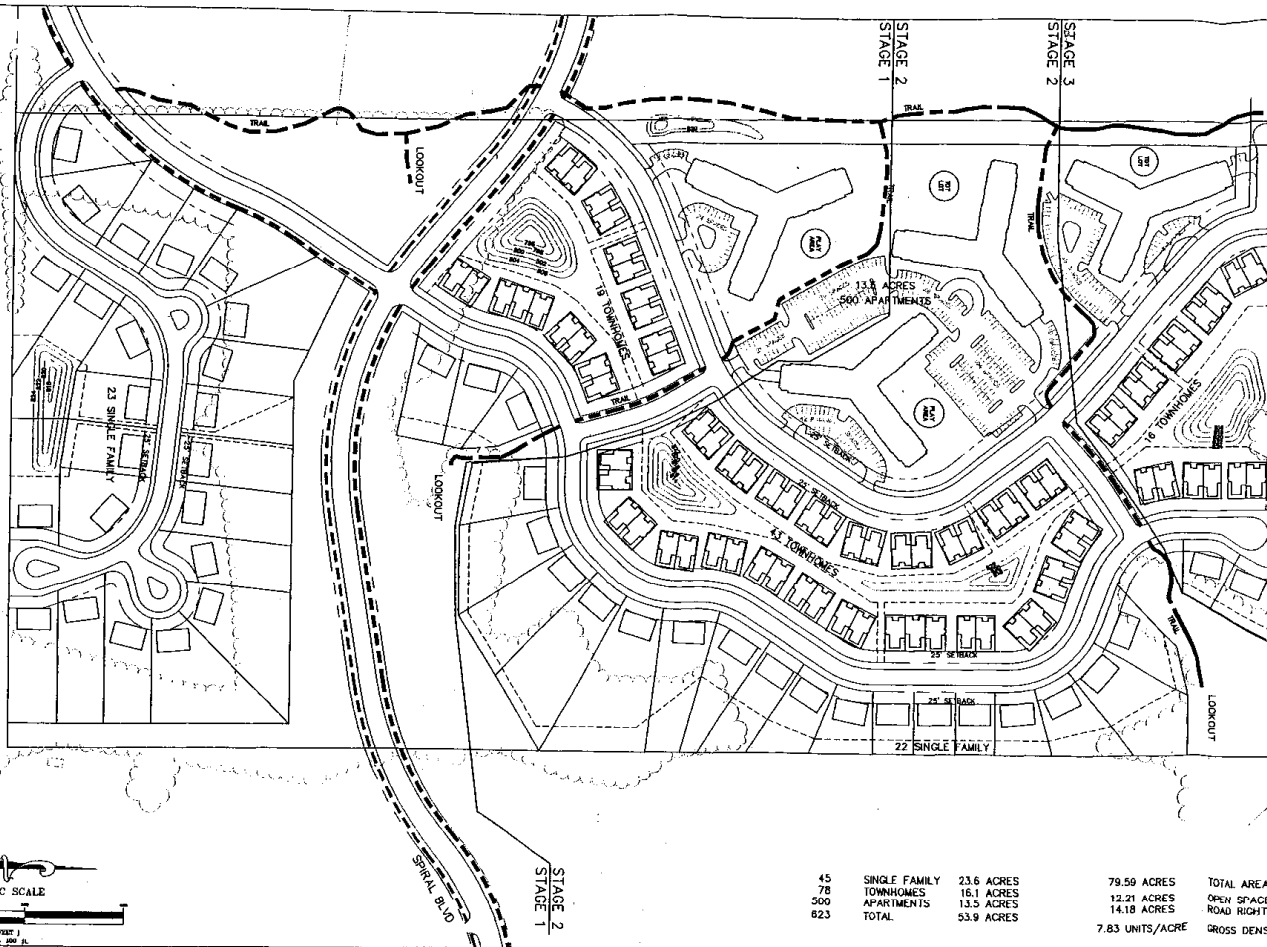
FILE NO.: 01228

City of Hastings  
Dakota County, Minnesota

CONCEPT SKETCH PLAN  
OF  
GLENDALE HEIGHTS

SHEET 1 OF 1 SHEETS

Concept Plan- Planning Review  
7/1/03



45	SINGLE FAMILY	23.6 ACRES	79.59 ACRES	TOTAL AREA OF PROPERTY
78	TOWNHOMES	16.1 ACRES	12.21 ACRES	OPEN SPACE
500	APARTMENTS	13.5 ACRES	14.18 ACRES	ROAD RIGHT OF WAY
823	TOTAL	53.9 ACRES	7.83 UNITS/ACRE	GROSS DENSITY

**GCC** Engineering Surveying Planning  
 770 Hwy 82 S.E., Chehalis, Wa. 98523 PH 509-867-1866 FAX

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATIONS, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND I AM A duly LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF WASHINGTON.

DATE: \_\_\_\_\_ REG. NO. 81142

LATEST REVISION: 3-22-2002  
 Prepared For:  
 B.C. and S.H.  
 1350 S. FRONTAGE ROAD  
 DUNDAS, ON. L9G 3Z3  
 FILE NO.: 0228

City of Hastings  
 Dakota County, Minnesota

GENERAL DEVELOPMENT PLAN  
 OF  
 GLENDALE HEIGHTS

SHEET 1 OF 1 SHEETS

Previous Glendale Heights Plan



**File:** Glendale Heights Sketch Plan

**Date:** July 10, 2003

**To:** John Hinzman, Planning Director City of Hastings

**From:** John B Stewart P.E.

**Introduction:**

We have completed the Concept Plan Review for the Glendale Heights Development Plan. GGG Engineering Surveying Planning prepared the plan, which is dated 6/20/2003.

Our Comments are as follows:

**Sheet 1 of 1 Sketch Plan**

**General Location:**

1. The property contains approximately 80 acres and is located at the southerly extension of Spiral Boulevard and East 31<sup>st</sup> Street in Section 2 (formally in Marshan TWP). The property is ¼ mile east of the existing industrial lots on Enterprise Drive. Approximately two thirds of the property, is presently arable, farmed, flat and developable, the remainder consists of wooded bluff land and steep ravine.
2. Spiral Boulevard is shown as part of the City's MSAS system. We anticipate that both spiral Boulevard and East 31<sup>st</sup> Street will be constructed/reconstructed by the City of Hastings in 2004. The roadways should conform to arterial roadway widths and load bearing capacities. The concept plan proposes that Spiral Boulevard and East 31<sup>st</sup> Street be combined via a tee intersection to a single roadway connecting TH 316 to Glendale Road (County Road 91). The connection of Spiral Boulevard to CR 91 will require the dedication of Right of Way from the City of Hastings across the presently used by the police as a Target Range.

**Housing Density:**

1. The concept plan shows a total of 581 multi-housing units consisting of: apartments, villas, coach homes, and twin homes. The overall housing density proposed is 7.3 units per acre.

**Traffic Issues:**

1. The majority of the project (497 units), which lies north of Spiral Boulevard, is accessed by a single access road. The balance of the project (84 units) lying south of East 31<sup>st</sup> Street is also accessed by a single roadway. We anticipate that the traffic generated by

the northern portion of the development will approximate 3500 to 5000 trips per day and the southerly portion will generate 600 to 850 trips per day.

2. The concept plan does not provide guidance as to the proposed street width within the development, but traffic loading and street capacity will be the major issues in this development. Although the concept plan shows that the developments north and south of Spiral Boulevard are to be provided with future connections, it is unlikely that these developments will be constructed in the near future and it is probable that the concept as shown would continue to depend on single access points into the foreseeable future.
3. The layout concept south of Spiral Boulevard is constrained by a ravine on its northern and eastern boundaries, leaving the development served by a long cul-de-sac (1200 lf). The proposed future connection to the south will reduce the cul-de-sac length to 400LF.
4. The access to the layout concept south of Spiral Boulevard is shown as a tee intersection on a curve on 31<sup>st</sup> Street. We suggest that the access point be moved northwards to access of a straight section of 31<sup>st</sup> Street or Alternatively realign east 31<sup>st</sup> Street further east to run through the southerly portion of the development, which would have the added advantage of reducing the length of the cu-de-sac.
5. The layout concept north of Spiral Boulevard is also constrained by ravine and bluff on its eastern and southern boundaries. This development is served by looped roadway, which accesses the units 497 on north side of spiral. The loop is constricted by a short length (120 feet) of roadway, which connects it to Spiral Boulevard. We suggest that this short length of access be constructed as a divided 4-lane entrance roadway (allowing for emergency maintenance of two way traffic on either side of the divider). This access could be incorporated into a themed entrance to the development. We also suggest that the set back from this access to the first quad unit south be increased to provide a greater separation for emergency service vehicles.

#### Water Supply and Wastewater Collection:

1. The development is located within 5000-feet of the City's 1,000,000 gallon elevated water storage tower on Enterprise Drive. The grade across the development should allow for a design, which will provide adequate pressures and flows for residential use and fire suppression.
2. Wastewater collection within the development may be challenging due to grade differences across the property, but should be too restrictive. The property lying across a quarter section of future industrial park property does not presently have wastewater collection facilities available, a trunk sewer and likely a lift station will be required to connect the development to the existing 12-inch main located at East 31<sup>st</sup> Street and Enterprise Drive.
3. The development is contained within the City's approved MUSA service area.

Memo: Glendale Heights  
July 10, 2003

**Storm Water Management:**

1. The development lies east of the City's Industrial Park Detention Pond, and it is unlikely that the grade will allow a sizable area to be drained west to this facility. The concept plan show a number of ponding facilities, which could be designed to adequate to meet the Watershed Districts requirements. The concept plan does not seem to address the ponding and detention facilities that will be needed to treat runoff collected from Spiral Drive. The ultimate discharge point for storm water collected on the development and from the arterial roadway would logically be to the City owned property east of the development. The developer should be asked to clarify how the drainage is conveyed from the development site to the Mississippi.

Please advise if you require further input.

#2003-48

# LAND USE APPLICATION

CITY OF HASTINGS - PLANNING DEPARTMENT  
101 4th Street East, Hastings, MN 55033 Phone: 651.480.2360 Fax: 651.437.7082

Address of Property: \_\_\_\_\_

Legal Description of Property: E 1/2 OF SW 1/4 OF SECTION 35, T 115, R 17,  
DAKOTA COUNTY, MINNESOTA

Applicant: TOM RYAN  
Name RYAN CONTRACTING CO.  
Address 8700 13TH AVE. E.  
SHARPEE, MN 55379  
Phone 952-894-3200  
Fax 952-894-3207  
Email tomr@ryancont.com

Owner (If different from Applicant):  
Name S. HERTOGS AND W. CRIST  
Address 1350 S. FRONTAGE ROAD  
HASTINGS, MN 55033  
Phone 651-437-1818  
Fax 651-437-8562  
Email \_\_\_\_\_

Description of Request (include site plan, survey, and/or plat if applicable):

PRELIMINARY PLAT AND CONCEPT PLAN

Check applicable box(es):

Note: All fees and escrow amounts due at time of application.

<input type="checkbox"/>
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<input type="checkbox"/>
<input type="checkbox"/>

- Final Plat \$600
- Minor Sub. \$500
- Rezone \$500
- Spec. Use \$500
- Variance \$250
- Annexation \$500 plus legal expenses
- EAW \$500 plus \$1000 escrow
- Prelim Plat \$500 plus escrow:
  - Under 10 acres: \$3000 (\$600 Planning + \$2500 Engineering)
  - Over 10 acres: \$6000 (\$1000 Planning + \$5000 Engineering)
- Site Plan \$500 plus escrow:
  - 0 - 6,000 s.f.: \$1500 (Engineering)
  - 5,000 - 10,000 s.f.: \$2500 (\$600 Planning + \$2000 Engineering)
  - 10,000 - 50,000 s.f.: \$3250 (\$750 Planning + \$2500 Engineering)
  - 50,000 s.f. +: \$4000 (\$1000 Planning + \$3000 Engineering)

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

- Administrative Lot Split \$50
- Comp Plan Amendment \$500
- House Move \$500
- Lot Line Adjustment \$50
- Vacate ROW/Easement \$400

TOTAL:

Signature of Applicant

Date 6-25-03

Signature of Owner

Date \_\_\_\_\_

x Thomas Ryan Plus

x Samuel Hertogs

Applicant Name and Title - Please Print

Owner Name - Please Print

x Thomas Ryan Plus

x

Official Use Only

File # 2003-48  
Fee Paid \$6500

Rec'd By: Stinson  
Receipt # \_\_\_\_\_

Date Rec'd 6/26/03  
App. Complete \_\_\_\_\_

4/23/2003



# Memo

**To:** Mayor Werner and City Council

**From:** Kris Jenson, Associate Planner

**Date:** July 21, 2003

**Subject:** Petterson, Dr. Chad - Site Plan Review #2003-50 Site Plan Review to construct an office building (chiropractic office), SE corner of Bahls Drive and South Frontage Road.

## REQUEST

Dr. Chad Petterson requests approval of a site plan to construct a 5,600 s.f. chiropractic office building and to develop 1.46 acres located at the SE corner of Bahls Drive and South Frontage Road

Staff Recommends approval of the site plan, with the conditions included in the resolution.

## BACKGROUND INFORMATION

### Comprehensive Plan Classification

The subject property is guided O – Office in the Hastings Comprehensive Plan. The proposed rezoning is consistent with the Plan.

### Zoning Classification

The proposed use conforms to the O-1 – General Office District. Office and limited retail uses are permitted uses.

### Adjacent Zoning and Land Use

The following land uses abuts the site:

<u>Direction</u>	<u>Existing Use</u>	<u>Zoning</u>	<u>Comp Plan</u>
North	South Frontage Road Hwy 55		
East	Lawrence Office Bldg	O – Office	O - Office
South	30 unit condo bldg	R-4 – High Dens Res.	U-III Urb. Res.
West	South Frontage Road County Pub	C-4 – Reg. Shop Cen.	C-Commercial

**Existing Condition**

The existing site has a high point at the NW corner and slopes to the east and south. The site is currently vacant of structures.

**Proposed Change**

Construction of a 5,600 s.f. office building consisting of a 4,340 s.f. main floor and 1,255 s.f. basement. The east portion of the property is being reserved as future development area.

**SITE PLAN REVIEW**

**Building Setbacks**

Building Setbacks in the O-1 District are not specified in the Zoning Ordinance. The closest the building sits to adjacent property lines is 10'. However the primary setback distance is 13' along South Frontage Road. The building is angled so as to not impede views at the corner of the 2 streets.

**Access and Circulation**

Vehicular access would be provided from South Frontage Road and Bahls Drive. Vehicular circulation is acceptable. Concrete curb will be required at the limits of Phase 1, to help direct drainage on the site.

**Off-Street Loading**

A designated off street loading area of at least 300 square feet is located at the NE corner of the chiropractic office, in the same location as the garage.

**Parking**

The Site exceeds minimum parking requirements. Parking is provided as follows:

Site	Required Spaces	Proposed Spaces
Office Bldg ~ 5,600 s.f.	19 (1:300 s.f.)	39

All parking areas must be constructed of bituminous surfacing and concrete curb and gutter.

There is an area south of the proposed waste enclosure that has two parking spaces which run east/west, and immediately south of those are spaces that run north/south, with no barrier between these areas. A concrete curb should be placed between the areas to prevent vehicles from pulling forward into other spaces.

### **Parking Lot Setback**

The parking lot does meet the minimum 10 foot right-of-way setback requirement along South Frontage Road and Bahls Drive.

### **Pedestrian Access**

General sidewalk and pedestrian access is acceptable. A sidewalk currently exists along the south side of South Frontage Road, and a sidewalk is planned for the west side of Bahls Drive, at a future date.

### **Fire Hydrant**

The Fire Marshall has stated that the existing hydrants in the area are acceptable to serve the proposed site. Additional hydrants may be necessary in the future to serve other development on the site.

### **Architectural Elevations**

Architectural elevations have been submitted. A one story building with a pitched roof is proposed. The roof would consist of dimensional asphalt shingles, and the building would be sided with a combination of cultured stone along the bottom quarter, and cedar lap siding above, with a row of tinted fixed windows at the top of the wall. An enhanced entryway on the south side and a large window area on the north side helps break up the building façade.

The north elevation (facing Highway 55) will be the most visible side, and has a building projection with an arch and large windows that mirrors the arch at the entrance.

### **Trash and Recycling Enclosure**

The applicant proposes to construct a walled waste enclosure area using cultured stone and smooth stucco band. This is similar to the materials used on the building.

### **Fencing and Walls**

Fencing or walls have not been indicated on the site plan. Construction of any fencing or walls must be approved by the Planning Director.

### **Landscape Plan**

The Landscape plan provides for a variety of plantings adjacent to building and throughout the site. Foundation plantings have been incorporated into the building design. Kevin Smith, Hastings City Forester, has reviewed the landscaping plans. The following modifications are needed to comply with minimum requirements:

- 1) Boulevard trees should not be planted within 35' of an intersection to maintain the visibility triangle. Removal of the two trees closest to the intersection will rectify this situation. The proposed boulevard tree along South Frontage Road at the middle of the building is proposed to be planted in the sidewalk. The tree must be moved

back and located to allow for future growth to minimize damage to the sidewalk. Boulevard trees must be deciduous and at least 2.5 caliper inches at planting.

### **Lighting Plan**

The applicant has indicated that the parking lot will not be illuminated. Should the applicant chose to add lighting in the future, a photometric plan must be submitted for approval by the Planning Director with levels at the property line limited to 0.5 foot candles as required in the Zoning Code.

### **Signage**

The applicant has indicated that no monument signs are planned – the signage shown on the plan is all building signage. Approval of this site plan does not constitute approval of any signage, and a separate sign permit must be applied for prior to the signage being placed on the building. Wall signage is allowed up to 5 percent of the building façade on which the sign is located.

### **Handicap Accessibility**

The Building Official is in the process of reviewing the basement area to determine occupant load and compliance with Handicap Accessibility requirements. A ramp or elevator to the basement may be needed subject to occupant load and use.

The parking lot will need to be modified to remove a curbed area between the two handicapped spaces. Per State code, a level striped area is necessary between the spaces for loading purposes.

### **Wells**

Any wells on site must be properly abandoned and sealed as a condition of approval.

### **Grading and Utility Plans**

Grading and Utility Plans are currently being reviewed by the City's consultant engineer. Approval of the Grading and Utility Plans must still be approved by the Public Works Director.

## **RECOMMENDED ACTION**

Approval of the site plan to construct a 5,600 square foot office building is recommended subject to the following conditions:

- 1) Adherence to the attached Site Plan, Landscape Plan, and Architectural Elevations.
- 2) All disturbed areas on this property shall be stabilized with rooting vegetative cover to eliminate erosion problems.

- 3) The disturbed areas of the site shall be maintained to the requirements of the City's property maintenance ordinance.
- 4) Final approval of the development grading and utility plans by the City of Hastings. The applicant shall be liable for any costs involved in consultant review of the plans.
- 5) Landscape Plan to be modified to remove the two boulevard trees closest to the corner of Bahls Drive and South Frontage Road so as to not interfere with visibility at the intersection.
- 6) Future development of the lot may require construction of a fire hydrant.
- 7) Any future plans to illuminate the parking lot will require a photometric lighting plan to be submitted showing foot candle illumination of the property. Illumination levels are limited to 0.5 foot candles at the property line as required in the Zoning Code
- 8) Approval of the site plan does not include any area of signage. A separate permit is required from the Planning Department prior to its placement on the building.
- 9) Modification of parking lot to add curb to separate parking areas south of the trash enclosure.
- 10) A concrete curb must be installed at the edge of pavement for phase 1 of the project.
- 11) Any wells on site must be properly abandoned and sealed before construction of the office building can commence.
- 12) Future development of 'Phase Two' will require site plan review and approval.

## **ATTACHMENTS**

- Location Map
- Site Plan
- Building Elevations
- Landscape Plan
- Application

**HASTINGS CITY COUNCIL**

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HASTINGS  
APPROVING THE SITE PLAN OF DR. CHAD PETTERSON FOR CONSTRUCTION  
OF AN OFFICE BUILDING LOCATED AT THE INTERSECTION OF SOUTH  
FRONTAGE ROAD AND BAHLS DRIVE, HASTINGS, MN**

Council member \_\_\_\_\_ introduced the following Resolution and \_\_\_\_\_ moved its adoption:

**WHEREAS**, Dr. Chad Petterson has petitioned for approval to construct a 5,600 square foot office building at the southeast corner of South Frontage Road and Bahls Drive, legally described as follows:

Lot 1, Block 1, Valley Manor 3<sup>rd</sup> Addition

**WHEREAS**, on July 14, 2003, review was conducted before the Planning Commission of the City of Hastings, as required by state law, city charter and city ordinance; and

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HASTINGS AS FOLLOWS:**

That the City Council hereby approves the site plan request of Dr. Chad Petterson to construct a 5,600 square foot office building subject to the following conditions:

- 1) Adherence to the attached Site Plan, Landscape Plan, and Architectural Elevations.
- 2) All disturbed areas on this property shall be stabilized with rooting vegetative cover to eliminate erosion problems.
- 3) The disturbed areas of the site shall be maintained to the requirements of the City's property maintenance ordinance.
- 4) Final approval of the development grading and utility plans by the City of Hastings. The applicant shall be liable for any costs involved in consultant review of the plans.
- 5) Landscape Plan to be modified to remove the two boulevard trees closest to the corner of Bahls Drive and South Frontage Road so as to not interfere with visibility at the intersection.
- 6) Future development of the lot may require construction of a fire hydrant.
- 7) Any future plans to illuminate the parking lot will require a photometric lighting plan to be submitted showing foot candle illumination of the property. Illumination

levels are limited to 0.5 foot candles at the property line as required in the Zoning Code

- 8) Approval of the site plan does not include any area of signage. A separate permit is required from the Planning Department prior to its placement on the building.
- 9) Modification of parking lot to add curb to separate parking areas south of the trash enclosure.
- 10) A concrete curb must be installed at the edge of pavement for phase 1 of the project.
- 11) Any wells on site must be properly abandoned and sealed before construction of the office building can commence.
- 12) Future development of 'Phase Two' will require site plan review and approval.

**BE IT FURTHER RESOLVED**, that a copy of this resolution shall be filed with the Dakota County Recorder's Office by the Hastings City Clerk.

Council member \_\_\_\_\_ moved a second to this resolution and upon being put to a vote adopted by \_\_\_\_\_ present.

Ayes: \_\_\_\_\_  
Nays: \_\_\_\_\_  
Absent: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Michael D. Werner, Mayor

\_\_\_\_\_  
Melanie Mesko Lee  
Administrative Assistant/City Clerk

I HEREBY CERTIFY that the above is a true and correct copy of resolution presented to and adopted by the City of Hastings, County of Dakota, Minnesota, on the 21<sup>st</sup> day of July, 2003, as disclosed by the records of the City of Hastings on file and of record in the office.

\_\_\_\_\_  
Melanie Mesko Lee  
Administrative Assistant/City Clerk

(SEAL)

This instrument drafted by:  
City of Hastings  
101 4th St. East  
Hastings, MN 55033

# Site Plan Review - Pettersen Chiropractic Office

HWY 55

S FRONTAGE RD

Lawrence  
Office Bldg




30 Unit Condo Bldg

30 Unit Cond

BAHLS DR

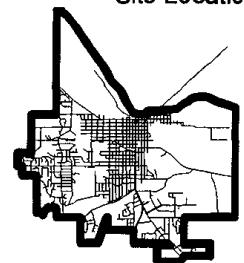
Arbor Oaks/  
Oak Ridge Manor

## Legend

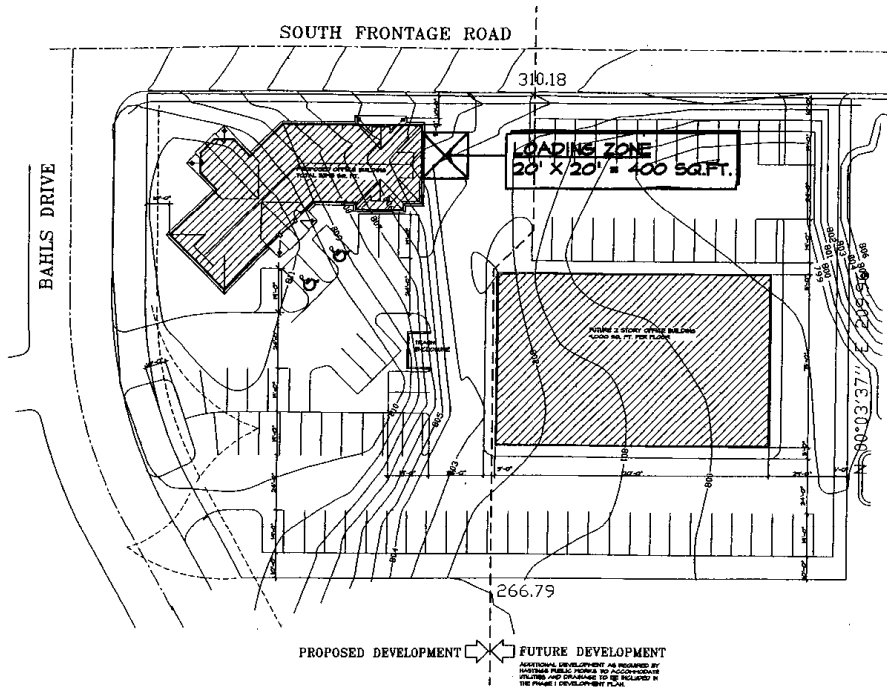
-  Buildings
-  Roads
-  Parcels



Site Location







PARKING ANALYSIS	
<b>PHASE I</b>	
CHIROPRACTIC OFFICE	
8000 SQ. FT. / 800	11 PARKING SP.
REG.	
PARKING PROVIDED	40 @ 16L' x 14'
<b>PHASE II</b>	
FUTURE OFFICE BUILDING	
8000 SQ. FT.	60 PARKING SP.
REG.	
<b>TOTAL PARKING PHASE I &amp; II</b>	
TOTAL REG. PHASE I & II	71 SPACES
TOTAL PARKING PROVIDED	100 SPACES

# ARCHITECTURAL SITE PLAN

1" = 30'-0"



NOTE:  
 THIS PLAN IS BASED ON SPECIFICATIONS PROVIDED TO THE ARCHITECT BY OTHERS. THE ARCHITECT ASSUMES NO RESPONSIBILITY FOR ERRORS OR OMISSIONS IN ANY INFORMATION PROVIDED. SEE CIVIL ENGINEERING PLANS FOR ADDITIONAL INFORMATION.

