

July 2002

1 2 3 4 5 6
Council-7 p.m. Holiday

7 8 9 10 11 12 13
Planning-7 p.m. HRA-7 p.m.

14 15 16 17 18 19 20
Council-7 p.m. HPC-7 p.m. Ind. Park-7:30 a.m.
~~NRG-7 p.m.~~

21 22 23 24 25 26 27
Planning-7 p.m.

28 29 30 31

CITY OF HASTINGS

COUNCIL MEETING

7:00 P.M.

DATE:

**Tuesday
June 18, 2002**

I. CALL TO ORDER:

II. ROLL CALL:

III. DETERMINATION OF QUORUM:

IV. APPROVAL OF MINUTES:

Approval of Minutes from the Regular Meeting of June 3, 2002

V. COUNCIL ITEMS TO BE CONSIDERED:

VI. CONSENT AGENDA:

The items on the Consent Agenda are to be acted upon by the City Council in a single motion. There will be no discussion of these items unless a Councilmember or citizen so requests, in which event the items will be removed from the Consent Agenda to the appropriate department for discussion.

1. Pay All Bills as Audited
2. Approve Offering Dental Insurance Program to Councilmembers
3. Table Public Hearing—Preliminary Plat: Mississippi Office Park (Highway 55 & Pine Street)
4. Development Agreement—Westview Commons/Wendy's (Highway 55 & Westview Drive)
5. Resignation & Vacation Leave Policy Amendments
6. Approve Massage Establishment License—Saande Chiropractic
7. Approve Rivertown Days Parade Route
8. Pay Estimate #6—Hydroelectric Powerhouse Modifications: Meisinger Construction (\$65,085.00)
9. Install Blind Person Warning Sign—9th and Pine Streets
10. First Reading & Order Public Hearing—Chapter 4 Ordinance Revision: Final Grade Survey Fee
11. Approve Surmountable Curb-35th Street: South Oaks

VII. AWARDING OF CONTRACTS & PUBLIC HEARING:

1. Public Hearing-Preliminary Plat: Hidden Lane Addition (Whispering Drive & Pleasant Drive)

VIII. REPORTS FROM CITY STAFF:

A. Public Works

B. Planning

1. Special Use Permit: Wallin Floodway Fill

C. Administration

1. MnDOT Presentation—Request for Approval of Reforestation Plan for Highway 55
2. Presentation by Excel Energy— Vandalism to Vermillion Falls Trail Light Poles
3. First Reading & Schedule Public Hearing—City Code Chapter 9.84

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, July 1, 2002

Hastings, Minnesota
June 3, 2002

The City Council of the City of Hastings, Minnesota met in a regular meeting on Monday, June 3, 2002 at 7:00 p.m. in the City Hall Council Chambers, 101 4th Street East, Hastings, Minnesota

Members Present: Councilmembers Hazlet, Riveness, Moratzka, Schultz, & Yandrasits
Mayor Werner

Members Absent: Councilmember Hicks

Staff Members Present: David Osberg, City Administrator
Shawn Moynihan, City Attorney;
Melanie Mesko Lee, Administrative Assistant/City Clerk;
John Hinzman, Planning Director;
John Grossman, HRA Director;
Lori Webster; Finance Director

Approval of Minutes

Mayor Werner asked if there were any corrections or additions to the minutes of the regular meeting of May 20, 2002. Hearing none, the minutes were approved as presented.

Consent Agenda

Administrative Assistant/City Clerk Mesko Lee requested that the approval of a massage therapist license be added as #12 to the Consent Agenda.

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

6 Ayes; Nays, None.

Copy of resolutions on file.

1. Pay All Bills as Audited
2. Authorize Contracts for Mississippi River Wayside Panels
3. Resolution—Municipal State Aid Project Funding
4. Approve Salary Schedule for Pioneer Room Curator Part-Time Position
5. First Reading and Schedule Public Hearing: Hidden Lane Addition Preliminary Plat (Whispering Drive & Pleasant Drive)
6. First Reading and Schedule Public Hearing: Mississippi Office Park Preliminary Plat (Highway 55 & Pine Street)
7. Development Agreement—Wendy's International Site Plan
8. Development Agreement—Westview Commons Preliminary Plat
9. Development Agreement—Century South 2nd Addition
- 10: Approve Offering Dental Insurance Program to All Full-Time Employees

Southview Drive Trail/Sidewalk Improvements

Public Works Director Montgomery stated that the Operations Committee is recommending the following agreement:

- City-built & -maintained trail
- Hastings Country Club not assessed for the trail
- Landscape improvements installed, but the costs to be assessed to the HCC.

Mayor Werner questioned the City's participation in installation and assessment of landscaping on private property.

Councilmember Yandrasits stated that this solution is the best available, given the time constraints.

Moved by Councilmember Yandrasits, seconded by Councilmember Schultz to table this decision to the June 18 Council meeting until and if the Hastings Country Club formally approves the proposal.

6 Ayes; Nays, none.

Cannon Street/Highway 61 Intersection Improvements

Montgomery stated that the Operations Committee recommended that the Council defer consideration of closing the Cannon Street/Highway 61 intersection until such time as 36th Street or 31st Street is extended west and completes a connection to County Road #47.

Moved by Schultz, seconded by Councilmember Riveness to approve the Operations Committee recommendations as presented and direct staff to notify the local property owners of the Council's decision.

6 Ayes; Nays, none.

2001 Comprehensive Annual Financial Report and Audit Management Report

Finance Director Webster presented auditor Jennifer Thiennes of Kern, DeWenter, Viere, who conducted the 2001 audit.

Thiennes presented a brief overview of the 2001 audit report.

Moved by Councilmember Moratzka, seconded by Councilmember Riveness to accept the report as presented.

6 Ayes; Nays, none.

A copy is available at City Hall.

Resolution—Variance: Marvin & Julie Halfen (1503 Oak Ridge Drive)

Moved by Councilmember Riveness, seconded by Councilmember Moratzka to approve the variance with the two conditions in the planner's report.

6 Ayes; Nays, None

Copy of resolution on file.

Resolution—Sign Variance: Hastings Ford (3625 Vermillion Street)

Moved by Councilmember Schultz, seconded by Councilmember Yandrasits to approve the variance with the conditions in the planner's report.

6 Ayes; Nays, None

Copy of resolution on file.

Resolution—Special Use Permit/Site Plan: Dan and Julia Greil (705 Vermillion Street)

Moved by Councilmember Riveness seconded by Councilmember Moratzka to approve the variance with the conditions in the planner's report.

6 Ayes; Nays, None

Copy of resolution on file.

Resolution—Site Plan: Haley Comfort Systems (120 3rd Street West)

Moved by Councilmember Hazlet, seconded by Councilmember Riveness to approve the site plan as presented.

6 Ayes; Nays, None

Copy of resolution on file.

Resolution—Variance: Charles Russell (1227 Sibley Street)

Moved by Councilmember Moratzka, seconded by Councilmember Riveness, to approve the variance as presented.

6 Ayes; Nays, None

Copy of resolution on file.

Appeal—St. Elizabeth Ann Seton Appeal of Heritage Preservation Commission Denial of Modular Classrooms

Planning Director Hinzman provided background on the issue to date, including action taken by both the Planning Commission and the HPC. The HPC has denied the issuance of a building permit to SEAS for temporary modular classrooms in a historic district.

HRA Director Grossman provided a summary of the HPC's findings that led it to deny the request for a building permit by SEAS.

Lisa Wiger, SEAS Pastoral Council President, read a prepared statement on behalf of SEAS, requesting Council reconsideration of denial of the permit.

David Warg, Chair of the HPC, stated that the HPC's decision was made using objective criteria, and that the proposed modular classrooms do not fit with the historic building design of the district.

Councilmember Hazlet stated that the Historic Preservation Committee of the Council has reviewed the recommendation and supports the HPC's decision, based on objectively following the HPC guidelines.

Councilmember Yandrasits stated that while the parish's educational mission and fundraising efforts may be important, the question before the Council involves whether the HPC made a mistake in its interpretation of the historical guidelines, which would lead the Council to overturn its decision. Yandrasits stated support for the HPC decision.

Councilmember Moratzka stated concern over the temporary use of such buildings and questioned the City's ability to remove them after the proposed seven years.

Councilmember Riveness suggested an agreement between SEAS and the City to give the City the right of first refusal to purchase the property on which to develop a park, once SEAS has moved to the 15th Street location.

City Attorney Moynihan stated that the Council may consider an ordinance amendment which would allow for a conditional or interim use of non-complying buildings in the historic district.

Mayor Werner stated that the HPC made the correct decision based on current ordinance regulations. He also supported some consideration to address the fire marshal's concerns over fire safety issues in the current facility. He stated that he would support SEAS withdrawing their site plan in order to allow the City to consider whether to provide alternatives within the City's ordinances for this type of use. He asked whether SEAS would consider withdrawing their site plan.

SEAS Principal Rita Humbert requested clarification about the timeframe the process would take. Hinzman outlined the process for her.

Councilmember Moratzka stated that review of the ordinance does not ensure that amendments would be recommended or approved.

Moved by Councilmember Moratzka, seconded by Councilmember Schultz, to deny St. Elizabeth Ann Seton's appeal of the HPC's denial of a building permit for modular housing.
6 Ayes; Nays, None.

Resolution—Site Plan: St. Elizabeth Ann Seton (600 Tyler Street)

Peter Gleich, Parish Trustee for SEAS, withdrew the site plan on behalf of SEAS.

Moved by Councilmember Moratzka, seconded by Councilmember Schultz to refer the discussion to the Planning Committee of the Council to review whether a variance or interim use process may be developed for modular housing in a historic district.
5 Ayes; Nays, one; Councilmember Yandrasits voting against.

Mayor Werner called for a five-minute recess at 8:40 p.m.
Mayor Werner reconvened the meeting at 8:45 p.m.

Resolution—Special Use Permit: Wallin Property Floodway Fill

Planning Director Hinzman stated that Wallin Partnerships has requested a special use permit to place approximately 2,300 net cubic yards of fills within the Vermillion River Floodway to construct a stormwater detention pond in conjunction with a preliminary plat. A Conditional Letter of Map Revision (CLOMR) from the Federal Emergency Management Agency (FEMA) is required as part of this process. Hinzman stated that Council is requested to approve the Special Use Permit conditioned upon the CLOMR being received, which will provide a technical analysis of impacts and potential mitigation to address concerns.

Moved by Councilmember Moratzka, seconded by Councilmember Schultz to table the request for a Special Use Permit until after the CLOMR is received.
6 Ayes; Nays, None.

Resolution—Amend Final Plat Resolution: South Oaks

Hinzman stated that two conditions (#14 and #15) of Resolution 02-06-02, A Resolution of the City Council of the City of Hastings Approving the South Oaks Final Plat, are proposed to be amended in order to begin construction of 65 townhomes along 35th Street. The current resolution as written prevents any construction before issues relating to floodplain and LAWCON (National Parks Service) land are resolved. The construction being proposed are not connected with the floodplain and LAWCON issues.

Moved by Councilmember Yandrasits, seconded by Councilmember Riveness to approve the revised resolution as presented.
6 Ayes; Nays, None.
Copy of resolution on file.

Development Agreement—South Oaks

Moved by Councilmember Moratzka, seconded by Councilmember Schultz to approve the Development Agreement for South Oaks as presented.
6 Ayes; Nays, None.
Copy of resolution on file.

New Business

Administrator Osberg reminded the Council that the next City Council meeting will be on Tuesday, June 18, 2002 at 7:00 p.m.

A petition in support of the SEAS modular classrooms was accepted by Administrative Assistant/City Clerk Mesko Lee.

Adjournment

Moved by Councilmember Hazlet, seconded by Councilmember Yandrasits to adjourn the meeting at 8:57 p.m.

6 Ayes; Nays, None.

Mayor

ATTEST _____
City Clerk

City of Hastings
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
	DELTA DENTAL PLAN OF JUNE DENTAL		1,778.45
	REGINA MEDICAL CENTE JUNE WELLNESS		151.75
	Total for Department 000		1,930.20*
ADMINISTRATION	IKON OFFICE SOLUTION CONTRACT COPIES		286.76
	Total for Department 105		286.76*
CITY CLERK	ALLINA MEDICAL CLINI RANDOM DRUG TESTS		120.00
CITY CLERK	HASTINGS STAR GAZETT CHAPTR 3 ORD		28.20
CITY CLERK	HASTINGS STAR GAZETT PRELIM PLAT/HIDDEN LANE		22.80
CITY CLERK	HASTINGS STAR GAZETT PRELIM PLAT/OFFICE PARK		45.60
CITY CLERK	LABORATORY CORPORATI RANDOM DRUG SCREENS		110.25
CITY CLERK	PIONEER PRESS DISPAT CODE ENFORCEMENT INSP OP		513.40
	Total for Department 107		840.25*
FINANCE	KERN, DeWENTER, VIER AUDIT OF 12/31/01 STMTS/		7,000.00
FINANCE	WEBSTER, LORI A. MARCH MILEAGE		18.65
FINANCE	WEBSTER, LORI A. MAY MILEAGE		18.65
FINANCE	WEBSTER, LORI A. MGFOA / CAPR REVIEW		20.00
FINANCE	WEBSTER, LORI A. MGFOA MEETING		15.00
	Total for Department 120		7,072.30*
MAINTENANCE	FINAL TOUCH SERVICES WINDOW CLEANING		1,166.18
MAINTENANCE	JAYTECH, INC. BOILER CHEMICAL		142.47
MAINTENANCE	MOTOR PARTS SERVICE CREDIT DOUBLE PAY BRAZIN		-7.99
MAINTENANCE	REIS, INC GENL SUPPLIES		30.00
MAINTENANCE	SKIP'S SPRINKLERS LAWN SPRINKLER STARTUP		211.89
MAINTENANCE	UHL COMPANY INC. SERVICE CALL		225.15
MAINTENANCE	UHL COMPANY INC. VALVE PARTS		172.89
	Total for Department 140		1,940.59*
POLICE	AT & T WIRELESS MONTHLY LEASE		331.25
POLICE	BOISE CASCADE OFFICE OFFICE SUPPLIES		257.21
POLICE	COMARK GOVERNMENT & FAX MACHINE		388.52
POLICE	DAKOTA COUNTY TECH C MILLER/DRIVING SCHOOL		170.00
POLICE	DAKOTA COUNTY TECH C V SCHARFE/DRIVING SCHOOL		170.00
POLICE	GRAPHIC DESIGN OFFICE SUPPLIES		221.53
POLICE	IKON OFFICE SOLUTION CONTRACT COPIES		133.91
POLICE	ARCH WIRELESS PAGER LEASE		450.97
POLICE	STREICHER'S RADIO HOLDER/RESERVE		23.38
POLICE	TERRY'S ACE HARDWARE KEYS		55.34
POLICE	TERRY'S ACE HARDWARE SHIPPING / KEYS		21.23
POLICE	TERRY'S ACE HARDWARE TRAILER HITCH		40.23
POLICE	TOP DOG INC. JUNE ANIMAL CONTROL		1,300.00
	Total for Department 201		3,563.57*
PUBLIC WORKS	APWA REGISTRATION APWA CONGRESS / EXPOSITI		440.00
PUBLIC WORKS	BDM CONSULTING ENGIN A T & T		36.00
PUBLIC WORKS	BDM CONSULTING ENGIN BAILEY RIDGE UTIL & ST		180.00
PUBLIC WORKS	BDM CONSULTING ENGIN FORD ADDITION		216.00
PUBLIC WORKS	BDM CONSULTING ENGIN GEN'L CITY CONSULTING		252.00

City of Hastings
 FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
PUBLIC WORKS	BDM CONSULTING ENGIN	HASTINGS MKTPLC	675.00
PUBLIC WORKS	BDM CONSULTING ENGIN	RELIANT ENERGY	468.00
PUBLIC WORKS	BDM CONSULTING ENGIN	SIEBEN'S CREST	252.00
PUBLIC WORKS	BDM CONSULTING ENGIN	SPRINT	72.00
PUBLIC WORKS	BDM CONSULTING ENGIN	SUMMIT PT	36.00
PUBLIC WORKS	BDM CONSULTING ENGIN	WALLIN	180.00
PUBLIC WORKS	BDM CONSULTING ENGIN	WENDY'S PLAN REVIEW	324.00
PUBLIC WORKS	BDM CONSULTING ENGIN	XCEL ENERGY	216.00
PUBLIC WORKS	BOLTON & MENK INC	FINAL GRADING VERIFICATI	2,100.00
PUBLIC WORKS	BUMPER TO BUMPER	PREMIUM UTILITY	10.64
PUBLIC WORKS	DIAMOND VOGEL PAINT	PAINT	2,343.00
PUBLIC WORKS	FARMERS UNION CO-OP	OIL / DRUM DEPOSIT	265.20
PUBLIC WORKS	HOSE/CONVEYORS INC.	SCREENER HOSE PARTS	46.58
PUBLIC WORKS	MIKISKA, BRAD	MSPS CONFERENCE/32 MILES	11.68
PUBLIC WORKS	MOTOR PARTS SERVICE	BATTERY	63.85
PUBLIC WORKS	MOTOR PARTS SERVICE	BRUSHES / CHAMOIS	26.07
PUBLIC WORKS	MOTOR PARTS SERVICE	FILTERS / BRAKE CLEANER	111.66
PUBLIC WORKS	MOTOR PARTS SERVICE	HEATER HS	.74
PUBLIC WORKS	MOTOR PARTS SERVICE	SEALS	5.24
PUBLIC WORKS	NEXTEL COMMUNICATION	WIRELESS CHARGES	452.26
PUBLIC WORKS	PAINTERS GEAR, INC.	DRAIN VALVE	69.21
PUBLIC WORKS	PINE BEND PAVING, IN	HOT MIX	696.19
PUBLIC WORKS	PRAXAIR DISTRIBUTION	STARAGON / HAZARDOUS MATE	49.21
PUBLIC WORKS	XCEL ENERGY	RIVERDALE PRV LIFT STATI	52.55
	Total for Department 300		9,651.08*
PARKS AND RECREATION	FIRST NAT'L BANK	RE LOAN #0320243279	1,527.35
	Total for Department 401		1,527.35*
	Total for Fund 101		26,812.10*
PARKS AND RECREATION	DOERER'S GENUINE PAR	ANTI-FREEZE / HOSE	12.65
PARKS AND RECREATION	DOERER'S GENUINE PAR	SHOP TOOLS	587.98
PARKS AND RECREATION	FAIR OFFICE WORLD	IN/OUT BOARD	80.90
PARKS AND RECREATION	IKON OFFICE SOLUTION	CONTRACT COPIES	133.91
PARKS AND RECREATION	IOWA PAINT MANUFACTU	FIELD PAINT	316.84
PARKS AND RECREATION	MTI DISTRIBUTING COM	BEARING ASSEMBLY	121.01
PARKS AND RECREATION	MTI DISTRIBUTING COM	DIAPHRAM KIT	56.73
PARKS AND RECREATION	MTI DISTRIBUTING COM	LABOR	278.59
PARKS AND RECREATION	MTI DISTRIBUTING COM	SPRING	20.35
PARKS AND RECREATION	MTI DISTRIBUTING COM	VALVE	70.60
PARKS AND RECREATION	NIEBUR OIL CO INC	FUEL	2,313.57
PARKS AND RECREATION	REIS, INC	PAINT / TAPE	7.64
PARKS AND RECREATION	REIS, INC	PROPANE TANKS	32.84
PARKS AND RECREATION	REIS, INC	TUBING / HOOK	5.80
PARKS AND RECREATION	RENT 'N' SAVE PORTAB	TOILET RENT	277.53
PARKS AND RECREATION	UNITED BUILDING CENT	CONCRETE MIX	11.46
PARKS AND RECREATION	VIKING SAFETY PRODUC	EAR PLUGS / GLOVES	48.62
	Total for Department 401		4,377.02*

