

AGENDA

- I CALL TO ORDER:
- II ROLL CALL:
- III DETERMINATION OF QUORUM:
- IV APPROVAL OF MINUTES:

Minutes of meeting of September 19, 1983

V AWARDING OF BIDS AND HEARINGS:

- 1. Public Hearing - Towers
- 2. Public Hearing - Gasoline Dispensing in C-5 Zone
- 3. Public Hearing - Rezoning of Cty. Rd. 42 and Pleasant Drive
- 4. Public Hearing - Rezoning along Lock & Dam Road
- 5. Public Hearing - IRE - Electro Fab
- 6. Public Hearing - Federal Revenue Sharing and 1984 City Budget
- 7. Award Bid - Softball/Baseball Complex Irrigation System

VI REPORTS FROM CITY STAFF:

A - City Planner (Pink)

- 1. 3rd Reading - Ordinance No. 144 - Towers
- 2. 3rd Reading - Ordinance No. 145 - Gasoline Dispensing in the C-5 District - Dennis McNamara
- 3. 2nd Reading - Ordinance Amendment - Two Family Dwellings in R-2 District
- 4. Appeal of Administrative Decision - 'Professional Offices' in the R-3 District - 1226 Eddy Street - Dale Weich and Pete Nelson
- 5. Approval of Watershed Boundaries for Management Purposes
- 6. Rezoning A to PI to R-3 - Co. Rd. 42 and Pleasant Drive
- 7. Resoning R-2 to R-3 - Along Lock and Dam Road
- 8. Planner and Attorney Report - Triplex at 220 West 9th Street

B - City Administrator (Green)

- 1. Set Public Hearing for \$850,000 Industrial Development Revenue Bonds for Computer Tool and Engineering, Inc. Project
- 2. Adopt Resolution for Area Redevelopment Administration Loan Permitted by Minnesota Statutes 472
- 3. Certify 1983 Unpaid Dutch Elm Tree Removal Assessments
- 4. Certify 1983 Water Bill Delinquent Accounts to County
- 5. Assistant Building Inspector Position
- 6. Closing of West 4th Street 8 YES
- 7. Rules and Regulations for Outdoor Swimming Pool
- 8. City Hall Office Personnel

9. Cable Television Committee Appointments
10. Charter Commission Appointments
11. Refund of Dog Impounding Fee - Linda Bank's

C - Attorney

D - Engineer (Yellow)

1. 1984 Mn/DOT - City Snow Removal
2. Traffic Study - Pine, River, and Spring Streets
3. Barr Engineering - Engineering Contract
4. Set Public Hearing - T.H. 55

VII COMMENTS FROM AUDIENCE:

VIII UNFINISHED BUSINESS:

IX NEW BUSINESS:

X REPORTS FROM CITY COMMITTEES, OFFICERS, COUNCILMEN:

XI COMMUNICATIONS AND MISCELLANEOUS BUSINESS:

XII PAYMENT OF CLAIMS:

Consent Agenda:

1. Pay all bills as audited
2. Sidewalk Replacement - \$592.50 - Robert Caturia
3. Partial Payment - Austin P. Keller - \$25,864.66

XIII ADJOURNMENT:

Hastings, Minnesota
September 19, 1983

The City Council of the City of Hastings, Minnesota met in a regular meeting on Monday, September 19, 1983 at 7:30 p.m. in the Council Chambers of the City Hall.

Members Present: Councilmen Karnick, Nesbitt, Klimek, Pike, Plan, Kulzer, Trautmann, Werner, and Mayor Stoffel.

Members Absent: None.

The Mayor called for additions or corrections to the minutes of the meeting of September 6, 1983 and hearing none declared the minutes approved as presented.

The Mayor declared the public hearing for the two family dwellings in the R-2 District open at 7:32 p.m. The City Planner provided proof of affidavit of publication. Mr. Roger Hullander, Mr. Donald Benzick, Mr. Chuck Hartman, and Mr. Al Sieben expressed their concern over the recommendations for the two family dwellings in the R-2 District. The Mayor closed the public hearing at 7:45 p.m.

PUBLIC HEARING - TWO
FAMILY DWELLINGS IN
R-2 DISTRICT

Moved by Councilman Pike, seconded by Councilman Plan to adopt Resolution No. 58-83 accepting and awarding the bid for the Ice Arena roof to the apparent low bidder, Les Jones Roofing, Inc., in the bid amount of \$94,700. The money for this project would be taken from the following funds: Emergency conservation fund, \$15,000; State Aid (under budget) \$15,000; Engineering Fund (savings on salary) \$14,000; General Fund Administration (savings on Administration salary) \$3,000; Arena Fund (heat conservation) \$25,000, Additional interest estimated on investments in General Funds, \$15,000. Total money available - \$87,000. The remaining balance could be taken from the General Fund retained earnings. Ayes, 8; Nays, None. Copy of Resolution on file.

RESOLUTION NO. 58-83
AWARD BID -
ICE ARENA ROOF

Moved by Councilman Klimek, seconded by Councilman Werner to award the bid for the Northwest Ponding Basin and Trunk Storm Sewer Construction program to the apparent low bidder of Barbarossa and Sons, Inc. in the total bid amount of \$1,286,949.50. Ayes, 8; Nays, None. Copy of Resolution on file.

RESOLUTION NO. 59-83
AWARD BID - N.W.
PONDING BASIN AND TRUNK
STORM SEWER CONSTRUCTION

Moved by Councilman Trautmann, seconded by Councilman Kulzer to adopt Resolution No. 60-83 providing the public sale of \$1,740,000 General Obligation Improvement Bonds for the Northwest Ponding Basin and Trunk Storm Sewer Project. The intent would be to certify levy for this year in the amount of \$179,000. Bid to be awarded at the October 17, 1983 regular City Council meeting. Ayes, 8; Nays, None. Copy of Resolution on file.

RESOLUTION NO. 60-83
NOTICE OF BOND SALE -
N.W. PONDING BASIN AND
TRUNK STORM SEWER

Moved by Councilman Karnick, seconded by Councilman Kulzer to enter into negotiations for an engineering agreement with Barr Engineering for the Northwest Ponding Basin and Trunk Storm Sewer Project. Ayes, 8; Nays, None.

AGREEMENT -
BARR ENGINEERING

Moved by Councilman Trautmann, seconded by Councilman Kulzer to pass the 2nd Reading of the ordinance amendment for towers. The ordinance would follow a list of items recommended in the City Planner's memo dated September 1, 1983 with the following changes:

2ND READING - ORDINANCE
AMENDMENT - TOWERS

ABD662

September 19, 1983

3. Second Sentence - The words "free standing" would be added. The fence height would be changes from 3 feet to 6 feet.
4. The statement, 'liability insurance should be provided' would be changed to 'shall be provided'.
11. Personal television and radio antennas on top of residential structures shall be exempt.

Staff is requested to check out the amount of liability insurance to require and the possibility of adding it at the 3rd Reading.

Ayes, 8; Nays, None.

FINAL READING - ORDINANCE Moved by Councilman Trautmann, seconded by Councilman
143 - COMMUNICATION Nesbitt to pass the 3rd and final reading of the ordinance amend-
OWER ment #143 allowing communication towers as a permitted use in the
Public Insitution zone. Ayes, 8; Nays, None.

ND READING - ORDINANCE Moved by Councilman Pike, seconded by Councilman Plan
MENDMENT - GASOLINE to pass the 2nd Reading of the ordinance amendment adding gasoline
ISPENSING IN dispensing as a permitted use in the C-5 Zoning District. This
-5 DISTRICT would be without auto repair. Ayes, 8; Nays, None.

ND READING - ORDINANCE Moved by Councilman Trautmann, seconded by Councilman
MENDMENT - TWO FAMILY Werner to pass the 2nd Reading of the ordinance amendment for
WELLINGS IN THE two family dwellings in the R-2 District. The amendment would
-2 DISTRICT be based upon the recommendations of the Joint Committee and
the Planning Commission as stated in the September 1, 1983
memo from the City Planner. The motion would amend item #3 of
this memo to read a total lot minimum size of 9,000 square feet;
and item #5 a minimum of 60 foot lot frontage for conversion.

Moved by Councilman Nesbitt, seconded by Councilman
Pike to table the 2nd reading of the ordinance amendment for
two family dwellings in the R-2 District for the Planning
Commission to review again. Ayes, 5; Nays, Karnick, Trautmann,
and Werner, Motion to table passes.

HOME OCCUPATION PERMIT - Moved by Councilman Werner, seconded by Councilman
DOG GROOMING - Kulzer to approve the home occupation permit for dog grooming
41 OLIVE STREET at 141 Olive Street - Sandra Lee Latch. Ayes, 8; Nays, None.

HOME OCCUPATION PERMIT - Moved by Councilman Trautmann, seconded by Councilman
'09 WEST 12TH STREET - Klimek to approve the home occupation permit for sign painting
SIGN PAINTING AND and vehicle lettering at 709 West 12th Street - Jay Fuller.
VEHICLE LETTERING Ayes, 8; Nays, None.

SPECIAL USE PERMIT - Moved by Councilman Pike, seconded by Councilman
USED CAR LOT IN Klimek to approve the Special Use Permit for a used car lot
-2 DISTRICT at the former Webber Ford presently in the C-2 District. Ayes,
7; Nays, Trautmann.

ST. BONIFACE FALL Moved by Councilman Kulzer, seconded by Councilman
FESTIVAL - SIGNS Karnick to allow the St. Boniface Church to place signs on the
entrances to the City subject to their letter received by the
City Planner dated September 19, 1983. Ayes, 8; Nays, None.

CITIZEN ADVISORY The Council discussed the Citizen Advisory Committee
COMMITTEE FOR CABLE for Cable Television but no formal Committee appointment was
made. Names were submitted to the Mayor for consideration at
the next meeting.

ONE DAY BEER PERMIT - Moved by Councilman Pike, seconded by Councilman
ST. BONIFACE - Kulzer to authorize a one day beer license for the St. Boniface
OCTOBER 2, 1983 Fall Festival for October 2, 1983. Ayes, 8; Nays, None.

SET PUBLIC HEARING - Moved by Councilman Werner, seconded by Councilman
FEDERAL REVENUE SHARING Trautmann to set a public hearing for the Federal Revenue
AND 1984 CITY BUDGET Sharing and the 1984 City Budget for the October 3, 1983
regular City Council meeting. Ayes, 8; Nays, None.

September 19, 1983

ABD662

Moved by Councilman Karnick, seconded by Councilman Plan to approve the application for a 3.2 beer license transfer to Paul E. Doffing at 2007 Wabasha (new ownership) - Tom Thumb Store. This would be subject to the new owner meeting all requirements. Ayes, 8; Nays, None.

APPLICATION FOR 3.2 BEER LICENSE - PAUL DOFFING - 2007 WABASHA

Moved by Councilman Werner, seconded by Councilman Trautmann to approve the request for an extension of time by Austin P. Keller for the 1983 Construction Project to October 15, 1983. Ayes, 8; Nays, None.

AUSTIN P. KELLER - CONSTRUCTION EXTENSION

Moved by Councilman Trautmann, seconded by Councilman Pike to authorize the purchase and installation of one 30 foot metal Johns-Manville Square Postop with two 400 watt H.P.S. heads located at the center of the parking lot with an estimated cost of \$3,000. The 1983 City Street Lighting budget would be amended to pay for this estimated expense. Ayes, 7; Nays, Kulzer. Motion passes.

DOWNTOWN PARKING LOT LIGHTING

Moved by Councilman Kulzer, seconded by Councilman Trautmann to pursue for state aid purposes figure #3 from the proposal entitled Access Plan for T.H. 55 submitted by Benschhoff and Associates dated September 1, 1983. This would also include Spring Street being closed off, and Ashland Street being extended to Highway 55 from the south. Ayes, 8; Nays, None.

HIGHWAY 55 STUDY

Moved by Councilman Kulzer, seconded by Councilman Nesbitt to design the Northwest ponding basin so as to facilitate a new north frontage road and instruct the Engineering Department and the Minnesota Department of Transportation to study the cost of a new north frontage road. Ayes, 8; Nays, None.

Moved by Councilman Werner, seconded by Councilman Plan to table the center section Fig. #6 of this project until a proposal is obtained for the added studies needed by Benschhoff and Associates and the City Engineer. Ayes, 8; Nays, None.

Moved by Councilman Karnick, seconded by Councilman Klimek to request the County Board to table any action on the Spring Lake proposal at their next meeting until the City has time to study the issue. Ayes, 8; Nays, None.

SPRING LAKE PARK PROPOSAL

Moved by Councilman Kulzer, seconded by Councilman Werner to:

CONSENT AGENDA

1. Pay all bills as audited
2. Reimbursement - Sidewalk Replacement - \$564.00
Ralph Wagner.
3. Reimbursement - Sidewalk Replacement - \$387.32
Gilbert Gergen.
4. Partial Payment - Arcon Construction - \$80,671.91
10th Street Project.

PROCLAMATION 196TH ANNIVERSARY OF THE DRAFTING OF THE UNITED STATES OF AMERICA CONSTITUTION

PROCLAMATION

WHEREAS, September 17, 1983, marks the one hundred-ninety-sixth anniversary of the drafting of the Constitution of the United States of America by the Constitutional convention; and

WHEREAS, to accord official recognition to this memorable anniversary, and to the patriotic exercise that will form a noteworthy feature of the occasion, seems fitting and proper; and

September 19, 1983

WHEREAS, Public Law No. 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17th through 23rd, 1983 as Constitution Week,

NOW, THEREFORE, I Lu Ann Stoffel by virtue of authority vested in me as Mayor of the City of Hastings do hereby proclaim the week of September 17th through 23rd as Constitution Week, in the City of Hastings, and urge all our citizens to pay special attention during that week to our Federal Constitution and the advantages of American Citizenship.

In witness Whereof, I have hereunto set my hand and caused the Seal of the City to be fixed at Hastings, Minnesota this 19th day of September, 1983.

ATTEST: _____
Mayor City Administrator/Clerk

ADJOURNMENT

Moved by Councilman Pike, seconded by Councilman Klimek to adjourn the meeting at 10:50 p.m. Ayes, 8; Nays, None.

ATTEST: _____
Mayor City Administrator/Clerk

MINUTES OF
HASTINGS NATURAL RESOURCES AND RECREATION COMMISSION
SEPTEMBER 21, 1983

The Meeting was called to order at 7:30 p.m.

Members Present: Commission Members Beckwith, Hoeschen, Balitz,
Warner, Larson, and Chandler.

Members Absent: Commission Members Folch and Lewanski.

The Minutes of the August 16, 1983 meeting were approved.

Marty McNamara gave an update on the Wilson Park work to be done by the Kiwanis. Motion was made by J. Warner, seconded by B. Balitz to go ahead with the project. Motion carries.

Levee Park is to be constructed by Solberg Construction. Construction to begin November 1, 1983.

Jaycee Park - Evening Kiwanis donate \$1,500 for benches, picnic tables, and grills.

Courtesy Dock for boats was discussed for Jaycee or Levee Park.

Old Mill Park Trail - Ken Hoeschen presented alternatives. Marty McNamara will check on bridge crossing considerations.

Playground Equipment - Parks Committee will look at possible alternatives.

A motion was made by D. McNamara, seconded by J. Warner will attend the next Council Budget Meeting.

Moved by J. Warner, seconded by D. McNamara to adjourn the meeting. Motion carried.

MINUTES OF HASTINGS PLANNING COMMISSION

MONDAY, SEPTEMBER 26, 1983

7:30 P.M.

The Meetings was called to order at 7:30 p.m. by Chairman Murphy.

Members Present: Commissioners Murphy, Swanson, Stevens, Simacek, and Anderson.

Members Absent: Commissioner Reuter, Martin, Conzemius, and Wendler.