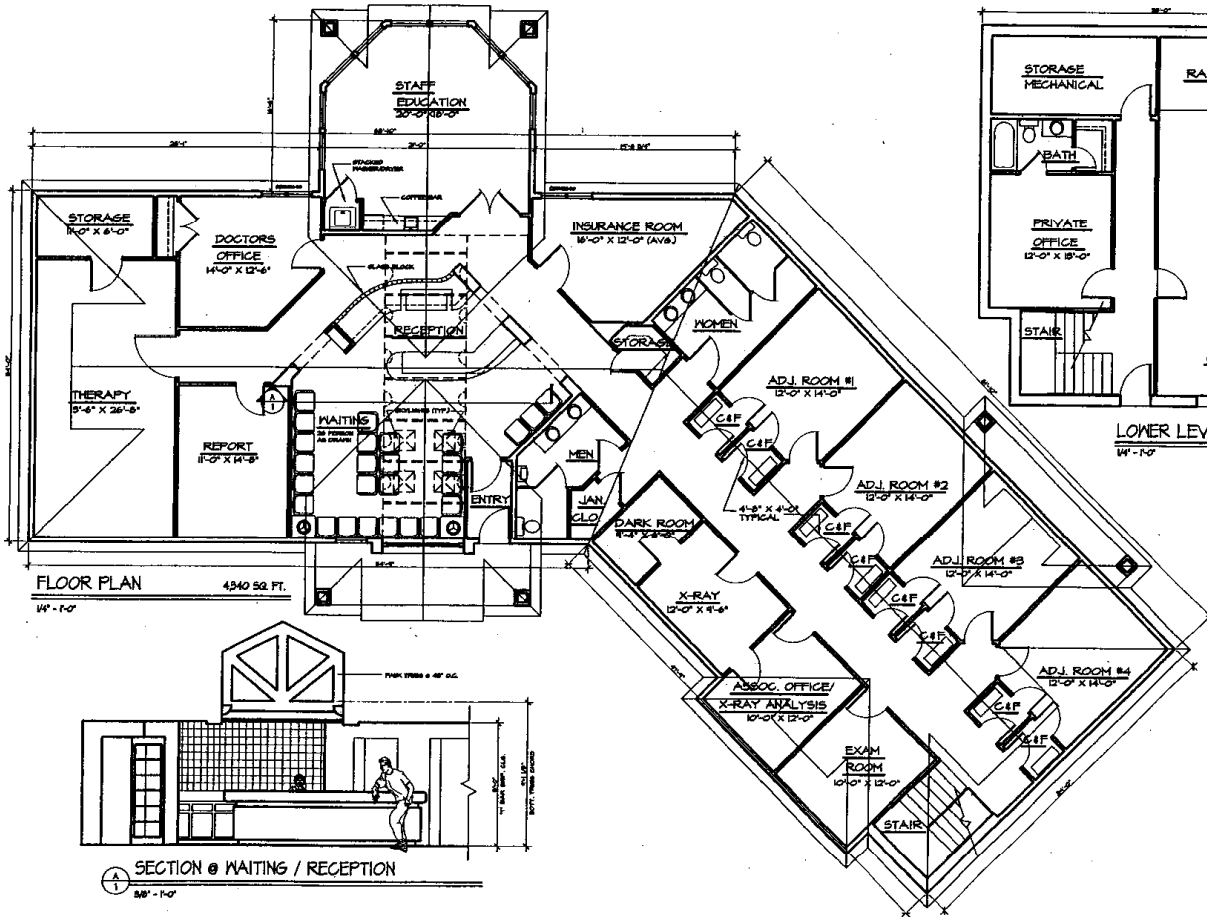
REVISED 3 JULY 03

David L. Harris, Architect  
 101 W. BROADWAY, SUITE 1000  
 NEW YORK, NY 10038



SITE PLAN  
 PETERSON CLINIC  
 SOUTH FRONTAGE ROAD & BAHL'S DRIVE

26 JUNE 03  
 1 of 1  
 project no.  
 C-03-922



David L. Harris, Architect  
 101 W. 10th Street, Suite 100  
 Minneapolis, MN 55401  
 Tel: 612-338-1111  
 Fax: 612-338-1112

---

NEW CONSTRUCTION FOR:  
 DR. CHAD PETERSON  
 6. PROXIMATE TO 1 BLDG DR.

---

Date: 1 APR, 03  
 1 of 2  
 Project No.:  
 C-03-422

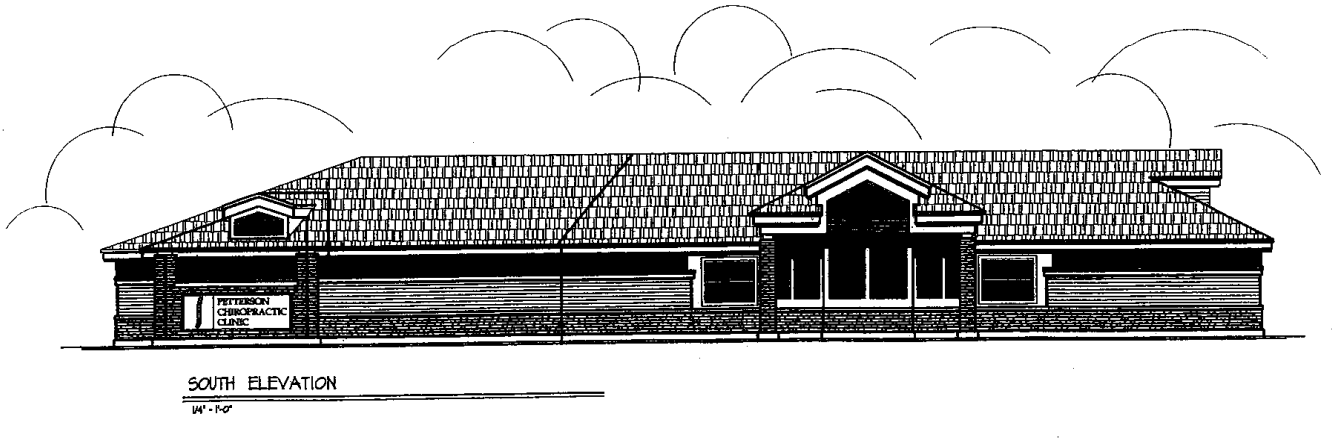
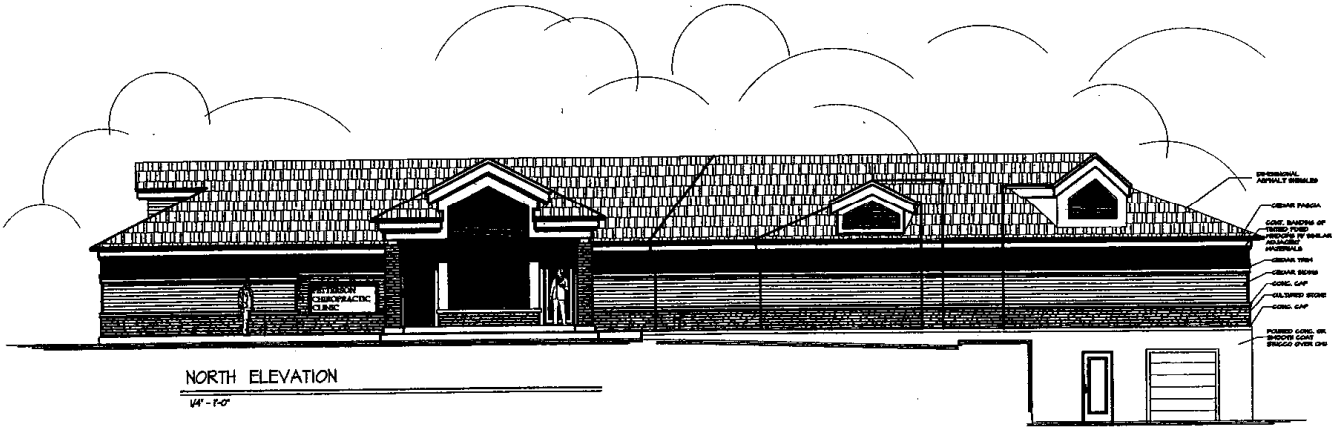
DATE: 4 APR 08  
PROJECT NO. C-02-B-22  
DRAWING NO. 1

David L. Harris, Architect  
NEW CONSTRUCTION FOR:  
DR. CHAD FETTERSON  
& PARTNER, P.C.  
15415 DR.



NEW CONSTRUCTION FOR:  
DR. CHAD FETTERSON  
& PARTNER, P.C.  
15415 DR.

DATE: 4 APR 08  
2 of 2  
PROJECT NO. C-02-B-22

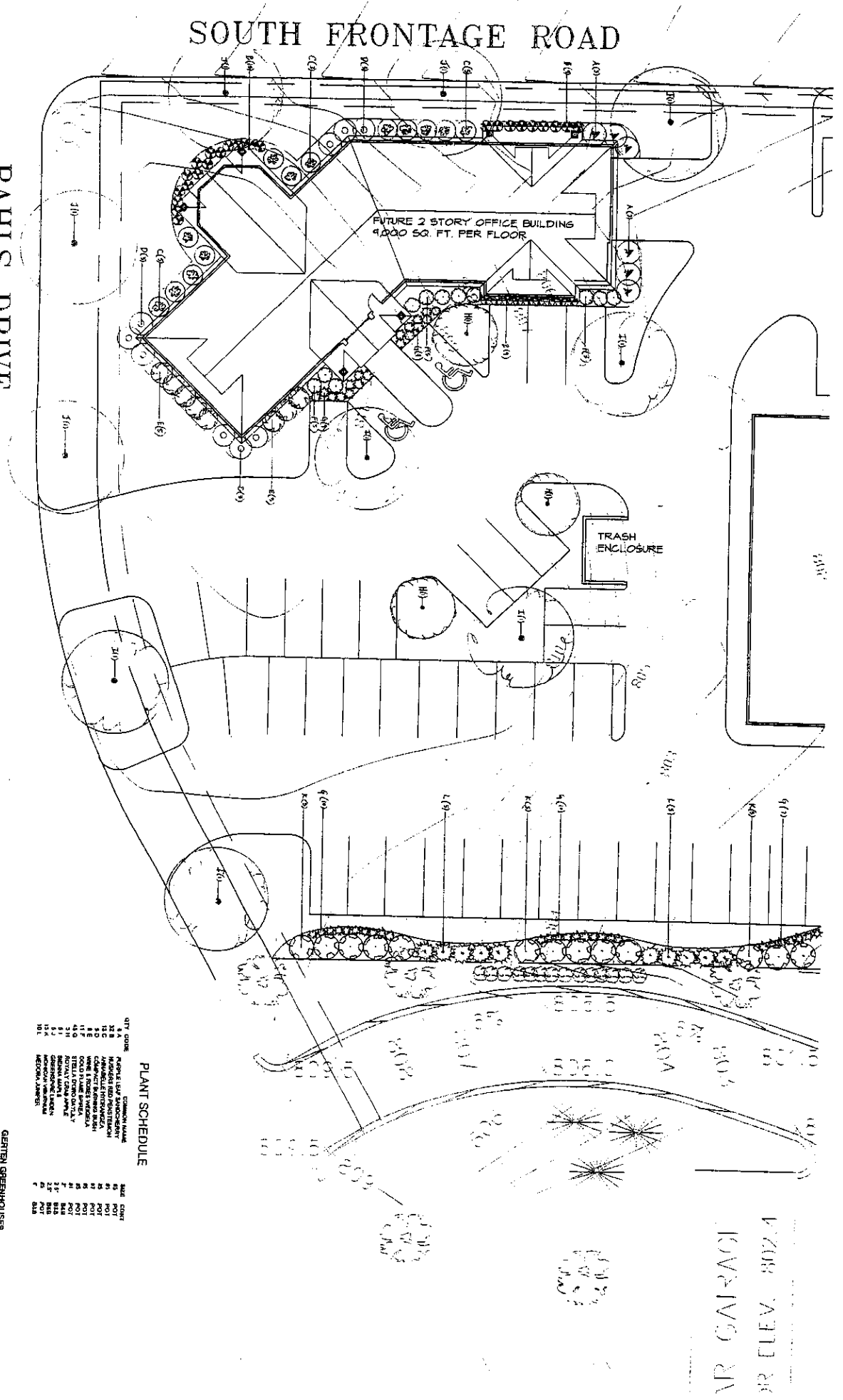


# SOUTH FRONTAGE ROAD

## BAHLS DRIVE

### PETERSON CHIROPRACTIC CLINIC LANDSCAPE PLAN

1" = 10'-0"



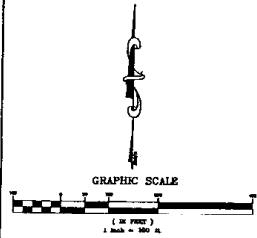
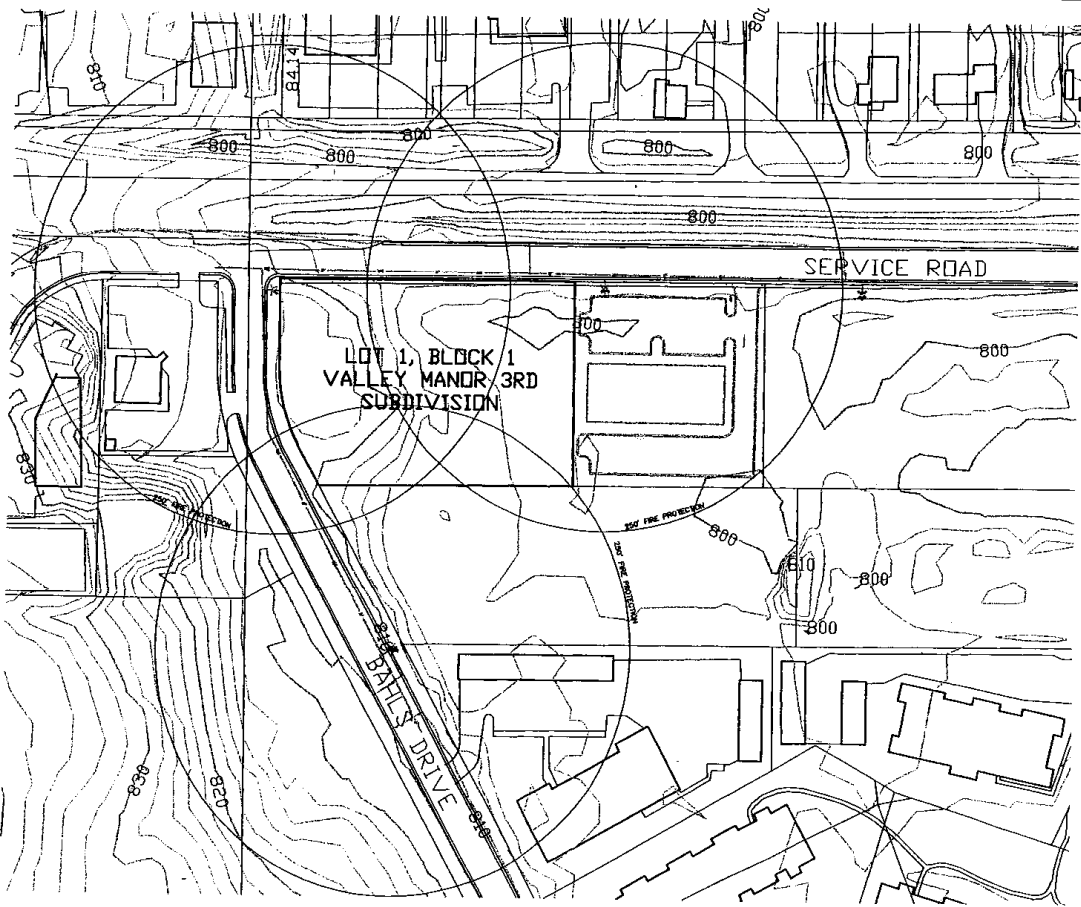
#### PLANT SCHEDULE

QTY	CODE	COMMON NAME	SIZE	CONT.
300	100	SPRING BURNING BUSH	10"	POT
300	101	RED TWIG DOGWOOD	10"	POT
300	102	SMOOTH DRAGON TREE	10"	POT
300	103	SPRING BURNING BUSH	10"	POT
300	104	RED TWIG DOGWOOD	10"	POT
300	105	SMOOTH DRAGON TREE	10"	POT
300	106	SPRING BURNING BUSH	10"	POT
300	107	RED TWIG DOGWOOD	10"	POT
300	108	SMOOTH DRAGON TREE	10"	POT
300	109	SPRING BURNING BUSH	10"	POT
300	110	RED TWIG DOGWOOD	10"	POT
300	111	SMOOTH DRAGON TREE	10"	POT
300	112	SPRING BURNING BUSH	10"	POT
300	113	RED TWIG DOGWOOD	10"	POT
300	114	SMOOTH DRAGON TREE	10"	POT
300	115	SPRING BURNING BUSH	10"	POT
300	116	RED TWIG DOGWOOD	10"	POT
300	117	SMOOTH DRAGON TREE	10"	POT
300	118	SPRING BURNING BUSH	10"	POT
300	119	RED TWIG DOGWOOD	10"	POT
300	120	SMOOTH DRAGON TREE	10"	POT

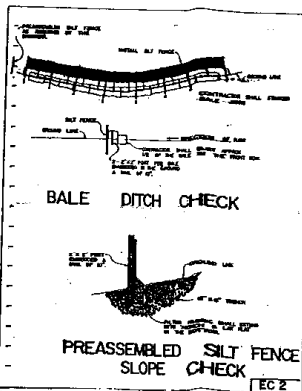
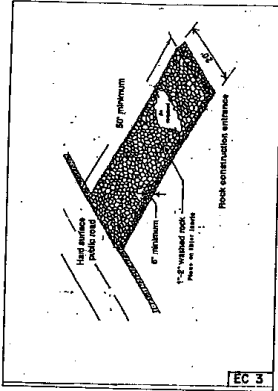
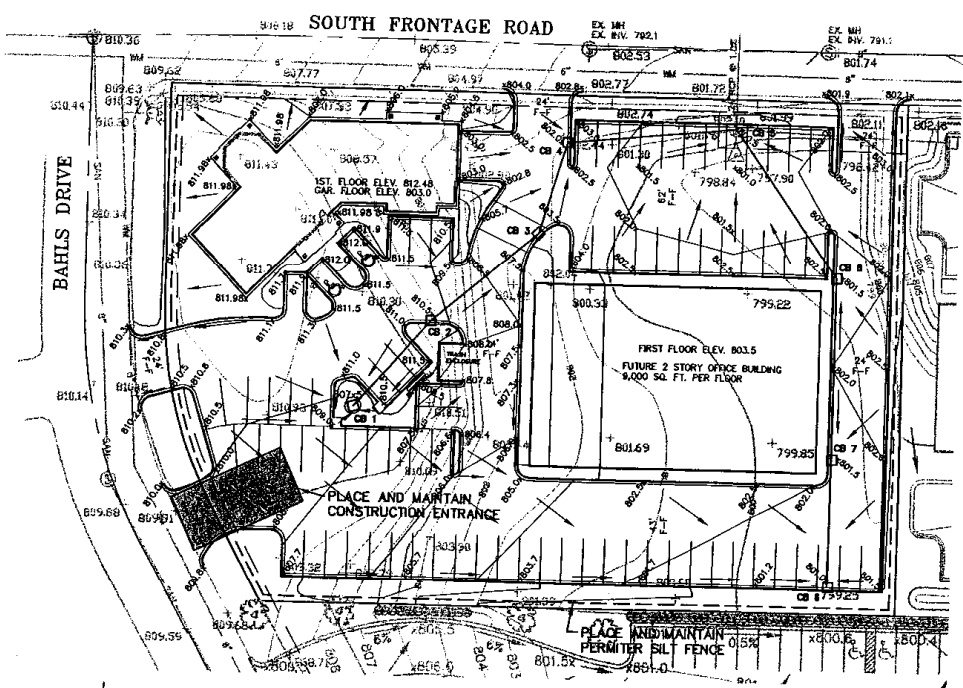
GERTEN GREENHOUSES

NOV 2008  
 10000 10000  
 10000 10000



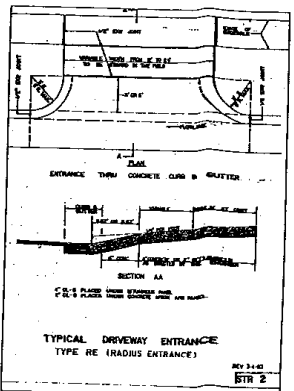


	<b>Engineering Surveying Planning</b>	<small>I HEREBY CERTIFY THAT THE PLAN, SPECIFICATIONS, REPORT AND RECORDS OF ME ARE CORRECT AND COMPLETE AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.</small> <i>[Signature]</i> <small>DATE 11/11/03 REC NO 2162</small>	<small>LATEST REVISION: 6-26-2003</small> <small>Prepared For:</small> <b>Dr. Chad Petterson</b> <small>1206 N. Frontage Rd Hastings, MN 55033</small> <small>DEC NO. 02069</small>	<b>City of Hastings</b> <b>Dakota County, Minnesota</b>	<b>Petterson Chiropractic Office</b> <b>Fire Protection and Existing Topography</b>	<small>SHEET 2 OF 4 SHEETS</small>
--	---	--	---	--	--	------------------------------------



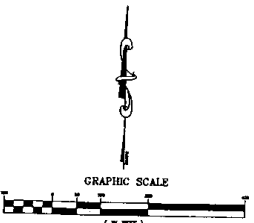
- CONSTRUCTION NOTES:**
- 1.) PLACE SILT FENCE, CONSTRUCTION ENTRANCE AND EROSION CONTROL PROTECTION FIRST.
  - 2.) MAINTAIN CONSTRUCTION ENTRANCE, REFRESH WITH CLEAN ROCK.
  - 3.) PLACE EROSION CONTROL PROTECTION AROUND ALL INLETS.
  - 4.) MAINTAIN ALL EROSION CONTROL DEVICES.

**WARNING**  
 BEFORE DRIVING CALL DOWNS  
 STATE ONE CALL FOR LOCATIONS  
 551-404-1000 or  
 1-800-252-1168  
 REQUIRED BY LAW



- CONSTRUCTION NOTES:**
- 1.) CONTRACTOR MUST APPLY FOR STREET OPENING PERMIT.
  - 2.) ONE WEEK NOTICE TO FIRE, STREET, POLICE, DEPT'S INCLUDING BUS CO. AND AMBULANCE CO. FOR STREET CLOSURE.
  - 3.) MAINTENANCE OF TRAFFIC TO BE IN ACCORDANCE TO MnDOT AND THE LATEST MINNESOTA MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES MMUTCD.
  - 4.) ALL WORK SHALL COMPLY WITH THE CITY OF HASTINGS 2003 STANDARD SPECIFICATIONS FOR STREET AND UTILITY WORK.
  - 5.) ALL YARD SWALES SHALL BE 2.0% MIN. GRADE.

**BENCHMARK**  
 PER ENGINEERS OFFICE, CITY OF HASTINGS  
 Top Ring Hydrant at Bahls Drive and  
 South Frontage Road, Elevation 811.94 Feet.