City of Hastings
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
Total for Fund 200			4,377.02*
PARKS AND RECREATION	ALLINA MEDICAL CLINI	SHECK/ HEP B INJECTION	79.25
PARKS AND RECREATION	JOHNSON, DARBIE A.D	CONCESSION SUPPLIES	102.17
PARKS AND RECREATION	TERRY'S ACE HARDWARE	ACID	21.20
PARKS AND RECREATION	TERRY'S ACE HARDWARE	O RING	.70
PARKS AND RECREATION	TERRY'S ACE HARDWARE	SHOWER CAPS	2.75
Total for Department 401			206.07*
Total for Fund 201			206.07*
HERITAGE PRESERVATIO	FURNITURE HOUSE/OAK	FRAME 2 DRAWINGS	88.98
HERITAGE PRESERVATIO	IKON OFFICE SOLUTION	CONTRACT COPIES	133.90
HERITAGE PRESERVATIO	MN HISTORICAL SOCIET	MEMBERSHIP	20.00
Total for Department 170			242.88*
Total for Fund 210			242.88*
	REGINA MEDICAL CENTE	JUNE WELLNESS	370.00
Total for Department 000			370.00*
FIRE	GREEN, THOMAS D	SUPPLY HOSE	2,605.00
FIRE	IKON OFFICE SOLUTION	CONTRACT COPIES	133.90
FIRE	O'CONNOR PLBG & HBAT	REPLACE COMPRESSOR METER	1,707.00
FIRE	PUBLIC SAFETY CENTER	FIREFIGHTER BOOTS	851.98
FIRE	REIS, INC	BATTERIES	46.82
FIRE	SCHOEPPNER, DALE	MILEAGE	135.78
FIRE	U.S. POSTMASTER	STAMPS	15.00
Total for Department 210			5,495.48*
AMBULANCE	BLUE CROSS & BLUE SH	OVERPAYMENT CALL 2002019	210.87
AMBULANCE	EMERGENCY MEDICAL PR	AMB SUPPLIES	132.50
AMBULANCE	TERESA KILBRIDE	OVERPAYMENT TO CALL 2002	443.57
AMBULANCE	REGINA MEDICAL CENTE	MAY SUPPLIES	973.81
AMBULANCE	ZOLL MEDICAL CORP	ELECTRODES	251.00
Total for Department 220			2,011.75*
Total for Fund 213			7,877.23*
DEBT	SPRINGSTED PUBLIC FI	1998 A SWIMMING POOL BON	1,300.00
Total for Department 700			1,300.00*
Total for Fund 350			1,300.00*
PARKS AND RECREATION	BOLTON & MENK INC	SURVEY WALLIN PARK	3,360.00
PARKS AND RECREATION	CENTURY FENCE CO	SWING GATE	789.00
PARKS AND RECREATION	FRIENDS OF THE MISSI	RIVERFRONT MGMT PLAN/GRE	3,000.00
PARKS AND RECREATION	HOISINGTON KOEGLER G	PARKS PLANNING	1,721.52
Total for Department 401			8,870.52*

City of Hastings
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
		Total for Fund 401	8,870.52*
HOUSING AND REDEVELO	DAKOTA COUNTY CDA	MISSISSIPPI TERRACE DEBT	15,000.00
HOUSING AND REDEVELO	GREEN STEVE	REPAIR COSTS GRANT / WAL	5,300.00
		Total for Department 500	20,300.00*
		Total for Fund 402	20,300.00*
HOUSING AND REDEVELO	COMARK GOVERNMENT &	PRINTER	297.51
HOUSING AND REDEVELO	DAKOTA COUNTY RECORD	RECORDING MORTGAGE	20.00
HOUSING AND REDEVELO	GROSSMAN, JOHN	MILEAGE	60.22
		Total for Department 500	377.73*
		Total for Fund 404	377.73*
ECONOMIC DEVELOPMENT	A.P.L. FABRICATORS,	REMIT ENV ASSESS FOR IND	869.00
		Total for Department 180	869.00*
		Total for Fund 407	869.00*
DEBT	SPRINGSTED PUBLIC FI 2000A	GO IMPROV BONDS	1,300.00
		Total for Department 700	1,300.00*
		Total for Fund 520	1,300.00*
DEBT	SPRINGSTED PUBLIC FI 1997E	GO IMPROV BONDS	1,300.00
		Total for Department 700	1,300.00*
		Total for Fund 597	1,300.00*
DEBT	SPRINGSTED PUBLIC FI 1998B	GO IMPROV BONDS	1,300.00
DEBT	SPRINGSTED PUBLIC FI	REBATE CALC	1,300.00
		Total for Department 700	2,600.00*
		Total for Fund 598	2,600.00*
DEBT	SPRINGSTED PUBLIC FI 1999A	GO IMPROV BONDS	1,300.00
		Total for Department 700	1,300.00*
		Total for Fund 599	1,300.00*
PUBLIC WORKS	BUMPER TO BUMPER	BRAKES	96.89
PUBLIC WORKS	BUMPER TO BUMPER	CHARGER	31.94
PUBLIC WORKS	COLT ELECTRIC INC.	REPAIRS	2,376.40
PUBLIC WORKS	GLEWNE DOORS, INC.	HINGES / LATCHBOLT / SWE	43.00
PUBLIC WORKS	IKON OFFICE SOLUTION	CONTRACT COPIES	133.91
PUBLIC WORKS	KEYS WELL DRILLING C	LABOR TO WELL #4	375.00
PUBLIC WORKS	MCNAMARA WILLIAM	SAFETY BOOTS	150.00
PUBLIC WORKS	MINNCOMM PAGING	PAGER SERVICES	18.16
PUBLIC WORKS	MN PIPE & EQUIPMENT	MARKING PAINT / FLAGS	434.74

City of Hastings
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
PUBLIC WORKS	REGINA MEDICAL CENTE	JUNE WELLNESS	40.00
PUBLIC WORKS	TWIN CITY WATER CLIN	WATER ANALYSIS	160.00
PUBLIC WORKS	US FILTER DISTRIBUTI	HYDRANT METER	762.00
PUBLIC WORKS	US FILTER DISTRIBUTI	METERS	3,185.34
		Total for Department 300	7,807.38*
		Total for Fund 600	7,807.38*
PUBLIC WORKS	MCES	WASTEWATER SERVICES	57,728.00
PUBLIC WORKS	REGINA MEDICAL CENTE	JUNE WELLNESS	10.00
		Total for Department 300	57,738.00*
		Total for Fund 601	57,738.00*
CITY CLERK	MOTOR PARTS SERVICE	CREDIT DOUBLE PAY FILTER	-112.21
CITY CLERK	REGINA MEDICAL CENTE	JUNE WELLNESS	68.25
		Total for Department 107	-43.96*
		Total for Fund 610	-43.96*
PARKS AND RECREATION	BAHLS SERVICE	OIL	19.44
PARKS AND RECREATION	REGINA MEDICAL CENTE	JUNE WELLNESS	30.00
PARKS AND RECREATION	TERRY'S ACE HARDWARE	WISE GRIP/ ZINC ROD	15.85
		Total for Department 401	65.29*
		Total for Fund 615	65.29*
PUBLIC WORKS	BRAUN PUMP & CONTROL	PUMP RENTAL	3,674.25
PUBLIC WORKS	FLEXIBLE PIPE TOOL C	CHAIN / BOLT	207.05
PUBLIC WORKS	GLENWOOD INGLEWOOD C	WATER COOLER RENTAL	7.46
PUBLIC WORKS	HEUSSER, JAMES	FAST CURE	276.69
PUBLIC WORKS	K.R. WEST CO. INC.	THERMAL TRANSFERS / SWIV	6,830.35
PUBLIC WORKS	WASTE MANAGEMENT	ROLLOFF RENTAL	323.82
		Total for Department 300	11,319.62*
		Total for Fund 620	11,319.62*
		Grand Total	154,618.88*

June 18, 2002

APPROVED:

City Administrator

Finance Director

Councilmember Hazlet

Councilmember Riveness

Councilmember Schultz

Councilmember Moratzka

Councilmember Hicks

Councilmember Yandrasits

Mayor Werner

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

Memo

To: City Council
From: Becky Kline
Finance Department
Date: 06/11/2002

The attached Department Report itemizes vouchers that were paid on June 11, 2002.

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) 4232 --4232
 Bank #: (A)

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

Department	Vendor Name	Description	Amount
	MN CHILD SUPPORT PMT	CONNELL CS001435452601	369.17
	MN CHILD SUPPORT PMT	PUCH/CS000138614701&0000	618.07
		Total for Department 000	987.24*
COUNCIL AND MAYOR	DAKOTA COUNTY TREASU	COUNTY ABSTRACT SERVICES	80.00
		Total for Department 102	80.00*
ADMINISTRATION	GRAPHIC DESIGN	LETTERHEAD	154.43
ADMINISTRATION	IKON OFFICE SOLUTION	TONER CARTRIDGE/FAX MACH	235.96
ADMINISTRATION	SPRINT	MAY TELEPHONE	1,125.65
		Total for Department 105	1,516.04*
CITY CLERK	HAMLIN UNIVERSITY	TUITION/MESKO LEE/ GRAD	2,310.00
CITY CLERK	HASTINGS STAR GAZETT	2000 - 2002 PUBLISHING	863.59
CITY CLERK	VERIFIED CREDENTIAL	PRE-EMPLOYMENT / M JONES	200.00
		Total for Department 107	3,373.59*
FINANCE	HASTINGS AREA CHAMBE	APR LODGING TAX	4,439.64
FINANCE	MN TAXPAYER ASSC.	MEMBERSHIP DUES	125.00
		Total for Department 120	4,564.64*
MAINTENANCE	AIR FILTERS UNLIMITE	AIR FILTERS	408.29
MAINTENANCE	MINNEGASCO,ACCT'S PA	MAY GAS	1,371.01
MAINTENANCE	SCHILLING PAPER CO.	PAPER SUPPLIES	132.85
		Total for Department 140	1,912.15*
POLICE	BIRCHEN ENTERPRISES	GAS	15.00
POLICE	BIRCHEN ENTERPRISES	VEHICLE REPAIR	1,370.08
POLICE	HASTINGS BUS CO	TRANSPORTATION/CROSSING	101.45
POLICE	MN DEPT OF ADMINISTR	STATE LINK FEE	37.00
POLICE	NEXTEL COMMUNICATION	CELL PHONE	853.71
POLICE	SPRINT	MAY TELEPHONE	1,631.90
POLICE	VERIZON WIRELESS, BE	CELL PHONE	56.64
		Total for Department 201	4,065.78*
SAFETY COMMITTEE	CONTINENTAL SAFETY	SAFETY VESTS	562.40
		Total for Department 240	562.40*
PUBLIC WORKS	ANDERSEN, E.F. & ASS	SIGNS / REFLECTIVE BEADS	452.94
PUBLIC WORKS	BAHLS SERVICE	FITTINGS	12.38

City of Hastings
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
PUBLIC WORKS	BAHLS SERVICE	OIL	33.85
PUBLIC WORKS	BARR ENGINEERING CO.	TASK 300 -- RIVERDALE	3,910.50
PUBLIC WORKS	BDM CONSULTING ENGIN	3 RIVERS MHC	972.00
PUBLIC WORKS	BDM CONSULTING ENGIN	CENTURY SO	9,635.50
PUBLIC WORKS	BDM CONSULTING ENGIN	CENTURY SO GRADING	36.00
PUBLIC WORKS	BDM CONSULTING ENGIN	CENTURY SO PH 2 PLAN REV	1,940.00
PUBLIC WORKS	BDM CONSULTING ENGIN	MARKETPLACE FAM HSN	180.00
PUBLIC WORKS	BDM CONSULTING ENGIN	MIDDLE SCHOOL DEMO	144.00
PUBLIC WORKS	BDM CONSULTING ENGIN	PLEASANT VALLEY	36.00
PUBLIC WORKS	BDM CONSULTING ENGIN	RIVERDALE ST & UTIL	3,512.00
PUBLIC WORKS	BDM CONSULTING ENGIN	SO OAKS	432.00
PUBLIC WORKS	BDM CONSULTING ENGIN	SO OAKS PLAN REVIEW	118.00
PUBLIC WORKS	BDM CONSULTING ENGIN	SO PINES 4TH	1,560.00
PUBLIC WORKS	BDM CONSULTING ENGIN	SUMMIT HEIGHTS	1,152.00
PUBLIC WORKS	BDM CONSULTING ENGIN	VALLEY MANOR 2ND	180.00
PUBLIC WORKS	BDM CONSULTING ENGIN	WALLIN PLAN REVIEW	2,160.00
PUBLIC WORKS	BDM CONSULTING ENGIN	WALMART	5,484.00
PUBLIC WORKS	DOERER'S GENUINE PAR	BELT	36.84
PUBLIC WORKS	G & K SERVICES	MATS / TOWEL RENTAL	118.67
PUBLIC WORKS	MINNEGASCO, ACCT'S PA	MAY GAS	213.82
PUBLIC WORKS	NORTHSTAR REPRO PROD	PAPER FOR OCE	61.46
PUBLIC WORKS	RADKE ELECTRIC	CHANGE OUT STREET LIGHTS	155.00
PUBLIC WORKS	SPRINT	MAY TELEPHONE	267.97
	Total for Department 300		32,804.93*
MISCELLANEOUS	LEAGUE/MN CITIES INS	DEDUCTIBLE BILLING	769.94
	Total for Department 600		769.94*
	Total for Fund 101		50,636.71*
PARKS AND RECREATION	BAHLS SERVICE	TIRE REPAIR	17.19
PARKS AND RECREATION	CUSHMAN MOTORS	RIM	24.28
PARKS AND RECREATION	DOERER'S GENUINE PAR	LAMP	75.18
PARKS AND RECREATION	FARMERS MILL & ELEVA	CLAY	4.79
PARKS AND RECREATION	FARMERS MILL & ELEVA	CLAY / GRASS SEED	1,170.44
PARKS AND RECREATION	FARMERS MILL & ELEVA	CLAY/ MARKING DUST	910.58
PARKS AND RECREATION	FARMERS MILL & ELEVA	FERTILIZER	2,316.38
PARKS AND RECREATION	GERLACH SERVICE, INC.	BRAKE GUARD	11.41
PARKS AND RECREATION	LEEF BROTHERS, INC.	SHOP TOWELS	47.09
PARKS AND RECREATION	LIGHTBOURN WELDING	REPAIR FENCE	975.00
PARKS AND RECREATION	MINNEGASCO, ACCT'S PA	MAY GAS	682.03
PARKS AND RECREATION	MN DEPT/LABOR & INDU	EXEMPTION	10.00
PARKS AND RECREATION	MIRACLE RECREATION E	CHAIN / NUTS / BOLTS	517.10
PARKS AND RECREATION	NEXTEL COMMUNICATION	CELL PHONE	272.32
PARKS AND RECREATION	SPRINT	MAY TELEPHONE	643.35
PARKS AND RECREATION	UNITED RENTALS	SOD CUTTER RENTAL	93.72
PARKS AND RECREATION	VECTOR INTERNET SERV	MAILBOX / DIAL-UP	34.95
	Total for Department 401		7,805.81*
	Total for Fund 200		7,805.81*

City of Hastings
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
PARKS AND RECREATION	AQUA LOGIC, INC.	CHEMICALS	3,076.35
PARKS AND RECREATION	DIPPIN DOTS, INC.	6 CASES	526.50
PARKS AND RECREATION	EMILY'S	6 DOZ BUNS	15.60
PARKS AND RECREATION	FIRST LINE BEVERAGES	CONCESSION PRODUCTS	642.61
PARKS AND RECREATION	MIDWEST COCA-COLA BT	CONCESSION POP	912.50
PARKS AND RECREATION	MINNEGASCO, ACCT'S PA	MAY GAS	48.88
PARKS AND RECREATION	NEXTEL COMMUNICATION	CELL PHONE	315.78
PARKS AND RECREATION	RECREONICS, INC.	VACUUM CARTRIDGE	145.93
	Total for Department 401		5,684.15*
	Total for Fund 201		5,684.15*
FIRE	AMERIPRIDE LINEN & A	LINEN SERVICE	26.63
FIRE	CARLSON AUTO TRUCK I	REPAIRS 1498	537.38
FIRE	FAIR OFFICE WORLD	OFFICE SUPPLIES	130.96
FIRE	HASTINGS AUTO BODY,	REPAIRS TO 1499	118.46
FIRE	MINNEGASCO, ACCT'S PA	MAY GAS	524.78
FIRE	SPRINT	MAY TELEPHONE	493.31
FIRE	TARGET	OFFICE SUPPLIES	38.45
FIRE	VERIZON WIRELESS, BE	CELL PHONE	130.33
FIRE	VOLUNTEER BENEFIT AS	ANNUAL POLICY RENEWAL	240.00
FIRE	WALMART COMMUNITY BR	PRINTER SUPPLIES	36.18
FIRE	WALMART COMMUNITY BR	SUPPLIES	157.98
	Total for Department 210		2,434.46*
AMBULANCE	DOUD CATHERINE	REFUND OVERPAYMENT CALL	619.20
AMBULANCE	GRAFIX SHOPPE	GRAPHICS NEW AMBULANCE	1,270.00
AMBULANCE	MOORE MEDICAL CORP.	AMB SUPPLIES	783.34
AMBULANCE	PRAXAIR DISTRIBUTION	MEDICAL OXYGEN	242.70
AMBULANCE	REDLIN STEVE	REFUND OVERPAYMENT CALL	264.60
AMBULANCE	TRAFFIC CONTROL CORP	EMITTER TRADE-IN ALLOWAN	639.00
AMBULANCE	VECTOR INTERNET SERV	INTERNET ACCESS	79.95
AMBULANCE	WALMART COMMUNITY BR	BLOOD STRIPS	146.96
	Total for Department 220		4,045.75*
	Total for Fund 213		6,480.21*
PARKS AND RECREATION	SOLBERG AGGREGATE CO	CRUSHED ROCK	31.06
PARKS AND RECREATION	SPECIALIZED TURF SOD	SOD	79.88
	Total for Department 401		110.94*
	Total for Fund 401		110.94*
EQUIPMENT REVOLVING	TKDA ENGINEERS	PUBLIC WORKS MASTER PLAN	410.74
	Total for Department 800		410.74*
	Total for Fund 403		410.74*
PUBLIC WORKS	BOLTON & MENK INC	GRETEN UTILITY	248.11
PUBLIC WORKS	BRKW APPRAISALS	APPRAISAL / 2ND ST W	3,500.00