Moved by Commissioner Anderson, seconded by Commissioner Stevens to approve the Minutes of the September 12, 1983 Planning Commission Meeting.
5 Ayes, 0 Nays.

APPROVAL OF MINUTES

Moved by Commissioner Swanson, seconded by Commissioner Simacek to schedule a Public Hearing for the October 11, 1983 Planning Commission Meeting.
5 Ayes, 0 Nays.

PROPOSED ORDINANCE
AMENDMENT - LOT SIZES
IN THE AGRICULTURAL
DISTRICT

The Planning Commission listened to a number of realtors, a contractor, and a property owner, who all argued for less restrictive requirements for two family dwellings in the R-2 District.

ADDITIONAL REVIEW OF
PROPOSED STANDARDS FOR
TWO FAMILY DWELLINGS IN
THE R-2 DISTRICT

Moved by Commissioner Simacek, seconded by Commissioner Stevens, to recommend that the City Council approve the earlier set of recommendations made by the Planning Commission and the Joint Planning Commission City Council Committee, which has studied the matter.

Moved by Commissioner Murphy, seconded by Commissioner Stevens to amend the motion to revise the recommendations by adding a new provision that where existing structures would be razed and new two family dwellings built, that the conversion standards apply to the new structure, rather than the new construction standards in the current proposal. 4 Ayes, Swanson Naye.

The vote was then taken on the original motion.
3 Ayes, Swanson and Murphy Naye. Motion passed.

Moved by Commissioner Simacek, seconded by Commissioner Anderson to adjourn at 8:28 p.m. 5 Ayes, 0 Nays.

ADJOURNMENT

September 28, 1983

MEMO

TO: MAYOR AND CITY COUNCIL
FROM: MARTY MCNAMARA
SUBJECT: VETERANS PARK IRRIGATION SYSTEM

The City of Hastings received the following bids for the completion of the irrigation system at Veterans Park.

Aqua Engineering - Eden Prairie, MN - \$13,707.71
Natural Green - Chanhassen, MN - \$17,890.00

There is money left in the Softball/Baseball Complex Fund and it is Staffs recommendation to accept the low bid of Aqua Engineering.

September 28, 1983

MEMO

TO: MAYOR AND COUNCIL MEMBERS
FROM: PAUL BURNS
SUBJECT: THIRD READING - TOWER ORDINANCE

At the Council's request, I have researched insurance liability limits. Mr. Bill Gegen suggested that the following limits be adopted:

The amount of \$250,000 per person and \$500,000 per occurrence for bodily injury, and \$100,000 for property damage for any liability resulting from the callapse, falling debris, electric discharge, or any other occurrence causing damage or injury to persons or property resulting from the tower.

To avoid placing an undue burden on freestanding residential personal radio and TV towers, they should be exempted from these limits, but still be required to have an unspecified amount of insurance for injury and property damage.

August 19, 1983

MEMO

TO: PLANNING COMMISSION

FROM: PAUL BURNS

SUBJECT: ORDINANCE AMENDMENT REQUEST - GASOLINE DISPENSING
IN THE C-5 DISTRICT - DENNIS MCNAMARA

Mr. Dennis McNamara is proposing to amend the zoning ordinance to add gasoline dispensing as a permitted use in the C-5 Zoning District. Presently gas dispensing, or "Service Stations" are permitted in the C-2 District as a permitted use, and in the C-3 and C-4 Districts as a Special Use.

The current proposal would be to allow only gas dispensing, as opposed to a full service station, including auto repair. In recent years, a number of individuals have indicated an interest in this kind of thing in the C-5 District along the North Frontage Road. Considering the nature and location of areas zoned C-5, and also considering that the C-5 District was intended to allow uses similar to the downtown area, but with larger lot sizes, I believe allowing gas dispensing (pumps only) would not be inconsistent with the intent of the C-5 District, or the Comprehensive Plan. Consequently, I would recommend approval of this proposed amendment. However, I believe that auto repair might better be restricted to the shopping center district, or some other district.

September 28, 1983

MEMO

TO: MAYOR AND COUNCIL MEMBERS
FROM: PAUL BURNS
SUBJECT: TWO FAMILY DWELLINGS IN THE R-2 ZONING DISTRICT

After listening to additional testimony from realtors, Mr. Sieben, and at least one property owner (some of which is attached), the Planning Commission voted to recommend that the Council proceed with the originally proposed amendment as specified in the September 1, 1983 Staff Report (with the exception that 1,500 square feet be the standard in item number 6), with one revision; that where an existing structure is to be razed and replaced with a new construction two family dwelling, that the conversion standards for setbacks and lot width apply to the new structure.

September 23, 1983

MEMO

TO: PLANNING COMMISSION

FROM: PAUL BURNS

SUBJECT: ADDITIONAL REVIEW OF PROPOSED STANDARDS FOR TWO FAMILY DWELLINGS IN THE R-2 ZONING DISTRICT

When the Council held the Public Hearing on the proposed amendment to the zoning ordinance establishing new standards for two family dwellings in the R-2 District, a number of realtors, and Mr. Al Sieben objected to many of the standards. I have attached a copy of my memo spelling out the standards. The Council had chosen to go with the 1,500 square foot minimum house size before conversion standard. After listening to the objections of these individuals, the Council voted to table the issue, and ask the Planning Commission to review the concerns expressed by the realtors and Mr. Sieben.

I have enclosed a number of letters from realtors expressing their concerns. There were many more letters, accompanied with examples of real estate listings which would not meet the new requirements, but I felt that these were sufficient to indicate the general feelings of the realtors. Mr. Roger Hullander has indicated that he would advocate eliminating the special use requirement, and allowing two family dwellings as a permitted use, based upon the standards for two family dwellings currently existing in the ordinance (interpreting the lot width requirement to not apply to conversions). I believe that this is basically the position of the majority of the realtors.

Mr. Sieben mainly addressed the standards for new construction. I believe he would also agree with leaving the setback, frontage, and lot size requirements as they exist now, and eliminating the special use requirement. He indicated strong opposition to requiring a 75 foot frontage, increased setback requirements, and roadway width standards for new construction. Mr. Don Olson, a property owner, has indicated that he feels credit should be given for properties where dilapidated structures are to be torn down and replaced with new, two family dwellings.

I believe that a basic reconsideration of the goals of this amendment is necessary. First of all, this amendment was initiated to replace an unworkable system of allowing two family dwellings in the R-2 District. Secondly, the Planning Commission and Council were trying to achieve a ratio of densities for two family dwellings in this District which would preserve the basic architectural and sociological character of the neighborhood, while still providing for the preservation of housing stock, housing values, and the natural evolution of the neighborhood. The Planning Commission should consider whether the currently proposed standards strike that balance, and serve as a reasonable compromise between the two sides of this issue, or whether the alternative proposal is preferable.

September 1, 1983

MEMO

TO: MAYOR AND COUNCIL MEMBERS

FROM: PAUL BURNS

SUBJECT: RECOMMENDATIONS FROM THE PLANNING COMMISSION AND
JOINT COMMITTEE ON TWO FAMILY DWELLINGS IN THE R-2
DISTRICT

On August 22, both the Joint Committee and the Planning Commission passed recommendations on the two family dwellings issue. The recommendations only vary slightly between the two bodies. The Planning Commission recommended that the minimum house size before conversion would be allowed should be 1,600 square feet excluding the basement, and the Joint Committee recommended 1,500 square feet. Aside from that, the recommendations are as follows:

1. Eliminate special use permits for two family dwellings in the R-2 District, provided the other new standards are met.
2. That all proposed two family dwellings be located on a street with a minimum surfaced width of 30 feet.
3. That the lot size minimum be based on a standard of 7,000 square feet for the first unit, with an additional 2,700 square feet (for a total of 9,700 square feet) for the second unit. This could be used as a formula for allowing buildings of three or more units, if this is pursued as a separate issue in the future.
4. For newly constructed two family dwellings, the same setbacks as required for a single family dwelling in the R-1 zoning district would apply to two family dwellings in the R-2 district.
5. A minimum 66 foot lot frontage for conversions, and a 75 foot frontage for new construction two family dwelling lots.
6. For conversions, the Planning Commission recommendation was a minimum of 1,600 square feet before conversion would be allowed, excluding the basement; the Joint Committee recommended 1,500 square feet.
7. That two off-street parking stalls be required per unit.



September 22, 1983

To: Mayor, City Council, and Planning Commission:

Understanding the difficulties the City has had in the past with special use permits for two family dwellings in the R2 district, we would like to share our views as representatives of the general public.

We primarily agree with the city planners recommendation to the City Council and the Planning Commission that the present laws are sufficient except for the special use permit. It should be eliminated and should be changed to a permitted use. If this is not possible, we would like to address the new law proposals affecting the R2 district, with the following recommended changes:

- (1) The need for a surface street should not be a requirement because of the economic burden it would put on the property owner.
- (2) Minimum lot size requirements should be eliminated. If all requirements are met on set-backs and off-street parking, this would suffice.
- (3) Proper set-back and off-street parking would also eliminate the necessity for a minimum lot frontage requirement.
- (4) Because of increased need for economical housing, especially for the single person, no minimum square footage for the dwelling should be required.

Sincerely,

A handwritten signature in cursive script that reads 'Chuck Hartwig'.

Chuck Hartwig

Mike Gegen Gallery of Homes



Keller - Hullander
REALTY WORLD — Town & Country
955 West Highway 55, Hastings, MN 55033
Telephone: (612) 437-2121

September 6, 1983

Honorable Mayor and Members of the City Council of Hastings,

As concerned citizens of Hastings, we would like to address several items relating to proposed duplex regulations in our city.

On new development in our city, we agree with a 75 foot lot frontage, however, we feel a 32 foot surface road would be more than adequate versus the proposed 36 foot. We feel the proposed 9,700 square foot minimum lot size should be reduced to 9,000 square feet which would still require a lot size of at least 75' x 120', which we feel would be adequate.

Focusing on new construction on existing lots in Hastings, we feel that with minimum square footage requirements on the structure, setback requirements, and off street parking requirements, that there should be no need for a regulation concerning minimum front footage or minimum lot size. We feel the proposal for a surface road on these existing lots should be eliminated as the owner has very little control over the situation.

We recommend the minimum structure size on duplex conversions be 1,400 square feet.

We feel the above proposals will reduce the amount of special use permits, but, because of the uniqueness of our community (small suburb with historic preservation), the special use permit should not be altogether eliminated.

We appreciate your strong consideration and acceptance of our proposals. We feel they are fair and just and will help to make our community a better place for all of us, today and in the future.

Thank you,

Paul [Signature]
Robert Zetwick
T. Price
Jeta A. M. Nemara
Pat Carter
Arlene Landman
Shyllis Swanson
Charlie Keller
Maury O'Brien
Tom [Signature]
Don Keller

"We'll cover it all ... for you."

Each office independently owned and operated

September 22, 1983

Honorable Mayor

City council members and Planning Commission members.
The people of Hastings appreciate your hard work and all the effort that is attached to your position.

We understand the difficulties the city has had in the past with special use permits for two family dwellings in the R-2 district, we would like to share our views as citizens of our community and as members of the general public.

We do agree with the city planners recommendation to the City Council and the Planning Commission that the present laws are sufficient except for the special use permit. It should be eliminated and should be changed to a permitted use.

If you do not agree, then addressing the new law proposals affecting the R-2 district, we ask the following changes:

The need for a surface street should not be a requirement because of the economic burden it would put on the property owner, and the city has some unsurfaced streets, as do some of us, also, 30 foot surfaced streets where there aren't any now, we feel is out of order.

Minimum lot size requirements should be eliminated. If all requirements are met on set-backs and off-street parking, this would suffice.

Proper set-back and off-street parking would also eliminate the necessity for a minimum lot frontage requirement.

Because of increased need for economical housing, for the single person, the young and especially the elderly, no minimum square footage for the dwelling is really required.

We thank you so much and we know, as you do, that there is nothing perfect, and we know that, as a mayor, council members and planning commission members you do not want to be surrounded in a solid cement wall, if you wish, but surrounded by a rubber wall, if you wish, so you can move a little in one direction or another. This would make it easier for all of the people concerned.

An article that was in the paper last week, September 22, 1983, in which the City Attorney's name was mentioned, seems to say to us that he thinks a change would be a bad decision. I quote, "The new regulations would also require newly-constructed duplexes to have the same set-backs as required in the R-1 (low density residential) zoning district."

Schumacher Realty

1515 Vermillion St. Hastings, MN 55033 612-437-3144

City Council Members
City of Hastings
Hastings, Minnesota

Subject: Duplex regulations

We understand the position of the City Council and can emphasize with the desire to establish clear, defineable guidelines for duplexes. Obviously clarity on these issues will make their position much easier.

There is some confusion on our part to the need for restrictions directed toward duplexes. There appears to be many single family residences inhabited by very large families. By virtue of the size of these families and their age composition there exists a need for three, four, and more automobiles. To the best of my knowledge the City does not object to large families nor are there regulations restricting the number of automobiles they have, the size of street their home resides on, nor whether that street has to be paved. Yet, for duplexes, where often there is only one or two persons per unit, there exists a need to have explicit regulations. Logically, if the number of people in each unit is the concern, then whether the home is a single residence or duplex should not make any difference. Perhaps if landlords were to adopt their tenants there wouldn't be any problem.

If there needs to be a change we agree with the City Planners recommendation that the present laws are sufficient except for the special use permit which should be changed to a permitted use.

Respectfully submitted;


James A. Dreis

Pg. 2 cont.

If an existing duplex lot size or structure did not conform to those requirements, City Attorney Don Fluegel says that would become non-conforming uses. (A status which limits improvements and expansion of the use)."

In closing, I would like to say that I know you'll make a suitable decision.

Thanking you,

Don Benzick
Anna Wagner
Gordon Johnson 1010 Tyler
Audrey Singleton 1816 Pine
Gladys Howard
Dorlene Lusch 1633 Walnut
Mary Murphy
Guy Johnson 1403 Sibley
Lynn Mann 1927 Edley
Harvey Anderson 2140 Louise Lane
JIM SWANSON 1617 Oak
Greg Tanagerfeld 551 207th
Frank R. Tanagerfeld
Lionna Tanagerfeld
Lionna Tanagerfeld 2001 Pine
Robert C. Delaney 1730 MARJOR LANE
Frank R. Tanagerfeld 2212 Pine
H. Wenden 2012 West View

The new regulations would also require newly constructed duplexes to have the same setbacks as required in the R-1 (low density residential) zoning district. If an existing duplex lot size or structure did not conform to those requirements, City Attorney Don Fluegel says they would become non-conforming uses. (A status which limits improvements and expansion of the use).

September 29, 1983

MEMO

TO: MAYOR AND COUNCIL MEMBERS

FROM: PAUL BURNS

SUBJECT: APPEAL OF ADMINISTRATIVE DECISION "PROFESSIONAL OFFICES"
 IN THE R-3 DISTRICT - 1226 EDDY STREET - DALE WIECH AND
 PETER NELSON

Attached is a letter from Mr. Wiech and Mr. Nelson explaining their position regarding the matter. They purchased a residential structure at 1226 Eddy Street, which is zoned R-3, with the intent of converting this structure into an Insurance Office. Since the R-3 Zoning District lists "Professional Offices" as a permitted use in the R-3 District, they assumed that their intended use was a permitted one. When they asked me about any necessary permits to occupy the building, I informed them that their use was not a permitted use in the R-3 District, since "Professional Offices" have only been interpreted to include such things as doctors, dentists, and lawyers. Mr. Wiech and Mr. Nelson are appealing my decision to the Council. A 6/8 vote is required to override the interpretation of an Administrative Official.

It is my interpretation of the intent of the ordinance that "Professional Offices" only were intended to mean such things as doctors, dentists, and lawyers. This is a common, although admittedly confusing, provision in many zoning ordinances. For some reason, it was felt that doctors and dentists offices might be acceptable in a neighborhood, whereas a general office might not be considered appropriate. This terminology was not meant to imply that other disciplines were not professional, it was simply a popular usage that was translated into zoning ordinances. I have attached an excerpt from one zoning reference book I have, which discusses this very issue. It may have also been the original intent of the ordinance that these so called professional offices be located in the professional's home.