**GGG Engineering Surveying Planning**

I HEREBY CERTIFY THAT THE PLAN SPECIFICATIONS OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

CHAD PETERSON  
 1208 N. Frontage Rd  
 Hastings, MN 55033  
 507-807-1666

LATEST REVISION: 6-28-2003  
 Prepared For:  
 Dr. Chad Petterson  
 1208 N. Frontage Rd  
 Hastings, MN 55033  
 TEL NO: 507-807-1666

City of Hastings  
 Dakota County, Minnesota

Petterson Chiropractic Office  
 Grading, Drainage and Erosion Control Plan

NOV 24 2003  
 STR 2

SHEET 3 OF 4 SHEETS

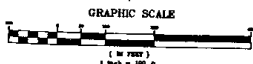
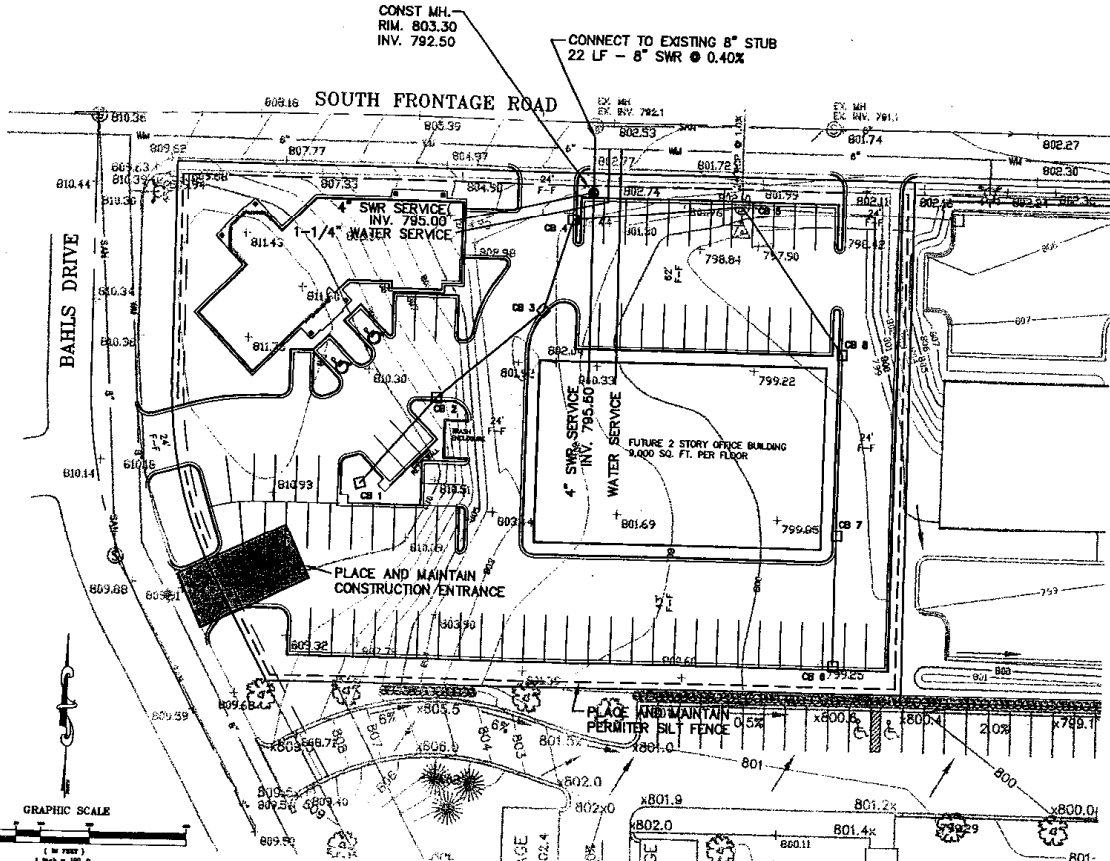
CONST. MH.  
RIM. 803.30  
INV. 792.50

CONNECT TO EXISTING 8" STUB  
22 LF - 8" SWR @ 0.40%

STORM SEWER TABULATION

- CB 1  
RIM. 807.00  
INV. 803.00  
47 LF - 15" PVC @ 1.0%
- CB 2  
RIM. 810.50  
INV. 802.50  
58 LF - 15" PVC @ 7.7%
- CB 3  
RIM. 804.80  
INV. 795.00  
39 LF - 15" PVC @ 1.0%
- CB 4  
RIM. 802.00  
INV. 797.60  
71 LF - 15" PVC @ 0.80%
- CB 5 - EXISTING  
RIM. 800.50 - NEW CASTING  
INV. 795.80  
RECONSTRUCT EX. MH.
- CB 6  
RIM. 801.00  
INV. 798.20  
43 LF - PVC @ 0.50%
- CB 7  
RIM. 801.50  
INV. 798.00  
83 LF - PVC @ 0.60%
- CB 8  
RIM. 801.50  
INV. 797.50  
43 LF - PVC @ 0.60%

**WARNING**  
BEFORE DIGGING CALL ESCROWER  
STATE ONE CALL FOR LOCATIONS  
1-800-325-1166  
REQUIRED BY LAW



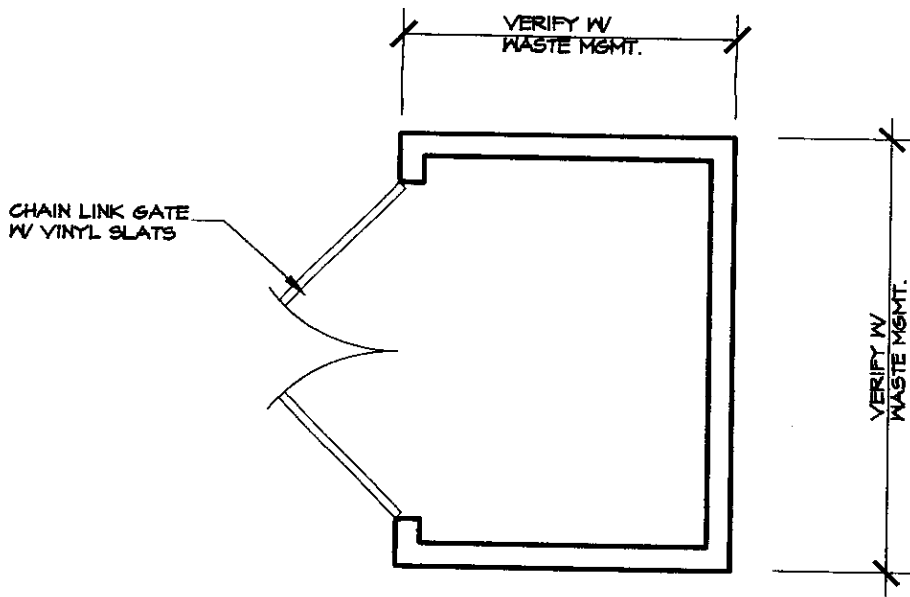
**G G G** Engineering  
Surveying  
Planning  
1470 Hwy. 52 S.E. Chaska, MN. 55823 Ph. 952-867-1666  
I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.  
DATE: 1/21/03 REG. NO. 2382

LATEST REVISION: 6-28-2003  
Prepared for:  
Dr. Chad Petterson  
1206 N. Frontage Rd  
Hastings, MN 55031  
PLT. NO.: 0399

City of Hastings  
Dakota County, Minnesota

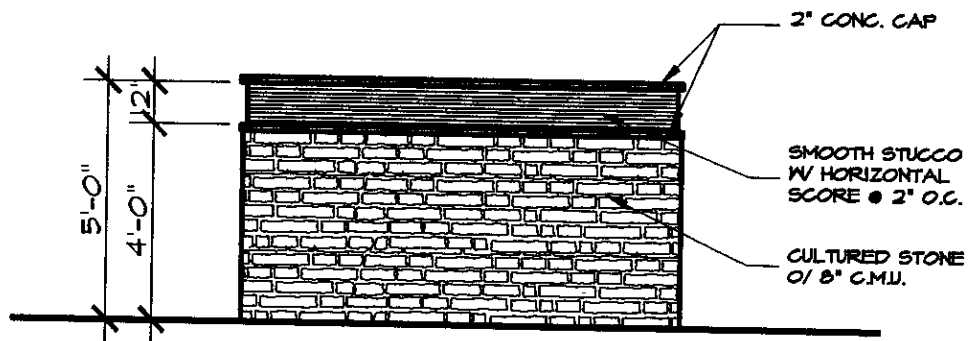
Petterson Chiropractic Office  
Utility Plan





**TRASH ENCLOSURE**

NO SCALE



**TRASH ENCLOSURE - ELEVATION**

NO SCALE

REVISED 16 JULY 03

PETTERSON CHIROPRACTIC

rec'd 7/16/03

# 2003-50

# LAND USE APPLICATION

CITY OF HASTINGS - PLANNING DEPARTMENT  
101 4th Street East, Hastings, MN 55033 Phone: 651.480.2350 Fax: 651.437.7082

Address of Property: SOUTH FRONTAGE RD. HASTINGS

Legal Description of Property: LOT 1, BLOCK 1 VALLEY MANOR 3RD SUBDIVISION

**Applicant:**

Name CHAD & DEANNA PETERSON  
Address 1206 N. FRONTAGE RD. #2  
HASTINGS, MN. 55033  
Phone 651-480-1128  
Fax 651-438-3929  
Email PETERSONCHIRO@AOL.COM

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

Name SAME  
Address \_\_\_\_\_  
Phone \_\_\_\_\_  
Fax \_\_\_\_\_  
Email \_\_\_\_\_

Description of Request (include site plan, survey, and/or plat if applicable):

SITE PLAN REVIEW FOR NEW CHIROPRACTIC CLINIC

Check applicable box(es):

Note: All fees and escrow amounts due at time of application.

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

Final Plat	\$600
Minor Sub.	\$500
Rezone	\$500
Spec. Use	\$500
Variance	\$250
Annexation	\$500 plus legal expenses
EAW	\$500 plus \$1000 escrow
Prelim Plat	\$500 plus escrow:

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

Administrative Lot Split	\$50
Comp Plan Amendment	\$500
House Move	\$500
Lot Line Adjustment	\$50
Vacate ROW/Easement	\$400

**Site Plan** \$500 plus escrow:

- Under 10 acres: \$3000 (\$500 Planning + \$2500 Engineering)
- Over 10 acres: \$6000 (\$1000 Planning + \$5000 Engineering)
- 0 - 5,000 s.f.: \$1500 (Engineering)
- 5,000 - 10,000 s.f.: \$2500 (\$500 Planning + \$2000 Engineering)
- 10,000 - 50,000 s.f.: \$3250 (\$750 Planning + \$2500 Engineering)
- 50,000 s.f. +: \$4000 (\$1000 Planning + \$3000 Engineering)

TOTAL:

Signature of Applicant

Date

Signature of Owner

Date

6-27-03

SAME

6-27-03

Applicant Name and Title - Please Print

Owner Name - Please Print

CHAD PETERSON

DEANNA PETERSON

Official Use Only

File # 2003-50

Rec'd By: J Hinzen

Date Rec'd

6/27/03

4/23/2003

Fee Paid ~~\$1000~~ on 6/30 Receipt # \_\_\_\_\_

App. Complete \_\_\_\_\_

\*\$2000/of \$3000 6/27

# Memo

**To:** Mayor Werner and City Council  
**From:** John Hinzman, Planning Director  
**Date:** July 21, 2003  
**Subject:** John Wesley Investments – Site Plan Review #2003-44 – 30 Unit Condominium Building – Lot 1, Block 1, Williams Addition (Whispering Lane)

## REQUEST

John Wesley Investments seeks Site Plan Approval to construct a 3 story, 30 unit condominium building on 2.0 acres located on Lot 1, Block 1, Williams Addition on the west side of Whispering Lane.

Approval to construct 30 units on the site was approved as part of a Rezoning, Planned Residential Development and Plat approved by the City in 1986.

## RECOMMENDATION

The Planning Commission recommended unanimous approval of the request at the July 14, 2003 meeting. During the public hearing several residents spoke in opposition of the project (see attached minutes). Concerns included increases traffic, ownership and maintenance of units, and incompatibility of density with the area.

## ATTACHMENTS

- Resolution
- Planning Commission Minutes ~ July 14, 2003
- Location Map
- Plan Set
- Alternate Development Scenario Letter and Plan
- Original Williams 1<sup>st</sup> Addition Plan
- Traffic Study
- Letter from Paul & Margaret Wingate – 377 Whispering Lane.
- Application

## BACKGROUND INFORMATION

### Comprehensive Plan Classification

The subject property is guided U-II – Urban Residence (4-8 units per acre) in the Hastings Comprehensive Plan. Williams 1<sup>st</sup> Addition was approved as a Planned Residential Development allowing for density on individual lots to exceed that of the plan, provided the entire development is within the required density. Overall density for Williams 1<sup>st</sup> Addition (including Hillcrest Townhomes, and excluding the church) is 5.9 units per acre and consistent the Comprehensive Plan.

### Zoning Classification

The site is zoned R-3 – Medium High Density Residence. Multiple Family residential structures are a permitted as part of a Planned Residential Development in the district.

### Adjacent Zoning and Land Use

The following land uses abuts the site:

<u>Direction</u>	<u>Existing Use</u>	<u>Zoning</u>	<u>Comp Plan</u>
North	Vacant – Future 90 Units	R-3 – Med\High	U-II – Res 4-8
East	Whispering Lane Single Family Homes	R-3 – Med\High	U-II – Res 4-8
South	Hope Lutheran Church	R-1 – Low Density	U-II – Res 4-8
West	Townhomes	R-3 – Med\High	U-II – Res 4-8

### History

Williams 1<sup>st</sup> Addition was originally platted in 1986 as a mixed use development including 177 residential units. As a part of the approval, 30 units were approved for development on the subject property. The original plan has been modified over the years as follows:

- Twin home units originally platted along the east side of Whispering Lane were replaced by Single Family Homes. The revision eliminated 7 of 14 planned units.
- Lots 1-3, Block 3 (south end of development between Whispering Lane and Crestview Drive) were replatted as Hillcrest Townhomes. The revision eliminated 4 of 22 planned units.

Most of the development has been built with the exception of the subject property, and 90 units planned on Lot 2, Block 1, directly north of the property.

### Neighborhood Meeting

On May 14, 2003 a neighborhood meeting was held to present the plan to the public. Approximately 50 people attended the meeting. The following comments were made:

- Were the units going to be low income or subsidized?
- Rock excavation may be noisy and disruptive during construction.
- Concern of additional traffic hindering access to 4<sup>th</sup> Street and Featherstone Road.
- Have other housing options been examined for the site?
- How will drainage be handled?
- What will be the affect on property values in the neighborhood?

The applicant agreed to reimburse the city for a traffic study to examine site impacts, and to re-evaluate other options on the property.

**Existing Condition**

The existing site is vacant and treeless. The site slopes down approximately 20 feet from a high point at the northwest corner to the southeast.

**Proposal**

A 30 unit condominium building with both underground and surface parking is proposed. The condominium building would be 3 stories with a 14,782 s.f. footprint and containing 44,346 s.f. Units would be 1-2 bedrooms ranging in size from 900 to 1,400 square feet in size.

**Alternate Design Evaluation**

The applicant agreed to examine alternate designs to develop the site (attached). Three 8 unit condominium buildings were examined. The proposal would include more impervious surface, less greenspace and more driveways.

**SITE PLAN REVIEW**

**Building Setbacks**

Building setbacks are determined through site plan review for Planned Residential Development projects. Building setbacks are acceptable, and are as follows:

<b>Setback</b>	<b>Proposal</b>
Front Yard Setback – Whispering Lane	50 feet
North Side Yard Setback – Future 90 units	40 feet
South Side Yard Setback - Church	18.5 feet
Rear Yard Setback – Summit Point Townhomes	150 feet

**Access and Circulation**

Benshoof and Associates, Transportation Engineers have conducted a traffic study for the site to evaluate the impacts of the 30 unit building, 90 unit building, and potential future development on the following intersections:

- 4<sup>th</sup> Street & Whispering Lane
- Featherstone Road & Whispering Lane
- Site Access & Whispering Lane

Capacity analysis was presented in terms of Level of Service (LOS), which ranges from A to F. LOS A represents the best intersection operation, with very little delay for each vehicle using the intersection. LOS F represents the worst intersection operation with excessive delay. The study concluded that all intersections will operate a LOS of B or better under all traffic scenarios during both the a.m. and p.m. peak hours. Therefore the proposed development will not create any serious negative impacts on level of service at the subject intersections.

One entrance will be provided to Whispering Lane. The entrance drive is across from driveways and garages of existing homes on Whispering Lane to reduce vehicle headlight impact.

**Parking**

The site meets minimum parking requirements. Parking is provided as follows:

Site	Required Spaces	Proposed Spaces
30 Condo Units	60 (2 spaces per unit)	81 Total Spaces 35 Underground Spaces 46 Surface Parking Spaces

The applicant may want to consider a reduction in the number of parking spaces. All parking areas must be constructed of bituminous surfacing and concrete curb and gutter. The applicant agreed to reduce the number of surface parking spaces at the Planning Commission Meeting.

**Parking Lot Setback**

The Parking lot meets minimum setback requirements.

**Pedestrian Access**

No new sidewalks or trails are proposed.

**Architectural Elevations**

Architectural elevations incorporate approximately 50 percent face brick, and 50 percent siding. The building incorporates decks and other building projects to break up the façade. The building has a pitched roof with asphalt shingles. The following additional information is needed:

- 1) **Siding material must be identified.**
- 2) **Rock face block must be used along the lower elevations instead of poured concrete walls.**
- 3) **Colored elevations and complete list of building materials must be included with drawings prior to City Council Review.**

### **Waste Disposal**

A waste disposal room has been identified in the underground parking garage. Any exterior dumpsters must be housed in a waste enclosure building, surrounded on all four sides with a secure gate.

### **Landscape Plan**

The Landscape plan provides for a variety of plantings adjacent to building and throughout the site. Planting beds have been incorporated into the building design. The following additions are needed to comply with minimum requirements:

- 1) **Shrub plantings must be incorporated between the parking lot drive aisle and the north property line. Shrubs should be located adjacent to the proposed trees.**
- 2) **Boulevard Trees must be planted every 50 feet within the Whispering Lane right-of-way. Trees must be deciduous and 2.0 caliper inches in size at planting.**
- 3) **Coniferous plantings must be at least 6 feet high at planting, further coniferous plantings must be established at the west end of the parking lot.**
- 4) **Additional plantings must be added to shield headlights from the driveway to the garage.**
- 5) **All landscaped areas must be irrigated.**

### **Lighting Plan**

A photometric lighting plan has been submitted. Lighting levels at the perimeter of the site are acceptable. All lighting must be downcast and shielded towards parking areas

### **Signage**

Signage is not proposed. One monument sign not to exceed 50 square feet is allowed under the zoning district, subject to sign permit approval.

### **Grading, Drainage, Erosion Control, and Utility Plans**

The Grading, Drainage, Erosion Control, and Utility Plans have been forwarded to BDM Engineering for review and comment. Review comments must be adequately addressed before the plan is scheduled for final review by the City Council. Grading, Drainage, and Erosion Control plan and Utility plan approval must be obtained by the Public Works Director as a condition of approval.

The following issues must be resolved prior to City Council review:

- 1) **Further information is needed on off-site drainage and rates onto the property.**
- 2) **A connection between the southeast holding pond and Whispering Lane storm sewer is needed.**
- 3) **Easement is needed to grade on property to the north.**

### **Environmental Assessment Worksheet (EAW)**

Approvals for the site in 1986 triggered a mandatory EAW to assess environmental impacts. The City Council reviewed the EAW and determined that the project would cause no significant impacts, and did not warrant a more comprehensive Environmental Impact Statement (EIS) to be completed. The EAW required creation and adherence to an erosion control plan (now required by all developments). The applicant shall adhere to the EAW in construction of the site.

### **OUTSTANDING INFORMATION**

**The following must be addressed prior to review by the City Council:**

- 1) Satisfaction of the following comments from the City's consultant engineer, BDM:
  - a. Further information is needed on off-site drainage and rates onto the property.
  - b. A connection between the southeast holding pond and Whispering Lane storm sewer is needed.
  - c. Easement is needed to grade on property to the north.
- 2) Siding material must be identified.
- 3) Rock face block must be used along the lower elevations instead of poured concrete walls.
- 4) Colored elevations and complete list of building materials must be included with drawings prior to City Council Review.



**HASTINGS CITY COUNCIL**

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HASTINGS  
APPROVING THE SITE PLAN FOR JON WESLEY INVESTMENTS, INC FOR A 30  
UNIT CONDOMINIUM BUILDING LOCATED ON LOT 1, BLOCK 1, WILLIAMS  
FIRST ADDITION, HASTINGS, MINNESOTA**

Council member \_\_\_\_\_ introduced the following Resolution and moved its adoption:

**WHEREAS**, Jon Wesley Investments, Inc., owner of property located along the west side of Whispering Lane have requested approval to construct a 3 story, 30 unit condominium building on property legally described as Lot 1, Block 1, WILLIAMS FIRST ADDITION, Dakota County, Minnesota; and

**WHEREAS**, on July 14, 2003, review was conducted before the Planning Commission of the City of Hastings, as required by state law, city charter and city ordinance; and

**WHEREAS**, the Planning Commission recommended approval of the Site Plan subject to the conditions contained herein.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE  
CITY OF HASTINGS AS FOLLOWS:**

The City Council hereby approves the site plan request of Jon Wesley Investments, Inc. to construct a 30 unit condominium building subject to the following conditions:

- 1) Adherence to the Site Plan, Landscape Plan, and Architectural Elevations as presented to the City Council.
- 2) The applicant shall reimburse the city for all costs associated with the Benshoof and Associates Traffic Study prior to issuance of a building permit.

- 3) Adherence to the provisions of the 1986 Williams 1<sup>st</sup> Addition Environmental Assessment Worksheet.
- 4) All disturbed areas on this property shall be stabilized with rooting vegetative cover to eliminate erosion problems.
- 5) The disturbed areas of the site shall be maintained to the requirements of the City's property maintenance ordinance.
- 6) Final approval of the development grading and utility plans by the City of Hastings. The applicant shall be liable for any costs involved in consultant review of the plans.
- 7) All rooftop equipment shall be screened by a parapet wall.
- 8) Any waste enclosure areas shall be constructed with materials matching the primary building.
- 9) All parking and drive aisle areas shall be constructed to city standards including concrete curb and bituminous surfacing.
- 10) Siding material and color must be identified.
- 11) Rock face block must be used along the lower elevations instead of poured concrete walls.
- 12) Colored elevations and complete list of building materials must be included with drawings prior to City Council Review.
- 13) Shrub plantings must be incorporated between the parking lot drive aisle and the north property line. Shrubs should be located adjacent to the proposed trees.
- 14) Boulevard Trees must be planted every 50 feet within the Whispering Lane right-of-way. Trees must be deciduous and 2.0 caliper inches in size at planting.
- 15) Coniferous plantings must be at least 6 feet high at planting, further coniferous plantings must be established at the west end of the parking lot.
- 16) Additional plantings must be added to shield headlights along the driveway entrance to the garage.
- 17) All landscaped areas must be irrigated.
- 18) All parking lot lighting must be downcast and shielded towards the parking lot to reduce impact on surrounding properties.

- 19) Any monument signs shall be architecturally consistent with the buildings on site and incorporate similar materials into their construction.
- 20) Any uncompleted site work (including landscaping) must be escrowed at 125 percent of the estimated value prior to issuance of a certificate of occupancy.
- 21) Submission of an electronic copy of all plan sets (TIF, PDF, or similar format) prior to issuance of certificate of occupancy.
- 22) Approval is subject to a one year Sunset Clause; if significant progress is not made towards construction of the proposal within one year of City Council approval, the approval is null and void

Council member \_\_\_\_\_ moved a second to this resolution and upon being put to a vote adopted by \_\_\_\_\_ present.

Ayes: \_\_\_\_\_  
Nays: \_\_\_\_\_  
Absent: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Michael D. Werner, Mayor

\_\_\_\_\_  
Melanie Mesko Lee  
Administrative Assistant/City Clerk

I HEREBY CERTIFY that the above is a true and correct copy of resolution presented to and adopted by the City of Hastings, County of Dakota, Minnesota, on the 21<sup>st</sup> day of July, 2003, as disclosed by the records of the City of Hastings on file and of record in the office.

\_\_\_\_\_  
Melanie Mesko Lee  
Administrative Assistant/City Clerk

(SEAL)

This instrument drafted by:  
City of Hastings (JWH)  
101 4th St. East  
Hastings, MN 55033

# HASTINGS PLANNING COMMISSION

July 14, 2003  
Regular Meeting  
7:00 pm

Chairman Anderson called the meeting to order at 7:04 pm.