City of Hastings
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
PUBLIC WORKS	BRKW APPRAISALS	APPRAISAL / GUARDIAN ANG	3,500.00
PUBLIC WORKS	BRKW APPRAISALS	APPRAISAL/FOREST & 9TH	3,000.00
		Total for Department 300	10,248.11*
		Total for Fund 491	10,248.11*
PUBLIC WORKS	BOLTON & MENK INC	GEN SIEBEN RE-CONST	8,499.89
PUBLIC WORKS	BOLTON & MENK INC	IND PARK IMPROVEMENTS	2,681.18
PUBLIC WORKS	BOLTON & MENK INC	LOCK & DAM	2,853.55
PUBLIC WORKS	BOLTON & MENK INC	SOUTHVIEW DR	6,028.50
PUBLIC WORKS	RLK KUUSISTO LTD	MARKETPLACE WEST/DESIGN	15,368.00
		Total for Department 300	35,431.12*
		Total for Fund 492	35,431.12*
PUBLIC WORKS	COLT ELECTRIC INC.	REINSTALL MOTOR	533.58
PUBLIC WORKS	CONNELLY INDUSTRIAL	LINE REACTOR	1,416.73
PUBLIC WORKS	CONNELLY INDUSTRIAL	REPAIR LABOR / CONTACT B	584.52
PUBLIC WORKS	MINNEGASCO,ACCT'S PA	MAY GAS	434.60
PUBLIC WORKS	NEXTEL COMMUNICATION	WIRELESS CHARGES	548.58
PUBLIC WORKS	NEXTEL COMMUNICATION	WIRELESS PHONE	39.15
PUBLIC WORKS	SPECIALIZED TURF	SOD SOD	39.94
PUBLIC WORKS	SPRINT	MAY TELEPHONE	267.98
PUBLIC WORKS	UNITED RENTALS	DOLLY RENTAL	16.87
PUBLIC WORKS	VECTOR INTERNET SERV	INTERNET SERVICE	39.95
		Total for Department 300	3,921.90*
		Total for Fund 600	3,921.90*
CITY CLERK	SPRINT	MAY TELEPHONE	55.20
		Total for Department 107	55.20*
		Total for Fund 610	55.20*
PARKS AND RECREATION	BONESTROO & ASSOC	PROJ 7500/80% COMPLETE/R	6,000.00
PARKS AND RECREATION	DOERER'S GENUINE PAR	CORE RETURN CREDIT	-52.72
PARKS AND RECREATION	GARTNER REFRIGERATIO	GAS ENGINE REPAIR	16,206.61
PARKS AND RECREATION	MN DEPT PUBLIC SAFET	HAZARDOUS MATERIALS FEE	25.00
PARKS AND RECREATION	MINNEGASCO,ACCT'S PA	MAY GAS	2,092.65
PARKS AND RECREATION	R & R SPECIALITIES,	5 BLADE SHARP	85.81
PARKS AND RECREATION	SPRINT	MAY TELEPHONE	165.09
		Total for Department 401	24,522.44*
		Total for Fund 615	24,522.44*
PUBLIC WORKS	COLT ELECTRIC INC.	REPAIRS/ LABOR	5,740.29
PUBLIC WORKS	COUNTRY INN & SUITES	LODGING / BECK	432.48
PUBLIC WORKS	K.R. WEST CO. INC.	FITTINGS / PUSHLOCK / GA	1,986.68
PUBLIC WORKS	K.R. WEST CO. INC.	INSTALLATION / LODGING /	6,013.50
PUBLIC WORKS	MEAD & HUNT, INC.	POWERHOUSE MODIFICATIONS	7,635.75

City of Hastings
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
PUBLIC WORKS	PORTABLE BARGE SERVI	LABOR / BARGE/ CRANE	59,627.69
PUBLIC WORKS	S & T OFFICE PRODUCT	JOURNALS	34.42
		Total for Department 300	81,470.81*
		Total for Fund 620	81,470.81*
		Grand Total	226,778.14*

To: Mayor Werner and City Councilmembers
From: Melanie Mesko Lee, Administrative Assistant/City Clerk
Re: Dental Insurance Option for Councilmembers
Date: June 13, 2002

Requested Action

Approve offering dental insurance coverage for Councilmembers at their own cost.

Background Information

A Dental Insurance Committee has been meeting for over a year to evaluate whether dental insurance coverage may be an option available to employees of the City of Hastings. Based on the research done by this committee, a recommendation was made to the Administrative Committee of the Council (Councilmembers Moratzka, Riveness, & Yandrasits) on April 24, 2002 to offer dental insurance coverage to City employees, at the employee's own cost.

This was approved for full-time employees at the June 3, 2002 Council meeting.

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

Memo

To: Mayor Werner and City Council

From: John Hinzman, Planning Director

Date: June 18, 2002

Subject: **Mississippi Office Park** – Table Preliminary Plat and Rezoning Public Hearing for property at the southwest corner of Pine Street and Highway 55 by Siewert Construction.

The City Council is asked to table the public hearing to review the preliminary plat and rezoning of Mississippi Office Park located at the southwest corner of Pine Street and Highway 55. The public hearing will be brought upon site plan action by the Planning Commission. The applicant has requested consideration of the site plan be tabled to work out final design details.

Memo

To: Mayor Werner and City Council

From: John Hinzman, Planning Director

Date: June 18, 2002

Subject: Development Agreement – Westview Commons\Wendy's International

REQUEST

The City Council is asked to approve the Development Agreement between the City and Reliance Development for the Preliminary and Final Plat of Westview Commons, a three lot commercial subdivision located at the southwest corner of Westview Drive and Highway 55, including a Wendy's restaurant.

The City Council granted preliminary plat, final plat, and site plan approval on April 15, 2002. As a condition of approval, the developer was required to enter into a development agreement with the city to memorialize conditions of the site plan and plat.

ATTACHMENTS

- Development Agreement
- Preliminary Plat
- Final Plat
- Site Plan

**DEVELOPMENT AGREEMENT
WESTVIEW COMMONS ADDITION**

THIS AGREEMENT, made and entered into this ____ day of _____, 2002, by and between the City of Hastings, a Minnesota Municipal Corporation (“City”), and W.H. Investments, LLC, a Delaware LLC (“Developer”).

WHEREAS, Developer plans to undertake commercial development on property which is proposed to be platted as **Westview Commons Addition**, in the City of Hastings, Dakota County, Minnesota (“Subject Property”); and

WHEREAS, public hearings have been held providing the opportunity for input by all interested persons; and

WHEREAS, the Hastings City Council has approved Developer’s approved plat, subject to Developer entering into this Development Agreement and otherwise complying with all conditions of City Council approval; and

WHEREAS, Developer is signing this Development Agreement fully expecting to bind the subject property to the extent set forth herein.

NOW, THEREFORE, it is hereby agreed between the parties as follows:

1. **Application of Development Agreement.** This Development Agreement shall

apply to the following property in the City of Hastings, Dakota County, Minnesota,
legally described as:

Westview Commons Addition, according to the plat thereof, to be
filed in the Dakota County Recorder's Office.

All references in this Development Agreement to a lot, block or outlot, shall refer to a lot,
block or outlot contained in the plat of **Westview Commons Addition**.

2. **Authority to Make Agreement.** Developer warrants to the City it has full authority to enter into this Development Agreement and perform the conditions herein contained. Developer further warrants that this Development Agreement will be recorded against the Subject Property before any of the Subject Property is transferred or encumbered in any way.
3. **Park Dedication Fees.** At the time the final plat is signed by the City, Developer shall pay to the City \$5,085.00 in park dedication fees.
4. **Interceptor Sewer Charges.** At the time the final plat is signed by the City, Developer shall pay to the City \$6,407.10 in interceptor sewer charges.
5. **Access to Property.** Access to the Subject Property shall be limited to South Frontage Road. There shall be no direct access to Westview Drive or STH 55.
6. **MNDOT Approval.** Developer agrees to comply with all comments made by MNDOT after its review of the proposed plat of the Subject Property. The final plat of the Subject Property shall show the MNDOT right-of-way and the restricted access to STH 55.
7. **Compliance with Public Works Director's Comments.** Developer agrees to comply with all comments made by City of Hastings Public Works Director, Tom

Montgomery, as outlined in his letter dated April 5, 2002, a copy of which is attached to this Agreement as Exhibit A.

8. **Curb Cuts.** The existing curb cuts on Westview Drive and South Frontage Road shall be closed at Developer's expense when construction first begins on the subject property. A new curb cut on South Frontage Road shall be constructed by Developer as shown on the approved final plat. This curb cut shall be constructed pursuant to City specifications.
9. **Site Grading.** Any site grading on the subject property must be completed according to the site plans approved by the City. All disturbed areas on the Subject Property must be stabilized with a rooting vegetative cover to eliminate any erosion problems. All disturbed areas on the Subject Property shall be maintained so as to comply with all City of Hastings property maintenance ordinances.
10. **Private Streets.** All streets on the Subject Property shall be private streets and will not be maintained by the City. Before the City signs the final plat, Developer must present to the City, for the City's approval, a Declaration of Easements, Restrictions and Covenants, containing nonexclusive joint parking and access agreements with respect to the joint use of the parking lots for the Subject Property and joint use of the Access Drives for the Subject Property ("Declaration"). This Declaration shall contain language stating that the Declaration cannot be changed, modified or terminated without the prior written consent of the City. The Declaration must be recorded against the Subject Property by Developer before any of the Subject Property is transferred or encumbered in any way.

11. **Vacation of Preexisting Drainage and Utility Easement.** Before the City will sign the final plat, Developer must process and receive approval from the City to vacate the preexisting drainage and utility easements along STH 55 and along the southeast corner of the subject property.
12. **Wendy's International, Inc. Site Plan.** Wendy's International, Inc. has submitted a site plan for construction on Lot 1 of the Subject Property. Construction on this Lot 1 shall comply with all conditions of Site Plan approval imposed by the Hastings City Council on April 15, 2002. A copy of these conditions are attached to this Agreement as Exhibit B.
13. **Future Site Plan Approvals.** No building permits shall be issued for any construction on the Subject Property until all required site plan approvals have been obtained from the City.
14. **Successors and Assigns.** The terms of this Development Agreement shall be binding upon Developer and its successors and assigns to all or any part of the Subject Property and shall run with the land.
15. **Recording of Agreement.** This Development Agreement shall be recorded against the platted property before any of the platted property is transferred or encumbered in any way. Developer shall pay all costs of recording this Development Agreement.
16. **Miscellaneous.**
 - A. Developer agrees that any breach of the terms of this Development Agreement shall be grounds for the denial of any building permit, Certificate of Occupancy or any other required city approvals with respect to the lot or lots to which the breach directly relates. Developer shall be provided with

notice of any breach of the terms of this Development Agreement in accordance with the Notice Provisions hereafter, and shall be provided a period of 30 days in which to cure the breach. During this 30-day notice period, the City shall be allowed to withhold any required permits, Certificate of Occupancy or any other City approvals, unless the City is given assurances in an amount and form deemed appropriate in the sole discretion of the City, that the breach will be eliminated.

- B. If any portion of this Development Agreement is held invalid for any reason, that decision shall not affect the validity of the remaining portions of this Development Agreement.
- C. The action or inaction of the City shall not constitute a waiver or amendment to the provisions of this Development Agreement. All amendments or waivers to this Development Agreement must be in writing, signed by all parties and approved by written Resolution of the City Council.
- D. All parties to the Development Agreement have participated freely in the negotiations and preparation hereof. Accordingly, this Development Agreement shall not be construed more strictly against any one of the parties as a result thereof.
- E. Any notice required by this Development Agreement shall be sent to the parties as follows:

TO THE CITY:

City of Hastings
Attn: City Administrator
101 E. Fourth Street

Hastings, MN 55033

TO THE DEVELOPER:

W.H. Investments, LLC., a Delaware LLC

17. **Recording of Final Plat.** The final plat of the Subject Property, as approved by the City, shall be recorded with the Dakota County Recorder's Office, before building permit is granted.
18. **Other Conditions.** Nothing in this Development Agreement shall limit or modify in any way the conditions imposed by the Hastings City Council on April 15, 2002, as part of its approval of the preliminary plat, final plat and site plan, which conditions are on file at Hastings City Hall.

Dated this ____ day of _____, 2002.

**CITY OF HASTINGS,
a Minnesota Municipal Corporation**

By: _____
Michael D. Werner, Mayor

(SEAL)

By: _____
Melanie Mesko Lee
Administrative Assistant/City Clerk

ACKNOWLEDGMENT

STATE OF MINNESOTA)
) ss
COUNTY OF DAKOTA)

The foregoing instrument was acknowledged before me this _____ day of _____, 2002, by Michael D. Werner and Melanie Mesko Lee, the Mayor and Administrative Assistant/City Clerk of the City of Hastings, a Minnesota municipal Corporation.

Subscribed and sworn to before
me this ___ day of _____, 2002.

Notary Public

W.H. INVESTMENTS, LLC
a Delaware LLC

By: _____

Its: _____

CITY OF HASTINGS

101 4th Street East • Hastings, MN 55033-1955
651-437-4127 • Fax: 651-437-7082

April 5, 2002

Christine R. Moss
Landform
650 Butler North Building
510 First Avenue North
Minneapolis, MN 55403

Re: Westview Commons Preliminary Plat Comments
Wendy's Site Plan Review

Dear Ms. Moss:

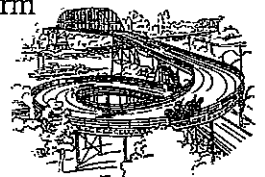
The following are comments developed from the review of the Westview Commons Preliminary Plat dated 3-22-02:

Sheet C3.1, Preliminary Grading, Drainage and Erosion Control Plan

- Show the limits of the silt fence
- There is a general impression that the existing sight line for eastbound South Frontage Road traffic looking north down Westview Dr. is very poor. While you have marked out the sightline, please show a profile through the sightline area with a height of eye at 3.5 feet to examine if the existing grades contribute to the sight line problem at this intersection.
- A 50 ft. long 2% maximum grade landing area is required at the access to the South Frontage Road. The plan shows both a 2% grade and a 5% grade at the entrance. The length of grade is not shown on the plan.
- A reflective sign and a landscape/physical barrier should be installed at the north end of the main access drive.
- This site is under the 5 acre requirement for NPDES permitting. However, the City's Storm Water Management Ordinance does apply. Please add a note to the final plans indicating that the City's Storm Water Management Ordinance will be in effect and that a copy may be obtained off the City's web site at www.ci.hastings.mn.us.

Sheet C3.2, Concept Grading, Drainage and Erosion Control Plan

- The sidewalk for the conceptual 6,800 SF retail building encroaches 5 ft. into the remaining drainage and utility easement. This creates a problem on the east side of the property where the storm sewer is 8+ feet deep. The sidewalk should be removed from the easement area or the building narrowed.
- Given the conflicts with grades and building locations with the existing storm sewer, consideration should be given to relocating the storm sewer.



Sheet C4.1, Preliminary Utility Plan

- 7 ½' cover on all water mains is required.
- The new sanitary sewer mains should be 8" diameter mains.
- There are two sanitary manholes labeled #1.
- Provide a wye for the proposed building on Lot 2 off of the new sanitary sewer main to eliminate having to connect to the existing 8" diameter VCP sanitary sewer main.
- Provide a minimum of 18" separation between utility mains when they cross each other.
- On utility crossing note #2 the water main should be installed under the storm sewer and allow an 18" separation.
- The new 10" water main must be constructed and all tests passed before connecting to the existing water main. This may require additional valves. When connecting to the existing water main, Mr. Jim Heusser, Utilities Department Superintendent must be notified at least 72 hours prior to the connections. Jim's phone number is 651-437-3561. The connections may not be constructed on a Friday or on the weekend.
- Please show retaining wall elevation at various spots to help evaluate any potential utility conflicts. What is the elevation of the bottom of the base modular block where it passes over the storm sewer?
- Catch Basin CB #4 is receiving drainage from a large area. Please add an additional catch basin in this area so that if the intake area becomes plugged with leaves or debris that the drainage will not overtop the curb and cause damage to the retaining wall.
- The Wendy's detail sheets (C7.1 & C7.2) should be attached to the Westview Commons plans as the manholes and other features will be installed by the developer. In addition, reference or include in the plan set, the city standard details.

Sheet C4.2, Concept Utility Plan

- At Utility Crossing #1, provide 18" of separation between the storm sewer and the sanitary sewer.

General Notes

- Plan sheets should be signed.
- Provide a note on the plans that states the 2002 City of Hastings Specifications are to be used on this project.

The following are comments developed from the review of the Wendy's site plan dated 3-22-02:

Sheet C2.1, Preliminary Site Plan

- Show how truck deliveries will be made to the site. There does not appear to be a way to accommodate deliveries without blocking parking. How will delivery trucks exit the site? Perhaps a delivery truck parking bay could be developed between the garbage dumpsters and the building. Is there enough room for garbage trucks to access the garbage area?

Sheet C3.1, Preliminary Grading, Drainage and Erosion Control Plan

- This site is under the 5 acre requirement for NPDES permitting. However, the City's Storm Water Management Ordinance does apply. Please add a note to the final plans indicating that the City's Storm Water Management Ordinance will be in effect and that a copy may be obtained off the City's web site at www.ci.hastings.mn.us.
- A reflective sign and a landscape/physical barrier should be installed at the north end of the main access drive.
- Show pavement thickness.

Sheet C4.1, Preliminary Utility Plan

- Provide a minimum of 7 ½' of cover on all water mains and services.

General Notes

- Plan sheets should be signed.
- Provide a note on the plans that states the 2002 City of Hastings Specifications are to be used on this project.

If you have any questions about the Westview Commons Preliminary Plat review, please contact Dave Thompson at 612-240-5282 or myself.

Sincerely,

Thomas M. Montgomery, P.E.
Public Works Director

cc: John Hinzman, Planning Director
Dave Thompson, BDM

HASTINGS CITY COUNCIL

RESOLUTION NO. 4/24/02

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HASTINGS
APPROVING THE SITE PLAN REVIEW OF WENDYS INTERNATIONAL TO
CONSTRUCT A RESTAURANT AT THE SOUTHWEST OF HIGHWAY 55 AND
WESTVIEW DRIVE , HASTINGS, MN**

Council member Riveness introduced the following Resolution and moved its adoption:

WHEREAS, Wendy's International has petitioned for site plan approval to construct a restaurant located southwest of Highway 55 and Westview Drive legally described as Lot 7, Block 1, WESTVIEW SHOPPING CENTER 2ND ADDITION, Dakota County, Minnesota; and

WHEREAS, on April 8, 2002, 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 for Wendy's International subject to the following:

1. Satisfying outstanding review comments of the April 5, 2002 letter to Landform Engineering by Thomas Montgomery, Public Works Director.
2. Direct access to Westview Drive and Highway 55 is prohibited.
3. All disturbed areas on this property shall be stabilized with rooting vegetative cover to eliminate erosion problems.
4. The disturbed areas of the site shall be maintained to the requirements of the City's property maintenance ordinance.
5. Recording of the Final Plat of *Westview Commons Addition* with Dakota County.
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. Execution of a development agreement to memorialize the conditions of site plan approval and to establish any applicable escrow amounts to guarantee the completion of site plan activities.

8. Satisfaction of any outstanding comments from the Minnesota Department of Transportation relating to the site plan.
9. Recordings of joint access easements for ingress, egress, and parking between Westview Commons Addition properties.
10. Screening of all rooftop equipment.
11. Illumination levels must not exceed 0.5-foot candles at the perimeter of Westview Commons Addition.
12. All waste enclosure areas shall be constructed with materials matching the primary building.
13. Reconfiguration of the trash enclosure area to face south. Any parking spaces lost would need to be created to maintain minimum levels.
14. Tree spacing along Highway 55, Westview Drive, and the south parking lot must be reduced to 40 feet on center.
15. Trees or shrubs should be placed between the parking area and eastern retaining wall.
16. The applicant shall provide a wall detail indicating materials and elevations for the retaining wall subject to approval by the Planning Director.
17. A planting plan must be developed for the retaining wall that incorporates shrub plantings on the terraced areas similar in design and density as other commercial projects along Highway 55.
18. Fencing must be provided along the top of the wall. Fencing materials must be consistent with a higher degree of architectural standards due to its visibility and elevation.