If the Council wishes to clarify the ordinance, it would be my recommendation to eliminate all offices of all kinds, along with the phrase gift or craft shop and similar uses of a public service nature, as permitted uses in all residential zoning districts. The only time I think that this kind of thing might be acceptable is when a building is on the national register of historic places, and the proposal is to renovate to a gift shop or office for purposes of



Honorable Members of the Hastings City Council:

On September 19, 1983 I, Dale A. Wiech, on behalf of myself and Peter J. Nelson approached city planner Paul Burns, in regard to an occupancy permit for property located at 1226 Eddy Street in Hastings. Property located at 1226 Eddy street is zoned R-3 and lists professional offices as one of the allowed occupancies. This property is located directly West and across Eddy street from the Coast to Coast hardware store, which has a public entrance on Eddy street. It is our intention as owners of this property to obtain all necessary permit and then restore this building to a level that it will be both a tax asset and an esthetic plus to this community.

Mr Burns now informs me that an Insurance office is not a professional occupancy and thus will not consider a permit for our offices. Mr Burns interpretation of professional lists only Doctors and Lawyer. The Random House Dictionary of the English Language states, 1. engaged in an activity, as a means of livelihood or for gain: a professional golfer, a professional potter.

Mr Nelson and I represent over thirty-two years of insurance service to this community. We are both licensed for business and personal lines of insurance by the States of Minnesota and Wisconsin. During our careers in the insurance industry we have been continually furthering our knowledge by attending numerous schools and courses set up by the profession. We also comply with all educational requirements set up by our state each year, this in the interest of professionalism. In the interest of professionalism Mr Nelson and Myself wish to establish an office at said location. We feel that it will be a very convenient place with easy access for the people of the Hastings area.

We ask that you consider this matter and amend the interpretation of Mr Burns and allow the establishment of our insurance office at 1226 Eddy Street. This in accordance with the wording of city ordinance.

Yours In Service,

Dale A. Wiech
Peter J. Nelson

RECEIVED

SEP 22

CITY OF HASTINGS

DALE A. WIECH

1903 Ashland Street/Hastings, Minnesota 55033/PHONE: (612) 437-5196

Mutual Service Life Insurance Company/Mutual Service Casualty Insurance Company/Modern Service Insurance Company

RESIDENTIAL DISTRICTS

The greatest percentage of the developed area of an urban community will be devoted to residential use. Even in rural areas, much of the land is now used for residence as a result of the continuing movement of people out of the built-up villages and cities into the more open areas in the towns. In determining how much of the community's area should be set aside for existing and future residential use, it is highly desirable to make a comprehensive community study. From this study, a plan should be developed showing how all the area in the municipality can be most advantageously used to meet existing needs and to make the best of all future opportunities. On this basis, the zoning ordinance and map, while not in itself any substitute for the community plan, puts into effect those land use controls felt to be most desirable in guiding development toward the goals set by the comprehensive plan.

The purpose of zoning areas for residence only is the protection of living areas from encroachment by other types of use not appropriate in such an area. A business use in a residence area can lead to loss of values due to a decrease in the desirable qualities of an area, such as its relative quiet and freedom from traffic. If such a mixture is widespread, deterioration, blight, and an eventual need for public assistance to remove or ameliorate the situation may occur.

However, only rarely would a zoning ordinance provide for no other uses than dwellings in a residence area. Every neighborhood will require schools, parks, playgrounds, churches, and other institutions. Also, in many cases it is feasible and desirable to permit a limited type of business use such as professional offices and home occupations. The important standard to be used in the regulation of these "non-residential" uses in such an area is the maintenance of the residential character. By so doing, the desirability and convenience which attract people to it will not be lost. Since residential areas usually represent the largest part of the local tax base, the maintenance of their value as places for persons to live is a vital municipal concern.

Many ordinances provide that non-residential uses in residential districts be permitted only after a review of the proposed development or use by the board of appeals or other local agency. This is a means of assuring that all the standards for such a use can be met.

In addition to the commonly accepted non-residential uses such as schools, parks and playgrounds, churches and other religious uses, public buildings, and philanthropic uses, it will be valuable to consider the need for, and type of, regulation applicable to museums, art galleries, public utility sub-stations, fraternal and social clubs, golf courses, swimming pools and tennis courts, nursery schools, greenhouses, plant nurseries, and agricultural uses.

In special cases it may be necessary to provide for the future development of boathouses and wharves, railroad stations, sewage disposal plants, incinerators, reservoirs, cemeteries, and similar uses. Uses needing careful consideration are sand and gravel mining, topsoil stripping, or some other exploitation of natural resources. The funeral home has sometimes been permitted in housing areas, but experience indicates that it is best located in business districts.

Certain non-housing uses are usually considered a normal part of residential development. The simplest use is the private garage, which is usually permitted in the rear or side yard with some additional regulation providing for a minimum setback from adjacent properties. The control of professional offices and home occupations is more complicated. Again, the objective to be kept in mind is maintenance of the desired residential character of the area.

Doctors and dentists are generally permitted to use part of their residence as an office, but if such a use becomes a clinic or needs more than one outside employee, it is better located in a business district where the automobiles of clients and employees will not be a disturbance to neighboring homes. Home occupations usually include dressmaking, millinery, or similar work, but would not include a tea room, barber shop, music school, or other use involving the frequent assembly of many persons. Signs used in connection with home occupations or professional offices need to be controlled and are normally limited to small announcement plates with no advertising.

Examples of residential district regulations are given below. These are illustrative only and are not intended to be applicable to a specific situation. These detailed regulations applying to each district can be presented as a part of the written text of the ordinance, starting with the most restricted district followed by each less restricted district in turn, or can be arranged in a table (usually called a "Schedule of Regulations"). The tabular form has the advantage of presenting the regulations in a manner permitting easy comparison of the requirements of the several districts, and is the form most widely used in recent ordinances. An example of such a tabular schedule is shown on page 588.

The residential districts presented as examples are chosen as applicable to the smaller residential community. The form, however, could be used for any residential district, even those in more urban areas, with appropriate changes in the specific requirements.

BUSINESS DISTRICTS

Perhaps the most common error in municipal zoning is setting aside too much land for business purposes. The belief that all lots on main thoroughfares and highways are actually potential business sites has often resulted in the over-zoning of frontage for business use. Economic waste has resulted from this because it encourages spotty, unplanned development, which in turn blights the land for the development of other valuable land uses.

September 29, 1983

MEMO

TO: MAYOR AND COUNCIL MEMBERS

FROM: PAUL BURNS

SUBJECT: APPROVAL OF MISSISSIPPI AND VERMILLION RIVER WATER-
SHED BOUNDARIES FOR MANAGEMENT PURPOSES

Agreeing on the specific locations of watershed boundaries is part of the process mandated by the legislature when it required the formation of watershed management organizations in the Metropolitan Area. Regardless of the form of organization, the location of the watershed boundaries is necessary. I would recommend passing a resolution that the City of Hastings recognizes those watershed boundaries as defined in the adopted Hastings Comprehensive Drainage Plan.

Its possible that the portion of the City tributary to the Mississippi River may be included in the Vermillion River management organization. This seems appropriate from the standpoint of trying to avoid being in two separate watershed management organizations. If this is not possible, the location of the boundaries becomes more significant for the City of Hastings. The Comprehensive Drainage Plan is the best, most accurate source of data we have in this regard.

September 29, 1983

MEMO

TO: MAYOR AND COUNCIL MEMBERS

FROM: PAUL BURNS

SUBJECT: PROPOSED REZONING FROM A AND PI TO R-3 PLEASANT VALLEY
COUNTY ROAD #42 AND PLEASANT DRIVE

Attached is a copy of a letter from Mr. Jack Christenson, and an agreement signed by a number of the neighbors living in the nearby area. Mr. Christenson's letter points out a few open questions the City Council will have to decide in acting on this matter. I have briefly reviewed the agreement, and Mr. Christenson's letter. I have the following recommendations;

1. There is an issue over height restrictions. I do not believe height restrictions are necessary as long the developer has agreed to not construct buildings with any more than four units. A 25 or 27 foot height limitation could hamper development of otherwise compatible, contemporary four unit design buildings. This could also very likely place the Council in the position of having to review unnecessary variance requests. If the Council feels height restrictions are absolutely necessary, I would recommend that the limit be at least 30 or 35 feet.

2. Mr. Christenson and the neighbors agreement talks at great length about single family homes along County Road #42 and along the westerly boundary, with the higher density units moved more interior to the development. I must still advise the Council that this is not good land use planning practice. All the traffic from the higher density development could be funneled past the single family homes in order to get to County Road #42 or Pleasant Drive. If designed properly, however, single family homes along County Road #42 could be acceptable, with the higher density residential traffic being directed towards Pleasant Drive. However, one strip of single family homes along the westerly boundary would be a design mistake, and very likely a problem when the land to the west is eventually developed. Therefore, I would recommend accepting the agreement to place single family homes along County Road #42, but not demanding that single family strip or buffering along the westerly boundary.

3. As far as the amount of land to be rezoned; as long as the developer provides a general development plan, not necessarily even showing the lot line configurations for phase 2, and agree to an overall density limitation in the development contract, all rezoning requirements would be met, and the Council should approve the request.

I would recommend approving the rezoning, based on the agreement and revisions I have suggested, subject to the execution of a development contract stipulating these items.

September 29, 1983

Mayor and Council Members
City Hall
100 Sibley Street
Hastings, MN 55033

Re: Pleasant Valley Development

Dear Mayor and Council Members:

I am pleased to report that the committee representing the neighborhood and the developers of this residential project have come to substantial agreement. The only unresolved issues are, in my opinion, very minor in nature and so far as the developers are concerned, can be left up to the City Council after hearing both sides of the remaining issues.

You have received or will receive an "Agreement" signed by the neighborhood committee members and several of the neighbors. This letter will point out the only remaining issues and will also set forth the fact of agreement on the major items which were stumbling blocks up to this time. I will follow the neighborhood committee's "Agreement" in an attempt to keep things as clear as possible.

1. It has been agreed that the entire 42 acres would ultimately be rezoned R-3 zoning classification and that a residential development permit would be applied for as part of the request for this rezoning. This is agreed to.

The developers intend to apply for a planned residential development permit for the entire 42 acres and to request rezoning of the entire 42 acres at this time, but intend to finally plat only approximately one-half of the property. However, as will be seen later, the developers are willing to enter into a binding agreement, which will apply both to the first phase and the second phase, containing all the items of agreement between the developers and the neighbors, if approved by the City. The developers do request that a rezoning of the entire acreage be accomplished presently and to this end, during the course of the rezoning process and before the final reading, it is understood that there would be a Development Contract signed between the City and the developers setting forth the items agreed upon which would bind the developers not only in the first phase (first plat) but also in the remaining phase (area to be platted later).

We are willing to commit ourselves to the lot configuration, street location, etc. for the first phase at this time but do not feel that we can (except as to houses along 42 and, if the council wishes, along the west boundary) pin down the exact location of single family, duplex and four plex lots in the second phase.

2. It is agreed that a Development Contract would be entered into between the Developer and the City (before completion of the rezoning process on the 42 acres) covering the total development and that restrictive covenants would be adopted to reflect the restrictions set forth in the entire agreement. There is no dispute on this point.

3. There is a very slight open question on the "height" matter. The neighborhood was asking for a 25 foot limitation above finished grade. I have done some calculations about the height of conventional two-story homes and find that they sometimes are as high as 27 feet above first floor elevation. Accordingly we ask that the Development Contract contain a limitation that no building would be more than 27 feet above first floor finished grade, excluding the height of chimney or television antennas and it would further contain a provision that there will be no structures in the entire development exceeding 4 units per building. Accordingly the only dispute is between the 25 feet above finished grade and the 27 feet above first floor elevation.

4. As you know the main dispute has been about the location of 4-plex units and duplex units. The developer's original proposal called for some 4 unit development and some duplex development along the County Road which was proposed because we were advised that this was what good planning called for. We still feel this way but are willing to concede on the point, as it relates to County Road 42, at the request of the neighborhood committee.

Accordingly it is agreed that along the County Road, single family lots would be located from the westerly boundary, to the point of intersection of the new road to be built in about the middle of the plat and as shown on the proposed plat you previously received. From that "new road" intersecting County 42 easterly on 42, duplex lots would be allowed to the point where you see lots 5 and 6 in the original proposal. Lots 5 and 6 would continue to be 4-plex lots. Accordingly there is complete agreement about the development to occur adjacent to County Road 42.

The association has asked that we also locate a row of single family homes along the westerly boundary. We feel very strongly that this would be bad planning, but have finally agreed to do so and will do so if the City so requires. Our reason for not favoring this is because we think it very likely that properties to the west, when and if annexed, would be developed into at least a mixture of single family and multiple dwellings and we would find one row of single family between that development and the interior of our plat which will also be a mixture of single family, duplex and 4-plex. We will be guided by the City's direction, however.

We agree that as to development along County Road 42, the agreed upon development uses would extend 185 feet from the center line of County Road 42. We further agree that if the City requires single family dwellings along the westerly boundary, that that restriction would apply not less than 135 feet from the westerly boundary.

It is agreed that other than for these restrictions regarding single family and duplex (along County Road 42 and, if required by the City, along the westerly boundary) the balance of the plat could be arranged, as the developer deems appropriate, into single family, duplex and 4-plex lots.

Accordingly the only decision for the City in the "use" category is whether it does wish to have single family lots along the westerly boundary.

5. The developer has agreed to install along the lots on Nininger Road, appropriate buffering by earthen berm or by landscaped plantings or trees, shrubbery or hedges, or a combination of same, as more fully spelled out in the association's agreement #5.

6. The association wants the same type of screening along the westerly boundary, between the lots and what is now agricultural farm land. We have never agreed to this and find it ridiculous. What we are being asked to do is to pay for, and the eventual homeowners to continue paying for maintenance of, plantings, etc. to buffer the view from a farm field to the residential development. Obviously if the people who end up living there want to buffer by installing trees, etc. they can do so, but we think it totally inappropriate and somewhat ridiculous to ask that we pay for and the homeowners continue maintenance of buffering to prevent a view to this development from the farm land.

7. The association has agreed that if the agreements between the association and the developer require any variances from City Ordinances, that the association joins the developer in requesting same.

8. Both the developer and the association feel that the City should, as a clarification matter, amend its planned residential development section to specifically allow single family units as an additional allowed use in these developments.

In summary we believe the only questions for the council are as follows:

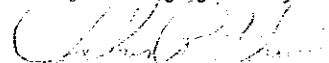
a. Would the council be satisfied with a height limitation of 27 feet above first floor elevation as opposed to the 25 foot limitation above finished grade as requested by the association.

b. Does the City want to restrict the westerly boundary to single family use?

c. Does the City want to require buffering along the westerly boundary?

d. Assuming that a Development Contract is signed before completion of the rezoning process to R-3; which will contain the restrictions regarding lot usage (e.g. single family, duplex, 4-plex) as agreed to, will the entire 42 acre parcel be rezoned even though it will be platted in two phases and even though the exact lot configuration of the second phase (except as agreed upon) will not be known at this time. We think that rezoning the entire parcel is certainly a reasonable request since the restrictions agreed upon will also apply to that second phase. The only reason for not spelling out and describing the exact lot locations in the second phase is because we do not know where, in the second phase (except along the County Road, and if required along the westerly boundary) there will be single family lots, duplex lots and 4-plex lots.