## 1. Roll Call

**Commissioners Present:** Anderson, Greil, Hollenbeck, Schmitt, and Truax. Commissioner Twedt arrived at 7:16 pm.

**Commissioners Absent:** Alongi.

**Staff Present:** Planning Director John Hinzman, Associate Planner Kris Jenson.

## 2. Approve June 23, 2003 Planning Commission Minutes

**Motion by Commissioner Truax, second by Hollenbeck to approve the minutes of the June 23, 2003 Planning Commission as presented by staff. Motion passed unanimously.**

## 3. Jon Wesley Investments – Site Plan #2003-44 – 30 unit condominium building – Lot 1, Block 1, Williams Addition (Whispering Lane).

Director Hinzman presented background information on the request.

Chairman Anderson opened the public hearing at 7:14 pm.

John Siebenaler, 256 Summit Point Drive, asked for clarification on the zoning and how site could have 15 units per acre.

Cheryl Crosby, 235 Summit Point Drive, asked about the marketing of the units and whether the Planning Commission has the right to determine rental versus owner.

John Whitcomb, owner of Jon Wesley Investments and applicant, stated that he prefers to keep his options open at this time, but anticipates that the project will end up as condo units.

Commissioner Twedt asked what the custom practices were for bylaws on multi-owner sites.

Director Hinzman stated that association/covenant documents are generally private agreements. The City reviews the documents when maintenance of private roads, land, and/or utilities will be occurring, to ensure proper maintenance.

Rose Tapella, 120 1<sup>st</sup> Place, inquired when the traffic study was done, as she feels the findings would differ greatly between the school year and summer months.

Director Hinzman stated that he believed the study was done after school was out for the summer, but traffic numbers collected by the City when school was in session were also used.

Larry Christianson, 275 Whispering Lane, stated that this was a bad idea for a small neighborhood, and that things have really changed since 1986. Homeowners in the area are settled and transitory housing is inappropriate. Mr. Christianson's concerns with the site are that the building will tower over the neighborhood, that the parking lot should be reduced, and that the landscape plan should include more trees and shrubs. He asked that lighting on the site be directed downward. Mr. Christianson also asked if the lot to the north could be rezoned.

Director Hinzman stated that in order to rezone the property there would need to be a joint agreement between the property owner and the City Council.

Val Jarchow, 247 Summit Point Drive, asked the Commissioners if they have visited the site.

Commissioner Truax responded that he visited the site at 9:30 that morning.

Jim Weber, 315 Summit Point Court, asked what guarantees there would be that the units in the building wouldn't be rental.

Director Hinzman stated that the City cannot dictate ownership status.

Rod Risch, 305 Whispering Lane, questioned the potential height of the structures illustrated in Plan 'B'.

Mr. Wesley stated that townhomes shown on the alternate plan would most likely be three stories, with a garage/storage area on the main floor, living room/kitchen on second floor, and bedrooms on the third floor. He feels the plan creates an excessive amount of impervious surface and places tall units much closer to Summit Point units.

Mr. Risch stated that some departures from the 1986 agreement have happened – the lots across the street from the proposed condo building were originally slated as twinhomes and built as single family. Also, in 1986, the Summit Point development wasn't conceived of, and that this set up is the first time in the City of Hastings that a large scale development is located directly across the street from single family homes and exiting to the same roadway. He also inquired about the requirement of an association and bylaws.

Director Hinzman stated that in similar circumstances the City has not required an association.

Mike Balk, 325 Whispering Lane, questioned where pedestrian traffic would go.

Director Hinzman stated that sidewalks/trails are generally added during initial development or street reconstruction projects.

Mr. Balk asked who then would be responsible for the cost of installing the sidewalk/trail.

Director Hinzman stated the cost is assessed back to the property owners. The Public Works Dept. holds neighborhood meetings to discuss the proposed projects and review proposed costs.

Claudia Balk, 325 Whispering Lane, questioned the steepness of the property and the ability of emergency vehicles to enter the site.

Director Hinzman stated that the Fire Marshall had reviewed the plans and had not commented on issues of grade at the site.

Mr. Siebenaler stated that the Planning Commission and City Council go along with the agreement of 1986, and that the only way to change that agreement is by mutual agreement of both parties.

John Swanson, 1350 Featherstone Road, asked how the agreement could be modified and what the process would be.

Director Hinzman stated that there was no formal process, If both parties agree to amend the agreement, it can be done.

Mr. Swanson asked if the Planning Commission would consider this, as so much has changed in the area since 1986.

Director Hinzman stated that the Planning Commission could choose to recommend that, and ultimately the City Council would decide.

Jan Weber, 315 Summit Point Court, expressed concern that no traffic counts have been done on Featherstone Road, and she stated that with General Sieben Drive opening to County Road 46 within the year, she is afraid that Featherstone Road will become a thoroughfare for people wishing to bypass Hwy 55 and 61.

Mary DeBoe, 1458 Featherstone Road, stated that she looked at the land where her home sits in 1990, designed the house, and then all this development happened – High School, Wal-Mart, etc. In the early morning hours school kids and school busses are whizzing past her home, and she feels that this development will only add to the traffic issues in the area. She stated that the Police Dept has been very good about using speed awareness measures in the area, but that she didn't count on the heavy traffic on Featherstone Road.

Mr. Christianson stated that he prefers the townhomes to the condo building. He felt that the site could be reduced to 16 units, that townhomes are less likely to be rental, and that the site would still meet the spirit of the agreement.

Jeff Kelly, 3025 Highview Knoll, agreed with previous speakers that the traffic on Featherstone Road is bad. He asked if the development agreement included an expiration date.

Director Hinzman stated it did not.

Mr. Kelly then asked if the original owners are involved.

Director Hinzman stated he did not believe they were, but that the agreement runs with the land, not the owners.

Mr. Kelly asked for an explanation of why so many units are allowed at the site.

Director Hinzman explained the PRD concept and the overall density of the site.

Mr. Kelly stated that it didn't seem like the neighboring property owners wanted the development, and felt the Planning Commission and City Council should back out of the agreement.

Director Hinzman stated that it is a contract and is binding.

Hearing no further comment, Chairman Anderson closed the public hearing at 8:08.

Commissioner Greil if there was any mention of owner occupied versus rental housing in the original agreement.

Director Hinzman stated that he would have to double check for any specific language.

Commissioner Greil stated that this area does not have any sidewalk connections to the park, but that he would like to see one on the west side of the street to accommodate pedestrian traffic.

Director Hinzman stated that while the sidewalk could be added, it wouldn't connect to anything at this time. Some areas have taken park dedication fees for and applied them towards trail/sidewalk connections.

Commissioner Truax stated that a copy of the plan states apartments in the area. He also assumed that Mr. Whitcomb purchased the property because of the development potential. He understands the issues that the neighborhood is raising, but is unsure whether the Planning Commission can say no.

Chairman Anderson stated that he feels the landscaping plan is thin, especially along Whispering Lane. He doesn't feel that the townhome plan is any better, as the site would still have 3 story buildings, but spread out over the site. Would agree that the parking area could be smaller, but would like to see a condition that additional space be added should a need be determined. He asked Mr. Whitcomb to describe the detention areas.

Mr. Whitcomb stated that the grading plan had been reviewed extensively, and that there are two pond areas, one in the southwest corner and another in the southeast corner, with any overflow going to Whispering Lane. All water from the site is held on the site, as well as water from other areas that drain to this area. He also added that the ponds are designed to hold water and allow it to percolate into the soil in the short term.

Chairman Anderson added that he still wants to see the landscape plan beefed up, especially to block any headlights as vehicles exit the underground parking structure.

Commissioner Twedt expressed his agreement, and asked if a berm in that location would be helpful as well.

Mr. Whitcomb stated that berms will affect the rate of flow of stormwater on the site, and that he would prefer to use plantings to block the lights.

#### **Planning Commission Action:**

**Commissioner Twedt moved and Commissioner Truax seconded a motion to recommend Approval of the site plan for a 30 unit building at Lot 1, Block 1, Williams Addition to the City Council, based on the following:**

Approval of the Site Plan is recommended subject to the following:

- 1) Adherence to the attached Site Plan, Landscape Plan, and Architectural Elevations.

- 2) The applicant shall reimburse the city for all costs associated with the Benshoof and Associates Traffic Study prior to issuance of a building permit.
- 3) Adherence to the provisions of the 1986 Williams 1<sup>st</sup> Addition Environmental Assessment Worksheet.
- 4) All disturbed areas on this property shall be stabilized with rooting vegetative cover to eliminate erosion problems.
- 5) The disturbed areas of the site shall be maintained to the requirements of the City's property maintenance ordinance.
- 6) Final approval of the development grading and utility plans by the City of Hastings. The applicant shall be liable for any costs involved in consultant review of the plans.
- 7) All rooftop equipment shall be screened by a parapet wall.
- 8) Any waste enclosure areas shall be constructed with materials matching the primary building.
- 9) All parking and drive aisle areas shall be constructed to city standards including concrete curb and bituminous surfacing.
- 10) Siding material must be identified.
- 11) Rock face block must be used along the lower elevations instead of poured concrete walls.
- 12) Colored elevations and complete list of building materials must be included with drawings prior to City Council Review.
- 13) Shrub plantings must be incorporated between the parking lot drive aisle and the north property line. Shrubs should be located adjacent to the proposed trees.
- 14) Boulevard Trees must be planted every 50 feet within the Whispering Lane right-of-way. Trees must be deciduous and 2.0 caliper inches in size at planting.
- 15) Coniferous plantings must be at least 6 feet high at planting, further coniferous plantings must be established at the west end of the parking lot.
- 16) Additional plantings must be added to shield headlights from the driveway to the garage.
- 17) All landscaped areas must be irrigated.
- 18) All parking lot lighting must be downcast and shielded towards the parking lot to reduce impact on surrounding properties.
- 19) Any monument signs shall be architecturally consistent with the buildings on site and incorporate similar materials into their construction.
- 20) Any uncompleted site work (including landscaping) must be escrowed at 125 percent of the estimated value prior to issuance of a certificate of occupancy.



- 21) Submission of an electronic copy of all plan sets (TIF, PDF, or similar format) prior to issuance of certificate of occupancy.
- 22) Approval is subject to a one year Sunset Clause; if significant progress is not made towards construction of the proposal within one year of City Council approval, the approval is null and void

Upon vote taken: Ayes: 6, Nays: 0. Motion passed.

4. **Greg Jablonske** – South Oaks 2<sup>nd</sup> Addition – Century Drive and 31<sup>st</sup> Street.
  - a) Preliminary & Final Plat #2003-41 to subdivide single and multiple-family units.
  - b) Special Use Permit #2003-49 – Floodplain Use Permit to place fill on lots along Bohlken Drive.

Director Hinzman provided background information on both items.

Chairman Anderson opened the public hearing at 8:28 pm.

Jeff Kelly, 3025 Highview Knoll asked if the street improvements were planned for this year, whether this are was within a watershed area, what FEMA's requirements were, how deep the boulevard is along 31<sup>st</sup> Street, If the sidewalk is in the easement, and whether the applicant will be filling in a pond.

Director Hinzman stated that no traffic studies have been done, but that both 31<sup>st</sup> Street and 36<sup>th</sup> Street are identified as necessary connections in the road system. He added that the existing flood area is identified on FEMA maps, and that certification to FEMA of the change in flood area may be necessary prior to home construction on those lots. He added that the proposed sidewalk is 5' wide, a trail would be 8'-10' wide, and that the applicant is creating storage space to make up for the filling.

Joe Bocce, 3558 Greten Lane, stated that he was concerned about the land trade and felt that the City could be getting a greater value for the land. He also feels the City is grossly underestimating the traffic on 31<sup>st</sup> Street. He suggested that the City develop the street as a parkway to reduce speeds, as it will become a shortcut for casino traffic. He added that the park in Century South is inadequate, with children waiting to get on the play equipment, and that there is a problem with poor behavior of unsupervised children from the lower priced homes. He also asked if the Planning Commission can regulate aesthetic issues.

Chairman Anderson responded that to a point the City can review and comment on aesthetic issues.

Mr. Bocce asked what the units along Olson Drive would look like and what their price point would be.

Greg Jablonske, applicant, stated that the units along Olson Drive would be in the \$165,000 price range, and that it was a new product, and not like the units currently being constructed by MW Johnson along 35<sup>th</sup> Street.

Matt Schuster, future Olson Drive resident, expressed concern that the lots were being split, and questioned why there were no parks in the South Oaks area.

Mr. Jablonske stated that the units would probably be a split level style, and that the City chose to accept cash in lieu of land for the South Oaks Development.

**Planning Commission Action:**

**Commissioner Twedt moved and Commissioner Alongi seconded a motion to table the ordinance amendment until the July 14, 2003 meeting to allow Staff to revise the proposed language to encompass all neighborhood commercial requests.**

Upon vote taken: Ayes: 6, Nays: 0. Motion passed.

**5. Other Business**

**Adjournment**

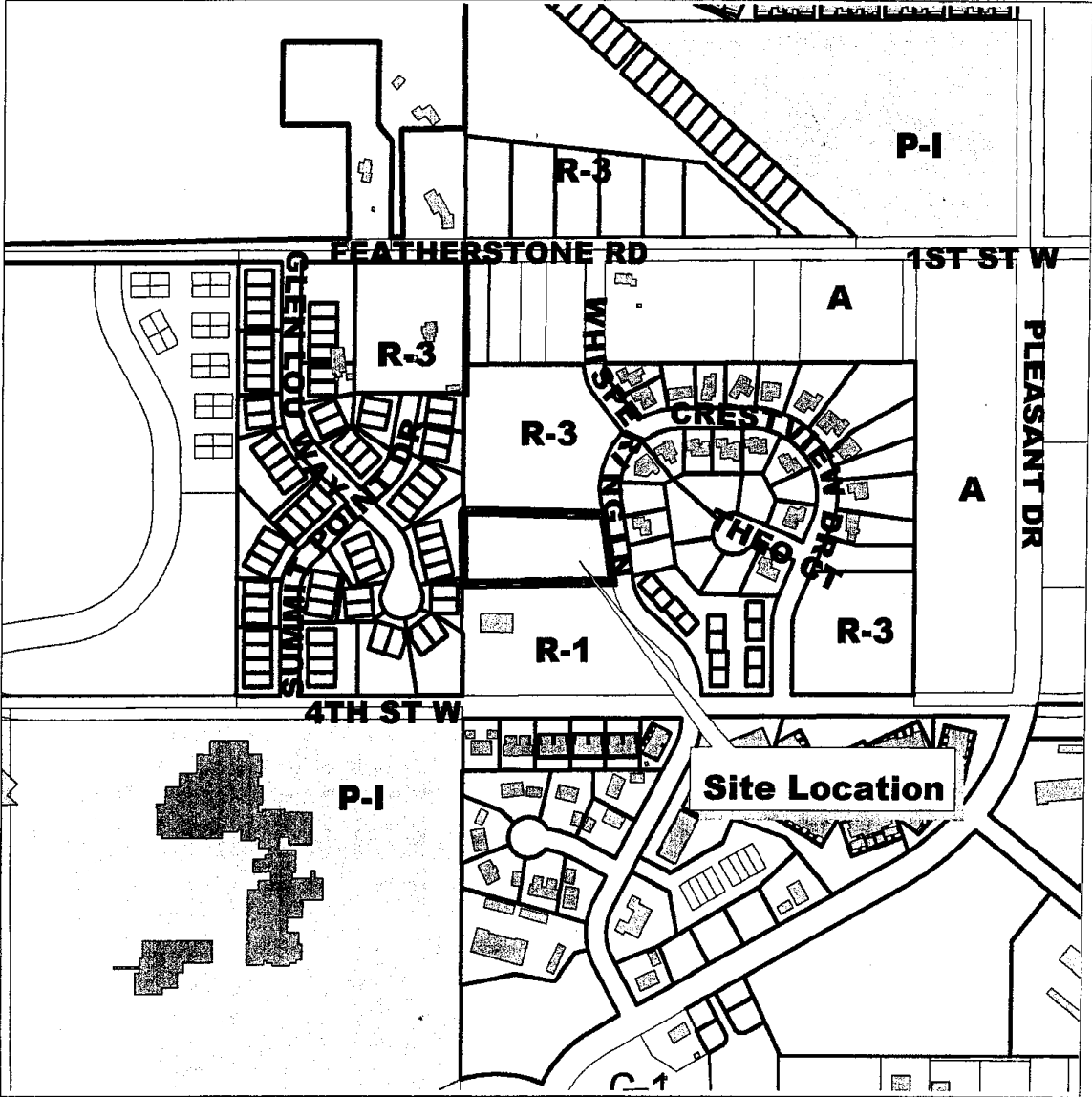
With no further business, the meeting was adjourned at 7:51 pm.

Respectfully submitted,

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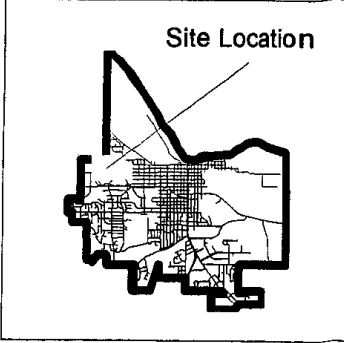
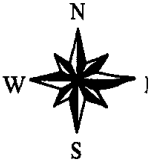
Kristine Jenson  
Recording Secretary

# Williams 1st Add Lot 1, Block 1



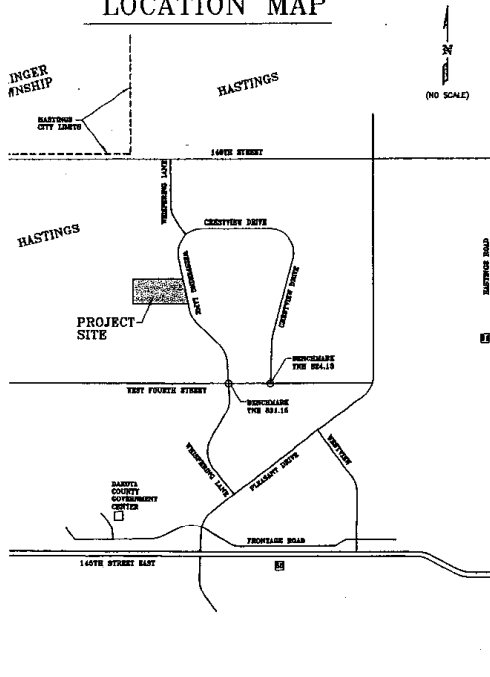
**Legend**

City Limits	R-5
Water	R-6
City Parcels	COMMERCIAL
Township Parcels	C-1
<b>Zoning</b>	C-2
<b>NATURAL RESOURCES</b>	C-3
A	C-4
F-W	I-1
WAT	I-2
<b>RESIDENTIAL</b>	OTHER
R-1	P-1
R-2	ROW
R-3	
R-4	



# SITE PLANS 30 UNIT APARTMENT FOR WESLEY INVESTMENTS HASTINGS, MINNESOTA

## LOCATION MAP



## LEGEND

	EXISTING	PROPOSED
GATE VALVE	•	•
HYDRANT	◻	◻
WATER MAIN	—	—
CURB STOP	—	—
SANITARY SEWER	SAN. SEWER	SAN. SEWER
CONTOURS	800	800
CULVERT	IE 1172.8 > 34" DIA. < IE 1174.1	> <
MANHOLE	○ IE 1148.4 ○ IE 1142.4	•
CATCH BASIN	◻ CB	•
EDGE OF ASPHALT	—	—
GRAVEL SHOULDER	—	—
CURB & GUTTER	—	—
SPOT ELEVATIONS	X 1142.2	X 1142.2
STREET LIGHT	L.P.	Ⓜ
POWER POLE	P.P.	
TELEPHONE LINE	—	—
GAS LINE	—	—
ELECTRIC LINE	—	—
PROPERTY LINE	—	—
FENCE	—	—
SILT FENCE	—	—
EDGE OF BRUSH	—	—
TREES	⊗	⊗
BUILDINGS	⊞	⊞

## INDEX OF SHEETS

- 1 TITLE, LOCATION AND INDEX
- 2 DIMENSION, PAVING AND UTILITIES PLAN
- 3 GRADING, DRAINAGE AND EROSION CONTROL PLAN
- 4 LANDSCAPE PLAN
- 5 LIGHTING PLAN
- 6 DETAILS

DRAWN BY: [REDACTED] REVISIONS: [REDACTED]  
 CHECKED BY: [REDACTED] DATE: 4/20/03  
 PROJECT NO.: 5030 DATE: 6/23/03  
 SHEET NO.: 6 OF 6  
 SHEET DESCRIPTION: 30 UNIT APARTMENT HASTINGS, MINNESOTA  
 1850 LYONSSTONE BLVD  
 ST. LOUIS, MISSOURI 63108  
 (618) 348-8075 (714) 348-8444  
 FAX: (314) 348-8779  
 STEVENS ENGINEERS

SUMMIT, PC

31

37

33

250' RADIUS AROUND HYDRANT

LOT 2, BLOCK 1, WILLIAMS FIRST ADDITION  
S89°53'51"W  
407.65

PROPOSED BUILDING  
FFE=880.0  
GFE=870.0

MACHER 3RD ADDITION  
439.65  
N89°53'51"E

STORM MH  
RIM=871.74(P)  
INV.=867.35(P)

SAN MH  
RIM=869.32(P)  
INV.=859.40(P)

WHISPERING LANE

CATCH BASIN  
RIM=851.00(P)  
INV.=845.60(P)

SAN MH  
RIM=850.55(P)  
INV.=839.70(P)

STORM MH  
RIM=850.10(P)  
INV.=845.27(P)

NOTES:

1. CONTRACTOR SHALL VERIFY ALL UTILITIES FOR LOCATIONS, SIZES, DEPTHS AND TYPE OF PIPE. (OWNER STATE ONE CALL 1-800-233-1144)
2. CONTRACTOR SHALL NOTIFY THE UTILITY COMPANIES AND CITY OF HASTINGS PRIOR TO COMMENCING WORK AND SHALL BE RESPONSIBLE FOR THE PROTECTION OF PUBLIC AND PRIVATE UTILITIES DURING CONSTRUCTION.
3. CONTRACTOR SHALL BE RESPONSIBLE FOR ARRANGING ALL REQUIRED INSPECTIONS WITH THE GOVERNING AUTHORITY WHO HAS JURISDICTION OVER THE WORK TO BE PERFORMED AND ACCORDING SCHEDULES.
4. UNLESS OTHERWISE SPECIFIED WATER SERVICE SHALL BE 7.5 FEET MINIMUM BELOW EXISTING OR PROPOSED FINISHED GRADES.
5. ALL CONSTRUCTION SHALL CONFORM TO THE CITY OF HASTINGS PUBLIC WORKS DEPARTMENT TECHNICAL SPECIFICATIONS AND STANDARD DETAIL PLANS.
6. CONTRACTOR SHALL SAVE TREES WHENEVER POSSIBLE.
7. ALL EXISTING TOPOGRAPHY AND SURVEY INFORMATION WAS SUPPLIED BY CORNERSTONE LAND SURVEYING, INC. LOCATED IN STILLWATER, MINNESOTA.
8. DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.