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 Moratzka moved a second to this resolution and upon being put to a vote adopted by 6 present.

Ayes: Councilmember Hazlet, Hicks, Riveness, Schultz, Moratzka, & Yandrasits

Nays: None

Absent: Mayor Werner

ATTEST:

Melanie Mesko Lee

Melanie Mesko Lee
Administrative Assistant/City Clerk

Paul J. Hicks

Paul J. Hicks, Acting Mayor

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 15th day of April, 2002, as disclosed by the records of the City of Hastings on file and of record in the office.

Melanie Mesko Lee

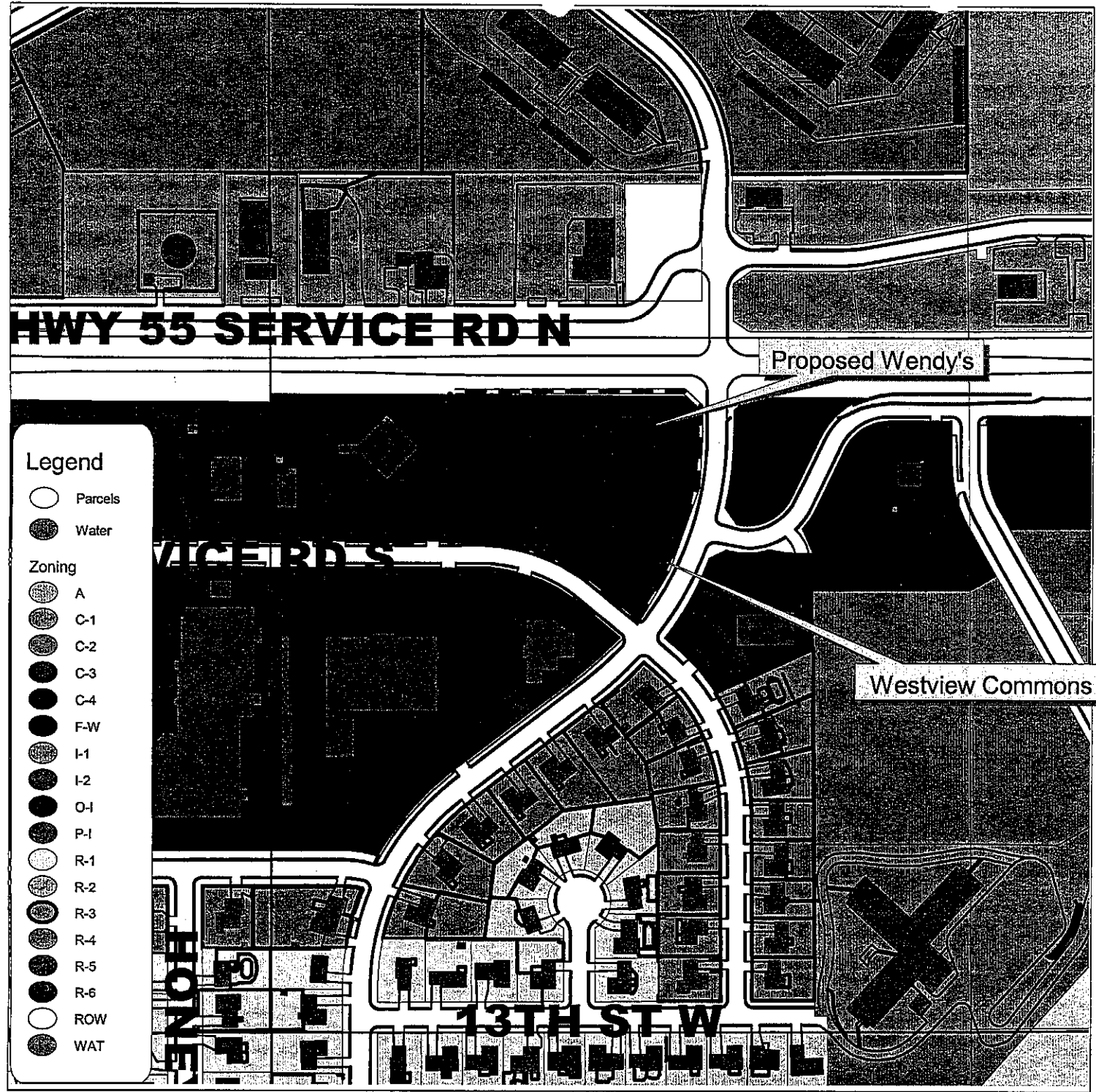
Melanie Mesko Lee
Administrative Assistant/City Clerk

(SEAL)

This instrument drafted by:

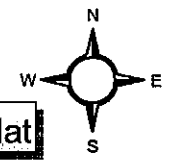
City of Hastings
101 4th St. East
Hastings, MN 55033

Westview Commons Plat Wendy's Site Plan

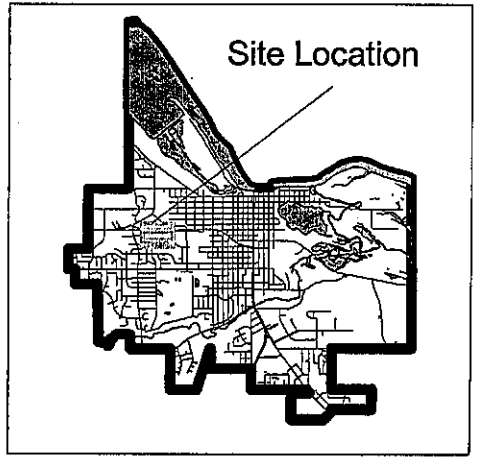


- Legend**
- Parcels
 - Water
- Zoning**
- A
 - C-1
 - C-2
 - C-3
 - C-4
 - F-W
 - I-1
 - I-2
 - O-1
 - P-1
 - R-1
 - R-2
 - R-3
 - R-4
 - R-5
 - R-6
 - ROW
 - WAT

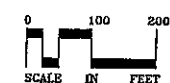
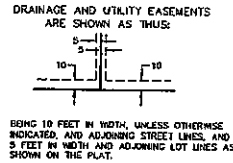
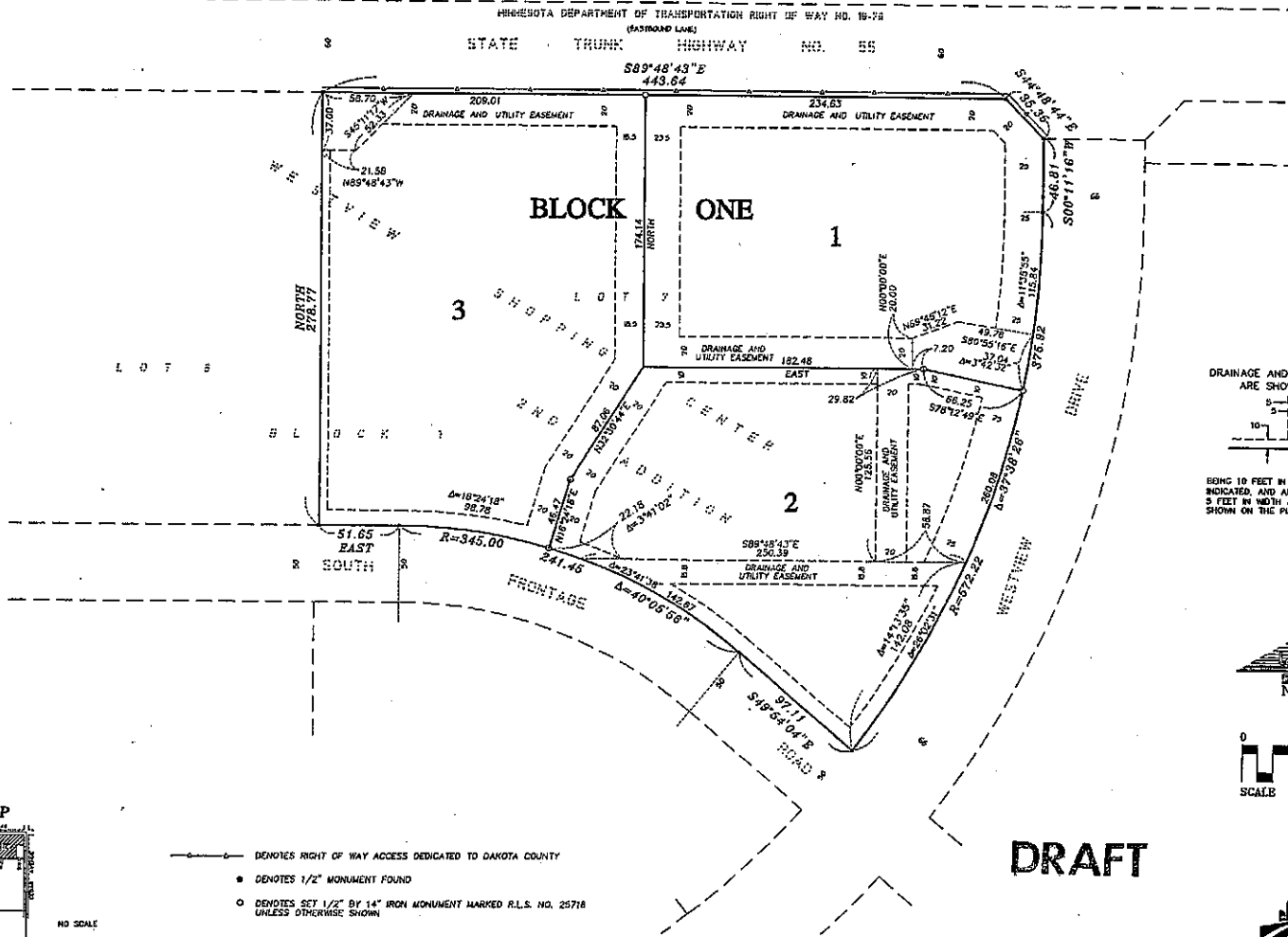
- Legend**
- Buildings
 - ~ Roads
 - Parcels



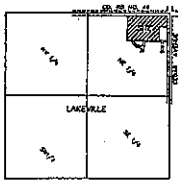
Map Date: April 8, 2002



WESTVIEW COMMONS ADDITION



VICINITY MAP



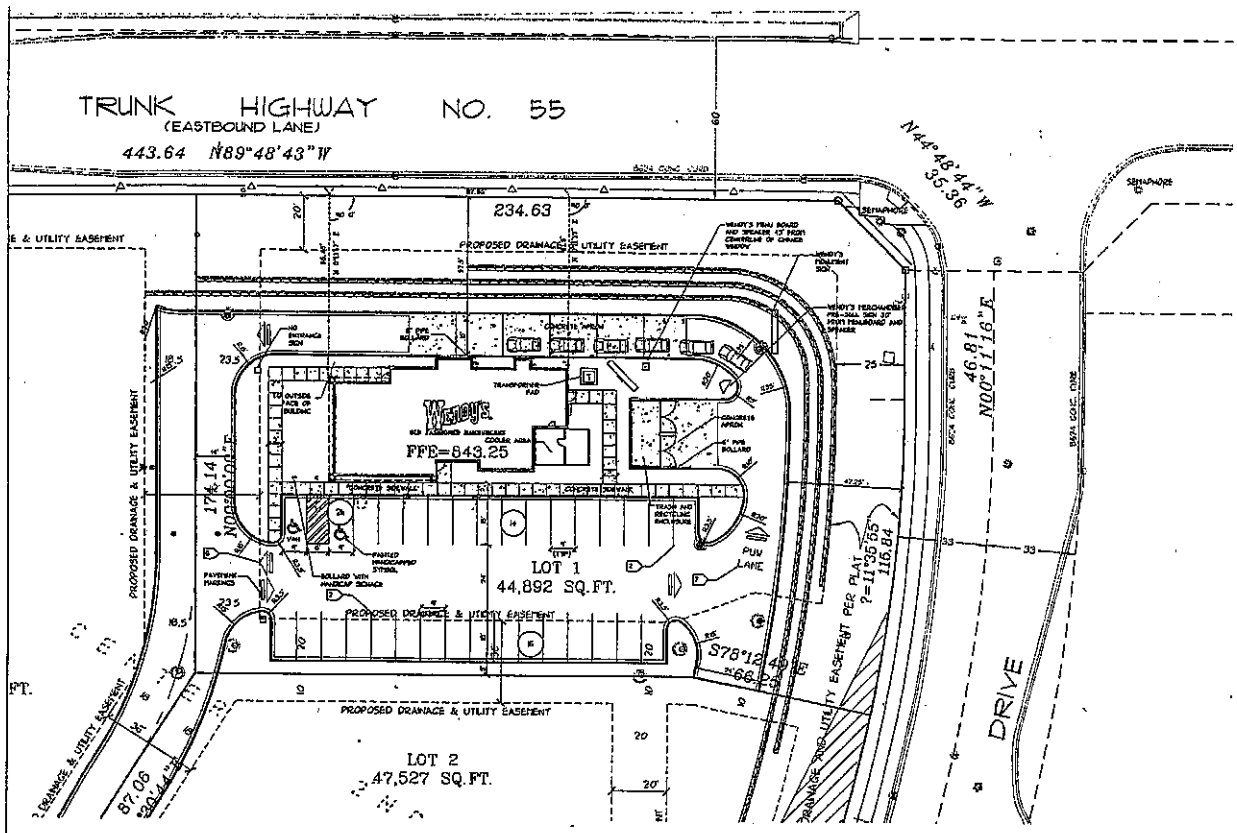
SEC. 4, T. 114, R. 20, DAKOTA COUNTY, MINNESOTA

- DENOTES RIGHT OF WAY ACCESS DEDICATED TO DAKOTA COUNTY
- DENOTES 1/2" MONUMENT FOUND
- DENOTES SET 1/2" BY 14" IRON MONUMENT MARKED R.L.S. NO. 25718 UNLESS OTHERWISE SHOWN

THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 114, RANGE 20 ASSUMED TO HAVE A BEARING OF S89°58'02\"/>

DRAFT





GENERAL NOTES

BACKSLOPE PROTECTION SHALL BE FOR EROSION AND SEDIMENT CONTROL. PROTECT EXISTING UTILITIES AND STRUCTURES. ALL UTILITIES SHALL BE PROTECTED AND DEPTH SHALL BE MAINTAINED. ALL UTILITIES SHALL BE PROTECTED AND DEPTH SHALL BE MAINTAINED. ALL UTILITIES SHALL BE PROTECTED AND DEPTH SHALL BE MAINTAINED.

SITE PLAN NOTES

1. THE EXISTING DRIVE ON THE EAST SIDE OF THE SITE IS TO BE MAINTAINED AND ENLARGED TO 20' WIDE DRIVE WITH 10' SIDEWALKS ON EACH SIDE. THE DRIVE SHALL BE MAINTAINED AND ENLARGED TO 20' WIDE DRIVE WITH 10' SIDEWALKS ON EACH SIDE.
2. THE EXISTING DRIVE ON THE WEST SIDE OF THE SITE IS TO BE MAINTAINED AND ENLARGED TO 20' WIDE DRIVE WITH 10' SIDEWALKS ON EACH SIDE. THE DRIVE SHALL BE MAINTAINED AND ENLARGED TO 20' WIDE DRIVE WITH 10' SIDEWALKS ON EACH SIDE.
3. THE EXISTING DRIVE ON THE SOUTH SIDE OF THE SITE IS TO BE MAINTAINED AND ENLARGED TO 20' WIDE DRIVE WITH 10' SIDEWALKS ON EACH SIDE. THE DRIVE SHALL BE MAINTAINED AND ENLARGED TO 20' WIDE DRIVE WITH 10' SIDEWALKS ON EACH SIDE.

STRIPING NOTES

1. STRIPING SHALL BE AS SHOWN ON THE SITE PLAN AND SHALL BE MAINTAINED THROUGHOUT THE PROJECT.
2. STRIPING SHALL BE AS SHOWN ON THE SITE PLAN AND SHALL BE MAINTAINED THROUGHOUT THE PROJECT.
3. STRIPING SHALL BE AS SHOWN ON THE SITE PLAN AND SHALL BE MAINTAINED THROUGHOUT THE PROJECT.

AREA SUMMARY

AREA	ACRES	SQ. FT.
PERMITTED	1.1	25,000
EXISTING	0.5	12,500
TOTAL	1.6	37,500

PARKING SUMMARY

TYPE	STALLS
PARKING	30
STREET	3
TOTAL	33



DEVELOPER
WENDY'S INTERNATIONAL, INC.
 4700 BROADMOOR
 SUITE 100
 MINNEAPOLIS, MN 55412

CONTRACT CHECK

NO.	DESCRIPTION	DATE
001	CONTRACT CHECK	
002	CONTRACT CHECK	
003	CONTRACT CHECK	
004	CONTRACT CHECK	
005	CONTRACT CHECK	

REVISION HISTORY

NO.	DESCRIPTION	DATE
001	REVISION HISTORY	
002	REVISION HISTORY	
003	REVISION HISTORY	

PROJECT MANAGER REVIEW

NO.	DESCRIPTION	DATE
001	PROJECT MANAGER REVIEW	
002	PROJECT MANAGER REVIEW	
003	PROJECT MANAGER REVIEW	

NOT FOR CONSTRUCTION

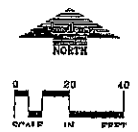
CITY SUBMITTAL
 MARCH 22, 2002

PROJECT
WENDY'S RESTAURANT
HASTINGS, MN



FILE NAME: C22WD05.DWG
 PROJECT NO: 1600000

PRELIMINARY SITE PLAN
C2.1



MEMORANDUM

TO: Mayor Werner and City Councilmembers
FROM: Melanie Mesko Lee, Administrative Assistant/City Clerk *Mesko Lee*
DATE: June 12, 2002
RE: Resignation & Vacation Leave Policy Amendments

Council Action Requested:

Council is being requested to approve the attached Resignation & Vacation Leave policy amendments to the City's Personnel Policy.

Background

The changes requested are essentially housekeeping issues. Both policies state that the City will not pay out vacation time to employees with less than six months of service. At the advice of the League of Minnesota Cities, staff is requesting that the language be changed to strike that provision, except in cases of employee misconduct. We have been advised that we cannot legally not pay out that time earned to a provisional employee (one who has not completed their six-month probationary period), unless there is misconduct on their part.

A few other minor amendments to the Resignation Policy are also proposed:

- Clarifying that exempt employees may receive a maximum of 120 hours of compensatory time at time of separation. This change makes the policy agree with the provisions of the Compensatory/Overtime Policy. Non-exempt employees are still capped at 80 hours of compensatory time, both "on the books" and for payout purposes at time of separation.
- Clarifying that no more than 640 hours of sick leave payout may be made as part of a separation severance package. Currently, the language states that 640 hours is the maximum amount permitted; in actuality, that is the maximum number of hours for sick leave severance. Employees also receive severance through vacation and compensatory time cash out at time of separation.

Should you have any questions, please do not hesitate to contact me.

Policy:	RESIGNATION	Section:	10.01
Approved by:	City Council	Page 1 of 2	
Effective Date:			

Purpose When an employee voluntarily resigns from employment with the City, they must submit a written notice at least fourteen (14) calendar days in advance. This assists the City in preparing to fill the position.

Procedures Any employee wishing to leave their employment with the City must file, a written resignation, at least fourteen (14) days before leaving, with the City Administrator. A resignation should include the following information:

1. An indication that the resignation is voluntary;
2. The reason for leaving;
3. The effective day of the resignation;
4. The last day of actual work; and,
5. The employee's signature.