Very truly yours,



John P. Christenson

For the Developers

cc: Mr. James Gabiou, for the Committee

AGREEMENT

1. The entire parcel, consisting of approximately 42 acres, ultimately would be rezoned to an R-3 zoning classification. A planned residential development permit would be applied for as part of the request for rezoning to R-3. If only a portion of the 42 acres is included in the first planned residential development permit application, then application for rezoning to R-3 would be made for only that portion.
2. A Development Contract would be entered into between the Developer and the City covering the total development and restrictive covenants will be adopted to reflect the restrictions set forth in this entire agreement.
3. The Developer would agree and the contract would provide that there would be no buildings in the entire development exceeding 25 feet above finished grade, excluding the height of chimney or television antennas, nor exceeding 4 units per building.
4. Along the westerly boundary (except for the portion dedicated for park) and along County Road 42 from the westerly corporate limit to the easterly of the two intersecting interior streets (near the Gillis residence), use would be restricted to single family residences. This restriction would extend not less than 135 feet easterly normal distant from the westerly corporate boundary and not less than 185 feet normal distant from the centerline of County Road 42 to the intersecting street defined above. On County Road 42 easterly of the said intersecting street, duplex lots would extend to what are now shown as Lots 5 and 6 of Block 1, which

would be 4-plex lots, in accordance with the planned residential development permit(s). Other than for these restrictions regarding single family and duplex, the balance could be arranged, as the Developer deems appropriate, into single family, duplex and 4-plex lots.

5. The Developer agrees to install along the lots on Nininger Road appropriate buffering by earthen berm or by landscaped plantings or trees, shrubbery or hedges, or a combination of same. The present thought is that this would be accomplished by planting of *Acer glabrum* maples or lilacs. What are now shown as Lots 5 and 6 of Block 1 would be similarly fully screened, subject to whatever City and County requirements exist to insure adequate sight distances for vehicles approaching the County Road 42 - Pleasant Drive intersection. That the maintenance of said screening and planting would be covered by a restrictive covenant to insure maintenance of these improvements.
6. That the plantings and screening provided in Paragraph 5 would also be installed along the westerly boundary of the property to the area designated as a park.
7. Any variances required by the foregoing would be requested by the Developer, and the Nininger Road Association would advise that it favored the variances and supported the project based upon the foregoing inclusions.
8. If deemed appropriate, the Association would join the Developer in requesting amendment of ordinance to specifically provide for single family units in planned residential development projects.

9. Under no circumstances would commercial, limited business or industrial uses be allowed.

Dick A. M. Wick
John M. M. M. M. M.
Joseph F. Kane
Elizabeth Kane
Marcella Evans
Harry B. Hampton
Maud E. Hampton
David J. Johnson
Barbara Gillis
Geo. Matheson
Alice Matheson
Maudell Evans

John Gillis
Mary & Maudell
John M. M. M.
Joe Kell
Dorothy Kunkle
John L. Kunkle
Geo. Cunningham Jr.
Mike Kell
Sharon M. M. M.
John P. M. M.

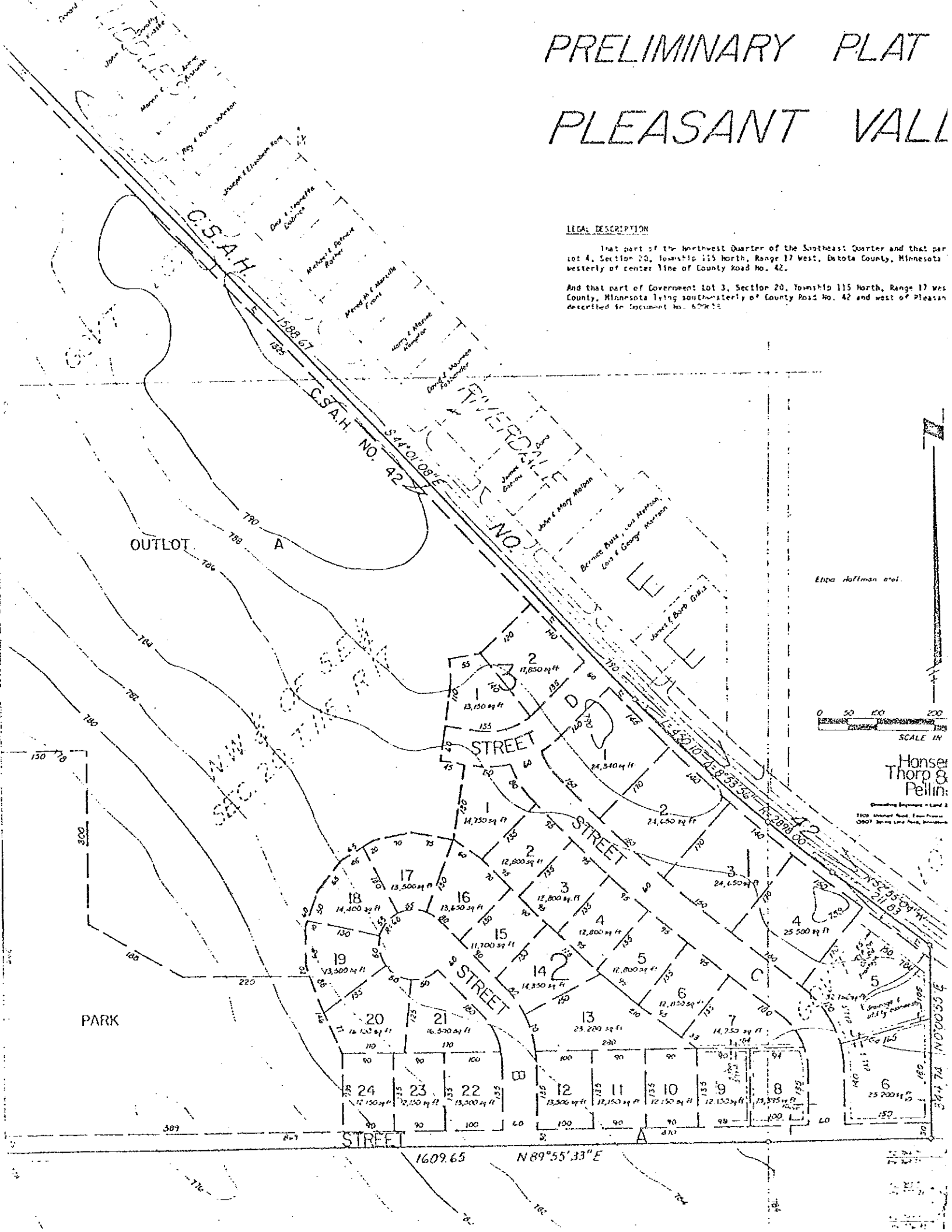
PRELIMINARY PLAT

PLEASANT VALL

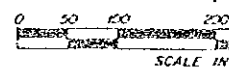
LEGAL DESCRIPTION

That part of the Northwest Quarter of the Southeast Quarter and that part of lot 4, Section 20, Township 115 North, Range 17 West, Dakota County, Minnesota westerly of center line of County Road No. 42.

And that part of Government lot 3, Section 20, Township 115 North, Range 17 West, Dakota County, Minnesota lying southwesterly of County Road No. 42 and west of Pleasant Valley Street.



Erica Hoffman et al.



Hanser
Thorp &
Pellin

Grading Engineer - Land &
1907 Annual Road Exam Passed
1907 Spring Road Exam, Standard

1609.65 N 89° 55' 33" E

TANNER & RING, P.A.

ATTORNEYS AT LAW
755 Westview Drive
P.O. Box 65
Hastings, Minnesota 55033

DAVID E. TANNER
MICHAEL R. RING

(612) 437-8037

August 5, 1983

Mr. Gary Brown
City Administrator
City Hall
100 Sibley Street
Hastings, Minnesota 55033

Re: Gayle Erickson R-3 Rezoning

Dear Mr. Brown:

Following last Mondays Council Meeting concerning the condominium proposal, I am led to believe that there are basically two problems with the rezoning. First, the effect on Lake Rebecca and second, the lift station.

In talking with the owner of the land and my client, Mr. Erickson, I have obtained their agreement to execute a flowage easement to the City over that property lying below 691 feet elevation. I have also asked the City Attorney to draft such a document for signature by Mr. Reuter and Mr. Erickson. The second part of the Lake Rebecca objection is that the land must be stabilized. It is the intention of Mr. Erickson to cover the existing material with soil which will support grass or other vegetation which will in effect clean up that area not occupied by a building. It will also stabilize the bank and prevent erosion. This work would be accomplished as part of the condominium construction and specifics can be set out in the site plan.

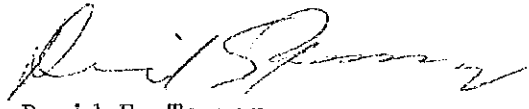
The second issue is the sewer lift station. I understand that the City has already obtained information concerning a lift station in the general vicinity of this subject property. I would ask that the City make that information available to Mr. Erickson so that he may adopt a plan for either a privately owned lift station serving his condominium or a lift station to be dedicated to the public which would serve not only his project, but the other unserved residences in the area. The cost of the private lift station would be borne entirely by Mr. Erickson. If the project would be dedicated, I propose that the condominium units each be treated as one participant and each of the other housing units served be treated as one unit, and the cost of the entire project be pro-rated among all of the served residential units. For example, if there are twelve condominium units and three other houses served, or a total of 15 units, Mr. Erickson would pay 12/15ths of the entire cost of the project. The City may assess or do whatever they like regarding the payment of the balance of the construction costs. Mr. Erickson will agree to either a publicly or privately owned lift station and will build the system to the specifications reasonably required by the City Engineer.

Mr. Gary Brown
Page -2-
August 5, 1983

It is my hope that resolution of the two problems stated above will enable this matter to be reintroduced at the earliest possible time for reconsideration by the City Council. As Mr. Erickson indicated it is important to move ahead rather promptly with this project because of the favorable construction costs, interest rates and market for this kind of development: Your assistance in this matter is greatly appreciated.

Very truly yours,

TANNER & RING, P.A.

A handwritten signature in cursive script, appearing to read "David E. Tanner", written in dark ink.

David E. Tanner

DET/dh

cc: Mr. Gayle Erickson
Mr. Thomas Reuter

July 25, 1983

We the undersigned are residents of the City of Hastings and property owners in the 2nd Ward.

It is our understanding that an application is being made to rezone an area in the 2nd Ward from an R-2 to R-3 classification, specifically that area north of Second Street, between Ashland and Spring Streets. We want to inform the Hastings Planning Commission and the City Council of Hastings that we take serious objection to approval of this application for the following reasons:

1. The site was not designated as a development area at the time of the publication of the Minnesota Critical Corridor Area Act of 1973, Executive Order 1976. Further, since that date, part of the site was created by an illegal landfill. In addition to being a community eyesore, we have now been informed that the proposed site limits exceed the perimeters established by the U.S. Corps of Engineers and will have to be removed. We are informed the excess is approximately 6,000 square feet, and that the action against the illegal landfill will come in the near future in the form of a citation from the U.S. Corps of Engineers.
2. We are familiar with the goals and guidelines established by the City of Hastings for the Hastings portion of the Critical Corridor plan and are in total agreement with the proposals for the Urban Diversified District for beautification of the City of Hastings -- public access to and enjoyment of the river, protection of historical sites and areas, as well as conservation of natural and environmental resources. We feel a commercial R-3 highrise development, be it a "spot" rezoning or otherwise, contradicts these goals and guidelines. For example, a measurably increased population will overload utilities, specifically sewer, power, water and

drainage. Traffic congestion will result from factors such as the steep incline, narrow road and use of secondary vehicles during peak activity periods in the recreational areas, the lock and dam facility and the Hudson factory.

Upgrading these utilities and services all involve considerable investment beyond normal real estate development financing and could, conceivably, become a serious expense to the community, especially if tax abatements are extended to the developers at the expense of the 2nd Ward's residents and the community in general.

In addition to the burden of possibly increased taxes, the residents of the 2nd Ward face reduced quality of life, as a result of the development and the factors already described, not to mention a decrease in the value of our property.

We the residents of the 2nd Ward have watched and participated in the growth and prosperity of the City of Hastings. We have supported and contributed to many innovations and developments in our community. It is our opinion this development does not serve the community's best interests and we propose an alternative to this concept, one in keeping with the R-2 zoning requirements, might be explored and presented to the community. Unless this is done, however, we will continue to protest the application for rezoning the 2nd Ward to accommodate a highrise dwelling development.

Sincerely,

Eleanor Judge	413 3 rd 2 nd St.
Martin L. Judge	"
Mike J. Korb	40 West 1 st St.
David W. Fierch	" " "

Paula Zotalis 206 Eddy
James C. Zotalis
Mary Kay Murphy 302 West 3rd.
Frances Krueger 203 West 2nd
John F. Fudge 205 West 2nd
Geo J. Duhon 207 W 2ND
Sheron A. Duhon 207 W 2ND.
Iris Matteson 308 W. 3rd St.
Gud W. Matteson 308 W 3rd St
Mrs Darley J. Watson 319 W 2nd St
Haley J. Watson 319 W 2nd St.
Mrs. Arb. Lamm 314 W. 2nd
Mrs. Art. Lamm "
Louise T. Shaughnessy - 312 W - 2nd St.
Mike Matsch 322 W. 2nd St.
Rita Matsch 322 W. 2nd St.
James Zotalis 206 Eddy St.
Merrill Gardner 588 W 2nd
Janet C. Loh 402 W. 3rd St

July 28, 1983

MEMO

TO: MAYOR AND COUNCIL MEMBERS

FROM: PAUL BURNS

SUBJECT: REQUEST FOR REZONING OF LOCK AND DAM ROAD NORTH OF
2ND STREET

You may recall that Mr. Gayle Erickson has requested a rezoning from R-2 to R-3 for the property commonly referred to as the Reuter property on the Lock and Dam Road north of 2nd Street. The purpose of the rezoning would be to allow Mr. Erickson to construct a 12 unit condominium building on the property. At their last meeting, the Planning Commission voted 7 to 0, with one abstention to recommend denial of the rezoning request on the basis that it constituted "unwarranted spot zoning", and that it was "unfair to consider this until R-2 Special Uses are defined".

At the Public Hearing, Mr. Erickson presented the Planning Commission with an appraisal by Roger Hullander indicating that no adverse property value impact would occur on adjacent properties. Nearby residents had hired Mr. Steve Hyland, who was also an appraiser, and who stated that the obstruction of the view of a lake or river would have the affect of adversely affecting property values. A copy of Mr. Hullander's appraisal is enclosed. Also attached is a copy of my memo pointing out some major factors relating to this request.

As I have indicated in my memo, the filling issue will have to be resolved regardless of the decision on the rezoning. If the Council feels the rezoning should be approved, I would advise conditioning the approval on having the fill matter being resolved before any development permits are issued.

July 22, 1983

MEMO

TO: PLANNING COMMISSION

FROM: PAUL BURNS

SUBJECT: REZONING - R-2 TO R-3 FOR RIVERVIEW ESTATES -- WEST SIDE
OF LOCK AND DAM ROAD JUST NORTH OF 2ND STREET - MR GAYLE
ERICKSON

Mr. Erickson is proposing to rezone some property commonly known as the Reuter property along the Lock and Dam Road for the purposes of building a condominium development with 12 units. Attached are some sketch plans of Mr. Erickson's proposal. As you can see, the building would consist of three floors of four units each, plus an underground parking garage.