TOTAL SITE AREA: 2.00 AC  
PERVIOUS AREA: 1.21 AC  
IMPERVIOUS AREA: 0.79 AC

BENCHMARKS:

1. INTERSECTION OF WHISPERING LANE AND WEST FOURTH STREET TBM 83115
2. INTERSECTION OF CRESTVIEW DRIVE AND WEST FOURTH STREET TBM 82413

REVISIONS  
DATE BY  
CHANGES PER CITY & OWNER  
DATE BY  
CHANGES PER CITY & OWNER

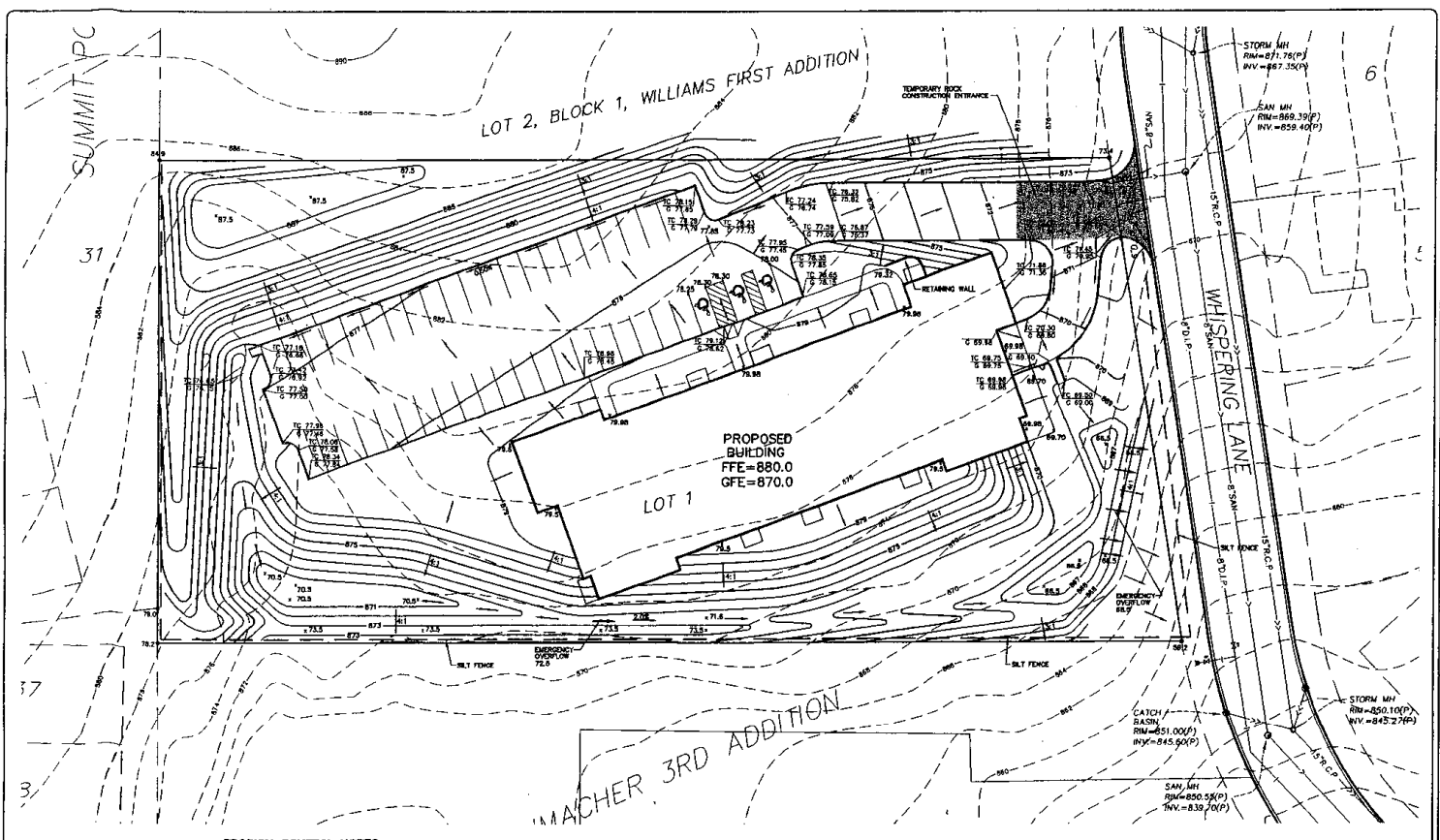
DATE BY  
CHECKED BY  
PROJECT NUMBER  
DATE

SHEET DESCRIPTION  
DIMENSION, PAVING  
AND UTILITIES PLAN  
UNIT APARTMENT  
HASTINGS, MINNESOTA

ISSUE APPROVED DATE  
WWW.STEVENS-ENGINEERS.COM  
(612)344-8875 (612)344-0418  
FAX (763)946-0479

STEVENS ENGINEERS

SHEET NO.  
2 OF 6



**EROSION CONTROL NOTES:**

UPON SATISFACTORY COMPLETION OF GRADING OPERATIONS, TOPSOIL SHALL BE SPREAD OVER ALL DISTURBED AREAS OF THE SITE WHICH ARE NOT SCHEDULED FOR PAVEMENT OR BUILDING CONSTRUCTION. TOPSOIL SHALL BE TO A DEPTH OF FOUR INCHES, SEED CONFORMING TO MINIMUM REQUIREMENTS SHALL BE PLACED AT A MINIMUM RATE OF 35 POUNDS PER ACRE. STRAW MULCH SHALL BE PLACED AT A RATE OF TWO TONS PER ACRE AND SECURED WITH JUTE OR POLYPROPYLENE NET. STRAW MULCH MAY BE SECURED BY IRON ANCHORING ON SLOPES LESS THAN 6:1. ALL THE ESTABLISHMENT SHALL BE IN ACCORDANCE WITH THE APPROPRIATE SECTIONS OF THE MINNESOTA DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR CONSTRUCTION. 1823 ERYTHRIN SOD MAY BE USED IN PLACE OF SEED AND MULCH SOD SHALL BE STAKED ON SLOPES STEEPER THAN 6:1.

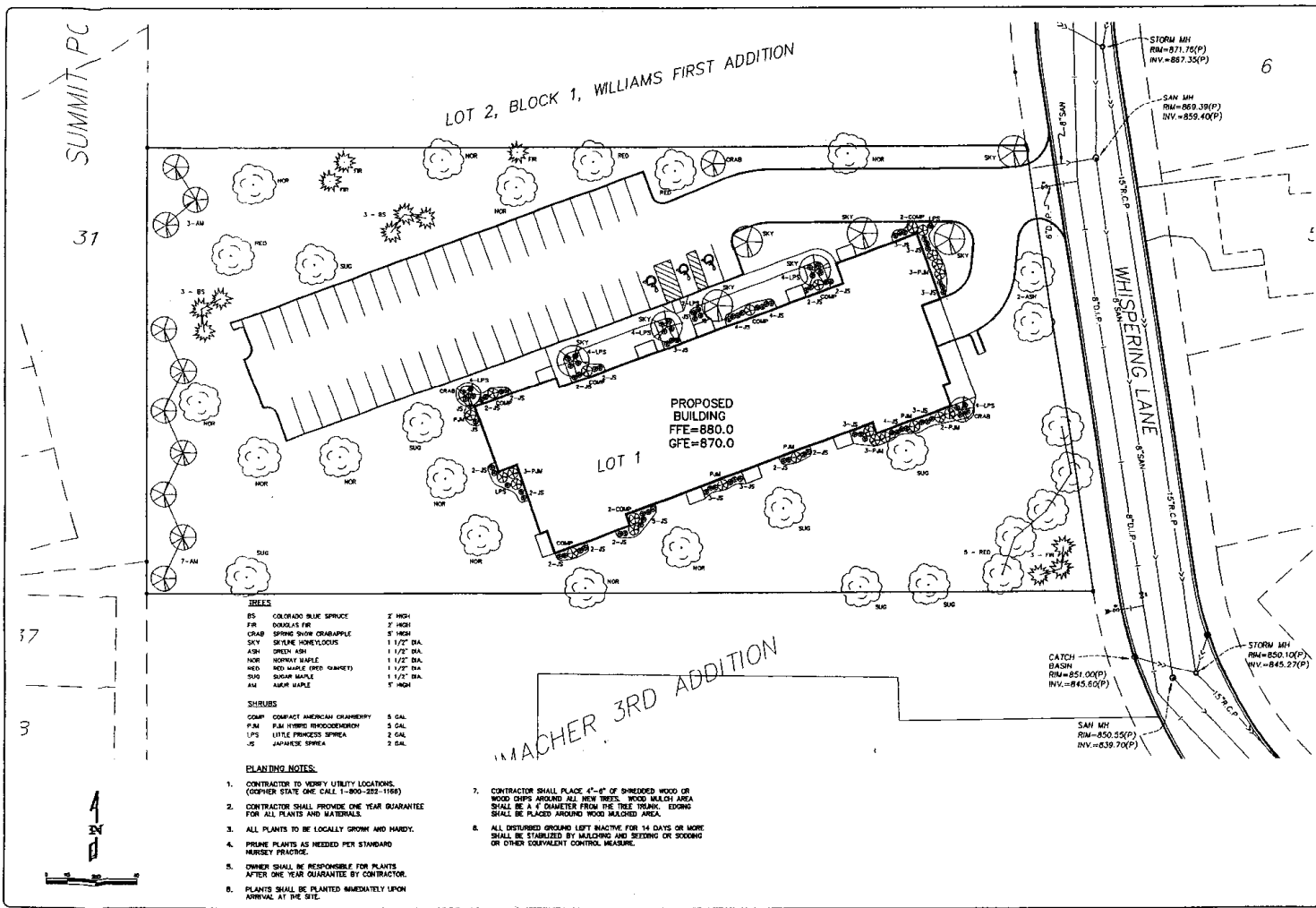
EROSION CONTROL FENCE SHALL BE INSTALLED AS SHOWN OR NOTED ON THE DRAWINGS. EROSION CONTROL FENCE SHALL BE SPANNED WITH FILTER BLANKET.  
 DROPPIN MAY BE INSTALLED ON ALL SLOPES 4:1 OR STEEPER AND IN DRAINAGE SWALES, UNLESS SLOPPED.  
 TEMPORARY ROCK CONSTRUCTION ENTRANCE SHALL BE INSTALLED IN LOCATIONS WHERE CONSTRUCTION VEHICLES WILL ENTER THE SITE.  
 THE CONTRACTOR NEEDS TO REMOVE ALL SOIL AND DEBRIS ON THE PAVEMENT AT THE END OF EACH DAY.

GRADES MAY NOT BE ADJUSTED OR CHANGED FROM THOSE APPROVED BY THE CITY WITHOUT THE EXPRESS WRITTEN APPROVAL OF THE CITY OF HASTINGS.  
 CONTRACTOR SHALL VERIFY ALL UTILITIES FOR LOCATIONS, SIZE, INVERTS AND TYPE OF PIPEL. (Gopher State One Call 1-800-252-1186)

- BENCHMARKS:**
- INTERSECTION OF WISPERING LANE AND WEST FOURTH STREET TBM 821.15
  - INTERSECTION OF CRESTVIEW DRIVE AND WEST FOURTH STREET TBM 824.11

SHEET DESCRIPTION CONSTRUCTION AND EROSION CONTROL PLAN HASTINGS, MINNESOTA	DRAWN BY CHECKED BY DATE FILE NAME	REVISIONS NO. / DATE BY DESCRIPTION
ILLINOIS PROFESSIONAL SEAL WWW.STEVENS-ENGINEERS.COM (612) 548-8075 (715) 288-8818 PROJECT NO. 16A1116-00-018	DATE 3/22/11 FILE NAME	DATE 3/22/11 FILE NAME

SHEET NO. 3 OF 6  
**STEVENS ENGINEERS**



**TREES**

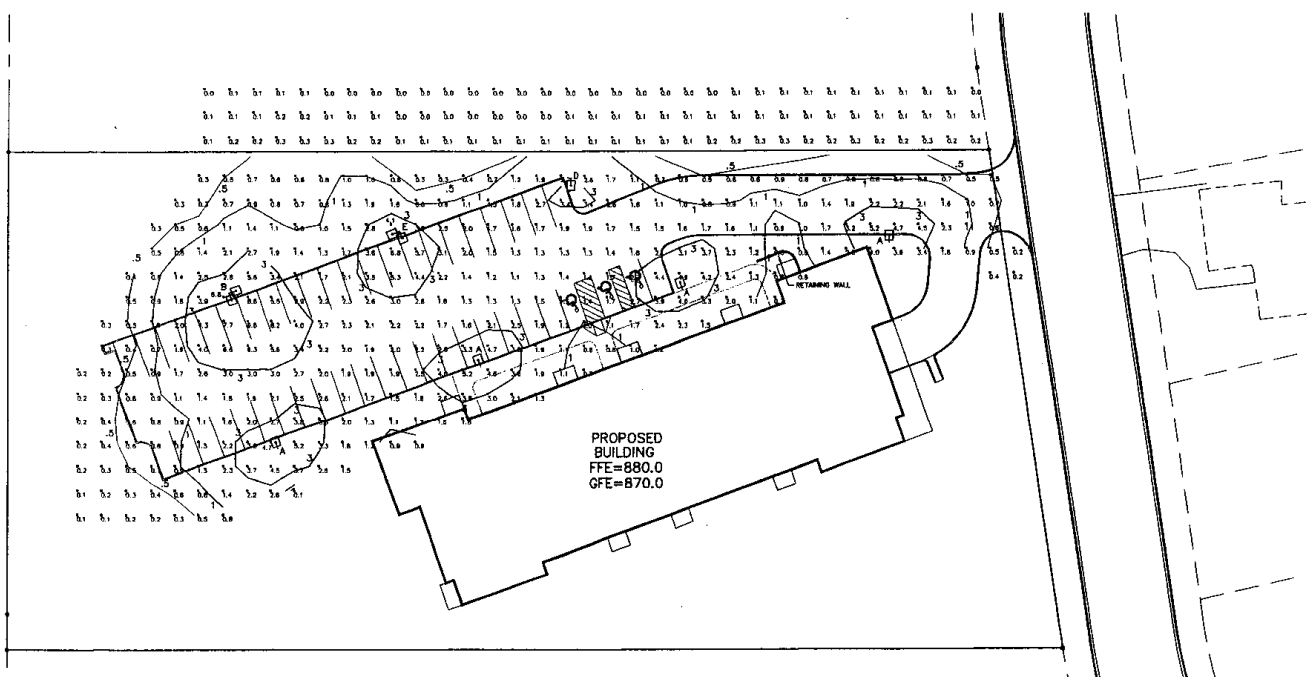
BS	COLORADO BLUE SPRUCE	2" HIGH
FR	DOUGLAS FIR	2" HIGH
CRAB	SPRING SNOW CRABAPPLE	8" HIGH
SKY	SKYLINE HONEYLOCUST	1 1/2" DIA.
ASH	GREEN ASH	1 1/2" DIA.
NOR	NORWAY MAPLE	1 1/2" DIA.
RED	RED MAPLE (RED GUARTEE)	1 1/2" DIA.
SUG	SUGAR MAPLE	1 1/2" DIA.
AN	ACER MAPLE	5" HIGH

**SHRUBS**

COMP	COMPACT AMERICAN CRANBERRY	5 GAL.
PJM	PJM HYBRID RHODODENDRON	3 GAL.
LPS	LITTLE PRINCESS SPINEA	2 GAL.
JS	JAPANESE SPINEA	2 GAL.

- PLANTING NOTES:**
- CONTRACTOR TO VERIFY UTILITY LOCATIONS. (OWNER STATE ONE CALL 1-800-368-1188)
  - CONTRACTOR SHALL PROVIDE ONE YEAR GUARANTEE FOR ALL PLANTS AND MATERIALS.
  - ALL PLANTS TO BE LOCALLY GROWN AND HARDY.
  - PRUNE PLANTS AS NEEDED PER STANDARD NURSERY PRACTICE.
  - OWNER SHALL BE RESPONSIBLE FOR PLANTS AFTER ONE YEAR GUARANTEE BY CONTRACTOR.
  - PLANTS SHALL BE PLANTED IMMEDIATELY UPON ARRIVAL AT THE SITE.
  - CONTRACTOR SHALL PLACE 4"-6" OF SHREDDED WOOD OR WOOD CHIPS AROUND ALL NEW TREES. WOOD MULCH AREA SHALL BE 4" DIAMETER FROM THE TREE TRUNK. EDGING SHALL BE PLACED AROUND WOOD MULCHED AREA.
  - ALL DISTURBED GROUND LEFT INACTIVE FOR 14 DAYS OR MORE SHALL BE STABILIZED BY MULCHING AND SEEDING OR SOILING OR OTHER EQUIVALENT CONTROL MEASURE.

REVISIONS	
NO.	DATE
1	3/20/03
DATE: 3/20/03	
DRAWN BY: [Signature]	
CHECKED BY: [Signature]	
PROJECT NO. 1103000-001	
SHEET NO. 4 OF 6	
SHEET DESCRIPTION: LANDSCAPE PLAN	
JOB UNIT APARTMENT BUILDING, MINNESOTA	
ISSUE INFORMATION: [Signature]	
DATE: 3/20/03	
PROJECT NO. 1103000-001	
SHEET NO. 4 OF 6	
STEVENS ENGINEERS	



PROPOSED BUILDING  
FFE=880.0  
GFE=870.0

Luminaire Schedule						
Project: All Projects						
Symbol	Qty	Label	Arrangement	Lumens	LF	Description
1	4	A	SINGLE	21000	0.700	Stamer Executive Exec-20-250W MH 20' pole 3' base
2	1	B	2 @ 90 DEGREES	21000	0.700	Stamer Executive Exec-20-250W MH 20' pole 3' base 2 @ 90
3	1	D	SINGLE	20000	0.700	Stamer Exec-20-250W MH HS 20' pole 3' base
4	1	E	2 @ 90 DEGREES	20000	0.700	Stamer Exec-20-250W MH HS 20' pole 3' base 2 @ 90

Luminaire Location Summary						
Project: All Projects						
Symbol	Label	X	Y	Z	Orient	TH
2	A	88	82	23	114.652	0
11	A	172.579	117.445	23	114.988	0
12	A	255.608	152.825	23	116.106	0
13	B	69.182	143.154	23	535	0
16	A	342	172	23	90	0
18	D	206.178	186.488	23	289.413	0
14	E	136	174	23	250	0

Photometric Summary						
Project: All Projects						
Label	Calc>Type	Units	Avg	Max	Min	Avg/Min
Footcandle	Footcandle	Fc	1.89	9.8	0.1	18.90
Watt	Watt	W	0.10	0.3	0.0	0.00

Statistical Area Summary					
Project: All Projects					
Label	Avg	Max	Min	Avg/Min	Max/Min
Footcandle	2.22	9.8	0.5	1.44	19.20

NOTES:  
THE LIGHTING PLAN WAS DESIGNED, PREPARED AND SUPPLIED BY LUMA SALES ASSOCIATES, 5200 12TH AVENUE EAST, SHOPLAKE, MN 55379. CONTACT PERSON IS BOB EARLY.

**Luma Sales Associates**  
Lighting and Controls  
5200 12th Avenue East  
ShoPLake, Minnesota 55379  
TEL: (952) 995-4500 FAX: (952) 995-6565

Contact Person: Bob Early  
Completion Date: 03/20/03  
Revision Date: 04/03/03

REVISIONS  
1/10/03 CHANGES PER CITY & OWNER  
2/10/03 CHANGES PER CITY & OWNER  
3/10/03 CHANGES PER CITY & OWNER

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CHECKED BY: [Signature]  
PROJECT ENGINEER: [Signature]  
DATE: 3/20/03

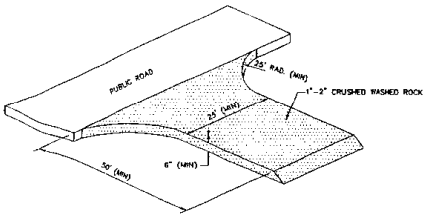
SHEET DESCRIPTION  
LIGHTING PLAN  
30 UNIT APARTMENT  
MADISON, MINNESOTA

1800 LINDENHURST ROAD  
SHOPLAKE, MINNESOTA 55379  
TEL: (952) 995-4500 FAX: (952) 995-6565

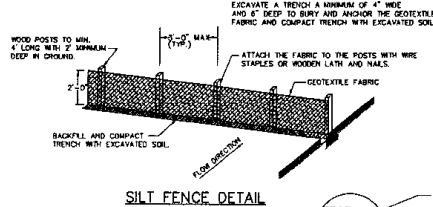
STEVENS ENGINEERS

SHEET NO. 5 OF 6

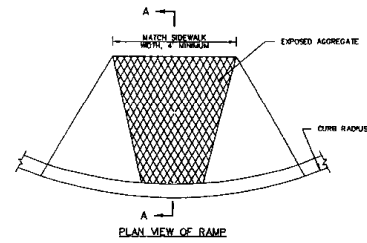




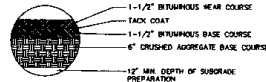
TEMPORARY ROCK CONSTRUCTION ENTRANCE



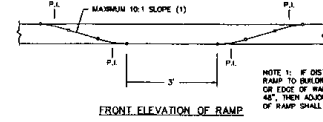
SILT FENCE DETAIL



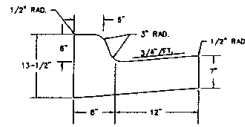
PLAN VIEW OF RAMP



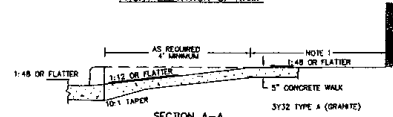
PAVEMENT



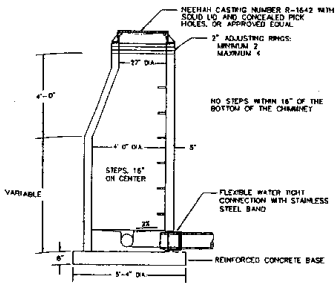
FRONT ELEVATION OF RAMP



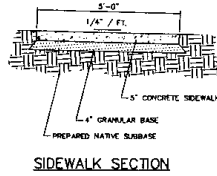
CURB AND GUTTER SECTIONS



PEDESTRIAN CURB RAMP

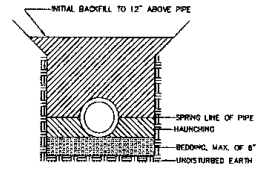


STANDARD MANHOLE DETAIL



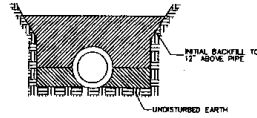
SIDEWALK SECTION

NOTE: CONTRACTOR TO EXCAVATE WELL HOLES FOR PIPE BEDDING SHALL BE UNIFORM ALONG THE LENGTH OF THE PIPE.

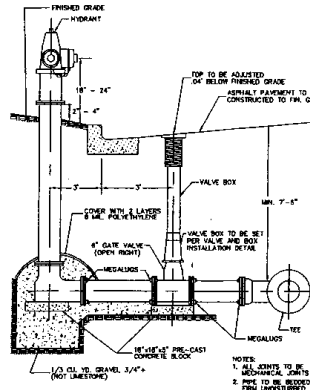


TYPICAL BEDDING OF PLASTIC PIPE (PER ASTM D-2321)

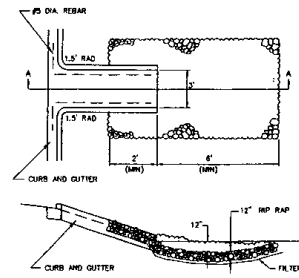
NOTE: CONTRACTOR TO EXCAVATE BELL HOLES FOR PIPE BEDDING SHALL BE UNIFORM ALONG THE LENGTH OF THE PIPE.



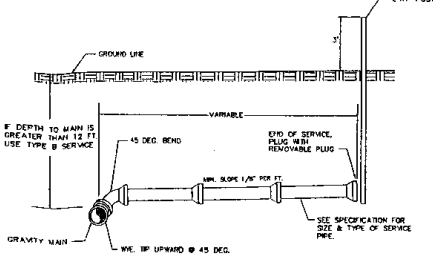
WATER MAIN BEDDING DETAIL LAYING CONDITION TYPE 2 MODIFIED



HYDRANT DETAIL W/ MEGALUGS



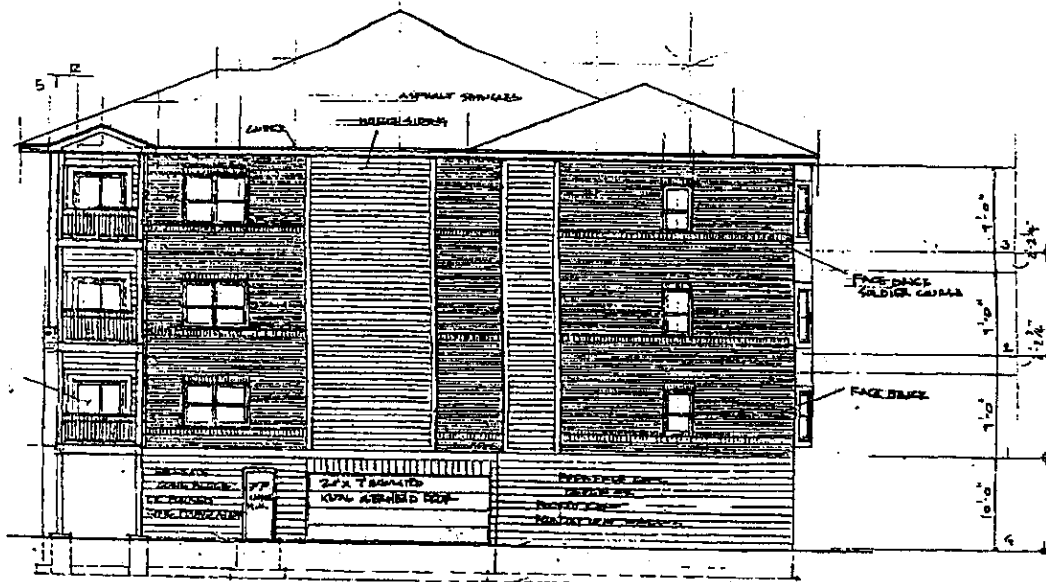
CONCRETE FLUME



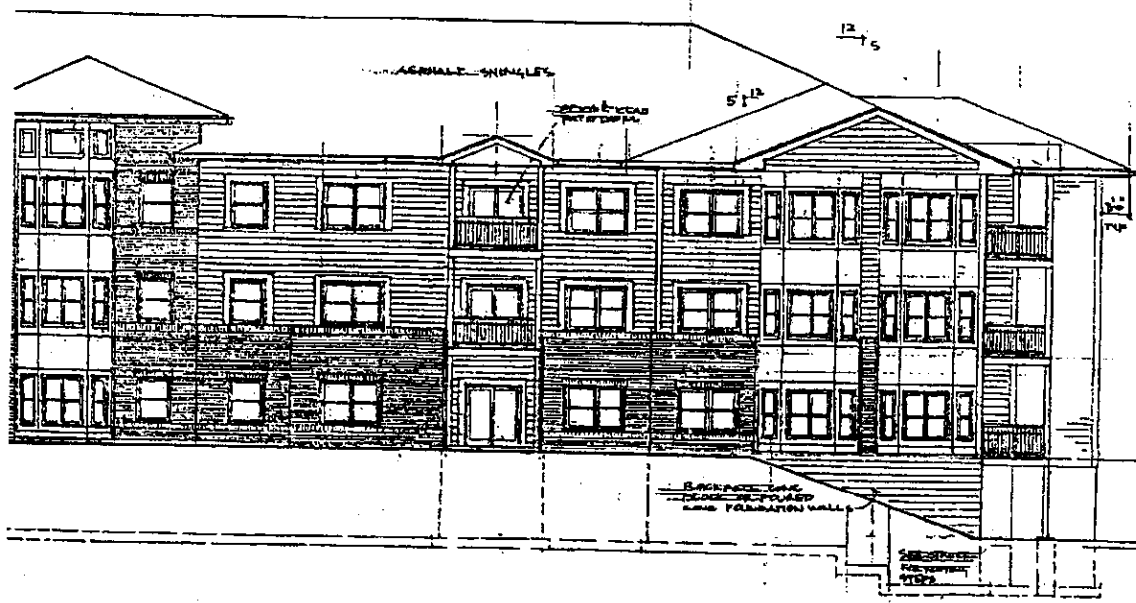
SERVICE CONNECTION TYPE A

NOTE: WHENEVER POSSIBLE END OF SERVICE TO BE AT MIN. 8 FT. DEPTH AT PROPERTY LINE OR AT BUILDING AS APPROPRIATE WHERE 8 FT DEPTH IS NOT POSSIBLE, DEPTH OF SERVICE TO BE AS DEEP AS POSSIBLE, CONSISTENT WITH THIS DETAIL.