Failure to give Notice If an employee fails to submit a letter of resignation at least fourteen (14) calendar days prior to their actual last day of work, it may result in a loss of good standing with the City, influence future employment opportunities with the City of Hastings and may be grounds for denying any severance pay and pay for accrued vacation leave to which the employee may be entitled.

Unauthorized Absences Unauthorized absences from work for a period of three (3) consecutive work days may be considered as a resignation without proper notice, and may result in the loss of employment, applicable benefits, and may be considered cause for denying the employee's future employment with the City.

Vacation Pay on Termination of Employment ~~An employee who terminates his their employment with less than six (6) months of service will receive no vacation pay upon termination.~~ An employee who terminates his/her employment after six (6) months of service and who has provided a minimum two (2) weeks notice, will receive upon termination, all unused vacation pay earned, provided that such unused vacation pay is approved by the City Administrator upon the basis that such employment was not terminated for unsatisfactory performance.

Comp Time Payout

The City will pay out all accrued compensated time, to a maximum of eighty (80) hours for non-exempt employees and to a maximum of one hundred twenty (120) hours for exempt employees, for those resigning employees who have provided sufficient notice and who are not terminated for unsatisfactory performance.

Severance Pay

If an employee retires at age 65, or otherwise provided by law, or is forced to retire due a physical condition, including death, not allowing him/her the employee to continue gainful employment, or voluntarily terminates employment with the City after due notice, with the consent of the City, but not if discharged or resigns by the request of the City, all and in each case after ten (10) years of service, they or their descendants will receive fifty percent (50%) of unused sick leave. Employees will be allowed to draw from both the prolonged illness and sick leave banks upon retirement as severance pay, up to a maximum severance payout of 640 hours.

Under no circumstances will an employee receive more than 640 hours of sick leave as a severance payout.

Union employees should refer to their Union Contract for additional information.

Checking Out

Following processing by the City Administrator, the letter of resignation shall be forwarded to the Administrative Assistant/City Clerk along with a Personnel Action Sheet. See Section 10.20, Termination Procedures, for check out procedures and further information. The City Administrator, or designee, will schedule an exit interview with resigning employee.

Policy:	VACATION LEAVE	Section:	8.01
Adopted by:	City Council	Page	1 of 4
Effective Date:	May 8, 2001		

Policy The City of Hastings provides employees with paid time off for rest, relaxation and other personal activities.

Employees Eligible Vacation leave is authorized for absence from duty, with pay granted to all regular employees. Regular part-time employees will receive vacation benefits in ratio to the number of hours worked in relationship to a full-time employee. Seasonal or provisional employees are not eligible to earn vacation leave.

Waiting Period No employee shall be granted vacation leave until after it has been earned.

Rate of Accumulation For Non-Union employees, the rate of vacation accumulation is listed below. Effective January 4, 1999, vacation years of service and amount of vacation are determined from anniversary year to anniversary year, from date of hire, in accordance with the following schedule:

<u>Years of Service</u>	<u>Hours</u> <u>Per Year</u> <u>Period</u>	<u>or</u>	<u>Hours</u> <u>Per Pay</u> <u>Period</u>
0 to 1 years	80		3.077
At the beginning of the 2nd year	96		3.692
At the beginning of the 6 th year	104		4.000
At the beginning of the 7 th year	112		4.308
At the beginning of the 8 th year	120		4.615
At the beginning of the 9 th year	128		4.923
At the beginning of the 10 th year	136		5.231
At the beginning of the 11 th year	144		5.538
At the beginning of the 12 th year	152		5.846
At the beginning of the 13 th year	160		6.154
At the beginning of the 14 th year	168		6.462
At the beginning of the 15 th year	176		6.769
At the beginning of the 20th year	200		7.692

Union employees should refer to their current union contract for rates of accumulation.

Vacation leave will not be earned by an employee during a leave of absence without pay.

Transferability

Vacation leave is not transferable from one employee to another employee.

Maximum Accumulation

Vacation maximums are as follows:

Vacation Maximums- All Employees (except Firefighters)	
Years of Employment	Vacation Maximums (Approved by City Council on 9-5-95)
0-5 Years	120 Hours Maximum
6-10	180 Hours Maximum
11+ years	300 Hours Maximum

The vacation carry over maximums for union firefighters is as follows:

Vacation Maximums- Firefighters	
Years of Employment	Vacation Maximums (Approved by City Council 09-05-95)
0-5 Years	180 Hours Maximum
6-10	270 Hours Maximum
11+ years	450 Hours Maximum

Employees are responsible for managing their vacation accrual and usage, to be certain vacation time is not lost. The city will not grant extensions on the vacation maximum amounts. On December 31st of each year, the vacation maximums for exempt employees shall automatically be reset back to the maximums allowed at the levels that correspond with the employee's tenure. Prior to December 31st, and throughout the year, exempt employees are permitted to exceed the vacation balances that correspond with their tenure.

Vacation time shall be paid upon termination of employment, only at the maximum levels allowed that correspond with the employee's tenure. For example, an employee with seven years of service and 200 hours of vacation recorded at time of termination of employment will be compensated for only 180 of vacation, per the maximum schedule.

Any vacation leave accumulated in excess of these maximums will be "lost" and will not be compensated.

Procedures

Vacation leave requests by employees must provide reasonable advance notice to the employee's department head for consideration of leave. Employees will be given an opportunity to select vacation periods insofar as it is practical.

In the case of unforeseen circumstances that may arise, an employee may change their vacation time if they receive approval from their department head. Official holidays occurring during a vacation may be added to the vacation.

Illness During Vacation

Employees who are ill on scheduled vacation shall be paid as a vacation and shall not be entitled to use sick leave, except at the discretion of the City Administrator for illness verified by a doctor's written statement.

Vacation Pay on Termination of Employment

~~An employee who terminates their employment with less than six (6) months of service will receive no vacation pay upon termination.~~

An employee who terminates their employment after six (6) months of service, and has provided a minimum two (2) week notice, will receive all unused vacation pay earned subject to the maximum accruals in this section, provided that such unused vacation pay is approved by the City Administrator upon the basis that such employment was not terminated for unsatisfactory performance. The rate of pay will be the employee's normal base straight time rate of pay in effect on the employee's termination date.

Upon notice of termination of employment, the employee must work the entire last week prior to the employee's announced last day of work. Failure to abide by this notification and working requirement may result in the City deducting any unworked time during this period from the employee's maximum allowed vacation cap.

MEMORANDUM

TO: Mayor Werner and City of Hastings Councilmembers
FROM: Melanie Mesko, Administrative Assistant/City Clerk
DATE: June 13, 2002
RE: Massage Establishment Licenses

Council Approval Requested:

Contingent Approval of a Massage Establishment Licenses for MaryLynn Saande (Saande Chiropractic).

Background Information:

MaryLynn Saande is a former massage establishment license holder; she did not renew at the December 2001 renewal period. However, she has now elected to again offer massage therapy at Saande Chiropractic, located at 1300 Vermillion Street.

This approval will be contingent upon the successful completion of an inspection by the Fire Marshal, which is required by City Code.

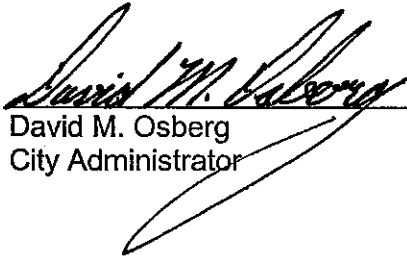
If you have any questions, please do not hesitate to call me.

MEMORANDUM

TO: Honorable Mayor and City Councilmembers
FROM: Dave Osberg, City Administrator
DATE: June 13, 2002
SUBJECT: Rivertown Days Parade Route

Recommended City Council Action

The City Council is asked to take action approving the Rivertown Days Parade route, and authorize the closing of the streets for the parade, as requested in the attached letter from the Rivertown Days Parade Committee.



David M. Osberg
City Administrator

Hastings Rivertown Days
Parade Committee
507 Vermillion St.
Hastings, MN 55033

June 03, 2002

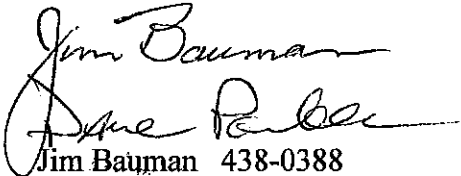
Mr. Dave Osberg, Hastings City Administrator
Hastings City Hall
101 E 4th St.
Hastings, MN 55033

Dear Mr. Osberg:

The Hastings Rivertown Days Parade Committee of 2002 is planning the Grand Day Parade to step-off at 4:00 PM on July 21, 2002. Although this year's parade route is unchanged from that of previous years, the staging area has been shifted to south of the Regina Hospital area.

We are working with the Dakota County Highway Department, Dakota County Sheriff's Department, Hastings Police and Public Works Department, and Regina Hospital to ensure traffic moves safely and without undue hindrance in all affected areas.

Sincerely,



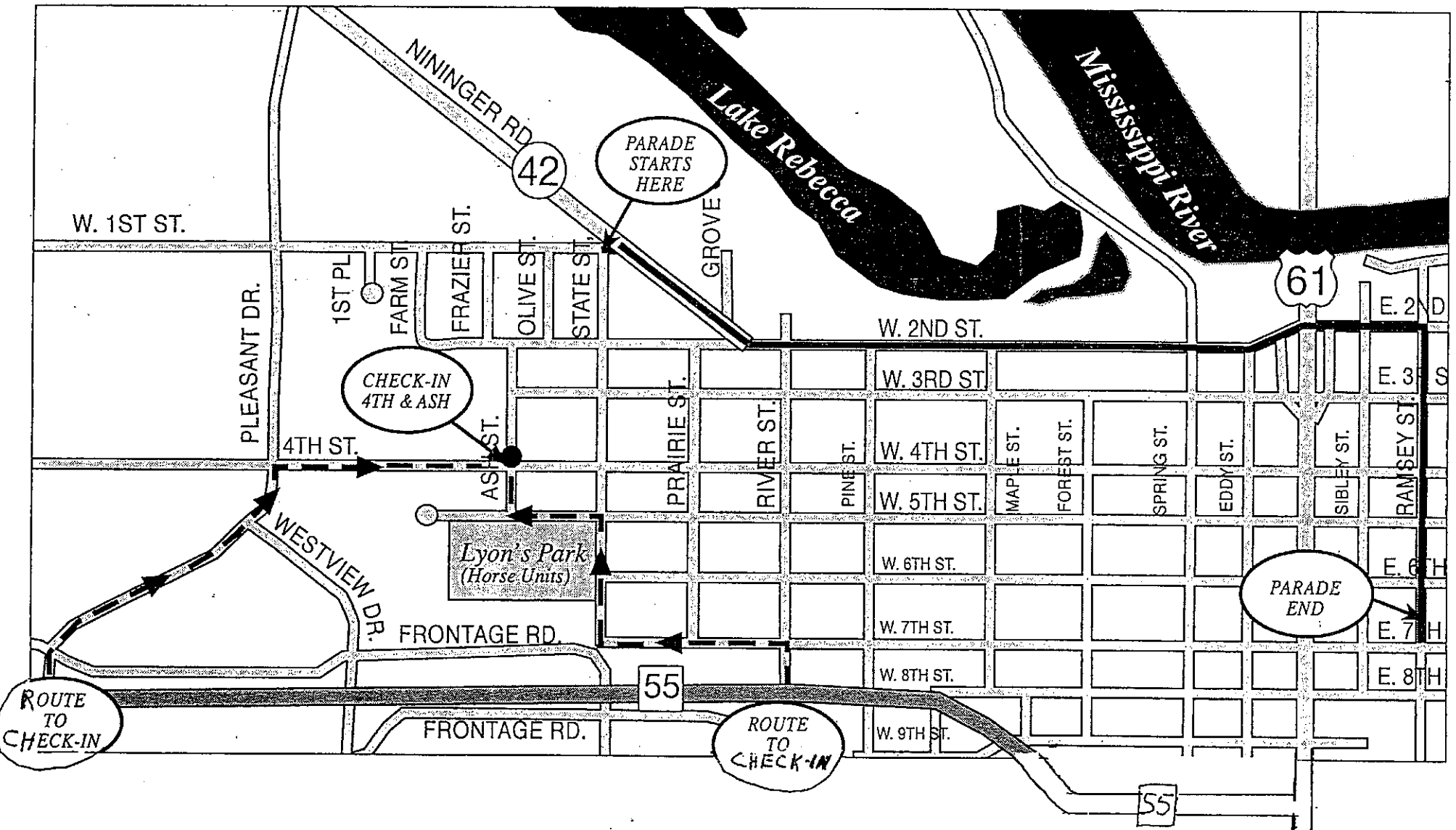
Jim Bauman 438-0388

Dave Pemble 437-7144

Logistics Co-Chairs, Hastings Rivertown Days Parade Committee

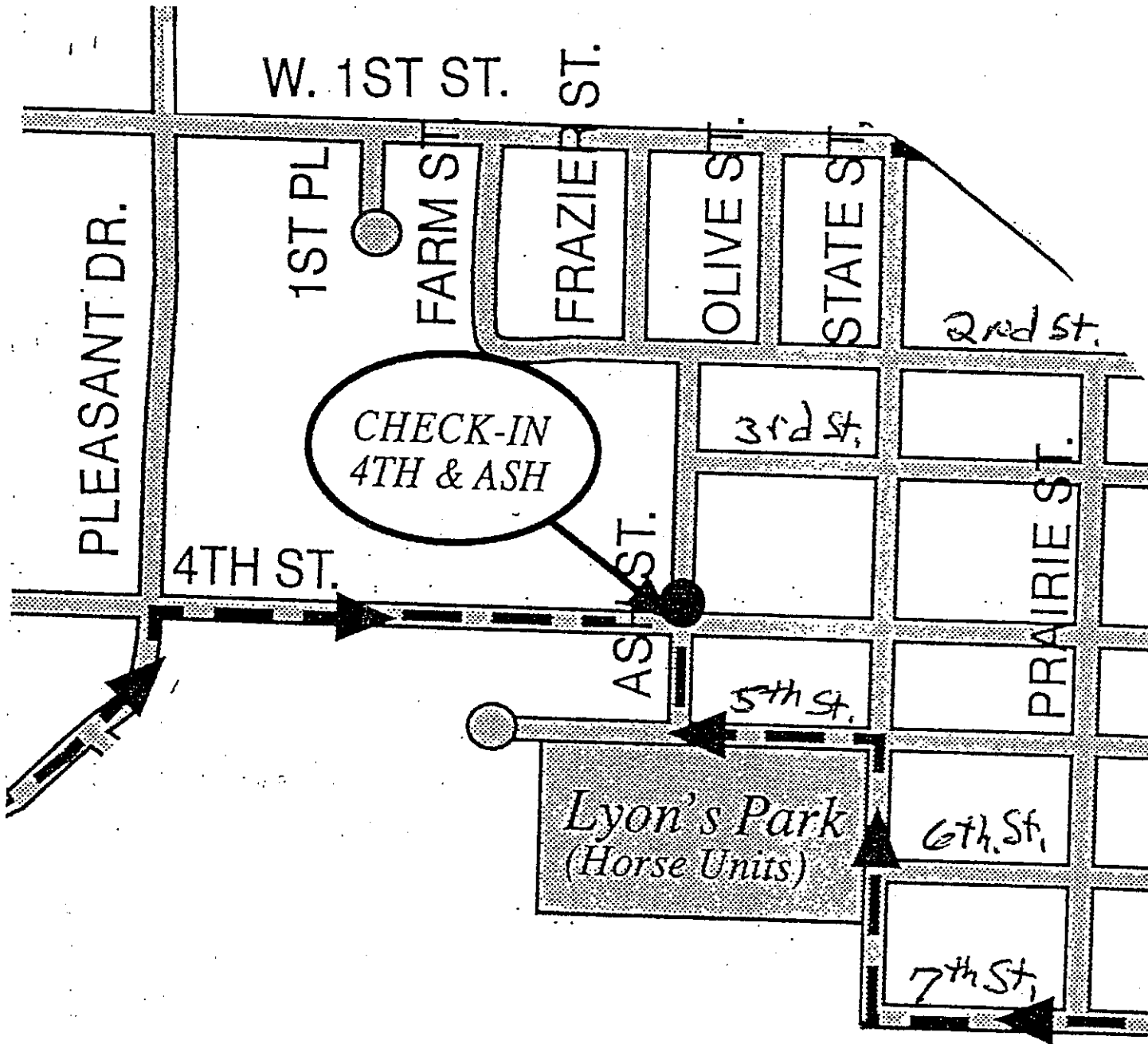
jb: dmp

Received 6:11:2 A.M.D.



Rivertown Parade 2002

- Parade Route
- - - Access Route to Check-in



Rivertown Parade 2002

APPLICATION AND CERTIFICATE FOR PAYMENT AIA DOCUMENT G702 (Instructions on reverse side) PAGE ONE OF _____ PAGES

TO OWNER: CITY OF HASTINGS, MINNESOTA
101 EAST 4th STREET
HASTINGS, MN 55033

PROJECT: POWERHOUSE MODIFICATIONS
HASTINGS HYDROELECTRIC PLANT

APPLICATION NO.: 6
PERIOD TO: 5-1-02
PROJECT NOS.: 5-31-02

Distribution to:
 OWNER
 ARCHITECT
 CONTRACTOR

FROM CONTRACTOR:
MEISINGER CONSTRUCTION COMPANY
750 S PLAZA DRIVE, STE 100
MENDOTA HGTS., MN 55120

VIA ARCHITECT: MEAD & HUNT, INC
6501 WATTS ROAD, STE 101
MADISON, WI 53719-2700

CONTRACT DATE: 11/21/01

CONTRACT FOR:

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract. Continuation Sheet, AIA Document G703, is attached.

- 1. ORIGINAL CONTRACT SUM \$ 447,000.00
- 2. Net change by Change Orders \$ 5,953.00
- 3. CONTRACT SUM TO DATE (Line 1 ± 2) \$ 452,953.00
- 4. TOTAL COMPLETED & STORED TO DATE \$ 417,893.00
(Column G on G703)
- 5. RETAINAGE:
 - a. 5 % of Completed Work \$ 22,647.00
(Columns D + E on G703)
 - b. _____ % of Stored Material \$ _____
(Column F on G703)
 - Total Retainage (Line 5a + 5b or
Total in Column I of G703) \$ 22,647.00
- 6. TOTAL EARNED LESS RETAINAGE \$ 395,246.00
(Line 4 less Line 5 Total)
- 7. LESS PREVIOUS CERTIFICATES FOR PAYMENT \$ 330,161.00
(Line 6 from prior Certificate)
- 8. CURRENT PAYMENT DUE \$ 65,085.00
- 9. BALANCE TO FINISH, INCLUDING RETAINAGE \$ 57,707.00
(Line 3 less Line 6)

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	5,953.00	
Total approved this Month		
TOTALS	5,953.00	
NET CHANGES by Change Order	5,953.00	

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

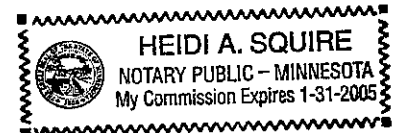
CONTRACTOR:

By: [Signature] Date: 5-22-02

State of: MINNESOTA

County of: DAKOTA

Subscribed and sworn to before me this 22nd day of MAY 2002



Notary Public: [Signature]
My Commission expires: JANUARY 31, 2005

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$ 65,085.00

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

ARCHITECT: [Signature] Date: 6/4/02

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.



CONTINUATION SHEET

AIA DOCUMENT G703 (Instructions on reverse side)

PAGE OF PAGES

AIA Document G702, APPLICATION AND CERTIFICATE FOR PAYMENT, containing Contractor's signed Certification, is attached.