Mr. Erickson has prepared a map, which is enclosed, identifying the nearby land use. A few of the nearby neighbors have indicated their objection to Mr. Erickson's proposal. Mr. Mike Matsch submitted some information regarding the issue of Mr. Reuter's fill permit, the designations of at least one "business" on Mr. Erickson's map, as well as references to the development plan for Lake Rebecca, and the statement of intent for the R-2 Zoning District. All these issues relating to this development will make a decision very difficult. Consequently, I would like to try to separate the issues, and address them individually;

FILL PERMIT ISSUE

Mr. Reuter has been filling his property for a number of years. In 1979 the City requested Mr. Reuter to discontinue filling until he had obtained a fill permit from the City, as well as any other agency that required a permit. Information required for a permit was never submitted to the City, and consequently no permit has been issued. Also, as the information from Mr. Matsch indicates, the Corps of Engineers denied a permit to Mr. Reuter. Individuals from the Corps of Engineers have indicated to me that part of the reason why the Corps denied the permit to Mr. Reuter was because he had not obtained one from the City. The results of these denials, or lack of approval, has been that Mr. Reuter has been under orders to discontinue filling, or at least to cover up the fill that had been placed on the property, and establish vegetation, since 1979. As the letter from Mr. John McKane dated May 25, 1983 states, there are allegations that additional fill material has been placed on the property recently. The City recently sent Mr. Reuter another letter reminding him to discontinue filling until all the proper permits have been obtained. The Corps of Engineers is also investigating the matter of recently placed fill, and whether their agency should take any further action.

I have explained this history to give the Planning Commission a little background into the matter of illegal filling, since it will undoubtedly come up in relation to Mr. Erickson's proposal. However, although this is an issue historically related to the property, it does not have any bearing on the basic questions before the Planning Commission of the rezoning. Regardless of whether the rezoning is granted and any development takes place, the issue of obtaining a permit for any past, present, or future, filling, will have to be resolved as a separate matter. Some people may argue that the filled area might make a difference in meeting yard or lot size requirements. However, Hastings Zoning Ordinance does not stipulate that lot size for yard areas must be on a similar elevation as the principle structure. Although the lower land may not be very usable to residents of any proposed development, it would still technically qualify as providing lot size for the property.

LAKE REBECCA INTERACTION

Related to the fill issue is a matter of protecting the lake elevations and the storm water drainage way from encroachments which would impede the flow of water. The Corps of Engineers is also looking into assuring that any fill that would be allowed, would not adversely affect the drainage way capacity near the property, which could in turn affect the lake levels of Lake Rebecca. Again, this issue will be addressed regardless of the outcome of Mr. Erickson's development proposal, and should not necessarily affect the issue of the proposed rezoning.

Another Lake Rebecca issue mentioned in the materials submitted by Mr. Matsch is reference to the City of Hastings establishing scenic zoning regulations for properties near Lake Rebecca, in addition to the acquisitions that occurred for the project. Obviously, no such zoning provisions have been enacted. I can only assume that the conclusion was that existing controls were felt to be adequate, or that the steep slopes adjacent to the lake were felt to make such requirements unnecessary.

REZONING ISSUE

I believe that originally it was Mr. Erickson's intention to apply for a special use permit for this proposal under the R-2 zoning classification. Due to the current moratorium, that is not possible. Consequently, Mr. Erickson is requesting an R-3 zoning classification. It is my understanding that Mr. Erickson feels this would not be necessarily considered a "spot zoning", since it is a rather unusual location, and that it is in a transitional area between an adjacent industrial and commercial area, and a nearby single family area. I believe there is some validity in this argument. The negative idea of "spot zoning" is usually related to a concern over a rezoning proposed for a higher use in an area completely surrounded by lower intensity uses. However, especially in transitional areas, special attention should be given to existing areas to try to avoid incompatible uses. Many of the neighbors contend that the number of units, and the type of building would be incompatible with the densities and types of homes in the area.

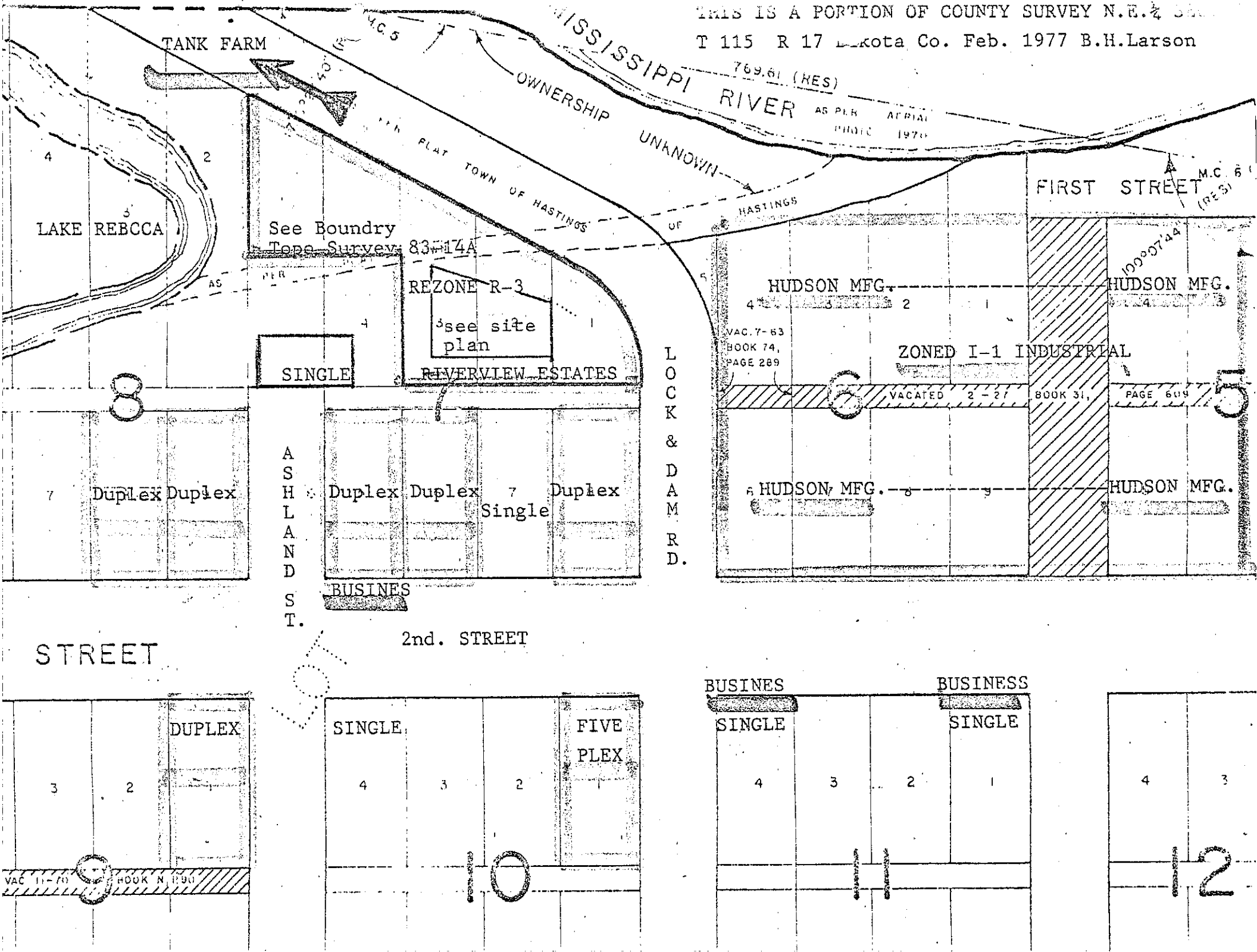
POTENTIAL OBSTRUCTION OF VIEW

Many of the neighbors are concerned that the height of the building will either totally or partially obstruct their view of the Mississippi River. It appears quite likely that the currently proposed structure could at least partially obstruct the view of the river from some of the

neighbors homes. I believe this is a valid concern for the Planning Commission to explore. In checking with our City Attorney, I am told that it would be difficult to totally base a decision on the potential for obstructing views, since this apparently not held to be an adherent property right. The Minnesota Statutes provide for restricting developments which obstruct access for solar energy, but no provision is made in Minnesota Statutes for restricting development from obstructing another property owners view. However, Mr. Art Lammo, one of the neighbors, has indicated to the City Council that a Real Estate Appraisor is willing to testify that his property values would be diminished. I believe this testimony would be helpful for both the Planning Commission and Council.

I have attempted to outline the main points of the proposal. I would summarize by saying that the issues of the filling and impacts on Lake Rebecca must be addressed, and the drainage way must be protected, but that those factors should not be used as a basis for deciding upon the rezoning issue. The Commission should consider the proposal in terms of whether or not it does appear to be an appropriate transitional use, and whether the proposal would appear to have documentable negative impacts on nearby properties.

THIS IS A PORTION OF COUNTY SURVEY N.E. 1/4 36
 T 115 R 17 Dakota Co. Feb. 1977 B.H.Larson



TANK FARM

MISSISSIPPI RIVER

769.61 (RES)

AS PER AERIAL PHOTO 1970

OWNERSHIP UNKNOWN

FLAT TOWN OF HASTINGS

FIRST STREET

LAKE REBCCA

See Boundry Topo Survey: 83-174A

REZONE R-3

see site plan

SINGLE

REVERVIEW ESTATES

HUDSON MFG.

HUDSON MFG.

ZONED I-1 INDUSTRIAL

VAC 7-63
 BOOK 74,
 PAGE 289

VACATED 2-27

BOOK 31,

PAGE 609

HUDSON MFG.

HUDSON MFG.

ASHLAND ST.

LOCK & DAM RD.

STREET

2nd. STREET

SINGLE

FIVE PLEX

BUSINES

BUSINESS

SINGLE

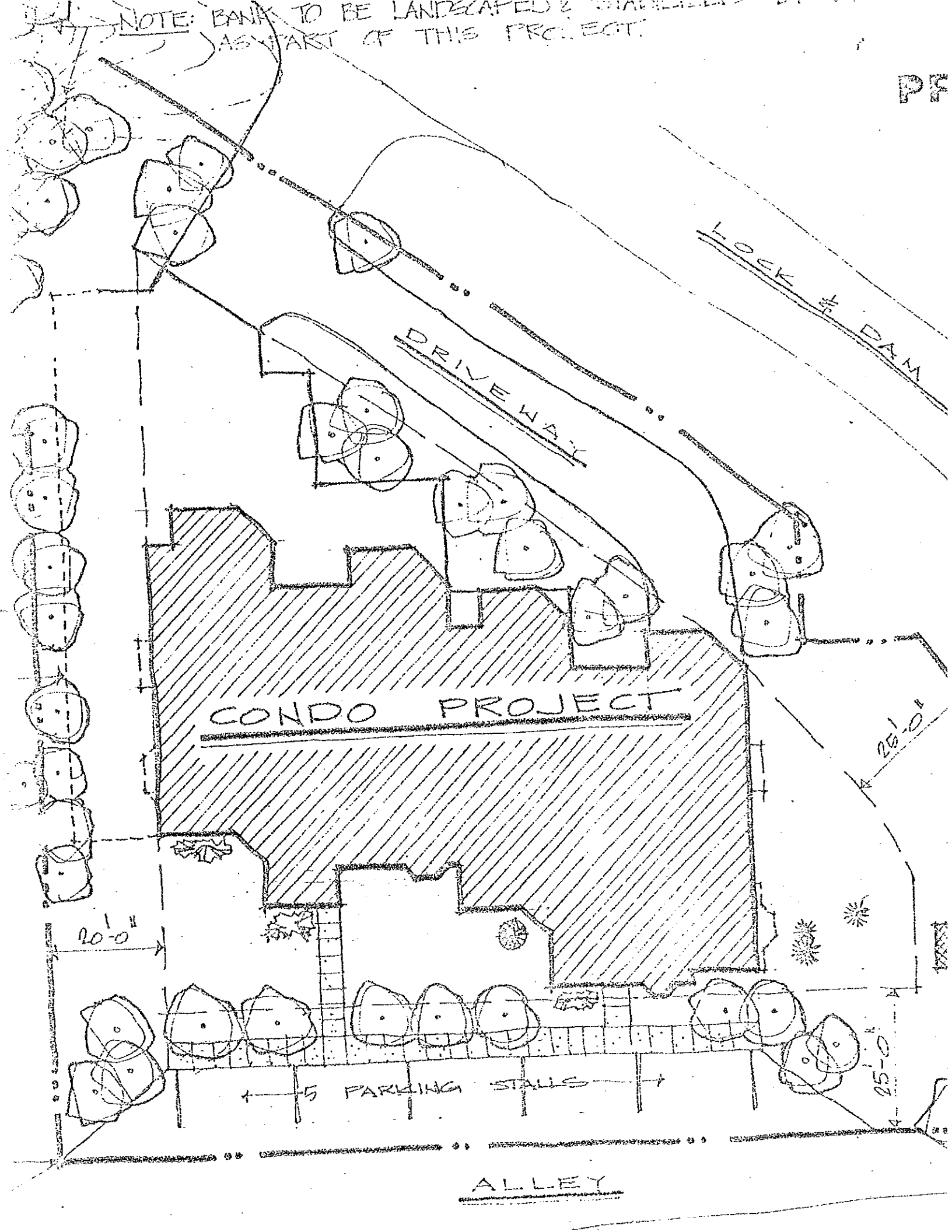
SINGLE

DUPLEX

VAC 11-70 BOOK N 190

NOTE: BANK TO BE LANDSCAPED & STABILIZED AS PART OF THIS PROJECT.

PR



CONDO PROJECT

DRIVEWAY

LOCK & DAM

5 PARKING STALLS

ALLEY

20'-0"

25'-0"

25'-0"

September 29, 1983

MEMO

TO: MAYOR AND COUNCIL MEMBERS

FROM: PAUL BURNS & DON FLUEGEL

SUBJECT: REPORT ON TRI-PLEX AT 220 WEST 9TH STREET

Some time ago, at the request of Councilman Nesbitt, the City Planner and Attorney began investigating the legitimacy of a tri-plex located at 220 West 9th Street. The issue had apparently been raised by a number of neighbors, who claimed that the building had received approval some time ago for conversion to a two family dwelling, but that a third unit had been illegally added, some time before its recent sale. The neighbors also expressed concern over the property maintenance, off-street parking, and general disruption of the neighborhood.

The current owner was asked to provide information and documentation that the conversions were accomplished legally. He responded that the previous owner had informed him that the conversions had been accomplished prior to her purchase of the property and that he was not aware of any documentation that existed to prove that assertion. A review of City Council Minutes of the time when neighbors say the building was converted reveals no mention of this particular property.

An Attorney for the current owner has suggested that it would be discriminatory for the City to order his client to convert the structure back to a single family dwelling, or require his client to apply for a permit to allow the current use under the current City standards, without making the same requirement of all conversion apartments in the City. It was hinted that he would take legal action to prohibit the City from doing so.

The Staff would have to agree that to single out individuals or locations on a random basis, even in response to information from neighbors, would be considered discriminatory, of course unless it was a situation where construction was in progress without a building permit. Further Staff research has discovered that in 1956 the zoning ordinance included two family dwellings as a permitted use in the R-2 District. In 1958 an amendment was added which allowed two family dwellings, with somewhat strong restrictions, as a permitted use in the R-1 District. Consequently, there may be numerous two family dwellings in existence in the older part of town, that were created perfectly legally, and without documentation.

Before proceeding any further with this specific location, we would like Council direction as to how to proceed. If we pursue requiring this specific location to convert back to a single family dwelling, it is likely we will receive a legal challenge. In order to avoid the appearance of discrimination in this specific case, making an inventory of all accessory apartments may be necessary. This would involve a great deal of Staff time, as well as possibly additional legal challenges if the City attempted to order the elimination of other units.