REVISIONS	4/10/03 CHANGES PER CITY & OWNER
DATE	3/20/03
BY	JD
CHECKED BY	JD
PROJECT ENGINEER	JD
PROJECT NO.	5000
DATE	3/20/03
FILE NAME	
<p>1. VERIFY CENTER LINE THIS PLAN WAS PROVIDED AND NO OTHER DISTURBANCE OR CONSTRUCTION OF ANY KIND IS TO BE UNDERTAKEN WITHIN THE LINES OF THE STATE OF MINNESOTA.</p>	
<p>2. ALL JOINTS TO BE MECHANICAL JOINTS.</p>	
<p>3. PIPE TO BE BEDDED ON FIRM UNDISTURBED SOIL OR COMPACTED BACKFILL.</p>	
<p>4. ALL JOINTS TO BE MECHANICAL JOINTS.</p>	
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<p>100. ALL JOINTS TO BE MECHANICAL JOINTS.</p>	



1 EAST ELEVATION  
 7-2006/1/2/2007



2 SOUTH ELEVATION  
 7-2006/1/2/2007

designery, architecture  
 11000 13th Ave S, Suite 100  
 Golden, CO 80401  
 Tel: 303.440.1100  
 Fax: 303.440.1101  
 www.designery.com

EXTERIOR ELEVATIONS  
 4 PARTS: 1, 2, 3, 4

PROPOSED SOUTH APARTMENT BUILDING  
 11000 13th Ave S  
 GOLDEN, CO 80401

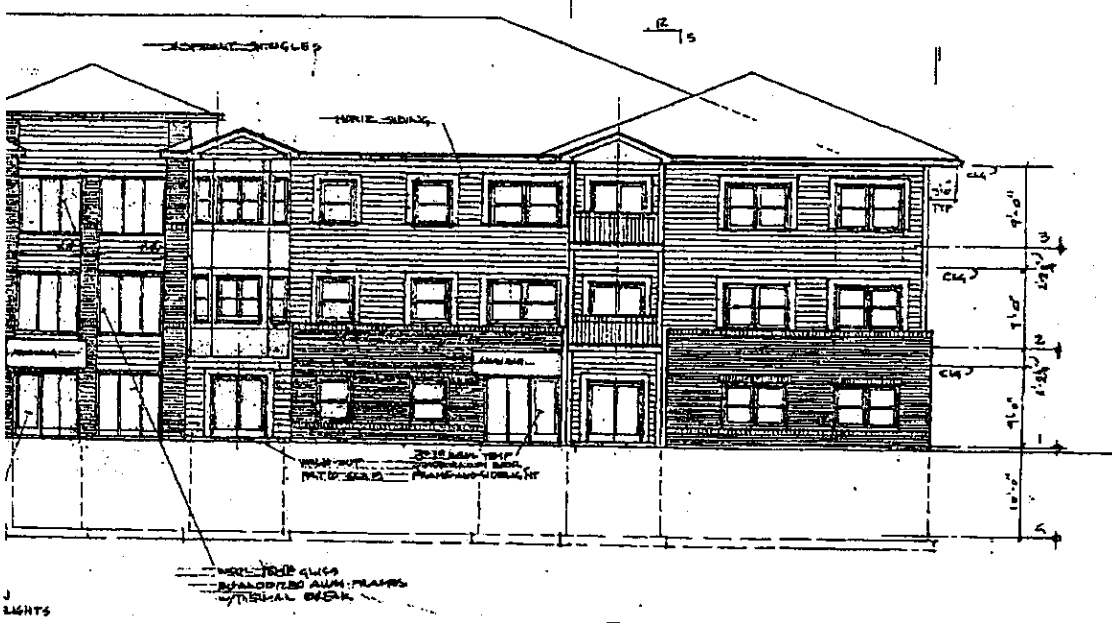
HASTING, E



U

8.0000  
8.12.0000

8.12.0000



8.12.0000

2. NORTH ELEVATION  
SCALE 1/8"=1'-0"

designary, architecture  
 15000 15th Avenue S  
 Minneapolis, MN 55425  
 Phone: 612.338.1111  
 Fax: 612.338.1112  
 Email: info@designary.com

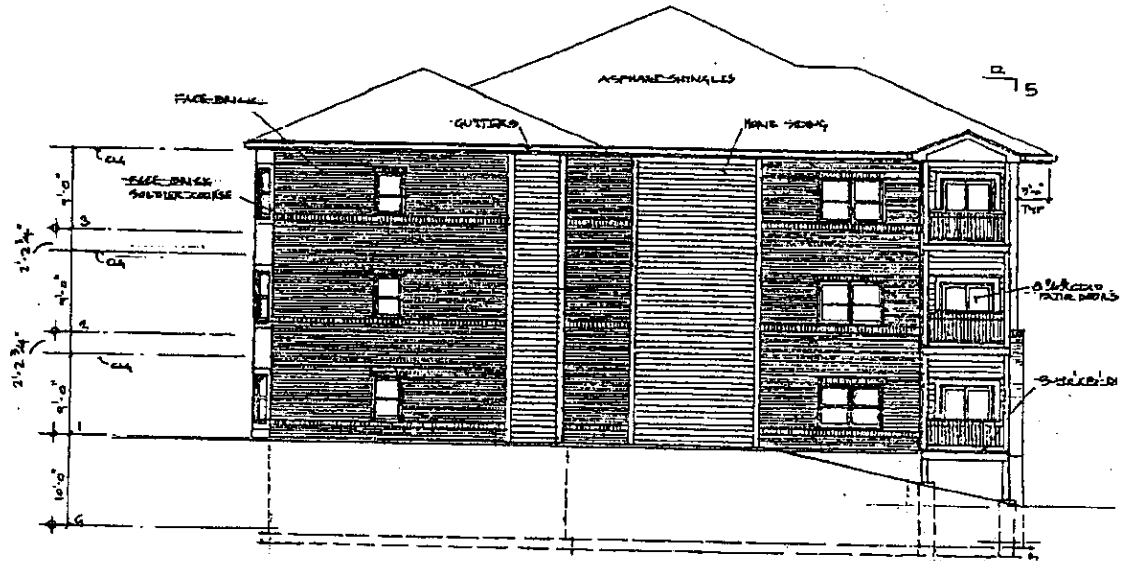
I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer in the State of Minnesota.  
 Date: 5/14/03  
 Designary, Architecture  
 License No. 10000

EXTERIOR ELEVATIONS  
 SCALE: 1/8"=1'-0"  
 MAY 21, 2003

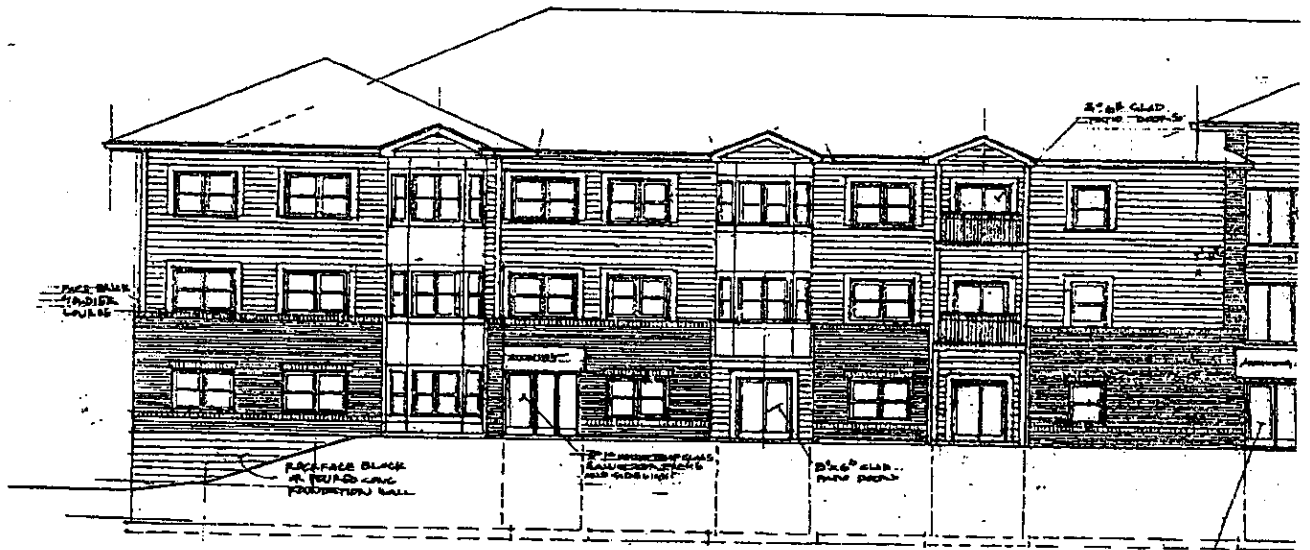
PROPOSED 30 UNIT APARTMENT BUILDING  
 WISPERING LANE  
 HASTINGS, MINNESOTA

8.12.0000

Part of P



WEST ELEVATION  
 SCALE: 1/8" = 1'-0"



RECEIVED  
JUN 11 2003

June 10, 2003

Mr. John Hinzman  
Planning Director  
City of Hastings  
101 4<sup>th</sup> Street E.  
Hastings, MN 55033

RE: Whispering Crest Villas Site Plan

Dear Mr. Hinzman,

In our neighborhood meeting it was brought up to look at a second site plan possibility. I am enclosing a version that my surveyor prepared for that purpose.

The layout enclosed shows a typical two or three-story townhouse plan, 8 units per building. Depending on who views this, there are many pros and cons.

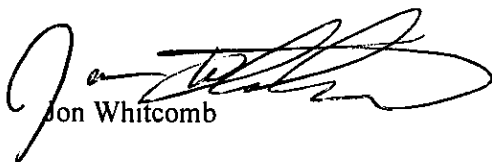
From a developer standpoint, I will give you the concerns I have with this plan.

1. This plan only provides for 24 units vs. 30 units that are approved.
2. The amount of imperviousness exceeds City standards (over 70% hard surface.)
3. There would be no on-site ponding area.
4. There would be 5 driveways accessing Whispering Lane vs. one.
5. I don't think we could meet side yard setbacks (outside patios.)
6. Emergency vehicle access to the back two buildings would be very challenging  
A potential risk to health and welfare of the residents.
7. With the existing grades for the site, it would be very difficult, if not impossible, to make the plan work.

With that input, I look forward to working with you and the Council in the approval of my site plan.

If you have any further questions, please call me at my office (651) 430-0016.

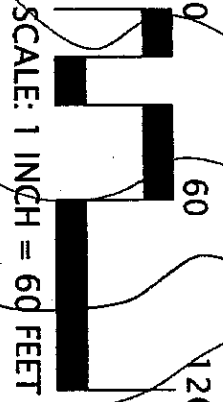
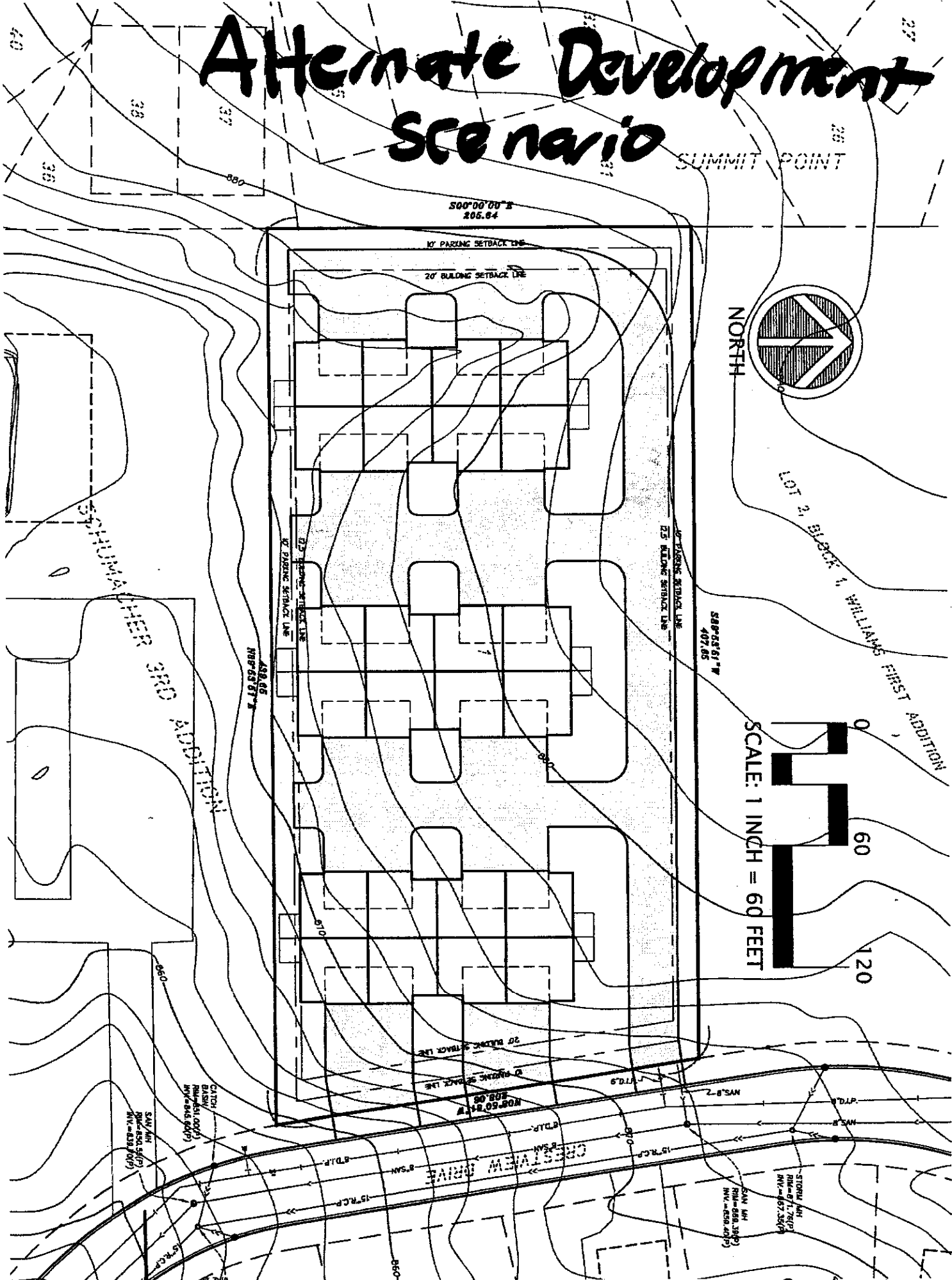
Sincerely,

  
Jon Whitcomb

JW/scl

Encl.

# Alternate Development Scenario

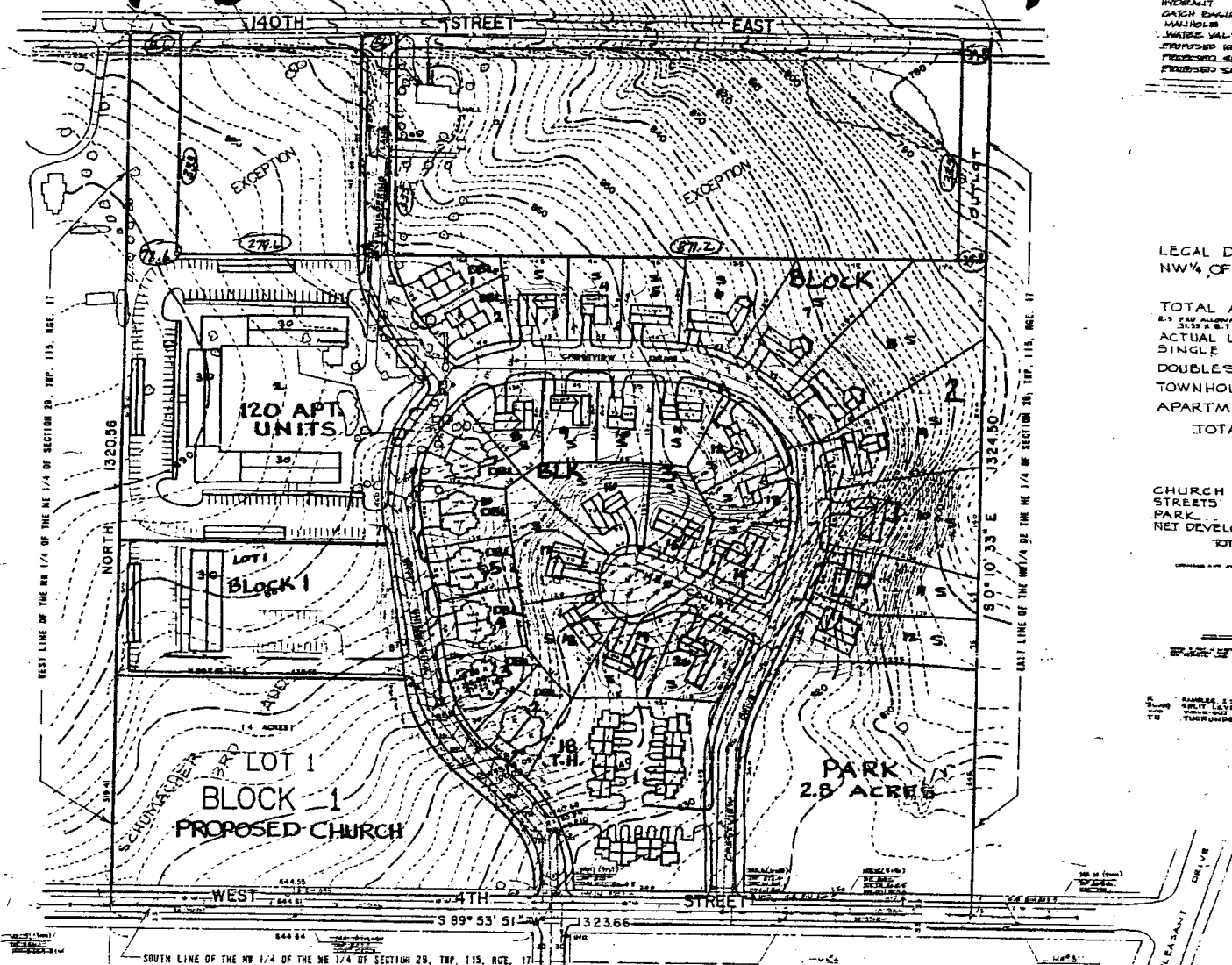


Revised 6/11/03

# 1986 - Original Williams Plan

SCALE: 1 INCH = 50 FEET

NORTH LINE OF THE NE 1/4 OF SECTION 29, T115, R115, S115  
 89°43' 31" E 1319.5



**LEGEND**

- EXISTING CONTIGUOUS
- HYDRAULIC
- GATCH EMBANK
- MANHOLE
- WASTEWATER VALVE
- PROPOSED SEWER MAIN
- PROPOSED SEWER SERVICE
- PROPOSED SANITARY SERVICE

**LEGAL DESCRIPTION**  
 NW 1/4 OF NE 1/4 SECTION 29, T115, R115, S115

**TOTAL ACREAGE**  
 2.1 1/2 ACRES

**ACTUAL UNITS**  
 SINGLE FAMILY  
 DOUBLES  
 TOWNHOUSES  
 APARTMENTS  
 TOTAL UNITS

**CHURCH**  
 STREETS  
 PARK  
 NET DEVELOPED ACREAGE  
 TOTAL ACREAGE

SEE SHEET 1 OF 2 FOR DETAILED PLAN  
 THIS PLAN IS SUBJECT TO THE  
 CITY OF WASHINGTON

SOUTH LINE OF THE NW 1/4 OF THE NE 1/4 OF SECTION 29, T115, R115, S115





# BENSHOOF & ASSOCIATES, INC.

TRANSPORTATION ENGINEERS AND PLANNERS

10417 EXCELSIOR BOULEVARD, SUITE TWO / HOPKINS, MN 55343 / (952) 238-1667 / FAX (952) 238-1671

July 8, 2003

Refer to File: 03-44

**DRAFT**

## MEMORANDUM

TO: John Hinzman, City of Hastings

FROM: Edward F. Terhaar and Aravind Gottemukkula

RE: Traffic Study for Proposed Residential Development in Hastings, MN

## PURPOSE AND BACKGROUND

The purpose of this memorandum is to present the results of our traffic study for the proposed residential development in the City of Hastings. The site for the proposed development is located west of Whispering Lane and just north of the existing Shepard of the Valley Lutheran Church. Figure 1 shows the project location. In this traffic study, we addressed traffic impacts of the proposed development at the following three intersections:

- Fourth Street/Whispering Lane
- Featherstone Road/Whispering Lane
- Site Access/Whispering Lane

**DRAFT**

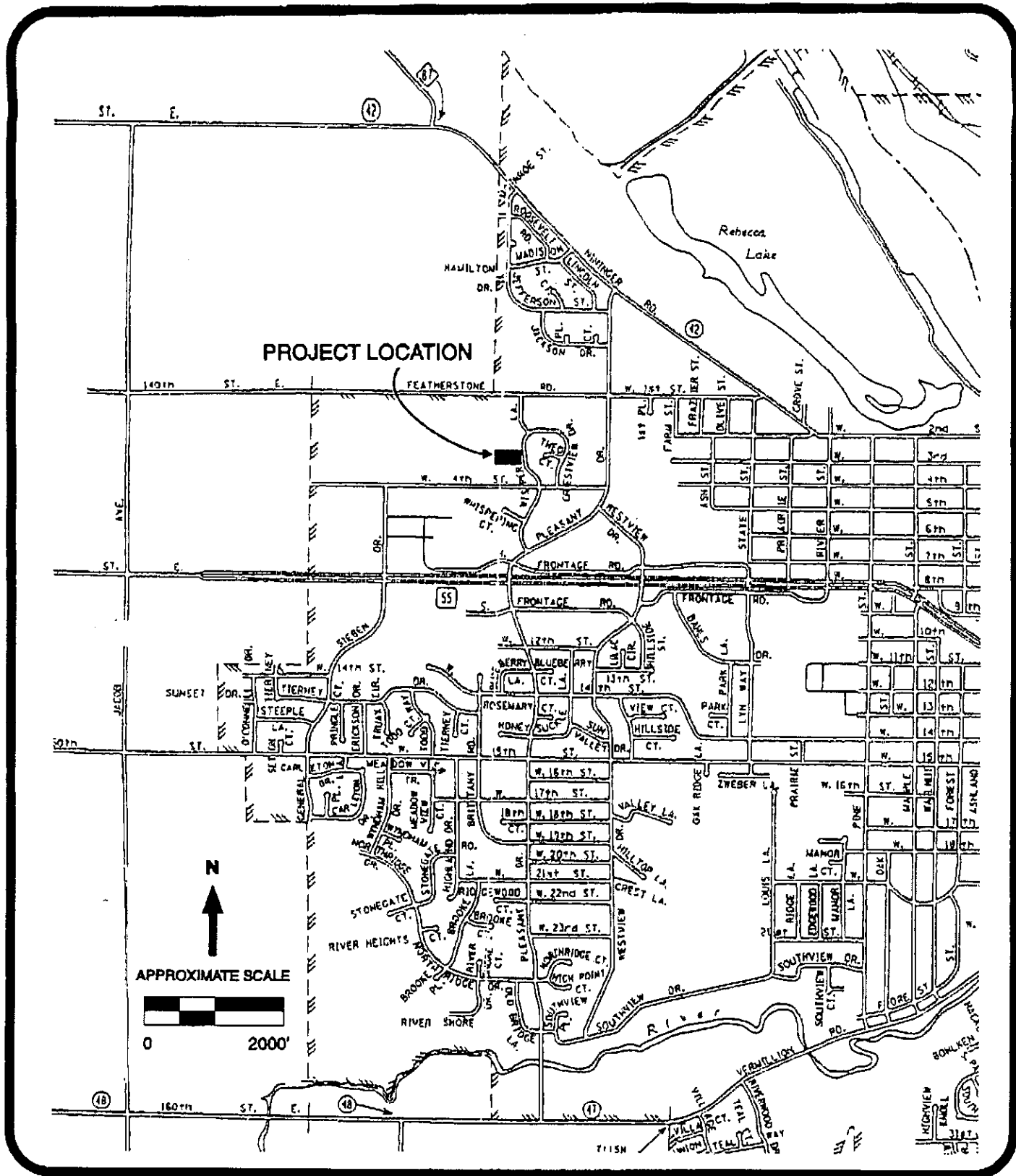
### Proposed Development Characteristics

The proposed development will consist of 30 condominiums. Access to this development will be provided on Whispering Lane about 610 feet north of Fourth Street. The proposed development is expected to be complete by 2004.