In tabulations below, amounts are stated to the nearest dollar.

Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO.:

APPLICATION DATE:

PERIOD TO:

ARCHITECT'S PROJECT NO.:

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D+E-F)		H BALANCE TO FINISH (C-G)	I RETAINAGE (IF VARIABLE) RATE
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD		%	(G ÷ C)		
1	Performance Bond	5,400	5,400	-		5,400	100%	0	
2	General Conditions	80,000	67,200	12,800		80,000	100%	0	
3	Demolition	4,300	4,300	-		4,300	100%	0	
4	Isolation Walls	68,300	68,300	-		68,300	100%	0	
5	Parapet Walls	24,150	24,150	-		24,150	100%	0	
6	Topping at Roof	14,200	2,840	11,360		14,200	100%	0	
7	Storage Slabs	29,250	29,250	-		29,250	100%	0	
8	Carpentry	11,700	11,700	-		11,700	100%	0	
9	Excavation	8,400	8,400	-		8,400	100%	0	
10	Rebar Material	8,900	8,900	-		8,900	100%	0	
11	Structural Steel Bridge	8,900	-	8,900		8,900	100%	0	
12	Structural Steel Balance	17,600	9,680	-		9,680	55%	7,920	
13	Steel Erection Bridge	8,900	-	8,900		8,900	100%	0	
14	Steel Erection Balance	15,900	12,720	-		12,720	80%	3,180	
15	Roofing	48,500	21,825	12,125		33,950	70%	14,550	
16	Caulking	800	800	-		800	100%	0	
17	H.M. Doors & Frames/Hdwe	2,300	2,300	-		2,300	100%	0	
18	Watertight Door	14,400	14,400	-		14,400	100%	0	
19	Wood Windows	1,900	1,900	-		1,900	100%	0	
20	Gypsum Board Framing	8,100	8,100	-		8,100	100%	0	
21	Gypsum Board Hanging	5,400	5,400	-		5,400	100%	0	
22	EIFS System	11,000	-	11,000		11,000	100%	0	
23	Resilient Flooring	900	900	-		900	100%	0	
24	Painting Bridge	8,900	-	-		-	0%	8,900	
25	Painting Balance	5,100	4,590	-		4,590	90%	510	
26	Hoists	15,600	15,600	-		15,600	100%	0	
27	Mechanical	3,200	3,200	-		3,200	100%	0	
28	Electrical	15,000	15,000	-		15,000	100%	0	
29	Change Order #1	5,953	5,953	-		5,953	100%	0	
TOTAL		452,953	352,808	65,085		417,893		35,060	



AIA DOCUMENT G703 • CONTINUATION SHEET FOR G702 • 1992 EDITION • AIA® • ©1992 • THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK AVENUE, N.W., WASHINGTON, D.C. 20006-5292 • WARNING: Unlicensed photocopying violates U.S. copyright laws and will subject the violator to legal prosecution.

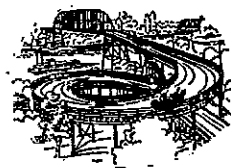
G703-1992

CAUTION: You should use an original AIA document which has this caution printed in red. An original assures that changes will not be obscured as may occur when documents are reproduced.

MEMO

To: Honorable Mayor and City Council
From: Tom Montgomery
Date: June 12, 2002
Re: Install Blind Person Warning Sign, 9th and Pine Streets.

Councilmember Riveness has brought forward a request for Blind Person warning signs to be installed on Pine Street at the 9th Street intersection. Council is requested to approve the installation of these signs under the condition that the requesting family annually notify the Street Department if they move or if the sign is no longer needed. These conditions are in keeping with past Council action ordering the installation of Deaf Child, Blind Person, and wheelchair warning signs.



CITY OF HASTINGS

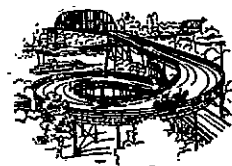
MEMO

To: Honorable Mayor and City Council
From: Tom Montgomery
Date: June 12, 2002
Re: First Reading, Chapter 4 Ordinance Revision, Final Grade Survey Fee

Council is requested to approve a first reading and order a public hearing on a proposed ordinance change that would institute a fee for final grade inspections. Final grade surveys were implemented last year and were performed by the Engineering Department survey crew. The workload and public interaction needed to implement such a program was woefully underestimated. The final inspection surveys, rechecks, analysis and explanations overwhelmed the Engineering Department.

As a result of last year's experience, the Engineering Department negotiated a final grade survey fee of \$100 with Bolton and Menk for the use of their survey crew. Staff is recommending revising the building construction ordinance to include a provision charging for final grade surveys at an amount set by Council resolution. Staff is further recommending setting a survey rate at \$100 for this year.

Council is requested to order the public hearing on the ordinance change for the July 1st meeting. Prior to the July 1st Council meeting, builders will be invited to a meeting to discuss the proposed ordinance revision.



CITY OF HASTINGS

ORDINANCE NO. _____, SECOND SERIES

**AN ORDINANCE OF THE CITY OF HASTINGS, MINNESOTA AMENDING
CHAPTER 4, CONSTRUCTION REGULATIONS SEC. 4.17 OF THE HASTINGS
CITY CODE HAVING TO DO WITH FEES FOR SURVEY INSPECTIONS**

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

**CHAPTER 4 CONSTRUCTION REGULATIONS SEC. 4.17 IS AMENDED WITH
THE FOLLOWING TEXT CHANGES AND ADDITIONS:**

SEC. 4.17 Survey inspections - The City shall require a top of block inspection and a final grade inspection. The top of block survey inspection ~~These inspections~~ shall be paid for as part of the building permit fee. The final grade inspection survey cost shall be an additional fee to be collected with building permit charges. The amount of the final grade inspection survey fee shall be set by the City Council by resolution.

Memo

To: Mayor Werner and City Council
From: John Hinzman, Planning Director
Date: June 18, 2002
Subject: South Oaks – Approve Surmountable Curb (35th Street)

REQUEST

Greg J Homes requests approval to use surmountable curb along 35th Street in South Oaks. The remaining roads would be constructed with the City's standard barrier curb. The entire length of 35th Street has been approved for townhomes and would require numerous curb cuts.

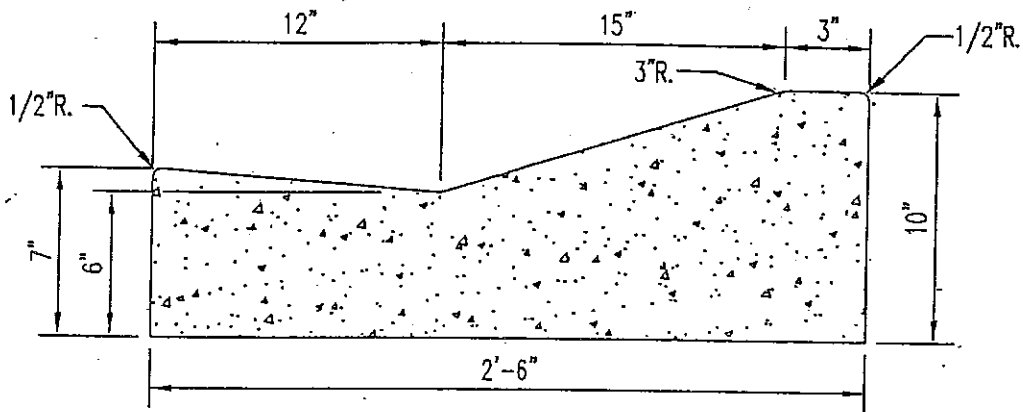
RECOMMENDATION

Public Works and Planning have reviewed the request and recommend approval. The City Council approved a similar request in March, 2002 for South Pines IV addition, allowing 4" drive-over modified surmountable curb design on non-collector streets of the development.

ATTACHMENTS

- Curb Design Standard

4" DRIVE-OVER (MODIFIED) CONCRETE CURB & GUTTER



SLOPE SAME
AS ROADWAY



**REVERSE SLOPE
GUTTER SECTION**
(FORMS MAY BE TILTED)

DESIGN NO.	W	CONCRETE	
	GUTTER WIDTH	CU. YD. PER LIN. FT.	LIN. FT. PER CU. YD.
D4 MOD.	12"	0.0494	17.1

NOTE:

- CONTRACTION JOINTS — MIN. 2" DEEP. 10' SPACING OR AS DIRECTED BY THE ENGINEER.
- EXPANSION JOINTS — 1/2" PREFORMED JOINT MATERIAL FULL CONCRETE SECTION, SEE PLANS AND SPECIFICATIONS.

ASE

Memo

To: Mayor Werner and City Council
From: Kris Jenson, Associate Planner
Subject: Public Hearing – Hidden Lane Addition Preliminary Plat and Site Plan Review
Date: June 12, 2002
CC: Bob Kleis and Ted Kranz

Bob Kleis and Ted Kranz are requesting preliminary plat approval and site plan approval for an 8 lot subdivision consisting of a two - four unit townhomes and a common open space lot. The property is located off of Whispering Lane and legally described below:

Lot 8, Block 1, Whispering Meadows, Dakota County Minnesota.
Containing 66,572 sq ft, more or less.

There would be a total of eight units constructed, and these units are required to get site plan approval because they are more than two attached units.

Included with this memo are the following: Preliminary Plat, Site plan, site location map.

BACKGROUND INFORMATION

Comprehensive Plan Designation: The property is currently guided Urban Residential III and is located within the MUSA. The proposed development is being built at a lower density than this land use designation allows, but is permitted because the property is currently zoned R-3. The property is limited with site constraints such as drainage and utility easements that limit the buildable area.

Zoning: The site is currently zoned R-3 Planned Residential Development. Townhomes are a permitted use in this district. The project is meeting the minimum setbacks and lot area requirements for this district.

Adjacent Land Uses: There are townhomes and condos surrounding the property, and all surrounding land is also zoned R-3.

Existing Conditions: The property is currently undeveloped.

Proposed Conditions: The applicant is proposing to build eight townhomes in two buildings.

SITE PLAN REVIEW

Access: A private drive would be constructed from Whispering Lane to serve these townhomes. A 20' wide bituminous road is planned as an access to the site. The width of this private drive is appropriate for this area and development. There is sufficient area on either side of the road for snow removal and green space.

Parking: Each unit shall have a two-car garage and parking spaces in front of the garage. There are four proposed parking spaces along the southeast side of the drive aisle in front of the homes.

Landscaping: The landscaping proposed for the site will enhance the site while providing some screening to it. There will be a variety of trees planted. Staff recommends that additional trees and shrubs be added along the south property line to soften the view to the neighboring properties.

Grading and Utilities: The grading plan proposes to sheet drain most of the impervious service (private drive, parking area, driveways) to drainage and utility easement that runs through the property. The grading and utility plans are being reviewed by the Public Works Director, and any comments will be forwarded to the developers and added as conditions to the approval of the site plan.

Trash: Each unit will be responsible for setting out their own trash, as is done in other single-family and townhome developments.

PRELIMINARY PLAT REVIEW

Lots: There are nine proposed platted lots as part of this subdivision. There will be eight buildable lots and one large common open space lot. These lots meet the minimum lot requirements of the zoning and subdivision ordinances.

Access: The development will be served by a private drive connecting to Whispering Lane. Use of a private street avoids the need for large right-of-way dedication and allows for a narrower pavement width (20'). A condition of preliminary plat approval should be that this street and related utilities be designed and constructed according to City policies as determined by the Public Works Director. Furthermore, it should be required that the applicant provide evidence that the private street will be maintained by a homeowner's association and not by the City.

Park Dedication: The Hidden Lane Addition preliminary plat has been referred to the NRRC for comment. It is anticipated that the NRRC will recommend that the City require cash-in-lieu of land

to meet park dedication requirements. The cash in lieu of land fee would be \$850.00 per unit or \$6,800.00 for 8 units. The park dedication fee shall be agreed to upon in the development agreement.

Interceptor Sewer: The applicant shall be required to pay \$315.00 per lot in interceptor sewer charges, prior to the city releasing the final plat hardshells. The interceptor sewer charge for this project totals \$2,520.00 for 8 units.

Planning Commission Action: The Planning Commission held a public hearing regarding the preliminary plat at the May 28th, 2002 meeting. Staff has received comments from a neighboring resident expressing concern about the importance of the drainage swale through the existing drainage and utility easement, and the large amount of water that travels through the swale to drain the area. A major concern would be if the developers were to construct any structures on Lot 9 that would necessitate a drive access across the drainage swale, and the impacts that could have on the swale's effectiveness in draining the area. No other comments were received. The Commission voted unanimously (6-0) to recommend approval of the Preliminary Plat and the Site Plan.

Applicant's Comments: The applicants, Bob Kleis and Ted Kranz, have submitted a letter to the City regarding the recommendations made by Staff and the Planning Commission. This letter is attached for your review. They have asked for clarifications/modifications of the following conditions: #2/3 – Be provided a copy of the city codes and policies regarding the street and utilities design and final grading, #7 – limit the dollar amount of landscaping the Planning Director can recommend. Finally #9, that the original condition of no construction on Lot 9 was too restrictive. In regards to # 7, Staff is requesting that the applicant's add plantings along the southeast side of property, between the private drive and the drainage easement, of an opaque hedge (must be opaque year round) with a height of 36 inches (3 feet), interspersed with 2-3 deciduous trees to break up the hedge. Staff has drawn these areas on the landscaping plan to illustrate exactly what is being requested.

In regards to Condition 9, the applicants, at this time, are not requesting to build any structures on Lot 9, Block 1. However, they would like to keep the possibility open. Staff's original condition of no structure constructed on Lot 9 arose out of the critical nature of the drainage swale that runs through the north and east sides of the property. Any structure on lot 9 that required vehicle access would have to cross the swale, thus disturbing the critical grading of the swale. Staff is willing to modify the condition to allow construction on Lot 9 provided that prior to the issuance of any building permit for Lot 9, Block 1 however, a full site plan review would be required before the Planning Commission and City Council, and should include notification of the neighbors .




Requested Action:

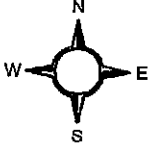
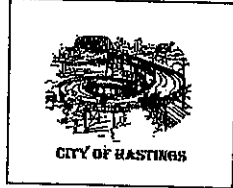
Approve Hidden Lane Addition preliminary plat and site plan, subject to the following conditions:

1. That the applicant's provide evidence that the private street and common areas will be maintained by a homeowner's association and not by the City.
2. That the street and related utilities be designed and constructed according to City policies as determined by the Public Works Director.
3. That final grading and utility comments by the Public Works Director be incorporated into the plans.
4. That the Developer shall pay the required per residential interceptor sewer fee of \$315.00 per unit, for a total of \$2,520.00, prior to release of final plat hardshells.
5. That approval of the preliminary plat and any final plat shall be subject to park/public land dedication requirements as recommended by the City of Hastings Natural Resources and Recreation Commission and approved by the Hastings City Council.
6. The developer shall plant a hedge and the 24 trees at least one and one-half inches in diameter as indicated on the landscape plan.
7. That any structure proposed to be constructed on Lot 9, Block 1 shall be subject to site plan review before the Planning Commission and City Council with notification to neighboring property owners.
8. The Developer shall enter into a development agreement with the City of Hastings Documenting conditions of approval for Hidden Lane Addition. The Development agreement shall be signed prior to the City releasing the final plat hard shells.

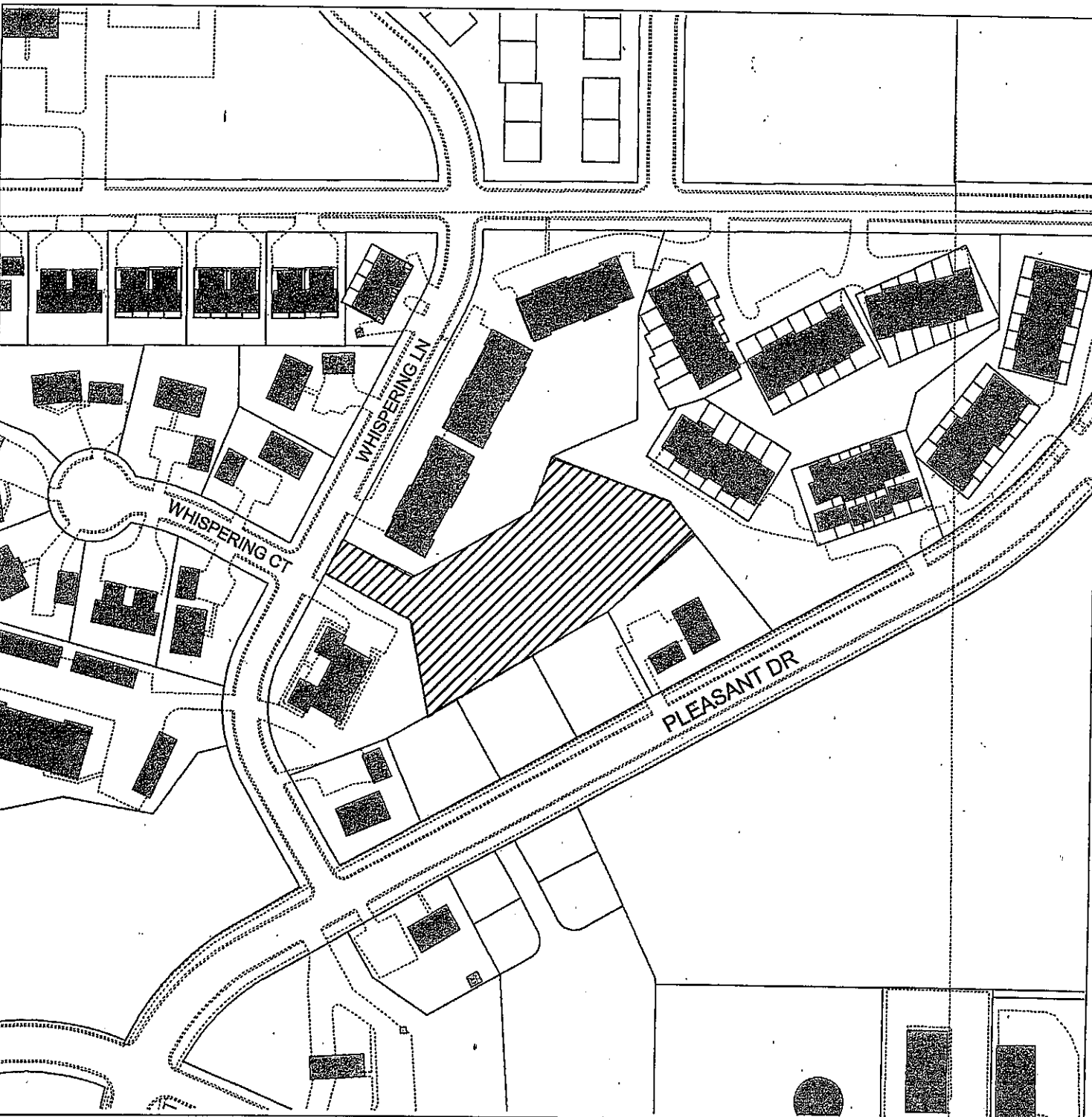
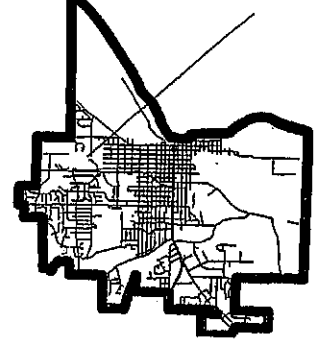
Hidden Lane Preliminary Plat

Legend

-  Buildings
-  Roads
-  Parcels



Site Location



LAND USE APPLICATION

PAID

APR 24 2002

CITY OF HASTINGS

101 4th Street East, Hastings, MN 55033
Phone (651)437.4127 Fax (651)427.7082

CITY OF HASTINGS

Address of Property Involved: ?? Whispering Lane, Hidden Lane Addition

Legal Description of Property Involved: Lot 8, Block 1, Whispering Meadows, Dakota Co., MN

Applicant:

Name Ted Krantz & Bob Kler's
Address 1456 Blueberry Ln.
Hastings, MN 55033
Phone 651-437-7389 or cell 612-590-5331
Fax _____

Official Use Only
Date Rec'd _____
File No. _____
Fee Paid _____
Rec'd by _____
Ordinance # _____
Section _____

Owner (If different from Applicant):

Name _____
Address _____
Phone _____

Request: _____
Rezone: _____
Comp Plan Amend: _____
Site Plan: _____
Variance: _____

Special Use: _____
Subdivision: X
Vacation: _____
Other: _____
TOTAL: _____

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

Subdivide into 8 townhome lots.