VI-8-1

DORSEY & WHITNEY

A Partnership Including Professional Corporations

510 NORTH CENTRAL LIFE TOWER
445 MINNESOTA STREET
ST. PAUL, MINNESOTA 55101
(612) 227-8017

2200 FIRST BANK PLACE EAST
MINNEAPOLIS, MINNESOTA 55402
(612) 340-2600

P. O. BOX 848
340 FIRST NATIONAL BANK BUILDING
ROCHESTER, MINNESOTA 55903
(507) 288-3156

312 FIRST NATIONAL BANK BUILDING
WAYZATA, MINNESOTA 55391
(612) 475-0373

201 DAVIDSON BUILDING
8 THIRD STREET NORTH
GREAT FALLS, MONTANA 59401
(406) 727-3632

SUITE 675 NORTH
1800 M STREET N. W.
WASHINGTON, D. C. 20036
(202) 296-2780

30 RUE LA BOËTIE
75008 PARIS, FRANCE
011 331 562 32 50

JOHN D. KIRBY

September 27, 1983

Mr. Gary E. Brown
City Administrator-Clerk
City Hall
Hastings, Minnesota 55033

Re: Proposed \$850,000 Industrial Development Revenue Bonds
(Computer Tool & Engineering, Inc. Project)
City of Hastings, Minnesota

Dear Mr. Brown:

We have been contacted by Michael Ring, attorney for the above corporation, with regard to commencing the process for the issuance of industrial revenue bonds to finance the proposed new facility for Computer Tool & Engineering, Inc. in the Hastings Industrial Park. As you know, the initial step is for the City to hold a public hearing on the proposed issuance of the bonds. I thought that the Council could perhaps consider a resolution calling for a public hearing and establishing a hearing date at its meeting on October 3. I have enclosed several copies of a proposed resolution which could be utilized for that purpose.

Please note that the enclosed resolution has blanks in paragraph 1.01 regarding the proposed size of the facility and its street address in the city. Also, similar blanks have been left in the Notice of Public Hearing, and this information should be completed prior to publication. The Notice of Public Hearing should be published once in the official newspaper not less than 15 nor more than 30 days prior to the date established by the Council for the public hearing.

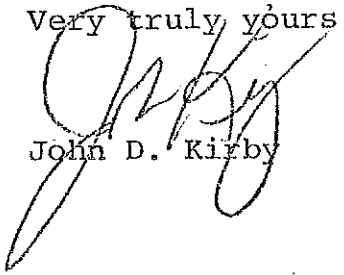
Assuming the Council adopts this resolution on October 3, I will provide you with copies of the application to the Minnesota Energy & Economic Development Authority as well as

DORSEY & WHITNEY

Mr. Gary E. Brown
September 27, 1983
Page Two

the other preliminary materials needed to process this matter.
Should you have any questions, please do not hesitate to call
me.

Very truly yours,



John D. Kirby

JDK/jv

Enclosure

cc: Mr. Michael Ring
Mr. Wallace Erickson
Mr. Donald Fluegel

CERTIFICATION OF MINUTES RELATING TO
\$850,000 INDUSTRIAL DEVELOPMENT REVENUE OBLIGATIONS

Issuer: City of Hastings, Minnesota

Governing Body: City Council

Kind, date, time and place of meeting: A meeting
held on October 3, 1983, at _____ o'clock P.M., at the City
Hall.

Members present:

Members absent:

Documents Attached:

Minutes of said meeting (pages):

RESOLUTION NO. _____

RESOLUTION RELATING TO A PROJECT UNDER THE
MUNICIPAL INDUSTRIAL DEVELOPMENT ACT; CALL-
ING FOR A PUBLIC HEARING THEREON

I, the undersigned, being the duly qualified and acting recording officer of the public corporation issuing the bonds referred to in the title of this certificate, certify that the documents attached hereto, as described above, have been carefully compared with the original records of said corporation in my legal custody, from which they have been transcribed; that said documents are a correct and complete transcript of the minutes of a meeting of the governing body of said corporation, and correct and complete copies of all resolutions and other actions taken and of all documents approved by the governing body at said meeting, so far as they relate to said bonds; and that said meeting was duly held by the governing body at the time and place and was attended throughout by the members indicated above, pursuant to call and notice of such meeting given as required by law.

WITNESS my hand officially as such recording officer
this _____ day of October , 1983.

Signature

Gary Brown., City Administrator-Clerk

Name and Title

Councilmember _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION RELATING TO A PROJECT UNDER
THE MUNICIPAL INDUSTRIAL DEVELOPMENT ACT;
CALLING FOR A PUBLIC HEARING THEREON

BE IT RESOLVED by the City Council of the City of Hastings, Minnesota (the City), as follows:

Section 1. Recitals.

1.01. Computer Tool & Engineering, Inc. (hereinafter called the Obligor), has advised this Council of its desire to acquire land and construct and equip a _____ square foot building (the Project), to be located at _____ in the City, and to be used for the design and manufacture of industrial and manufacturing tools and equipment.

1.02. The City is authorized by Minnesota Statutes, Chapter 474 (the Act), to issue its revenue bonds or notes to finance capital projects consisting of property used and useful in connection with a revenue-producing enterprise. The Obligor has requested that the City issue its revenue bonds or notes in an amount not exceeding \$850,000 to finance the cost of the Project.

Section 2. Public Hearing.

2.01. Section 474.01, Subdivision 7b, of the Act requires that this Council shall conduct a public hearing on the proposal to undertake and finance the Project. Pursuant to that provision, a public hearing on the proposal to undertake and finance the Project is called and shall be held on _____, 1983, at _____ o'clock P.M., at the City Hall.

2.02. The Clerk shall cause notice of the public hearing to be published in the official newspaper of the City at least once not less than fifteen (15) nor more than thirty (30) days prior to the date fixed for the hearing, such notice to be in substantially the following form:

NOTICE OF PUBLIC HEARING
CITY OF HASTINGS, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of the City of Hastings, Minnesota, will meet in the Council Chambers in the City Hall in said City on _____, 1983, at _____ o'clock P.M., for the purpose of conducting a public hearing on the City's intention of issuing one or more series of revenue obligations in an aggregate amount not exceeding \$850,000 for the purpose of financing the acquisition of land and construction and equipment of an approximately _____ square foot manufacturing building (the Project), by Computer Tool & Engineering, Inc. The Project will be located at _____ in the City. Said obligations would be issued pursuant to Minnesota Statutes, Chapter 474, and would not constitute an indebtedness of the City. A draft copy of the application to the Minnesota Energy and Economic Development Authority, as required by Section 474.01, Subdivision 7, together with all attachments and exhibits thereto, is on file and available for public inspection at the office of the City Clerk during normal business hours. At the time and place fixed for public hearing, the City Council will give all local residents and interested persons who appear at the hearing an opportunity to express their views for or against the proposal for the issuance of the revenue obligations. Interested parties may also file written comments with the City Clerk prior to the hearing, which comments will be considered at the hearing.

BY ORDER OF THE CITY COUNCIL

Gary Brown .
City Administrator-Clerk

Mayor

Attest: _____
Administrator-Clerk

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember _____ and upon the vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

R E S O L U T I O N

No. _____

At a _____ meeting of the City Council held _____, 19 _____,
Council Member _____, seconded by Council Member _____,
introduced the following resolution and moved its adoption:

WHEREAS, the City Council has been requested to recommend to the Department
of Economic Development that _____ be granted a direct loan as per-
mitted by Minnesota Statutes 472, and

WHEREAS, the local development corporation, does not have the funds available
to assist _____

NOW, THEREFORE, BE IT RESOLVED that the City Council of _____
recommends to the Executive Council of the Department of Economic Development that a
loan to _____ be encouraged and approved by the Department of Economic
Development.

BE IT FURTHER RESOLVED, that said approval is subject to satisfactory plans
being submitted that meet the requirements of the building code and the ordinances of
the City of _____, if applicable.

R O L L C A L L

Council Member(s) voting Aye: _____

Council Member(s) voting Nay: _____

Absent: Council Member(s) _____ Resolution declared passed _____

Presented to the Mayor _____ /s/ _____
Mayor and President of the Council

Approved _____ Attest: /s/ _____
City Clerk - Treasurer

Returned by the Mayor _____

October 3, 1983

VI-B-3

MEMO

TO: HONORABLE MAYOR AND COUNCILORS
FROM: MARTY MC NAMARA
SUBJECT: DISEASED TREE ACCOUNTS - CERTIFICATION TO COUNTY

Attached please find the listing of unpaid accounts for the 1983 Dutch Elm Program which are to be approved for certification to the County.

gu
attachment

DISEASED TREE CERTIFICATION LIST

19-77300-380-03	\$117.10
19-32150-030-18	89.54
19-83750-170-00	90.92
19-10500-090-28	86.10
19-32150-060-48	110.21
19-32150-080-53	44.77
19-32150-030-48	79.21
19-32150-080-38	110.21
19-83952-129-00	61.99
19-10500-070-42	151.54
19-32150-040-19	99.88
19-27750-040-01	65.44
19-32150-080-41	123.98
19-13200-060-03	285.85
19-10500-180-44	75.77
19-83752-127-00	61.99
19-10500-140-30	106.76
19-10500-120-29	120.54
19-81700-240-05	190.10

September 29, 1983
Agenda # VI-B-4
10/3/83

MEMO

TO: HONORABLE MAYOR AND COUNCILORS
FROM: WATER DEPARTMENT
SUBJECT: WATER BILL DELINQUENT ACCOUNTS - CERTIFICATION TO COUNTY

Attached, please find the listing of delinquent water billing account which are to be approved for certification to the County.

gu
attachment

October 3, 1983

Delinquent Water & Sewer Bills

19-32150-080-21	\$ 215.52
19-10500-170-19	72.94
19-10500-020-24	13.00
19-32150-060-26	51.40
19-10500-100-29	30.70
19-10500-170-38	40.20
19-11250-030-17	10.70
19-32150-020-84	13.54
19-32100-230-05	3.82
19-57500-060-04	10.18
19-03800-011-13	49.96
19-13200-020-07	38.10
19-16300-020-02	18.50
19-11250-020-06	25.70
19-83952-060-01	25.04
19-32150-081-13	25.48
19-19501-140-05	40.18
19-51000-091-01	72.58
19-13300-010-10	37.64
	<hr/>
	\$ 795.18

Water & Sewer \$795.19

Rounded Off Cents .01

\$795.18

September 23, 1983

TO: MAYOR AND COUNCIL

FROM: GARY E. BROWN *geb*

SUBJECT: ADDITIONAL HELP FOR THE BUILDING INSPECTOR

The City Building Inspector, Merlin Wilbur, submitted a budget which included an assistant inspector at a salary of \$19,500. The budget was cut in order to come into the overall guidelines that the City had to maintain in order to meet the budget levee limitations.

Since the time of this original review the Metropolitan Waste Commission has let the bids for their sewer plant in the amount of \$7,346,430. This results in a permit fee of \$32,222.35, coupled with the Regina Hospital permit fee which was \$8,427.11. While this is a great deal of money it also requires a great deal of time for inspections above and beyond the increased workload which as resulted from this improved economy. The City will end up with unanticipated funds in excess of \$40,000 of which to pay for an assistant building inspector on a temporary basis.

In discussing this situation with the City's Auditor for 1983's budget, the State Auditor, they suggested that the City just amend their budget to include the assistant building inspector even though it would be over spending the anticipated 1984 revenues. A footnote should be placed on the 1984 budget indicating that these expenditures would be coming from surplus' that resulted in permit fees received in 1983.

The anticipated starting date of the Metropolitan Waste Commission Sewer Plant is November 1, 1983. Therefore, the City Staff is requesting that authorization be given to advertise for this position as soon as possible.

lty

VI-B-6



HASTINGS POLICE DEPARTMENT

107 West 5th Street
Hastings, Minnesota
612-437-4126



DARYL A. PLATH
Chief of Police

September 26, 1983

MEMO TO: Mayor Stoffel
City Council Members

FROM: Daryl A. Plath, Chief of Police *[Signature]*

RE: Closing off West 4th Street

I have received several complaints on cars and people congregating at the far west end of West 4th Street to drink beer, litter and so forth. When these gatherings disperse, high-speed driving, drag racing and squealing of tires occur east-bound on 4th Street to the Pleasant Street intersection.

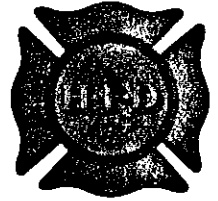
I am requesting that the west end of West 4th Street be permanently closed off until further development occurs.

I have discussed this problem with Allen Larson, City Engineer, and he does not anticipate any inconvenience to the city on blocking off the street at the appropriate spot.

DAP/sn



HASTINGS FIRE DEPARTMENT



DONALD C. LATCH, CHIEF
115 West 5th Street
Hastings, Minnesota 55033

Business Office (612) 437-5610

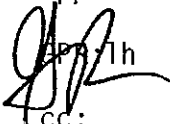
TO: Paul Burns, City Planner
FROM: G. Rosendahl, Ass't. Chief/Fire Marshal
SUBJECT: West 4th Street, Human Services access
DATE: September 30, 1983

The closing of West 4th Street, as has been discussed, would adversely affect the fire protection capabilities and the emergency services accessibility for the Human Services Building. This street serves as an alternate access to the private driveway through the Government Center parking lot.

As is the case on any private property, we cannot be guaranteed of snow removal or other action that gives us 100% access onto the property, and use of the private hydrant system.

The correspondence and discussions back in the Fall of 1979 when the review process was going on, indicated the intent to install city hydrants and a driveway into the Human Services building at the time West 4th Street was extended. The hydrants are there, but the driveway is not.

It is our opinion that not only should the access to the western portion of West 4th be maintained, but also the driveway should be put in as was apparently agreed to during the site plan review process.


DCL

cc:
Don Latch ✓
Al Larson ✓
Gary Brown
Daryl Plath

September 28, 1983

MEMO

TO: MAYOR AND CITY COUNCIL
FROM: MARTY MCNAMARA
SUBJECT: RULES FOR OUTDOOR POOL

In order to insure public safety and proper use of the outdoor pool facility, the following rules should be adopted by the City Council.

1. No running.
2. No pushing
3. No eating of candy or chewing of gum in pool or pool area.
4. No one in the pool area with street clothes.
5. No smoking in the pool area.
6. Showers must be taken before entering pool.
7. No running or climbing in locker or shower rooms.
8. All baskets must be returned to proper place.
9. No loitering in locker or bathrooms.
10. Please check all valuables.
11. The red paint around the north end of the pool indicates only diving from the board in this area. It is the deep end. All poor swimmers are to stay out.
12. No loitering around front desk.
13. No profanity.
14. No fighting in or around pool area.
15. No one under the influence of drugs or alcohol will be allowed admission.

VI-B-8

September 29, 1983

TO: MAYOR AND COUNCIL
FROM: GARY BROWN
SUBJECT: AUTHORIZATION FOR HIRE OF CLERICAL POSITION

Per the memo in your packets dated September 20, 1983, entitled 'City Hall Clerical Position', I am requesting formal action be taken to authorize the hiring of an additional full time individual to the office clerical staff. This position would be called the Assessment Clerk/Accountant Position. We will be looking for an individual with a minimum of a two year vocational accounting degree. The individual would be hired at a \$14,000 annual starting salary.

lty

September 20, 1983

TO: MAYOR AND COUNCIL
FROM: GARY BROWN
SUBJECT: CITY HALL OFFICE CLERICAL POSITION

As you are all aware with the recent retirement of Bette Tingquist, the City has been without the duties she performed as assessment clerk, deputy registrar of elections, and backup for payroll work. As you also may or may not know, we will be losing the services of our part-time clerical position that Lois Duesterhoeft currently holds. Her leaving is due to pregnancy.

I have met with City Engineer, Allan Larson, and Administrative Assistant, Dianne Latuff to discuss and make recommendations to Council for the clerical and assessment clerk personnel. This would involve some minor station changes as well as some changes in existing personnel job duties along with replacing the individuals that have or are planning on leaving.

As the needs of the City change, job duties need re-evaluation from time to time, hopefully to accomplish the most efficient flow of work, utilize the existing personnel to their abilities, and provide coverage or backup so more than one employee is familiar with all the duties that need to be accomplished.

The proposal that we would like to implement is as follows:

Office Station Changes

1. Opening the south door leading into Engineering.
2. City Engineer's office would be located in the area behind the existing Engineering Secretary's Office.
3. The Engineering Secretary would be out in the front office.
4. The Accountant would go in where the Engineering Secretary currently is located.
5. A small conference room would be located where the Public Works Director's Office was located.
6. Lighting adjustments and the 2-way radio adjustments would be required.
7. A few movable partitions would be placed in front office for work privacy.