### Other Potential Future Developments


To effectively account for all traffic that will use the subject intersections upon completion of the proposed development, we obtained information regarding other potential future developments in the area. We learned from City staff that a 90 unit condominium development is approved just north of the proposed development site. Two driveways on Whispering Lane are expected to provide access to this development. No specific time frame has yet been established for this development. To be conservative in our traffic estimates, we assumed that this development would be complete by 2004.

**DRAFT**



CITY OF HASTINGS

---



**BENSHOOF & ASSOCIATES, INC.**  
TRANSPORTATION ENGINEERS AND PLANNERS

**TRAFFIC STUDY FOR  
PROPOSED RESIDENTIAL  
DEVELOPMENT  
IN HASTINGS, MN**

**FIGURE 1  
PROJECT LOCATION**

Mr. John Hinzman

-3-

July 8, 2003

Existing Conditions

The proposed development site is presently vacant. East of the proposed site is Whispering Lane, a two lane residential street with a speed limit of 30 mph (miles per hour). To the south, Whispering Lane intersects with Fourth Street at a four-legged intersection with stop sign control on the Whispering Lane approaches. North of the proposed site, Whispering Lane intersects with Featherstone Road at a T-intersection with stop sign control on the Whispering Lane approach. Fourth Street and Featherstone Road are also two lane residential streets with a speed limit of 30 mph. Both Whispering Lane intersections with Featherstone Road and Fourth Street provide one lane on all approaches. One other important observation that we noted through a site visit is that the Whispering Lane/Crestview Drive intersection is presently uncontrolled.

To better understand existing conditions at the subject intersections, traffic volumes were collected at the Whispering Lane intersections with Fourth Street and Featherstone Road on a typical weekday during both the a.m. (7:00 – 9:00 a.m.) and the p.m. (4:00 – 6:00 p.m.) peak periods. Existing traffic volumes during the a.m. and the p.m. peak hours are presented later in this memorandum.

**TRAFFIC FORECASTS**Trip Generation

Trip generation for the proposed and other potential future developments was developed based on data presented in the Institute of Transportation Engineers' *Trip Generation, Sixth Edition*, 1997. Our trip generation estimates are presented in Table 1.

**Table 1**  
**Weekday Trip Generation Estimates**

Development	Land Use/Size	A.M. Peak Hour			P.M. Peak Hour			Daily Total
		In	Out	Total	In	Out	Total	
Proposed Development	30 Condominiums	2	11	13	11	5	16	176
Other Future Development	90 Condominiums	7	33	40	33	16	49	527

Trip Distribution and Assignment

Trip distribution percentages were established for development trips based on the existing traffic volumes, adjacent road network and locations of major attractions relative to the proposed site. The following are our distribution percentages:

- 65 percent to and from the west on TH 55
- 25 percent to and from the east on TH 55
- 5 percent to and from the west on Featherstone Road
- 5 percent to and from the east on Featherstone Road

Mr. John Hinzman

-4-

July 8, 2003

*Based on the preceding trip distribution percentages, we assigned trips that will be generated by the proposed and other future developments to the adjacent road network. Our trip assignment resulted in development volumes at the subject intersections.*

### Traffic Volumes

Consistent with normal practice, we have completed traffic forecasts and analyses for one year after full completion of the proposed development, i.e. 2005. Based on discussions with City staff, we established a three percent per year growth rate for background traffic in this area. This growth rate was applied to existing volumes to arrive at 2005 base traffic volumes. Volumes for the future 90 unit condominium development were added to the 2005 base volumes to arrive at 2005 no-build volumes. Finally, 2005 build volumes were established by adding the proposed development volumes to 2005 no-build volumes. Traffic volumes for all these scenarios during both the a.m. and the p.m. peak hours are presented in Figure 2.

## **TRAFFIC ANALYSES**

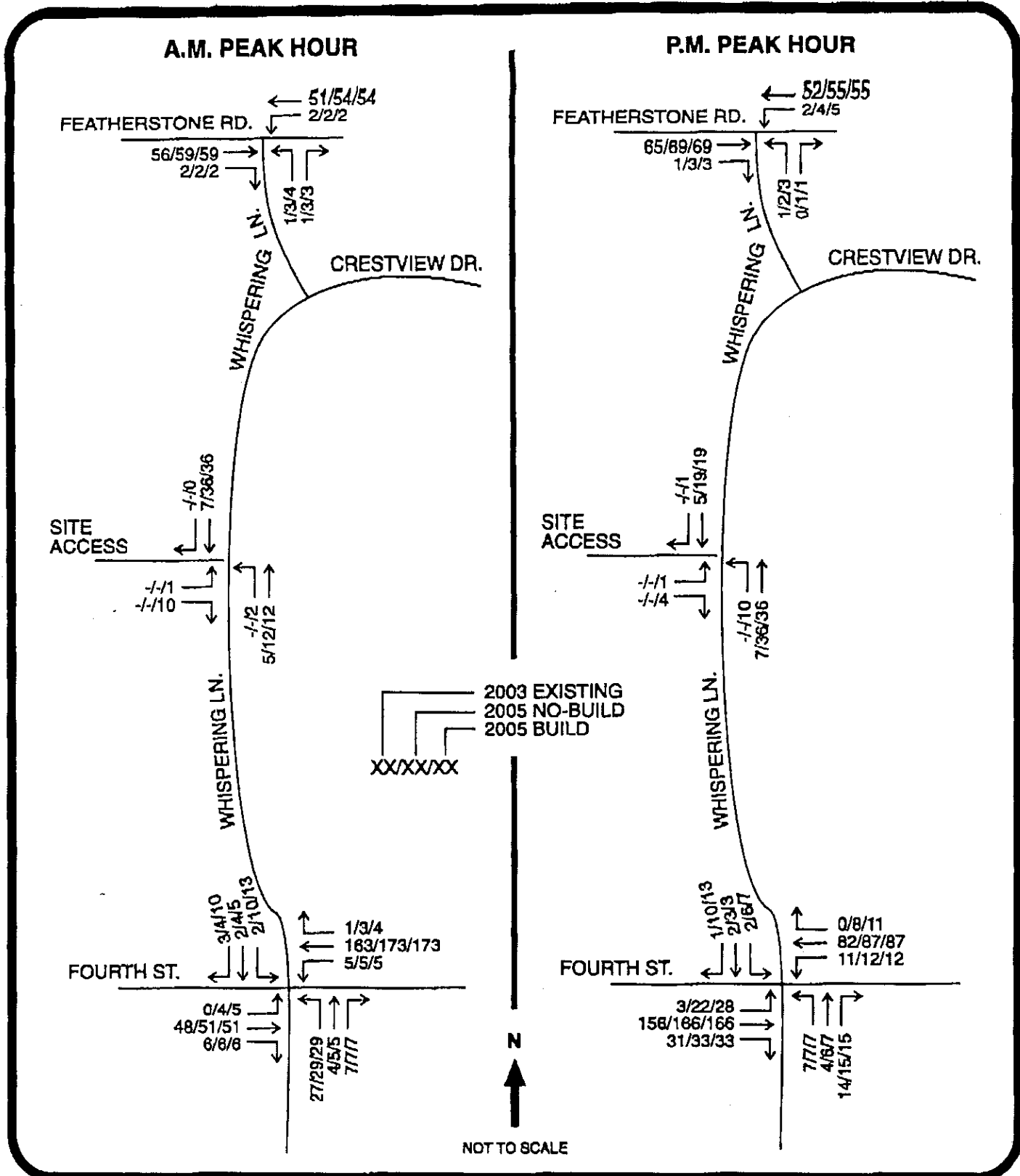
### Level of Service

To determine the impacts of the proposed development on the subject intersections, capacity analyses were completed for all traffic scenarios described earlier. Our capacity analyses were based on methodologies presented in the Transportation Research Board's *Highway Capacity Manual, 2000*.

For our capacity analyses, we used the existing geometrics and traffic control at the Whispering Lane intersections with Fourth Street and Featherstone Road described earlier. For the site access intersection with Whispering Lane, we used one lane all approaches and stop sign control on the site access approach.

Capacity analysis results are presented in terms of Level of Service (LOS), which ranges from A to F. LOS A represents the best intersection operation, with very little delay for each vehicle using the intersection. LOS F represents the worst intersection operation with excessive delay. Most agencies in Minnesota consider that LOS D represents the minimal acceptable LOS for normal peak traffic conditions. Results of our capacity analyses are presented in Figure 3.

As shown in Figure 3, all movements at all subject intersections will operate at LOS B or better under all traffic scenarios during both the a.m. and the p.m. peak hours. Therefore, the proposed development will not create any serious negative impacts on level of service at the subject intersections.



CITY OF HASTINGS

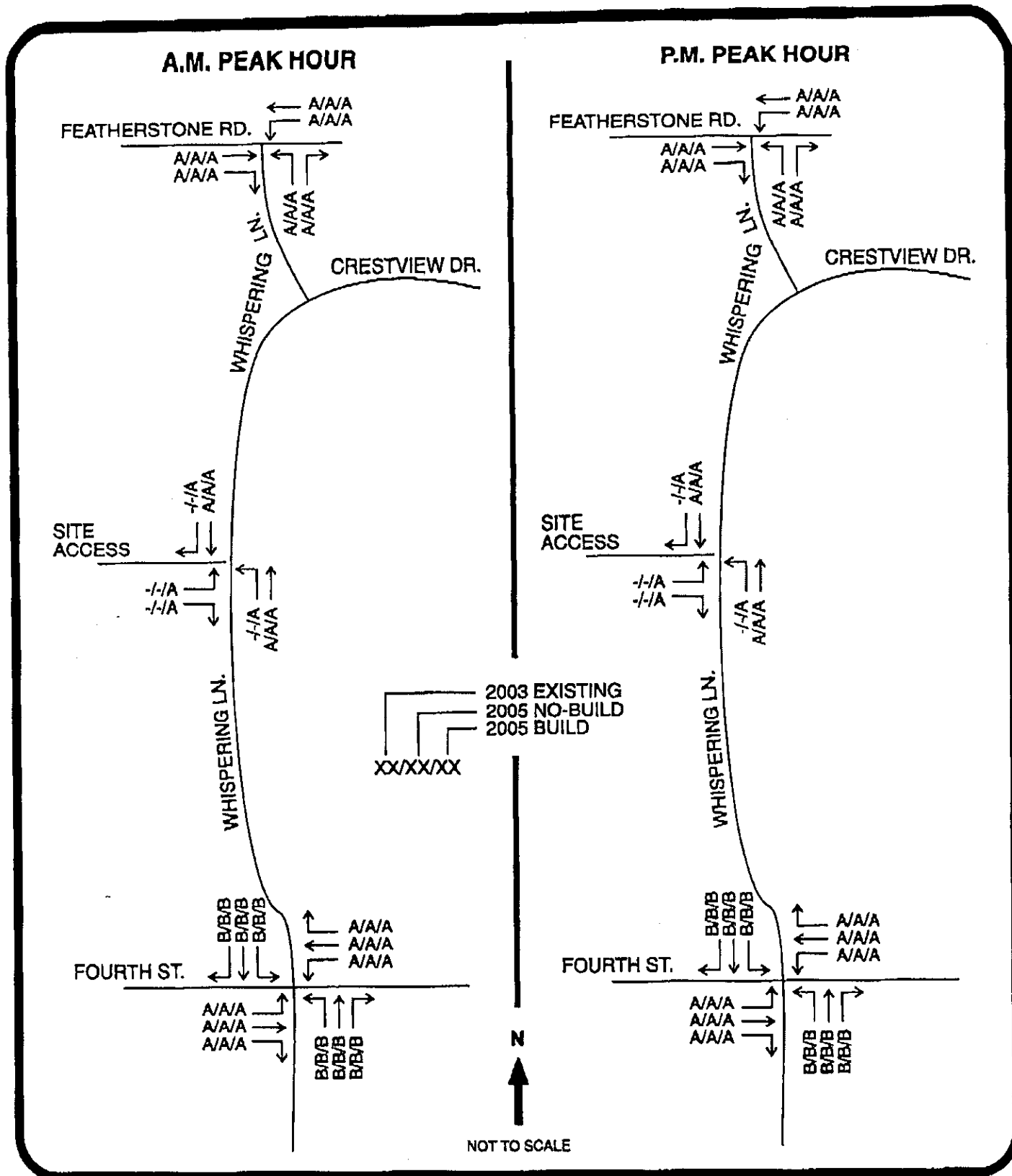


BENSHOOF & ASSOCIATES, INC.  
TRANSPORTATION ENGINEERS AND PLANNERS

TRAFFIC STUDY FOR  
PROPOSED RESIDENTIAL  
DEVELOPMENT  
IN HASTINGS, MN

FIGURE 2

WEEKDAY A.M. AND P.M.  
PEAK HOUR VOLUMES



CITY OF HASTINGS



BENSHOOF & ASSOCIATES, INC.  
TRANSPORTATION ENGINEERS AND PLANNERS

TRAFFIC STUDY FOR  
PROPOSED RESIDENTIAL  
DEVELOPMENT  
IN HASTINGS, MN

FIGURE 3

WEEKDAY A.M. AND P.M.  
PEAK HOUR  
LEVELS OF SERVICE

Mr. John Hinzman

-7-

July 8, 2003

### Sight Distance

Based on our observations at the site, we found that at the proposed driveway location, a sight distance of about 400 feet is available to the south on Whispering Lane and about 280 feet is available to the north. Based on review of standards on intersection sight distance and stopping sight distance, these sight distances are adequate to provide safe operations for motorists entering and exiting the proposed site.

### Site Access Grades

The second item that we reviewed regarding the proposed site driveway is the grading plan. From this review, we found that the site driveway provides about 55 feet of flat surface immediately next to Whispering Lane and beyond that it provides a six percent up-slope into the site. ITE guidelines on driveway design suggest that the maximum desirable slope for low volume driveways is six percent. Therefore, the proposed site driveway meets the ITE driveway design standards and thus will not cause any serious negative safety impacts.

### Whispering Lane/Crestview Drive

As described earlier, the Whispering Lane/Crestview Drive intersection is presently uncontrolled. Although no traffic control would be needed at this intersection to improve LOS, all-way stop sign control could be considered to provide a higher level of safety. The choice of all-way stop control was based on the alike functional characteristics of these roadways.

## CONCLUSIONS

Based on information presented in this memorandum, we have made the following conclusions:

- On a typical weekday, the proposed development will generate an estimated 13 trips (2 entering and 11 exiting) during the a.m. peak hour and 16 trips (11 entering and 5 exiting) during the p.m. peak hour.
- Based on our traffic projections and LOS results, the proposed development will not cause any significant negative impacts on levels of service at the subject intersections.
- In terms of sight distance and grading, the proposed site driveway will provide safe operations.
- All-way stop sign control could be considered at the Whispering Lane/Crestview Drive intersection to provide a higher level of safety.

Recd 7/10/03

7 July 2003

John Hinzman, Planning Director  
City of Hastings  
Hastings City Hall  
101 4<sup>th</sup> Street, E.  
Hastings, MN 55033

Dear Mr. Hinzman:

I am writing in regards to the Public Hearing for the Site Plan Review for the 30 Unit Condominium Building on Whispering Lane as I will be unable to attend the hearing on 14 July. I would appreciate my comments being added to the public record of the meeting.

My main concern is the increased traffic on Whispering Lane and on 4<sup>th</sup> Street. In the past two years, the traffic on 4<sup>th</sup> Street, and to a lesser extent on Whispering Lane, has increased dramatically with the opening of the new high school. This coupled with the additional traffic from General Sieben Drive accessing cross streets east of Whispering Lane makes it is virtually impossible to make a turn onto 4<sup>th</sup> Street from Whispering Lane in the morning and afternoon? How will the increased traffic from 30 new units be routed to not further exacerbate this already congested traffic situation? With the increase of another 30-45 cars accessing 4<sup>th</sup> Street on a daily basis, we have the recipe for major traffic problems and increased accidents.

As I understand it, in the future you will consider permitting the building of an additional 60-unit condominium structure on Whispering Lane. How will this incremental increase in traffic be handled and how does it reflect on the increased traffic for the current building proposal?

I am not against progress and building, however, traffic patterns in particular need to be given more consideration in this building proposal. Anything that can be done to reduce the further congestion on 4<sup>th</sup> Street is needed.

Sincerely,



Paul J. and Margaret L. Wingate  
377 Whispering Lane



#2003-44

# LAND USE APPLICATION

## CITY OF HASTINGS - PLANNING DEPARTMENT

101 4th Street East, Hastings, MN 55033 Phone: 651.480.2350 Fax: 651.437.7082

Address of Property: XXX Whispering Lane

Legal Description of Property: Lot 1 Block Williams 1st Addition

Applicant:  
 Name Wesley Investments Inc.  
 Address 775 3rd St. S  
Stillwater MN 55082  
 Phone 651-430-0016  
 Fax 651-430-0029  
 Email info@wesleyinvest.com

Owner (If different from Applicant):  
 Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 Phone \_\_\_\_\_  
 Fax \_\_\_\_\_  
 Email \_\_\_\_\_

Description of Request (include site plan, survey, and/or plat if applicable):

Check applicable box(es):

Note: All fees and escrow amounts due at time of application.

<input type="checkbox"/>
<input type="checkbox"/>
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- Final Plat \$600
- Minor Sub. \$500
- Rezone \$500
- Spec. Use \$500
- Variance \$250
- Annexation \$500 plus legal expenses
- EAW \$500 plus \$1000 escrow
- Prelim Plat \$500 plus escrow:
  - Under 10 acres: \$3000 (\$500 Planning + \$2500 Engineering)
  - Over 10 acres: \$6000 (\$1000 Planning + \$5000 Engineering)
- Site Plan \$500 plus escrow:
  - 0 - 5,000 s.f.: \$1500 (Engineering)
  - 5,000 - 10,000 s.f.: \$2500 (\$500 Planning + \$2000 Engineering)
  - 10,000 - 50,000 s.f.: \$3250 (\$750 Planning + \$2500 Engineering)
  - 50,000 s.f. +: \$4000 (\$1000 Planning + \$3000 Engineering)

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

- Administrative Lot Split \$50
- Comp Plan Amendment \$500
- House Move \$500
- Lot Line Adjustment \$50
- Vacate ROW/Easement \$400

TOTAL:

Signature of Applicant [Signature] Date 5-12-03 Signature of Owner \_\_\_\_\_ Date \_\_\_\_\_

Applicant Name and Title - Please Print Joe Whitehead, President Owner Name - Please Print \_\_\_\_\_

Official Use Only

File # #2003-44 Rec'd By: JH  
 Fee Paid \_\_\_\_\_ Receipt # 95088  
\$3250 pd 6/2/03  
\$500 pd 6/11/03 96183

Date Rec'd 6/2/03 <sup>4/23/2003</sup>  
 App. Complete JH/ncm

# Memo

**To:** Mayor Werner and City Council  
**From:** John Hinzman, Planning Director  
**Date:** July 21, 2003  
**Subject:** School House Square – Revised Concept Plan – Camegaran, LLC

## REQUEST

The City Council is asked to review and comment on the revised concept plan for Schoolhouse Square as presented by Camegaran, LLC

The City Council approved the Comprehensive Plan Amendment, Rezoning and Development Plan for the site on September 3, 2002. Camegaran is seeking direction on changes to the approved Development Plan.

**No approvals are sought.** Upon direction from the City Council, a Site Plan and Plat would be submitted for formal review and approval in the future.

## PLANNING COMMISSION REVIEW

The Planning Commission reviewed the Revised Concept Plan on July 14, 2003 and were supportive of the changes, including the ability to calculate parking based on net instead of gross floor area. The Commission further directed staff to consider basing future calculations on net instead of gross floor area.

## ATTACHMENTS

- Location Map
- Proposed Concept Plan
- Approved Development Plan

## BACKGROUND

### Building Modifications

The developer has modified the plan since Development Plan approval. Major changes include the replacement of residential with commercial above the Vermillion Street buildings, converting the large mixed use building into condominiums, and reducing the size of the apartment building. Overall residential units have not increased, commercial space has increased. General building changes include the following:

Item	Development Plan 9/3/02	Revised Concept Plan 7/14/03
C-1 Building	11,800 s.f. of retail – Two Stories	12,000 s.f. Retail – Two Stories
C-2 Building	1 <sup>st</sup> floor - 14,000 s.f. Retail 2 <sup>nd</sup> floor - 10 apartments	1 <sup>st</sup> Floor – 16,200 s.f. Retail\Rest. 2 <sup>nd</sup> Floor – 6,000 s.f. Office\Retail
C-3 Building	1 <sup>st</sup> floor retail – 3,800 s.f. 2 <sup>nd</sup> floor office - 3,800 s.f.	1 <sup>st</sup> floor – 4,100 s.f. bank 2 <sup>nd</sup> floor – 4,100 s.f. office + 3,000 s.f. above bank drive-thru
CBR Building	1 <sup>st</sup> floor use - Commercial 2 <sup>nd</sup> – 4 <sup>th</sup> floors - 20. Apartment	Replaced by 3-4 story 56 unit condominium building
R	12 Row House Units	Approved and under construction
New R	Located at Ramsey & 10 <sup>th</sup> Street – 40 units proposed – 3 story building	2 story building – 14 dwelling units

### Adjacent Zoning and Land Use

Direction	Existing Use	Zoning	Comp Plan
North	Eight Street Single Family Res.	R-2 – Med Den Res.	U-I\U-II
East	Ramsey Street Single Family Res.	R-2 – Med Den Res.	U-1 – Urb Res.
South	10 <sup>th</sup> Street Walgreens	C-3 – Comm. Reg Comm.	C- Comm.
West	Single Family Res.	R-2 – Med Den Res.	U-II – Urb Res.
	Vermillion Street Office	O-I – General Office	U-I – Urb Res.
	Single Family Res.	R-2 – Med Den Res.	

### **Existing Condition**

Former site of Hastings Middle School, also incorporates two homes located north east of 9<sup>th</sup> and Vermillion Streets. The existing site slopes down over 30 feet from a high point along the north central portion to a low point along the northeast corner. The western half of the site is generally flat and graded.

### **CONCEPT PLAN REVIEW**

The following comments are taken from a June 10, 2003 review letter to Camegaran. Camegaran's responses are in italics:

The main entrance at 10<sup>th</sup> and Sibley should be widened to allow for an exit right lane, and exit through lane.

Overall parking for the site appears to be short approximately 10-15 spaces. The calculation is an estimate based on a 225 seat restaurant, 2<sup>nd</sup> story office space above all buildings (except the drive through), and retail. *Overlook and pedestrian area would be eliminated.*

The Zoning Ordinance states parking calculations must be based upon the gross floor area of all stories. Special approval to calculate parking based on a 15 percent reduction of corridor space would need to be approved by the Council.

There appears to be an excess parking between the condo and flat building (above what's needed for residential uses), and a parking deficit adjacent to the restaurant. You may want to consider moving flipping the condo building and parking area to the south to better match parking with needs.

The entrance from the parking lot north of 10<sup>th</sup> Street to the 10<sup>th</sup> & Vermillion Street access should be restricted to right out only to eliminate vehicle stacking from cars entering the site, and trying to make an immediate left.