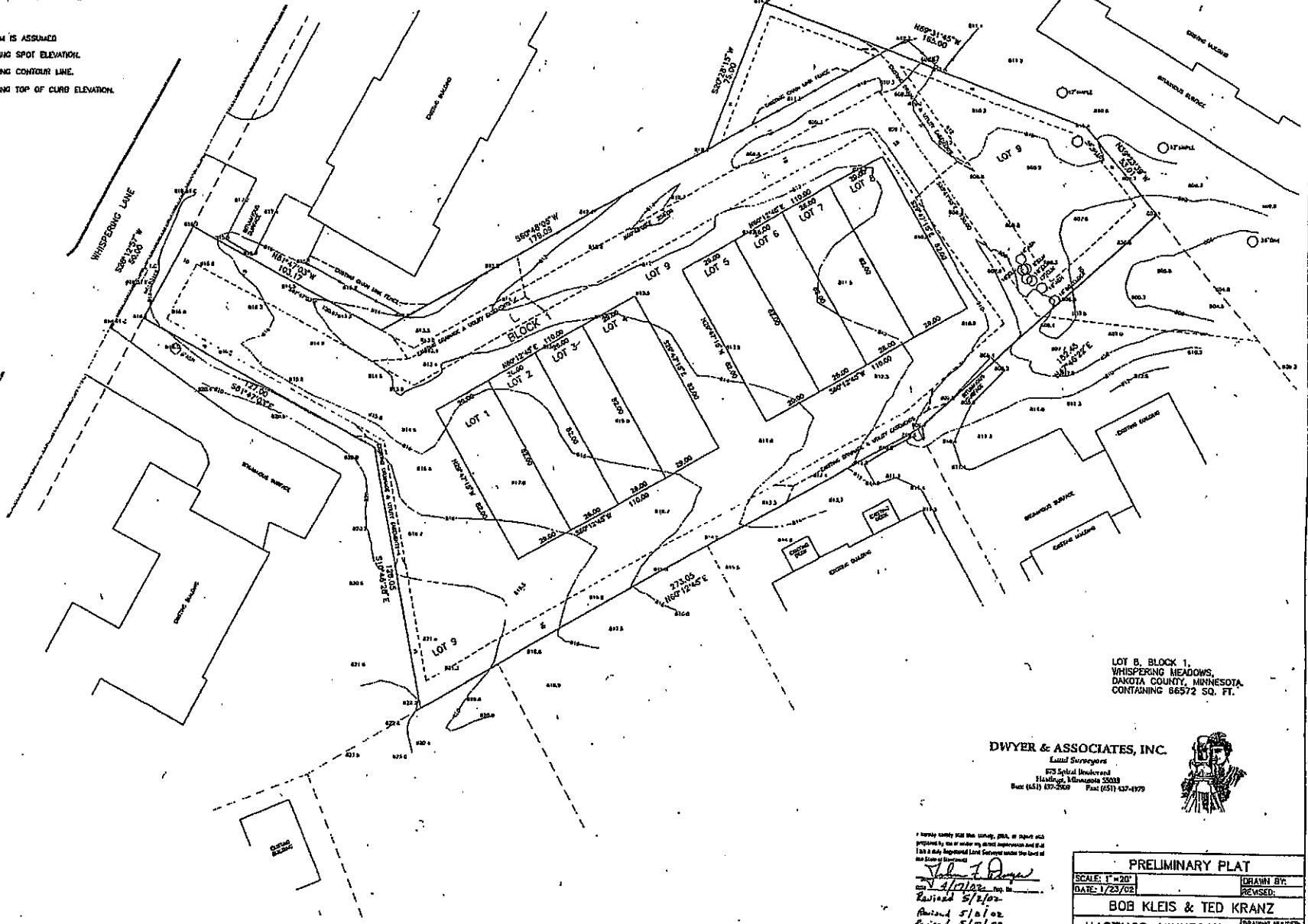
Ted A. Krantz 4-19-02
Signature of Applicant Date

Signature of Owner Date

HIDDEN LANE ADDITION

0 20 40 60 Feet

- BEARING SYSTEM IS ASSUMED
- DENOTES EXISTING SPOT ELEVATION.
- - - - DENOTES EXISTING CONTOUR LINE.
- DENOTES EXISTING TOP OF CURB ELEVATION.



LOT 1	2378 SQ. FT.
LOT 2	2132 SQ. FT.
LOT 3	2132 SQ. FT.
LOT 4	2378 SQ. FT.
LOT 5	2378 SQ. FT.
LOT 6	2132 SQ. FT.
LOT 7	2132 SQ. FT.
LOT 8	2378 SQ. FT.
LOT 9	48532 SQ. FT.

LOT 8, BLOCK 1,
WHISPERING MEADOWS,
DAKOTA COUNTY, MINNESOTA,
CONTAINING 86572 SQ. FT.

DWYER & ASSOCIATES, INC.
Land Surveyors
875 Spiral Boulevard
Hastings, Minnesota 55033
Phone (451) 437-2908 Fax (51) 437-4979



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

John T. Dwyer
John T. Dwyer, L.S.
Revised 5/1/02
Revised 5/1/02

PRELIMINARY PLAT	
SCALE: 1"=20'	DRAWN BY:
DATE: 1/23/02	REVISED:
BOB KLEIS & TED KRANZ	
HASTINGS, MINNESOTA.	
DRAWING NUMBER: 2002-012	

HIDDEN LANE ADDITION

BEARING SYSTEM IS ASSUMED.

- * DENOTES PROPOSED 6' SPRUCE.
- DENOTES PROPOSED WHITE ASH TREE.
- DENOTES PROPOSED HONEYLOCUST TREE.
- DENOTES PROPOSED GLENLEVEN LINDEN TREE.
- DENOTES PROPOSED BUR OAK TREE.

NOTE: THE MINIMUM SIZE OF THE PROPOSED TREES IS 1-1/2 INCHES IN DIAMETER AT GROUND LEVEL.

FOR EXACT LOCATION OF UTILITIES BEFORE DIGGING CALL GOPHER STATE ONE. (651-454-0002)

DWYER & ASSOCIATES, INC.

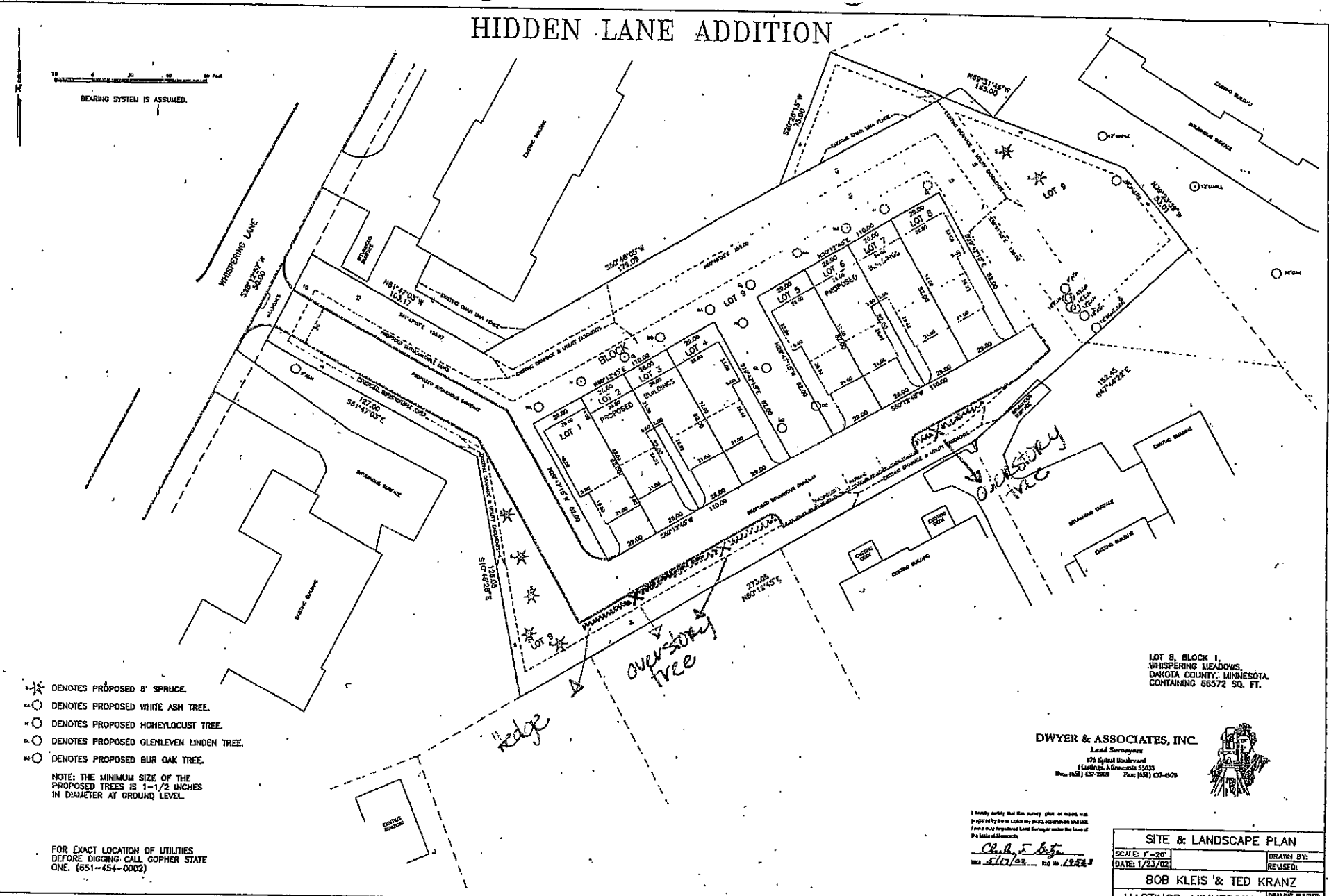
125 Hybrid Boulevard
Hastings, Minnesota 55033
Phone: (651) 437-2828 Fax: (651) 437-4579



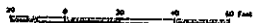
I hereby certify that this survey plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.
Charles E. Dwyer
Date: 1/23/02

SITE & LANDSCAPE PLAN	
SCALE: 1" = 20'	DRAWN BY:
DATE: 1/23/02	REVISED:
BOB KLEIS & TED KRANZ	
HASTINGS, MINNESOTA.	DRAWING NUMBER: 2002-012

SHEET 2 OF 4 SHEETS

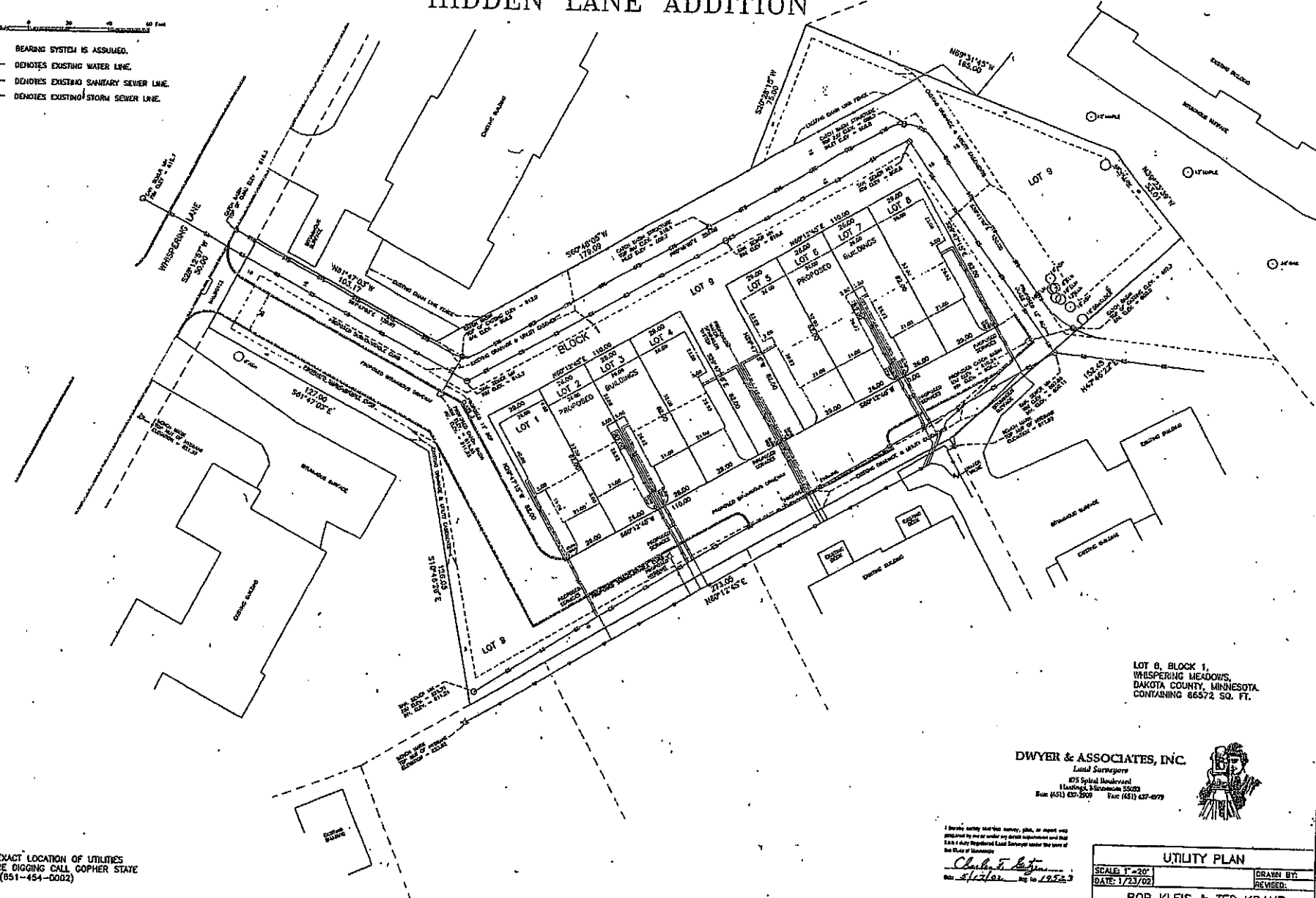


HIDDEN LANE ADDITION



BEARING SYSTEM IS ASSUMED.

- DENOTES EXISTING WATER LINE.
- DENOTES EXISTING SANITARY SEWER LINE.
- DENOTES EXISTING STORM SEWER LINE.



LOT 8, BLOCK 1,
WHISPERING MEADOWS,
DAKOTA COUNTY, MINNESOTA.
CONTAINING 86572 SQ. FT.

DWYER & ASSOCIATES, INC.
 Land Surveyors
 875 Spiral Boulevard
 Hastings, Minnesota 55033
 Fax: (651) 437-2500 Tele: (651) 437-4979



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

Charles E. Dwyer
 Date: 1/23/02 Reg. No. 29823

UTILITY PLAN	
SCALE: 1"=20'	DRAWN BY:
DATE: 1/23/02	REVISED:
BOB KLEIS & TED KRANZ	
HASTINGS, MINNESOTA.	
DRAWING NUMBER: 2002-012	

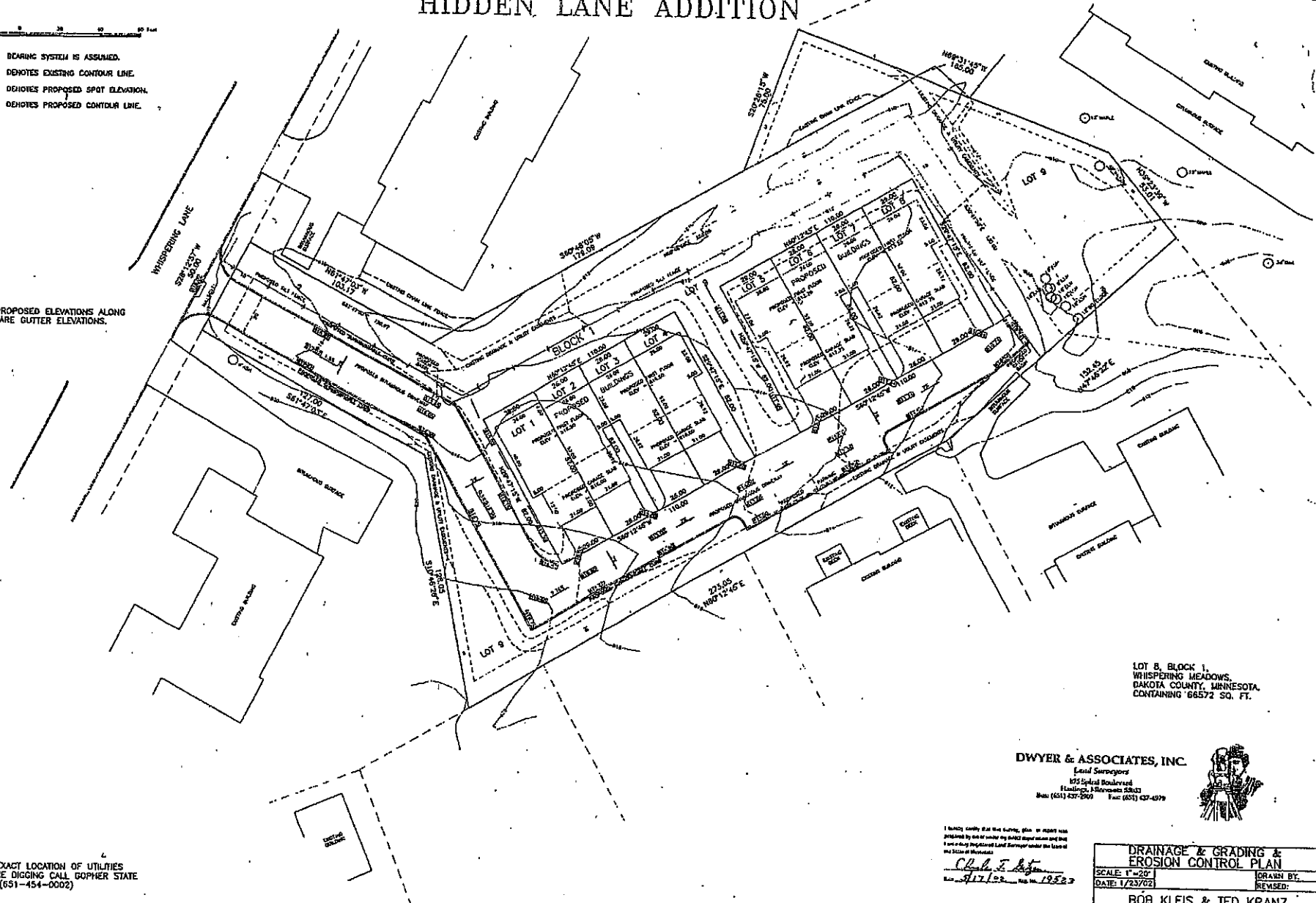
FOR EXACT LOCATION OF UTILITIES
BEFORE DIGGING CALL GOPHER STATE
ONE. (651-454-0002)

HIDDEN LANE ADDITION



- BEARING SYSTEM IS ASSUMED.
- DENOTES EXISTING CONTOUR LINE.
- DENOTES PROPOSED SPOT ELEVATION.
- DENOTES PROPOSED CONTOUR LINE.