Office Personnel Duty Changes

1. Administrative Secretary responsibilities: (Lisa)
 - a. Administration
 - b. Transit
 - c. Receptionist
 - d. Parks
 - e. Arena
 - f. Finance
 - g. City Phones
 - h. Voter Material

2. Public Works Secretary responsibilities: (Goodie)
 - a. Engineering
 - b. Streets
 - c. Planning
 - d. Building
 - e. Dutch Elm
 - f. Backup Receptionist and Typing
 - g. Water Clerk

3. Bookkeeper: (Marge)
 - a. Bookkeeping
 - b. Water Clerk Backup
 - c. Backup City Phones

4. Accountant: (Barb)
 - a. Accounting
 - b. Deputy Clerk
 - c. Assessment Work - Backup and Assistance

- * 5. Proposal for New Position
 - a. Assessment Clerk
 - b. Payroll - Accounting Backup and Assistance
 - c. Backup Receptionist and Assistance with City Phones and Typing

(Note: This individual would also be located in front office)

6. Proposal to bring Lois back on as 'as needed basis' only.
i.e., vacations, etc...

The new hire position would be at a recommended \$14,000 annual salary with an additional \$1,500 for temporary help from the Planning budget. It is proposed that no salary adjustments be made for the other personnel.

Formal job description will be drafted for these positions and made available for your review at a later date.

The personnel would report to their immediate supervisors for direction and duties. Vacations and time off for these positions would be scheduled through the Assistant to the City Administrator.

September 22, 1983

Honorable Mayor

City council members and Planning Commission members.
The people of Hastings appreciate your hard work and all the effort that is attached to your position.

We understand the difficulties the city has had in the past with special use permits for two family dwellings in the R-2 district, we would like to share our views as citizens of our community and as members of the general public.

We do agree with the city planners recommendation to the City Council and the Planning Commission that the present laws are sufficient except for the special use permit. It should be eliminated and should be changed to a permitted use.

If you do not agree, then addressing the new law proposals affecting the R-2 district, we ask the following changes:

The need for a surface street should not be a requirement because of the economic burden it would put on the property owner, and the city has some unsurfaced streets, as do some of us, also, 30 foot surfaced streets where there aren't any now, we feel is out of order.

Minimum lot size requirements should be eliminated. If all requirements are met on set-backs and off-street parking, this would suffice.

Proper set-back and off-street parking would also eliminate the necessity for a minimum lot frontage requirement.

Because of increased need for economical housing, for the single person, the young and especially the elderly, no minimum square footage for the dwelling is really required.

We thank you so much and we know, as you do, that there is nothing perfect, and we know that, as a mayor, council members, and planning commission members you do not want to be surrounded in a solid cement wall, if you wish, but surrounded by a rubber wall, if you wish, so you can move a little in one direction or another. This would make it easier for all of the people concerned.

An article that was in the paper last week, September 22, 1983, in which the City Attorney's name was mentioned, seems to say to us that he thinks a change would be a bad decision. I quote, 'The new regulations would also require newly-constructed duplexes to have the same set-backs as required in the R-1 (low density residential) zoning district.'

Pg. 2 cont.

"If an existing duplex lot size or structure did not conform to those requirements, City Attorney Don Fluegel says that would become non-conforming uses. (A status which limits improvements and expansion of the use)."

In closing, I would like to say that I know you'll make a suitable decision.

Thanking you,

Don Benzick
Anna Hagler
Gordon Johnson 1010 Tyler
Linda Singleton 1816 Pine
Robert Howard
Darlene Lusch 1633 Walnut
Mary Murphy
Guy Hillman 1403 Sibley
Lynn Mann 1927 Eddy
Harvey Anderson 2140 Louisiana
JIM SWANSON 1617 OAK
Greg Langerfeld 551 207th
Frank R. Zichovsky
Liona Langerfeld
Frank R. Zichovsky 2012 West Over
Robert C. DeBock 1730 MAJOR AVE
Frank R. Zichovsky 2212 Pine
Guy Emerson 2012 West Over

The new regulations would also require newly constructed duplexes to have the same setbacks as required in the R-1 (low density residential) zoning district. If an existing duplex lot size or structure did not conform to those requirements, City Attorney Don Fluegel says they would become non-conforming uses (A status which limits improvements and expansion of the use).

V1-6-11

September 28, 1983

MEMO

TO: MAYOR AND COUNCIL MEMBERS
FROM: GARY BROWN
SUBJECT: REFUND OF DOG IMPOUNDING FEE

Please find attached a copy of a memo I sent to Marge Kelley regarding the refunding of fines to a Linda Banks whose dog the City lost while under the City's jurisdiction.

If the Council concurs with the action, a motion should be made to confirm the action of refunding the \$40.00 to Ms. Banks.

September 28, 1983

MEMO

TO: MARGE KELLEY

FROM: GARY BROWN

SUBJECT: REFUNDING OF FINES AND PENALTIES AND BOARDING FOR
MS. LINDA BANKS

Apparently on September 24, 1983, a dog owned by Linda Banks of 108½ East 4th Street, was picked up by our dog catcher, Reggie Patnode. The dog was impounded at the City's impound facility and subsequently was lost. It is presumed that the dog was able to climb the fence and escape.

Since the dog was lost while in control of the City, I hereby am recommending to the City Council that they refund the fine penalties and boarding for Linda Bank's dog.

August 25, 1983

Re: Snow Removal on Trunk Highways Within Cities

Joint snow removal by cities and the Department of Transportation on Trunk Highways within cities, primarily within business areas, has again been authorized for the upcoming winter season.

The basis of this joint agreement is that the State pays for all snow loading costs and the city pays for all truck hauling costs. The operation of loading snow includes all necessary windrowing to facilitate the actual loading of the snow into city trucks. Loading or a part thereof may be done with State Units, if available.

The following procedure has been established in connection with snow removal under this Agreement:

Municipal authorities shall determine the need and extent of snow removal at all times.

Municipal authorities shall furnish the State with a description and hourly rental rate of publicly-owned loading equipment available for that purpose and under their control on forms herewith attached: Informal bid for Rental Equipment (Form 01726) and Equipment Insurance Certificate (01717).

To expedite the renting of privately-owned local equipment customarily employed for this purpose by cities, we would appreciate it if you will have the owner of such submit a rental offer and Equipment Insurance Certificate on these same forms.

The DOT District Maintenance Superintendent, in charge of maintenance of State Highways, shall be notified by your public works department of your intention to perform such work so as to enable him to determine if State loading equipment is available, or to record time for city controlled equipment furnished at the State's request and expense.

Loading and hauling equipment should be kept in balance to eliminate costly unproductive waiting time for equipment furnished by both parties.

State-owned equipment for this purpose will be available only when general basic requirements of snow and ice removal on the Trunk Highway System as a whole have been met.

Your attention in completing rental arrangements by October 28, 1983 will be appreciated.

If no loading equipment is available, please advise us and we will attempt to make the best possible alternative arrangement.

Sincerely,

DEPARTMENT OF TRANSPORTATION

W. F. Murphy
District Maintenance Engineer

RESOLUTION IN COOPERATION WITH STATE FOR SNOW REMOVAL ON TRUNK HIGHWAY NUMBER 61

WHEREAS, The City of Hastings has been approached by officials of the Minnesota State Department of Transportation to enter into a Cooperative Agreement for the removal of snow on Highway Number 61 within the City of Hastings in Dakota County, Minnesota.

THEREFORE, BE IT RESOLVED, That the Hastings City Council hereby authorizes and instructs its officers and employees to provide trucks as required by the Minnesota Department of Transportation for the removal of snow from Highway Number 61 within the City of Hastings, the Agreement being that State equipment will plow, windrow, and load the snow, and the removal and disposal will be by means of fully operated trucks furnished by the City of Hastings.

BE IT FURTHER RESOLVED, That the Mayor and Clerk be and they hereby are authorized and instructed to execute two certified copies of this Resolution and deliver same to State Department of Transportation officials for this Maintenance District; and also to execute any additional instruments for this purpose that may be required by the Minnesota Department of Transportation.

Adopted: _____, 1983
(date)

Mayor

Attest:

Clerk

I, Gary E. Brown, Clerk of the City of Hastings, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the City Council at the time shown therein.

(SEAL)

Clerk

(Submit two (2) copies to: District Maintenance Engineer)
Minnesota Department of Transportation, District 9
3485 Hadley Avenue North, Box 2050
North St. Paul, Minnesota 55109

September 29, 1983
Agenda # *VI-D 2*
10/3/83

MEMO

TO: HONORABLE MAYOR AND COUNCILORS
FROM: ALLAN LARSON
SUBJECT: PROPOSAL FOR DEVELOPMENT OF PLAN FOR PINE-RIVER-PRAIRIE CORRIDOR
NORTH OF T.H. 55

Per Council's request please find attached the Proposal for development of plan for Pine, River, Prairie Corridor north of T.H. 55 submitted by Benshoof and Associates for Council review.

gu
attachment



BENSHOOF AND ASSOCIATES

TRANSPORTATION PLANNING AND ENGINEERING CONSULTANTS

7901 FLYING CLOUD DRIVE, SUITE 119 / EDEN PRAIRIE, MINNESOTA 55344 / (612) 944-7590

September 27, 1983

REFER TO FILE:

Mr. Allan Larson
Acting City Engineer
City of Hastings
100 Sibley Street
Hastings, MN 55033

RE: Proposal for Development of Plan for
Pine-River-Prairie Corridor North of T.H. 55

Dear Allan:

BACKGROUND AND PURPOSE

As a follow-up to the City Council meeting on September 19, 1983, and our recent discussions, this is to present our proposal to assist the City in developing a plan for the Pine-River-Prairie corridor between T.H. 55 and County Hwy. 42. As discussed in the T.H. 55 access plan, several difficulties presently are being experienced in this corridor. Pine Street is the designated collector and MSA route, yet has stop signs practically every block and is too narrow to effectively serve the collector function. River Street is designated as a local street, yet operates as a through street and serves collector type traffic. This collector usage causes some congestion (e.g., southbound River St. at T.H. 55) and causes negative effects on adjacent homes and on the elementary school.

Current planning work for T.H. 55 involves specific considerations for the intersections of T.H. 55 with Pine St., River St., and Prairie St. Points being addressed include which streets will intersect with T.H. 55, layouts of intersections, and traffic control. In order for the City to make sound decisions on these points and in order to resolve current difficulties, a need exists to develop a solution for the Pine-River-Prairie corridor.

Based on our work to date on the T.H. 55 project, we concur with the City Comprehensive Plan in terms of the need for a north-south collector function in the Pine-River-Prairie corridor between T.H. 55 and Co. Hwy. 42. In this context, the basic questions to be resolved are:

- What street or streets should serve the collector function in order to meet the transportation needs in a manner that minimizes negative effects on adjacent properties and on the neighborhood?
- What roadway improvements and traffic controls are needed to effectively implement the recommended solution?
- What are the costs and sources of funds for the recommended improvements?

This proposal is to assist the City in addressing these questions. Specific information is provided on the product and benefits, work tasks, role of City staff and consultant, work schedule, and cost.

PRODUCT AND BENEFITS

The prime products of this study will be a plan and report that document a specific recommended solution for meeting the transportation collector function in the Pine-River-Prairie corridor.

For this purpose, the study area is considered to be bounded by Prairie St., Co. Hwy. 42, Pine St., and T.H. 55. State Street is not included because it is too far west to effectively serve the collector function and also because it terminates at 2nd Street; however, potential effects of the recommended plan on State St. and on other involved streets will be addressed.

The items addressed in the plan and report and the level of detail will fully meet the City's requirements for an engineering feasibility report. The plan and report will provide all information needed for the City Council to hold a public hearing on the recommended improvements. In this sense, the product will be more definitive than the T.H. 55 Access Plan.

WORK TASKS

In order to effectively accomplish the project purpose and complete the product previously described, we have developed a work program consisting of the following nine tasks:

- 1) Collect data on the existing and future situation, including:
 - volumes
 - street and ROW widths
 - number of homes fronting Pine, River, and Prairie Streets by block face
 - other uses such as school, that front Pine, River, or Prairie Streets
 - traffic controls
 - pedestrian routes and crossing locations for school
 - sight distances at the intersection of Pine St. and 2nd St. and at any other appropriate locations
 - quality of roadway surface, curbs, etc.
 - accident characteristics
 - other factors that influence existing situation and future needs
- 2) Develop a corridor area base map at 1" = 100' showing the edge of roadway, ROW line, and buildings
- 3) Identify pertinent issues and objectives that influence development of a solution for the corridor.
- 4) Identify alternative solutions to be analyzed.
- 5) Develop traffic volume forecasts for each alternative.
- 6) Identify physical improvements required for each alternative, e.g., roadway and right-of-way widening, traffic control devices, and associated costs.
- 7) Analyze alternative solutions and develop a preferred corridor plan.
- 8) Present the analyses and preliminary recommendations at a City Council meeting (possibly a joint workshop with the Planning Commission).
- 9) Prepare the recommended plan and project report and present it to the City Council.

ROLE OF CITY STAFF AND CONSULTANT

We propose to complete the above tasks through a close, cooperative effort with City staff. The intent is to make effective use of available City staff and resources, together with appropriate consultant expertise, so as to complete the project in a successful and timely manner at reasonable cost. Based on discussions with the City engineer, it is expected that the basic responsibilities of City staff will be to collect all data required, provide input on the issues and objectives, provide review and comment on the alternative solutions and traffic volume forecasts, assist in identifying the cost implications of any additional right-of-way or roadway construction included in the alternative plans, and provide review and comment regarding the draft recommended plan and report. Benshoof and Associates will have prime responsibility for developing the data collection program, for identifying and analyzing alternative solutions, and for preparing the recommended plan and report.

WORK SCHEDULE

We will begin work promptly upon authorization to proceed and will complete the project in an expeditious manner. Specifically, we will complete the analyses and preliminary recommended plan for presentation at a City Council meeting (possibly a joint workshop with the Planning Commission) within two months after authorization to proceed. The final project report will be submitted to the City within three weeks following that meeting.

COST

Based on the previously defined work tasks and the expected roles of the consultant and City staff, we have estimated the number of hours by personnel category needed to complete the project. As a result of this process, it is estimated that about 60 hours of principal time and 60 hours of support staff time will be required to complete the project. Applying our standard hourly rates (principal - \$50.00, engineer - \$30.00, technician - \$25.00, and secretary \$22.50), the total labor cost is estimated to be \$4,600.00. Direct expenses, including up to 25 copies of the final report, are estimated to be \$200.00. Therefore, the total project cost is estimated to be \$4,800.00. We will invoice our work on an hourly basis and will consider the \$4,800.00 amount a "maximum not to exceed", unless circumstances arise that require extra work. We will not proceed on any "extra item, nor will we exceed the \$4,800.00 amount without your prior approval.

Mr. Allan Larson

-5-

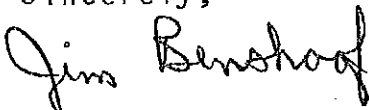
September 27, 1983

CONCLUSION

We have appreciated the opportunity to work with you and other City staff and officials on the T.H. 55 project and will apply our full efforts to assist in developing an effective solution for the Pine-River-Prairie corridor. Let me know if you have any questions or comments regarding this proposal.