Plan provides limited stacking room for coffee shop drive thru. Access road is not wide enough to allow for parking movements and drive thru cuing. *Road is 40 feet wide stacking for cars is available.*

Parking along the main north south road (aligning with Sibley Street) should be eliminated up to the drive through lane – Increased potential for accidents from vehicles backing onto a major access. *Access is narrowed to slow incoming traffic and to add greenspace.*

Retail space on rear of building (south of the restaurant) has no visibility from 10<sup>th</sup> and Vermillion, and may prove to be a difficult long term lease.

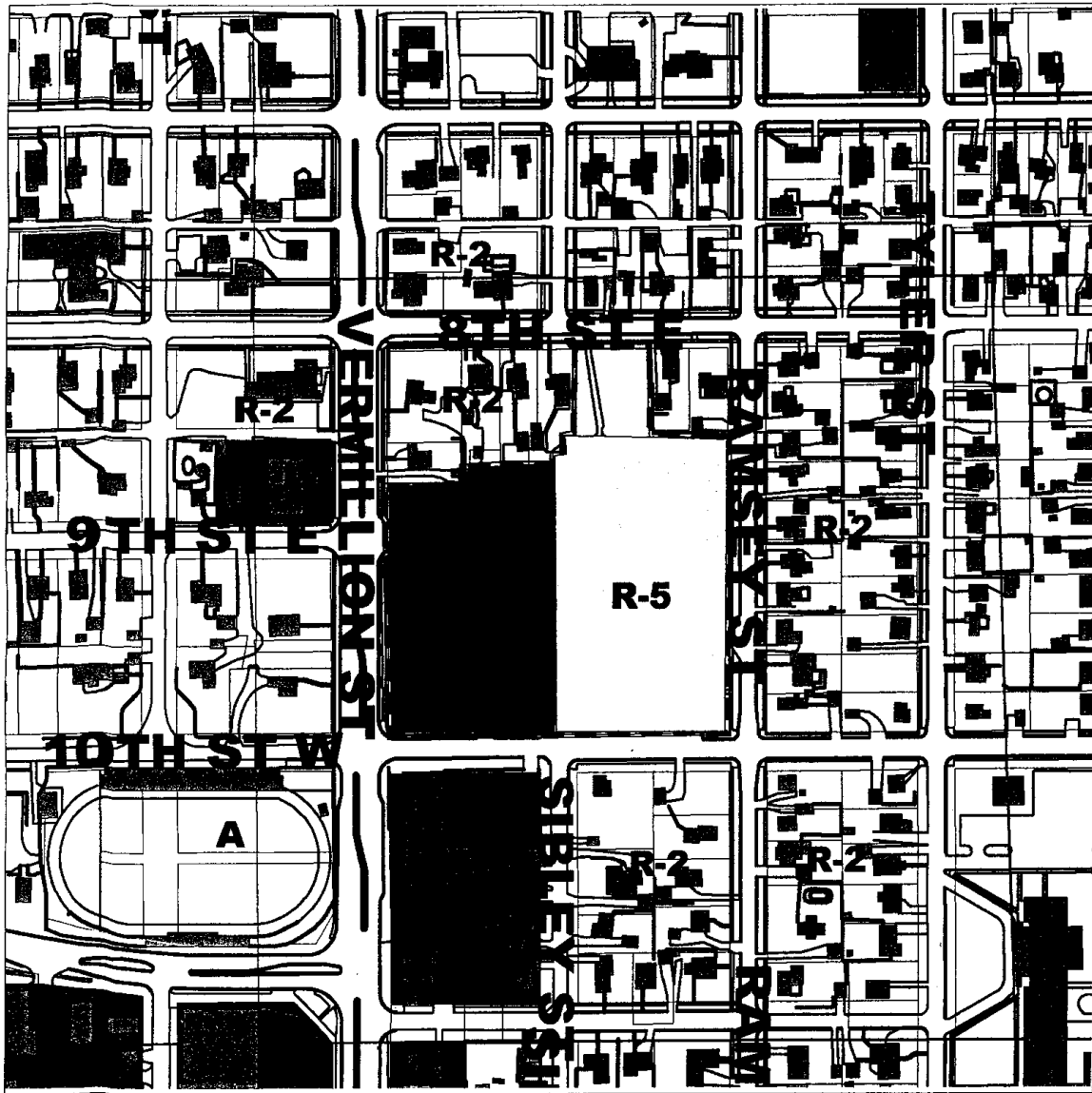
Watermain from home to be moved from Vermillion Street must be disconnected from Vermillion Street upon platting.

Loading areas and truck ingress and egress should be shown to evaluate traffic flow. *North side of bank drive-thru entrance along curb. North curb line north of Green Mill.*

The reconfiguration of parking along the 8<sup>th</sup> and 9<sup>th</sup> Street homes appears improved. Good separation will be needed with landscaping during the Site Plan.

Access rights across 807 Vermillion Street to access 815 Vermillion Street must be secured, or a separate entrance to the parking lot created for 815 Vermillion.

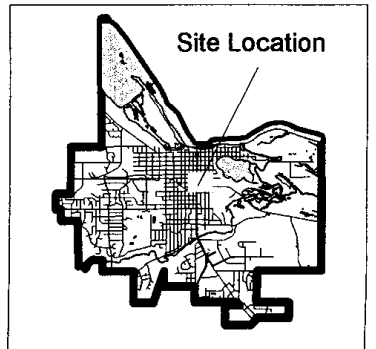
# School House Square

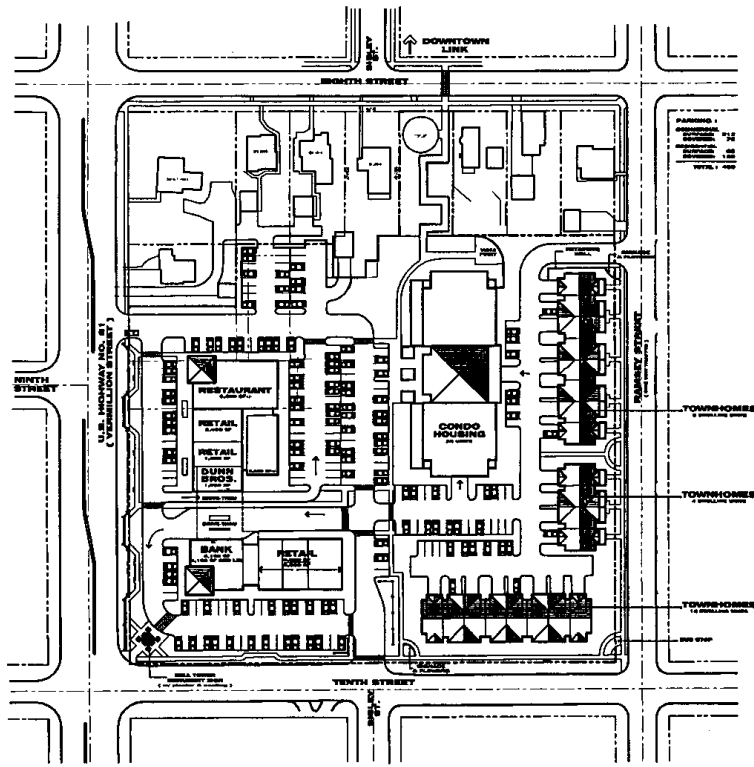


### Legend

	MNRRRA Boundary		City Limits
	Parcels		Water
<b>Zoning Districts</b>			
	A		P-1
	C-1		R-1
	C-2		R-2
	C-3		R-3
	C-4		R-4
	F-W		R-5
	I-1		R-6
	I-2		ROW
	O-1		WAT

Map Date: July 11, 2003





PROJECT: \_\_\_\_\_  
 SHEET: \_\_\_\_\_  
 DATE: \_\_\_\_\_

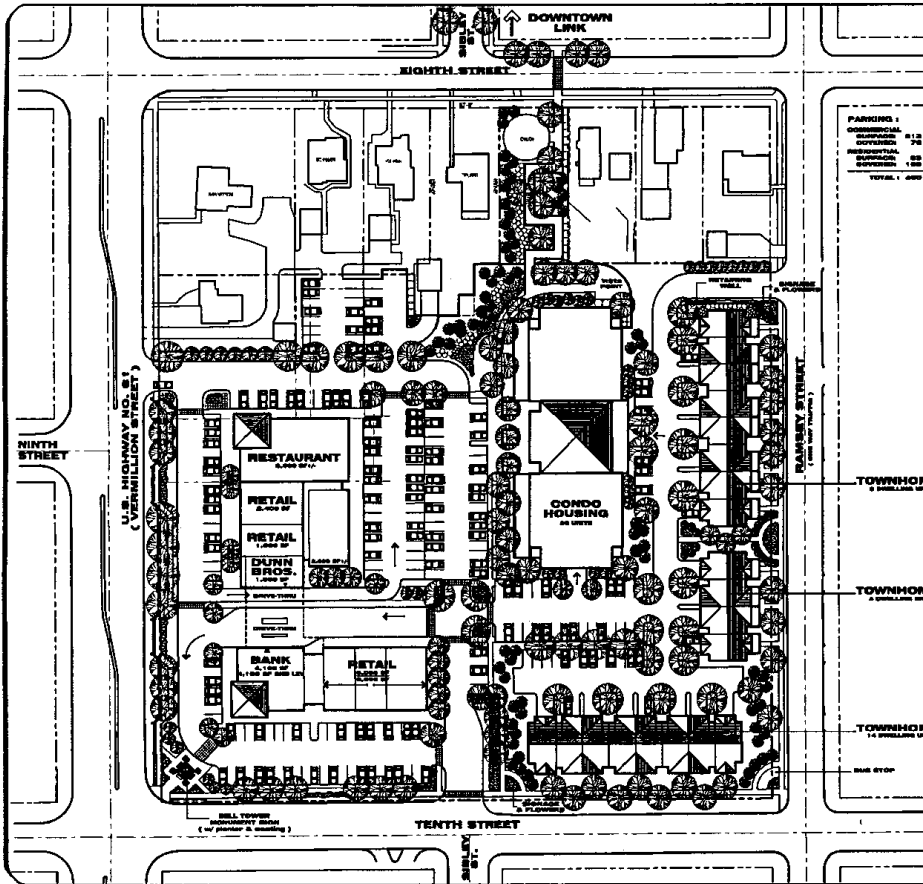
DEVELOPED BY:  
 CARROLL & CO., L.L.C.  
 ARCHITECT:  
 CARROLL & CO., L.L.C.  
 1000 W. MOUNTAIN VIEW  
 MADISON, WISCONSIN 53706

**SCHOOL HOUSE SQUARE**  
 MADISON, WISCONSIN

SHEET: \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 BY: \_\_\_\_\_

**SITE PLAN**  
 NORTH  
 SOUTH

**DESIGN FORUM**  
 INCORPORATED  
 1000 W. MOUNTAIN VIEW  
 MADISON, WISCONSIN 53706



**LANDSCAPE PLANT LEGEND**

	<b>DECIDUOUS BROAD LEAF TREES</b> BUDAY MAPLE, SCOTCH PINE, NORWAY SPRUCE, GREEN PINE, LINDA, AMERICAN LINDA, MARSH HALLS, GREEN HORN, PALM, OAK, BIRCH
	<b>SHRUBS</b> SPRING BLOW CHAMPAGNE, RED SPLENDOR CHAMPAGNE, JAPANESE TREE LILAC, THORNLESS WHITE FLOWERING HYDRANGEA
	<b>CONIFEROUS TREES</b> BLACK HILLS SPRUCE, FORSYTHIA PINE, SCOTCH PINE, WHITE PINE
	<b>SHRUBS</b> GRAY SCOTCH PINE, COMPACT AMERICAN CHERRY, RED BAY LILAC, CHARLES ALBERT, RUSSIA A/F, SPREA
	<b>PERENNIAL FLOWER PLANTING BEDS</b> CALLA, BUTTERFLY WEED, PURPLE WHITE CORN FLOWER, ORNAMENTAL GRASSES, DAY LILY, HOSTA, RUSSIAN SAGE, BLACK EYED SUSAN

PARKING: 137  
 COMMERCIAL: 61  
 RESIDENTIAL: 76  
 TOTAL: 137

TOWNHOMES  
 6 BUNGALOW UNITS

TOWNHOMES  
 6 BUNGALOW UNITS

TOWNHOMES  
 14 BUNGALOW UNITS

DESIGNED BY: [Signature]

PREPARED BY: [Signature]

DATE: [Date]

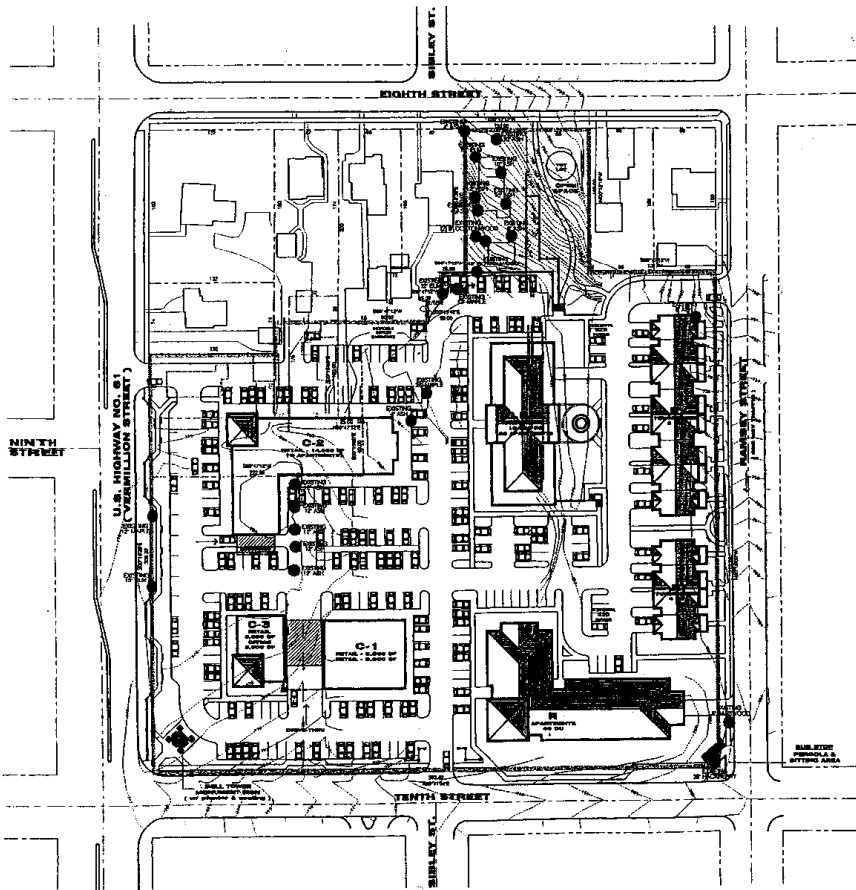
SCALE: [Scale]

**SCHOOL HOUSE SQUARE**

LANDSCAPE PLAN

DESIGN FORUM





SITE DATA BLOCK	
SITE NO. (see sheet 1)	S.D. 60 17
USE	
D-1	RESID. COMMERCIAL BLDG. 20,000 SQ. FT. - 11,000 SQ. FT.
D-2	RESID. COMMERCIAL BLDG. 20,000 SQ. FT. - 11,000 SQ. FT. POORING - 10 APARTMENTS
D-3	RESID. / OFFICE BLDG. 20,000 SQ. FT. - 11,000 SQ. FT. OFFICE - 2,000 SQ. FT.
D-4	RESID. USE * 127 PACE (1) COMMERCIAL / BUSINESS BLDG. 20,000 SQ. FT. - 11,000 SQ. FT. * 10000 SQ. FT. - 10 FLOORS * 10000 SQ. FT. - 10 FLOORS * 10000 SQ. FT. - 10 FLOORS
H	RESIDENTIAL * 2-STORY BUILDING - 40 UNITS * 2-STORY BUILDING - 40 UNITS * APARTMENTS OTHER COMMERCIAL - 10
PARKING	RESIDENTIAL - 100 SP. COMMERCIAL - 100 SP.

**SIGNIFICANT TREE LEGEND & NOTES**

EVERY EFFORT WILL BE MADE TO PRESERVE EXISTING TREES CURRENTLY ON SITE. PRESERVATION WILL DEPEND ON SUCH FACTORS AS EXISTING PROPOSED GRADING, LOCATION, AND HEALTH AND SPECIES OF INDIVIDUAL TREES.

DEVELOPED BY:  
**CALMEORAK**  
 L.L.C.  
 1000 PATRICK BLVD  
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PRELIMINARY  
 SUBMITTAL  
**SCHOON HOUSE SQUARE**  
 HASTINGS DISTRICT

SHEET NO. 1  
 DATE: 12/16/02

SITE PLAN  
 SHEET 1 OF 1

**DRSIG**  
 INCORPORATED  
 1000 PATRICK BLVD  
 PHOENIX, AZ 85024

Approved Development Plan  
12/16/02

# Memo

**To:** Mayor Werner and City Council

**From:** John Hinzman, Planning Director

**Date:** July 21, 2003

**Subject:** City of Hastings – Second Reading\Adopt Ordinance Amendment:  
City Code Amendment #2003-22 – Chapter 10.23 & 10.24 Industrial  
Park Uses.

## REQUEST

The City Council is asked to consider second reading and adopt the attached amendment to the Hastings City Code, Chapters 10.23 and 10.24 – Industrial Park Uses. Changes include strengthening the purpose and intent statements, and eliminating some uses. First reading of the amendment was considered at the July 7, 2003 City Council Meeting.

## HISTORY

The City Council voted to table the amendment at the May 19, 2003 meeting, citing concerns about language changes on Industrial Zoned property outside of the Hastings Industrial Park. Of particular concern was the prohibition of religious institutions (It appears a church has purchased land zoned Industrial outside of the park – the changes would prohibit future church construction).

## PLANNING COMMITTEE REVIEW

The Planning Committee of the City Council discussed the amendment, and recommends allowing religious institutions as special uses in the Industrial District.

## INDUSTRIAL PARK BOARD & PLANNING COMMISSION

The Industrial Park Board unanimously recommended adoption of the changes at the April 17, 2003 meeting. The Planning Commission voted unanimously to recommend the changes at the May 12, 2003 meeting with limited discussion. No one spoke for or against the change during the public hearing.

## ATTACHMENTS

- City Code Amendment

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

AN ORDINANCE OF THE CITY OF HASTINGS, MINNESOTA AMENDING CHAPTER 10,  
SECTIONS 10.23 – 10.24 OF THE HASTINGS CITY CODE PERTAINING TO:

I-1, INDUSTRIAL PARK, AND I-2, INDUSTRIAL PARK STORAGE SERVICE

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

Sections 10.23 – 10.24 of the Hastings City code is amended as follows:

### **SECTION 10.23. I-1 INDUSTRIAL PARK.**

~~**SUBD. 1. INTENT.** The intent of this Chapter in establishing an industrial park district is in recognition of existing "clean and quiet" industrial development within the community and of the desirability of reserving additional land for possible new, expanded or relocated industries of a similar nature. It is intended that land zoned for industrial park would be located such that conflict with incompatible uses would be minimized.~~

**SUBD. 1. PURPOSE AND INTENT.** The I-1 Industrial Park District is established to provide land to serve industrial, manufacturing, and warehouse needs that provide vital services and increase the tax base of the City. The nature of I-1 uses prohibits their operation in most other districts in the City. Operations that are incompatible in most commercial zoning districts and require additional separation from residential properties shall be the primary use of land. The predominance of retail and service uses shall be discouraged. Limited retail or service uses may be acceptable, provided it is incidental to the primary use of property, or does not detract from operation of primary uses. Land designated I-1 shall be located to minimize conflict with incompatible uses. The I-1 designation of land is limited to only those areas identified "Industrial" in the Comprehensive Plan to serve the following objectives:

- a) Prevent expansion of scattered industrial operations
- b) Limit industrial uses to planned industrial parks where uniform performance standards and land use regulations can be applied
- c) Protect industrial areas from encroachment by non-industrial uses
- d) Preserve industrial areas for the advancement of the City's tax base
- e) Maximizing creation and retention of jobs in conformance with adopted minimum wage criteria

## **SUBD. 2. USES PERMITTED.**

- a) All fabricating, manufacturing, production or processing of materials, goods, and products provided such activity shall be undertaken within completely enclosed buildings, and provided further that any outdoor storage of raw materials or finished products shall be effectively screened by natural or manmade means from adjacent properties and public streets and highways.
- b) Wholesaling, all commodities except live animals. ~~However, facilities constructed for the purposes of raising small animals in fully enclosed structures for research purposes shall be permitted provided the facility is designed to meet applicable health and sanitary standards, that no odor could be discernable beyond the property line of the site, and that all necessary federal, state, and local licensing requirements are met.~~
- c) Building Material Sales and Storage, provided that any outdoor storage of materials or finished products shall be effectively screened by natural or man made means from adjacent properties and public streets and highways.
- d) ~~Accessory used incidental to the foregoing principle uses.~~ Retail and service uses incidental to the primary use of a building.

## **SUBD. 3. USES BY SPECIAL PERMIT.**

- a) Retail and service establishments as primary uses of a building or property.
- b) ~~Churches.~~ Religious Institutions
- c) Towers as regulated by Section 10.05 Subd. 12 of this chapter.

## **SECTION 10.24. I-2 INDUSTRIAL PARK STORAGE/SERVICE.**

**SUBD. 1. INTENT.** The intent of this Chapter in establishing an industrial park storage/service district is in recognition of the need to segregate for aesthetic and functional reasons uses that involve exterior storage of products, raw materials, equipment or vehicles and that require a lesser degree of public improvements that is typically provided in the I-1 Industrial Park District. It shall be recognized that the intensity and type of industrial uses that shall be permitted in the I-2 District will be based upon a determination by the City that an adequate level of public services to support such uses can be provided based upon the level of public improvements available to the district. The District serves to regulate existing I-2 uses. Further expansion of the I-2 District geographic limits is not anticipated. Future rezoning of land for industrial storage and services uses shall be designated I-1, subject to the provisions of Section 10.23, as amended.

**SUBD. 2. PERMITTED.** Same as permitted in the I-1 District.

## **SUBD. 3. USES BY SPECIAL PERMIT.**

- a) Motor Vehicle Impound Lots, subject to the following conditions:
  - (1) Motor vehicles cannot be kept in an impound lot for more than 14 days unless a police hold has been placed on the motor vehicle.

- (2) No sales of motor vehicles, salvaging, repairing, dismantling, or stripping of motor vehicles shall be allowed in the impound lot.
  - (3) 100% opaque fencing or landscaping at least six feet high must be placed around the entire lot and must be adequately maintained.
  - (4) All motor vehicles impounded shall be kept within the opaque fenced or landscaped area.
  - (5) All buildings on the lot must be permanent structures with permanent foundations.
  - (6) The entire impound lot shall be surfaced with a bituminous covering, ~~class 5 gravel, or other surface covering as approved by the city.~~ and concrete curbing to City standards
  - (7) A sufficiently sized bituminous area shall be provided for the parking of vehicles that may be leaking fluids or other pollutants.
  - (8) Any lighting in the impound lot shall not be obtrusive to neighboring property.
  - (9) Employees of the City or its duly appointed representatives, shall be allowed on the property at any time to inspect the impound lot to verify compliance with City Code.
- b) Any special use permit issued hereunder shall be reviewed annually and at other times deemed appropriate by the City, to verify compliance with the City Code and any special conditions of the permit. As part of the review procedure, the city may hold a public hearing, preceded by the appropriate mailed and published notice. As part of any review procedure, the city may amend the permit by adding or deleting any conditions it deems necessary to protect the public health, safety, and welfare.
  - c) All conditions imposed by City Code Section 2.04, Subd. 5, Subsection (B) (5) must be met. Additionally, the city may impose any other conditions it feels are necessary to protect the public, health, safety and welfare.
  - d) Any violation of this subdivision or any conditions imposed upon the special use permit shall because for termination of the permit by the City.
  - e) Towers as regulated by Section 10.05Subd. 12 of this chapter.

ALL OTHER SECTIONS SHALL REMAIN UNCHANGED

ADOPTED by the Hastings City Council on this \_\_\_\_\_ day of \_\_\_\_\_ 2003.

\_\_\_\_\_  
Michael D. Werner, Mayor

ATTEST:

\_\_\_\_\_  
Melanie Mesko Lee, City Clerk

I HEREBY CERTIFY that the above is a true and correct copy of an ordinance presented to and adopted by the City of Hastings, County of Dakota, Minnesota, on the \_\_\_\_\_ of \_\_\_\_\_, 2003, as disclosed by the records of the City of Hastings on file and of record in the office.

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Melanie Mesko Lee, City Clerk

(SEAL)

This instrument drafted by:  
City of Hastings (JWH)  
101 4th St.  
Hastings, MN 55033