NOTE: THE PROPOSED ELEVATIONS ALONG THE CURBS ARE GUTTER ELEVATIONS.



LOT 8, BLOCK 1,
WHISPERING MEADOWS,
DAKOTA COUNTY, MINNESOTA,
CONTAINING 66572 SQ. FT.

DWYER & ASSOCIATES, INC.
Land Surveyors

875 Seward Boulevard
 Hastings, Minnesota 55033
 Phone (651) 437-2909 Fax (651) 437-4979



I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.
Bob Kleis
 License No. 19523

DRAINAGE & GRADING & EROSION CONTROL PLAN	
SCALE: 1"=20'	DRAWN BY:
DATE: 1/23/02	REVISED:
BOB KLEIS & TED KRANZ	
HASTINGS, MINNESOTA.	DRAWING NUMBER: 2002-012

FOR EXACT LOCATION OF UTILITIES BEFORE DIGGING CALL GOPHER STATE ONE, (651-454-0002)

Kleis & Kranz Properties

1521 Brittany Road
1456 Blueberry Lane
Hastings, MN
Dakota

June 10, 2002

City of Hastings
Mayor Mike Werner and City Council
101 4th Street East
Hastings, MN 55033

Dear Mayor and City Council:

We have received a copy of the Staff Report for the Hidden Lane Addition final plat. We would like further clarification on the following conditions prior to the City Council meeting.

Condition 2 Copy of city codes and policies regarding private townhouse drives.

Condition 3 Copy of comments regarding final grading and utilities from Public Works Director.

Condition 7 Limit the dollar amount of landscaping the Planning Director can recommend.

Condition 8 We think the condition that no structure may be constructed on Lot 9 is too restrictive. This was added due to concerns that neighbors, (John Grossman) and City Staff had regarding crossing and interfering with the flow of water in the drainage easement on the north end of the property.

We have had considerable discussions with City Staff about this. The Public Works Director, Tom Montgomery agreed with us that it was possible with proper engineering and cautions regarding the drainage easements, to cross this easement. He was going to recommend to the Planning Department to change item 8 to read, Any proposed building on Lot 9 should be subject to full site plan review and significant engineering to ensure the drainage easement continues to function as designed.

The drainage easement is important to our development also. At this time we have no plans for any structures on lot 9. We do feel the present condition of no structure to be constructed on lot 9 should be changed to the conditions noted above.

Sincerely,

Bob Kleis



Ted Kranz



CC: Tom Montgomery, Public Works Director
John Hinzman, Planning Director

Memo

To: Mayor Werner and City Council

From: John Hinzman, Planning Director

Date: June 18, 2002

Subject: Wallin Property– Special Use Permit #2002-35 to place fill within the Vermillion River Floodway.

REQUEST

D.W. Wallin Ltd. Partnership requests special use permit approval to place approximately 2,300 net cubic yards of fill within the Vermillion River Floodway to construct a storm water detention pond in conjunction with a Preliminary Plat. The subject property is located north of the Vermillion River east of future General Sieben Drive.

At the June 3, 2002 meeting, The City Council continued the request until action by the FEMA on the Conditional Letter of Map Revision (CLOMR). The Planning Committee will discuss the issue on June 13th. Further information will be presented at the meeting.

MEMO

TO: Mayor and Council
FROM: Marty McNamara
SUBJECT: Reforestation Plan Highway 55
DATE: June 14, 2002

City Forester Kevin Smith has been meeting with staff from MNDOT to establish a plan for reforestation of Highway 55 from Jacob Avenue to Highway 61. The proposed plan was presented in April to the Park and Recreation Committee of the Council who directed staff to present the proposed plan to the full Council in June 2002.

Scott Robinson from MNDOT will attend your Council meeting on Tuesday, June 18, 2002 to present the plan for your approval. The City of Hastings will be responsible to maintain the proposed plantings. MNDOT estimates that the cost to maintain the plantings will be \$5,000 annually. If the Council accepts the proposed plan, Parks' staff would include this additional expenditure beginning in the 2003 budget.

COUNCIL ACTION:

Approve proposed reforestation plan of Highway 55 from Jacob Avenue to Highway 61. MNDOT will pay for the cost of the plantings and the City of Hastings will be responsible for maintenance, which is estimated to be \$5,000 annually. If the Council approves the plan, a resolution will be drafted by MNDOT for your approval.

MEMO

TO: Mayor and Council
FROM: Marty McNamara
SUBJECT: Vandalism Vermillion Falls Trail
DATE: June 14, 2002

Colette Jurek from XCEL Energy will attend your Council meeting on Tuesday, June 18th, 2002 and update you on the problem of vandals destroying the light poles on the trail at Vermillion Falls Park. Attached is information from XCEL documenting the problem since 1998. It is estimated that since 1998 it has cost XCEL \$25,000 to replace the light poles. Colette met with Mike McMenemy and myself on Thursday, May 23rd, 2002 and requested to present some options to the Council that could help solve the problem.

If you have any questions concerning the problem, please contact Mike McMenemy or myself.

Thank you.



3000 Maxwell Avenue
Newport, Minnesota 55055-1001

June 12, 2002

Mr. Marty McNamara
Parks & Recreation Director
City of Hastings
101 East 4th Street
Hastings, MN 55033

SUBJECT: Decorative Trail Lighting
Vandalism

Dear Marty:

On May 23, 2002, John Hygrell, Bob Abbott and I met with you and Police Chief Mike McMenemy to discuss a repeated vandalism issue we are experiencing in the Hastings area involving decorative trail lights that we have installed at the request of the city.

Twenty-two poles have been either vandalized or broken in the Hastings area since 1998. The cost we have incurred to replace and/or repair these lights is in the neighborhood of over \$25,000. Attached to this letter you will find a list of the vandalized poles. The majority of the vandalism incidents are occurring in the Vermillion River park area. Following a meeting we had with Chief McMenemy last summer, park and trail police patrols were increased in these areas during 2001 and yet we are still encountering problems.

As we discussed with you in our meeting, we can offer the city the option of installing aluminum, fiberglass or wooden replacement fixtures. The vandalized poles were fiberglass structures. Aluminum fixtures are more resilient and are tougher to climb and/or knock over. One aluminum pole costs approximately \$1,100 to install. The city currently has 6-7 vandalized poles in the park area that require replacement. The total estimated project cost is \$7,700.

Due to the repeated high number of vandalism incidents, future replacement pole labor and material costs will now be the financial responsibility of the City of Hastings. In order to assist the City of Hastings with this replacement effort, our Outdoor Lighting Department can offer a financing plan.

We have encountered similar vandalism issues in two other metropolitan communities. The situation was rectified when the police department offered a monetary reward for information leading to the arrest of the vandals. Those individuals were convicted, sentenced and paid restitution for the damages. These two communities are no longer experiencing vandalism issues with their trail lighting.

Thank you, Marty, for your assistance with this issue. I appreciate your bringing this to the attention of the city administrator and your council members. I will be attending your June 18th city council meeting to answer any questions or comments you may have regarding trail lighting.

Sincerely,



Colette Jurek
Manager – Community & Local Government Relations

Cc: John Hygrell
Bob Abbott

Attachment

Hastings Service Request History - River Area

SL Number	Street Number 1	Street Name 1	Pole Material	Pole Height	Lamp Size	Maintenance Date	Non-Outage Code	Repair Type	Cause
1249	401	021ST ST E	F		100W	12/18/2001		st lt out	
						7/31/2001	check city ltg	pole missing	
						9/24/1998		broken pole	
						5/1/1998		broken pole	vandals
1250	411	021ST ST E	F		100W	5/1/1998		broken pole	vandals
1251	421	021ST ST E	F		100W	12/18/2001		st lt out	
						12/13/2001		leaning pole	
						7/10/2001		damaged pole	
1252	431	021ST ST E	F		100W	4/10/2002		broken pole	vandals
1245	600	018TH ST E	F		100W	5/16/2002		broken pole	vandals
						7/31/2001		leaning pole	
						8/22/2000		broken pole	
1246	610	018TH ST E	F		100W	5/16/2002		broken pole	vandals
						12/18/2001		st lt out	
						12/10/2001		st lt out	
						7/31/2001		leaning pole	
						5/21/2001		broken pole	
						3/23/2000		broken pole	
						5/1/1998		broken pole	vandals
1247	620	018TH ST E	F		100W	5/7/2002		broken pole	vandals
						12/13/2001		leaning pole	
						7/31/2001		broken pole	
						5/1/1998		broken pole	vandals
1248	630	018TH ST E	F		100W	5/7/2002		broken pole	vandals
						7/31/2001	check city ltg	broken pole	
						5/1/1998		broken pole	vandals
8	420	LOCK & DAM RD	F	18	100W	8/19/1999		damaged pole	
7	424	LOCK & DAM RD	F	18	100W	8/27/1999		broken pole	
								globe for light	
6	428	LOCK & DAM RD	F	18	100W	6/14/2000		is broken	
4	436	LOCK & DAM RD	F	18	100W	10/18/2001		leaning pole	
2	444	LOCK & DAM RD	F	18	100W	11/29/2001		st lt out	
						10/5/2001		st lt out	
						9/12/2000		st lt out	
						6/25/1998		damaged pole	vandals
23	150	LOCK & DAM RD	F	18	100W	12/7/1998		broken pole	vandals

Hastings Service Request History - River Area

SL Number	Street Number 1	Street Name 1	Pole Material	Pole Height	Lamp Size	Maintenance Date	Non-Outage Code	Repair Type	Cause
22	200	LOCK & DAM RD	F	18	100W	6/25/1998 6/1/1998		damaged pole broken pole	vandals
21	230	LOCK & DAM RD	F	18	100W	5/24/2001 5/15/2001 4/27/2001 4/4/2001 12/7/1999 6/25/1998 6/1/1998	st lt out	leaning pole broken pole broken pole broken pole st lt out damaged pole broken pole	vandals
20	260	LOCK & DAM RD	F	18	100W	10/5/2001 3/20/1999 6/25/1998	lts busted	st lt out st lt out damaged pole	vandals
19	290	LOCK & DAM RD	F	18	100W	10/5/2001 9/8/1999 12/7/1998 7/15/1998	ug flt	st lt out broken pole broken pole st lt out	vandals
17	340	LOCK & DAM RD	F	18	100W	2/28/2002 11/12/1999 8/27/1999		st lt out st lt out broken pole	
24	100	LOCK & DAM RD	F	18	100W	9/27/2001 6/7/2000 3/11/2000 12/19/1996	replace fixt	st lt out st lt out st lt out st lt out	
25	101	001ST ST E	F	18	100W	7/10/2001 10/14/2000 10/28/1997		leaning pole st lt out st lt out	
26	109	001ST ST E	F	18	100W	7/10/2001		leaning pole	
27	117	001ST ST E	F	18	100W	12/11/2001 11/29/2001 7/10/2001		st lt out st lt out leaning pole	
34	307	001ST ST E	F	18	100W	12/11/2001 5/15/2001		st lt out broken pole	
1212	504	WESTVIEW LN	F		100W	8/27/1999		broken pole	
1214	505	WESTVIEW LN	F		100W	8/12/1998		broken pole	

Hastings Service Request History - River Area

SL Number	Street Number 1	Street Name 1	Pole Material	Pole Height	Lamp Size	Maintenance Date	Non-Outage Code	Repair Type	Cause
1215	507	WESTVIEW LN	M		100W	12/18/2001		st lt out	
						11/28/2000		st lt out	
						8/23/1999		broken pole	
						7/11/1999		broken pole	vandals
1216	509	WESTVIEW LN	M		100W	8/19/1999		damaged pole	
						6/30/1999		broken pole	vandals
1223	700	STATE ST	F		100W	12/18/2001		st lt out	
						7/17/2001		broken pole	
						12/7/1999		broken pole	
						8/19/1999		damaged pole	

MEMORANDUM

TO: Honorable Mayor and City Councilmembers
FROM: Dave Osberg, City Administrator
DATE: June 13, 2002
SUBJECT: First Reading and Schedule Public Hearing to Amend City Code Section 9.84

Recommended City Council Action

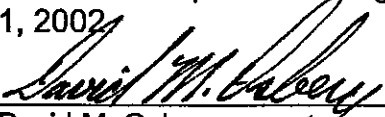
It is recommended that the City Council take action approving the attached Ordinance that changes City Code Section 9.84, which essentially allows for the Hastings Chamber of Commerce to sell 3.2 beer during Rivertown Days at Levee Park or Jaycee Park beyond the hours of 6:00 PM. The first reading would be conducted on Tuesday June 18th, 2002, and the second reading and Public Hearing would be scheduled for Monday July 1, 2002.

Background

On Thursday June 6, 2002, City Clerk Melanie Mesko-Lee; Police Chief Mike McMenemy; City Attorney Shawn Moynihan and I participated in a meeting at the Hastings Chamber of Commerce, with several members of the Chamber of Commerce Board of Directors to discuss the possibility of allowing the sale of beer during Rivertown Days. Currently, City Code Section 9.84 does not allow for the consumption of any type of liquor or alcohol after 6:00 PM. Thus, the need to change the ordinance

The Ordinance is being written to allow only the Chamber of Commerce to sell 3.2 beer during Rivertown Days (beyond the hours of 6:00 PM. The Chamber of Commerce would be responsible for paying for and securing the necessary license to allow for the sale of the 3.2 beer. Sale would be allowed in Levee or Jaycee Park. The Chamber of Commerce would be responsible for securing the area with a fence, subject to the approval of the Police Department. Security would also need to be provided by the Police Department, and funded by the Chamber of Commerce/Rivertown Days.

City Council action on Tuesday June 18, 2002 is to approve the first reading and schedule the public hearing and second reading for the meeting on Monday July 1, 2002



David M. Osberg
City Administrator

cc. Michelle Jacobs, Chamber of Commerce

HASTINGS AREA CHAMBER OF COMMERCE
& TOURISM BUREAU

on the Mississippi

VIII-3
RECEIVED
JUN 12 2002

6/12/02

Mayor Mike Werner and City Council Members
101 4th Street East
Hastings, MN 55033

Dear Mayor Werner and City Council Members:

For over twenty years, the City of Hastings and the Hastings Area Chamber of Commerce and Tourism Bureau have worked together to coordinate Rivertown Days. Most Hastings residents would probably agree that Rivertown Days is a worthwhile community festival. Rivertown Days is also a great revenue source for many civic groups within Hastings. The same does not hold true for the Chamber of Commerce. In fact, the Chamber barely covers the administrative costs of coordinating the Rivertown Days events. We are one of the few Chambers that still coordinates a community festival. Most have split off to become their own non-profit organization.

Total expenses for the festival are \$65,000. Events such as the Lumberjack Show, Bike Show, Power Boat Races and Music Festival cost nearly \$19,000. Security, bleachers and port-o-let expenses are another \$8,500. Fundraising is becoming more difficult in a slow economy and expenses are increasing. It is difficult to go to the same businesses and ask them for funds over and over.

In recent years, the Chamber has tried to develop new ways of raising revenue. A few years ago, we started requiring a button for individuals age twelve and older to enter the park. The buttons cost the nominal fee of \$1, but helped us raise money to use toward the \$10,500 fireworks expense. This year, buttons will be \$1 in advance and \$2 at the river. Most other community festivals are charging \$3 or more for a button, yet we hear complaints about \$1.

The Chamber of Commerce is asking that the City Council amend the ordinance that states that no alcohol is allowed in City Parks after 6 p.m. or before 8 a.m. We would like it revised to state that alcohol is allowed in Jaycee and Levee Park until 10 p.m. during Rivertown Days, by special permit. If granted, this ordinance revision would allow the Chamber to have an enclosed beer garden in the Jaycee Park area during the festival. It also allows for changes in the event location such as happened last year due to road construction.

Our preference is to have the ordinance state that only one permit per park will be allowed and that the group applying for the permit has to show proof that they have already secured booth space through the Rivertown Days Committee. We are asking for the secured booth space provision to protect us from another group getting a permit and setting up in the park. If the ordinance is changed with no provision, then any non-profit group could apply to the City for a permit, and we would have yet another group making money off of Rivertown Days while the organizing committee struggles to raise funds to pay for the festival.

In closing, the Chamber would like to thank you for consideration of this measure. We feel it is a necessary step to insure the feasibility of future Rivertown Days festivals. We will be happy to work with you and the Hastings Police Department on any security measures Chief McMenemy deems necessary.

Sincerely,



Michelle Jacobs, President,
Hastings Area Chamber of Commerce and Tourism Bureau

ORDINANCE NO. ____ - SECOND SERIES

AN ORDINANCE OF THE CITY OF HASTINGS AMENDING HASTINGS CITY CODE SECTION 9.84, SUBDIVISION 4 BY ALLOWING POSSESSION OF NON-INTOXICATING MALT LIQUOR IN JAYCEE PARK AND LEVEE PARK DURING CERTAIN HOURS AND ONLY DURING HASTINGS RIVERTOWN DAYS.

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

I. Hastings City Code Section 9.84, Subdivision 4(C), shall be amended to read as follows:

(C). Unless otherwise provided by ordinance, consume or be in possession of intoxicating or nonintoxicating malt liquor, wine or liquor in any park between the hours of 6:00 p.m. and 8:00 a.m., except as follows:

1. In Veteran's Park Athletic Complex where possession or consumption of liquor, wine or intoxicating malt liquor shall be prohibited at all times and possession or consumption of non-intoxicating malt liquor shall be prohibited between the hours of 10:00 p.m. and 8:00 a.m.; and
2. In Jaycee Park or Levee Park between the hours of 10:00 p.m. and 8:00 a.m. during Hastings Rivertown Days, but only if a temporary on-sale 3.2% malt liquor license has been issued by the City Council for that particular park.

II. VIOLATION A MISDEMEANOR.

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

This ordinance was adopted by the Hastings City Council on this ____ day of June, 2002.

Michael D. Werner, Mayor

ATTEST:

Melanie Mesko, Administrative Asst./City Clerk

Informational

MEMO

To: Honorable Mayor and City Council
From: Tom Montgomery
Date: June 13, 2002
Re: Southview Dr. Trail Easement

The Hastings Country Club has verbally accepted the trail easement proposal approved by the City Council at the June 3rd meeting. Under this agreement, the Hastings Country Club will grant the City a trail easement in exchange for the City agreeing not to assess the Country Club for the Southview Dr. road and trail improvements and the City agreeing to maintain the trail. In addition, the City will fund up to \$42,000 worth of landscaping costs to provide a vegetative barrier between the golf course and the trail as part of the Southview Dr. improvement project, with the entire cost of this work to be assessed back to the Country Club.

Shawn is currently drafting the easement documents. I will be meeting with Country Club representatives before the end of the month to address their concerns about a future trail along Westview Drive - once we have completed a rough layout for future Westview Dr. road and trail improvements.