BENSHOOF AND ASSOCIATES

Sincerely,



James A. Benshoof, President

1k

September 29, 1983
Agenda # *YE-0-3*
10/3/83

MEMO

TO: HONORABLE MAYOR AND CITY COUNCILORS
FROM: ALLAN LARSON
SUBJECT: NORTHWEST PONDING BASIN AND TRUNK STORM SEWER CONTRACT - BARR
ENGINEERING COMPANY

Please find attached copy of Northwest Ponding Basin and Trunk Storm Sewer Contract submitted by Barr Engineering Company for your review and approval.

gu
attachment

BARR ENGINEERING CO.
CONSULTING ENGINEERS

DOUGLAS W. BARR
JOHN D. DICKSON
L. R. MOLSATHER
ALLAN GEBHARD
LEONARD J. KREMER
DENNIS E. PALMER
WARREN W. HANSON

6800 FRANCE AVENUE SOUTH
MINNEAPOLIS, MINNESOTA 55435-2062
TELEPHONE (AREA 612) 920-0655

September 26, 1983

Mr. Allan Larson
City Engineer
City of Hastings
100 Sibley Street
Hastings, Minnesota 55033

Re: Northwest Ponding Basin and Trunk Storm Sewer Contract

Dear Mr. Larson:

This letter will propose modifications to the scope of services contained in our contract dated September 20, 1982, in order to provide engineering services during the construction phase of the Northwest project. The original contract called for the preparation of a feasibility report, with total engineering costs of \$11,600 through the public hearing. The scope of work was latter expanded to permit preparation of plans and specifications for an additional \$35,000. When the project was delayed beyond fall 1982, additional work was necessary to update the plans and prepare for a second public hearing. That additional work was approved by the Council on July 18, 1983 and increased the upper limit of the contract by an additional \$4,500, for a total contract authorization to date of \$51,100.

Barr Engineering Co. (BARR) proposes to provide the following additional services during the construction phase of the Northwest Ponding Basin and Trunk Storm Sewer project:

- a. Project Engineer: BARR will designate a registered professional engineer as project engineer responsible to oversee the work of BARR's resident project inspector, consult with any City project inspectors, interpret the contract documents, prepare payment requests, and act as a liason between the City and the Contractor.
- b. Resident Project Inspector: As requested by the City Engineer, BARR will provide a qualified person for up to 1,400 manhours to continually observe construction operations and assure compliance with the plans and specifications. Said person will be an experienced technician or civil engineer.
- c. Survey: Barr will perform construction surveys and staking, and survey necessary cross-sections of the Northwest Ponding Basin. In addition, the resident project inspector will be qualified to perform construction surveys so that he, in conjunction with the City's project inspector, will be able to provide limited survey support.

- d. Testing: BARR will provide equipment and personnel to perform necessary testing of concrete materials and soils to assure compliance with the plans and specifications.
- e. As-Builts: BARR will provide reproducible as-built plans for the City's records following completion of the work.

The above additional services will be performed as requested by the City on a time and expenses basis in accordance with our current fee schedule, with total fees not to exceed \$64,350 (5% of low bid) without prior approval from the City. Our present fee schedule is attached. We anticipate revision of the fee schedule approximately January 1; the new fee schedule would then be used for subsequent billings. I would be happy to respond to any questions that you may have regarding this proposal.

Respectfully submitted,


Dennis E. Palmer

Accepted by the City of Hastings, Minnesota

Date: _____ Title: _____

DEP/III

MEMO

TO: HONORABLE MAYOR AND COUNCILORS
FROM: ALLAN LARSON
SUBJECT: PUBLIC HEARING REQUEST - CITY ACCESS PLAN FOR T.H. 55

The City Council has the T.H. 55 Report which points out particular local transportation needs. This report reviews specific circumstances influencing each existing intersection; from this, a series of alternative solutions were developed and analyzed.

Due to the fact that some intersections have a number of options, I feel that the Council should hold a series of public hearings in which all options can be discussed in detail.

The most pressing area, at the present time, is the Westview area. A public hearing on this location, along with the options, could be set for October 17, 1983. The staff would be able to give the Council an estimate for construction cost and right-of-way by this time.

The second public hearing on November 7, 1983, could cover all the intersections between T.H. 61 and Westview Drive.

The third public hearing could cover discussion on Pine, River and Prairie Streets after Mr. Benshoof's additional study for this area has been completed.

With this spacing of public hearings, both the Council and the public should be able to have all questions answered.

The City could then submit to Mn/Dot, a recommended access plan of the existing or proposed intersections, which could be incorporated into their T.H. 55 Construction Plans.

gu

September 22, 1983

MEMO

TO: MAYOR AND COUNCIL MEMBERS
FROM: MERLIN WILBUR
SUBJECT: PARCEL REIMBURSEMENT OF SIDEWALK

Attached please find a copy of the receipt for sidewalk replacement at 503 Ramsey Street. The owner of the property is Robert Caturia.

I have inspected the sidewalk and respectfully ask the City Council to reimburse Mr. Caturia for 50% of project cost or \$592.50.

CITY OF HASTINGS

100 Sibley Street
Hastings, Minnesota 55033

PERIODICAL ESTIMATE FOR PARTIAL PAYMENTS

Estimate No. 4 Period Ending Sept. 27, 1983 Sheet 1 of 5 City No. 83-1
 Location 1983 Construction Program Original Contract Amount
 Contractor Austin P. Keller Construction Co. \$ 179,689.34

WORK COMPLETED TO DATE

Item	Description of Items	Extra Work	Quantity	Unit Price	Total
	STREET CONSTRUCTION				
2101.502	Clearing		15	200.00	3,000.00
2101.507	Grubbing		15	50.00	750.00
2104.501	Remove Concrete C & G		235.1	2.00	470.20
2104.503	Remove & Repl. Conc. Sidewalk		--	3.00	
2104.505	Remove Concrete Driveway		40.66	4.00	162.64
2104.505	Remove Bit. Driveway		111.46	1.00	111.46
2104.50	Remove Bit. Pavement		488	1.00	488.00
2105.515	Unclassified Excavation		4210	2.00	8,420.00
2211.501	Aggregate Base Cl. 5		2032.54	5.00	10,162.70
2331.504	Bit. Material for Mix		44.94	185.00	8,313.90
2341.508	Wear Course		817.13	11.70	9,560.42
2506.522	Adjust Frame & Ring Castings		16	150.00	2,400.00
2531.501	Concrete Curb & Gutter		3120.90	4.70	14,668.23
2531.507	Conc. Drwy. Panels/Aprons		304.22	20.00	6,084.40
	Bit. Drwy Panels		102.69	7.00	718.83
2575.501	Roadside Seeding			260.00	
2575.502	Seed Mix No. 5			2.00	
2575.505	Sodding/Inc. Topsoil			1.30	

Total Contract Work Completed		\$	_____
Approved Extra Orders Amount Completed		\$	_____
Total Amount Earned this Estimate		\$	_____
Less Percent Retained	\$	_____	
Less Previous Payment	\$	_____	
Total Deductions		\$	_____
Amount Due this Estimate		\$	_____

Contractor _____ Date _____

Engineer _____ Date _____

CITY OF HASTINGS

100 Sibley Street
Hastings, Minnesota 55033

PERIODICAL ESTIMATE FOR PARTIAL PAYMENTS

Estimate No. 4 Period Ending Sept. 27, 1983 Sheet 3 of 5 City No. 83-1
 Location 1983 Construction Program Original Contract Amount
 Contractor Austin P. Keller Construction Co. \$179,689.34

Item	Description of Items	WORK COMPLETED TO DATE			
		Extra Work	Quantity	Unit Price	Total
	SANITARY SEWER				
1	Tap into Exist. MH		1	1,200.00	1,200.00
2	8" ESVCP 0'-10' Depth		294	18.00	5,292.00
3	8" ESVCP 10'-12' Depth		162	18.00	2,916.00
4	Relocate Exist. MH		1	1,200.00	1,200.00
5	10" ESVCP 10'-12' Depth		376	30.50	11,468.00
6	10" ESVCP 12'-14' Depth		120	30.50	3,660.00
7	10" ESVCP 14'-16' Depth		308	30.51	9,397.08
8	10" ESVCP 16'-18' Depth		58	30.52	1,770.16
9	10" ESVCP 18'-20' Depth		33	30.53	1,007.49
10	Standard 4' Dia. MH		8	900.00	7,200.00
11	Extra Depth MH		26.02	70.00	1,821.40
12	4" on 8" Wye Branches		3	50.00	150.00
13	4" on 10" Wye Branches		3	70.00	210.00
14	4" CISP Service		321	10.00	3,210.00
15	8" DIP. Drop Connection		2	600.00	1,200.00
16	Solid Rock Excavation		530.60	.10	53.06

Total Contract Work Completed	\$	_____
Approved Extra Orders Amount Completed	\$	_____
Total Amount Earned this Estimate	\$	_____
Less Percent Retained	\$	_____
Less Previous Payment	\$	_____
Total Deductions	\$	_____
Amount Due this Estimate	\$	_____

Contractor _____ Date _____

Engineer _____ Date _____

CITY OF HASTINGS

100 Sibley Street
Hastings, Minnesota 55033

PERIODICAL ESTIMATE FOR PARTIAL PAYMENTS

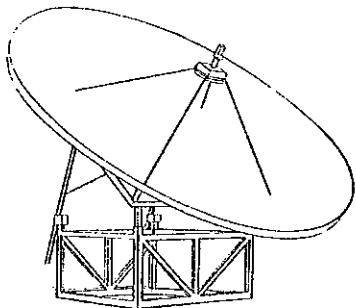
Estimate No. 4 Period Ending Sept. 27, 1983 Sheet 4 of 5 City No. 83-1
 Location 1983 Construction Program Original Contract Amount
 Contractor Austin P. Keller Construction Co. \$ 179,689.34

WORK COMPLETED TO DATE

Item	Description of Items	Extra Work	Quantity	Unit Price	Total
	WATERMAIN				
1	Connect to Exist 6" WM		3	1,000.00	3,000.00
2	6" DIP Cl. 50 WM		589.1	13.00	7,658.30
3	8" DIP Cl. 50 WM		882.2	18.00	15,879.60
4	6" Branch Service		18	15.00	270.00
5	6" MJ Gate Valve		8	300.00	2,400.00
6	8" MJ Gate Valve		2	400.00	800.00
7	6" MJ Hydrant		3	900.00	2,700.00
8	MJ Fitting		1150	1.00	1,150.00
9	3/4" "Type K" Copper		70	6.00	420.00
10	1" "Type K" Copper		254	7.00	1,778.00
11	3/4" Corp Stop/Incl. Tap		3	15.00	45.00
12	1" Corp. Stop/Incl. Tap		8	20.00	160.00
13	3/4" Curb Stop W/Box		2	50.00	100.00
14	1" Curb Stop W/Box		8	60.00	480.00

Total Contract Work Completed		\$ _____
Approved Extra Orders Amount Completed		\$ _____
Total Amount Earned this Estimate		\$ _____
Less Percent Retained	\$ _____	
Less Previous Payment	\$ _____	
Total Deductions		\$ _____
Amount Due this Estimate		\$ _____

Contractor _____ Date _____
 Engineer _____ Date _____



Hastings Cable TV Company
220 Ramsey Street
Hastings, MN 55033
612-437-6509

Information

Gary E. Brown
City Administrator
City Hall
100 Sibley St.
Hastings, MN 55033

Dear Gary:

TDS a leader in the communications field, is dedicated to fullfilling its franchise obligations. This commitment has been displayed in Hastings over the past 6 months.

As you know, TDS and several local investors that form the Hastings Cable TV Family, were given an opportunity to design and construct a cable TV system. This task according to the ordinance must be preformed within 6 months.

September 1, 1983 was the scheduled completion date for Hastings Cable TV. With all of the incredible franchising problems that have occurred with other cable companies, it is obvious that the City of Hastings has made the right choice, the TDS choice.

On September 1, our company wasn't making excuses, asking for time extensions or asking to wave performance bond. NO, our office, staffed with local employees were busy serving the 199 active cable subscribers.

Our staff enjoyed video taping the festivities of River Town Days. Highlights were shown to local residents even before the cable system was activated. Of course plans for continued local programming are underway. Space at the High School will be provided for the communities studio during the schools Christmas vacation.

Mid October a training session will be conducted for personnel that will be typing data on our institutional channels. In the interim any information regarding local government or civic events may be phoned to our office or mailed to our office at 220 Ramsey St. Our staff will be happy to type information on our local channels.

The support that the city has provided has been nothing short of fantastic. The Hastings Cable TV Family is looking forward to a long and active role in the exciting field of communications.

Sincerely,

A handwritten signature in cursive script, appearing to read "Greg Curry".

Greg Curry
General Manager

GC/dj

September 29, 1983

MEMO

TO: MAYOR AND COUNCIL MEMBERS

FROM: PAUL BURNS

SUBJECT: REPORT ON VERMILLION RIVER WATERSHED JOINT POWERS
TASK FORCE ON REPRESENTATION

On Wednesday, September 28, 1983, I met with other Task Force members to discuss the issue of representation on the proposed Joint Powers Board. This Task Force was created partially in response to Hastings stated position of wanting a representative on the Joint Powers Board. After a great deal of discussion, the Task Force came up with a proposal to have a nine member board, with one member being a representative from the City of Hastings, for the development of the watershed plan. After that two year planning period, the Board would revert back to a five member board with two members from townships, one member from small rural cities, and two members from all other cities. I have attached an outline of how those two boards would be structured. On the nine member board, the City of Hastings would be the at large member.

Members of the Task Force expressed what appeared to be a sincere effort to establish an organization that would work in the best interest of the entire watershed, rather than each unit of government's parochial interest. The greatest fear we have had is how long that sincerity will last when hard issues are faced. The Task Force members have expressed a desire to attend the next Council meeting, where this issue will be placed on the Agenda. Based on my experience in attending these meetings, it is fairly apparent that this is as far as other units of government in the watershed would be willing to go towards allowing the City of Hastings direct representation on the board. In other words, if the Council is willing to go with a Joint Powers Agreement, this appears to be the best compromise on the representation issue.

OPTION 1

FIVE (5) MEMBER BOARD

GROUP A - TOWNSHIPS

2 Members - 2 Year Term
 6 Year Term

GROUP AA - SMALL CITIES

1 Member - 4 Year Term

GROUP AAA - SUBURBAN CITIES

2 Members - 3 Year Term

OPTION -- 2

NINE (9) MEMBER BOARD

GROUP A -- TOWNSHIPS

- 3 Members - • 2 Year Term
• 3 Year Term
• 7 Year Term

GROUP AA -- SMALL CITIES

- 2 Members - • 2 Year Term
• 5 Year Term

GROUP AAA -- SUBURBAN CITIES

- 3 Members - • 2 Year Term
• 4 Year Term
• 6 Year Term

AT LARGE

- 1 Member - • 2 Year Term

September 28, 1983

MEMO

TO: MAYOR AND COUNCIL MEMBERS

FROM: PAUL BURNS

SUBJECT: SPRING LAKE PARK MASTER PLAN

At a recent meeting, the Dakota County Board honored Hastings City Council request to table action on the Spring Lake Park Master Plan until the Council has had an opportunity to become more familiar with the Plan. They have scheduled it for their October 25, 1983 Meeting.

I have arranged to have Dakota County Staff Members available to make a presentation on the Plan at the October 17, 1983 City Council Meeting. Due to a scheduling conflict, they were not available for the October 3, 1983 Meeting. In the meantime, if any Council member has any question on the Plan, please contact me and I will forward the question to the Dakota County Staff.

City of Hastings

WATER DEPARTMENT

Phone 437-3922
Hastings, Minnesota 55033

September 28, 1983

NOTICE TO WATER USERR OF THE CITY OF HASTINGS

Effective this date, the sprinkling ban is removed. With the excellent cooperation of the water users, an andequate water supply was maintained during the extended drought period this past season.

A special thanks to the Hastings Star/Gazette and KDWA for the extended public service coverage.

We thank you for your cooperation in this endeavor.

Dated September 30, 1983.


Arnold Endres
Water Department Superintendent

CITY OF HASTINGS

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cc: Council Packet
Hastings Star
KDWA
Fire Department
City Hall