

**CITY OF HASTINGS**  
**CITY COUNCIL AGENDA**  
*for informational purposes*

Monday, February 3, 2014

7:00 p.m.

**I. CALL TO ORDER**

**II. ROLL CALL Councilmembers Alongi, Balsanek, Nelson, Hollenbeck, and Mayor Hicks**

**Absent: Riveness and Schultz**

**Staff: City Administrator Melanie Mesko Lee**  
**Assistant City Administrator Julie Flaten**  
**City Attorney Dan Fluegel**  
**Public Works Director Tom Montgomery**

**III. DETERMINATION OF QUORUM**

**IV. APPROVAL OF MINUTES**

Approve Minutes of the Regular Meeting on January 21, 2014

**Minutes approved as presented.**

**Presentation—Recognition of Recent Retirements**

Rene Doffing – Police Department

Ron Langer – Building Department

Steve Scharfe – Police Department

Gary Wytaske – Public Works

**Retired employees were introduced by Mesko Lee and Council thanked them for their years of service.**

**V. COUNCIL ITEMS TO BE CONSIDERED**

**VI. CONSENT AGENDA**

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

**Balsanek, Alongi to approve as amended.**

**5-0**

1. Pay Bills as Audited
2. **Resolution 02-01-14**—Rescinding Liquor License for Tavern on Main, Inc., d/b/a RJ ‘s Tavern on Main, 106 2<sup>nd</sup> Street East, Hastings
3. **Resolution 02-02-14**—Approving One-Day Temporary Gambling Permit for Hastings Futbol Club (HFC) United on April 26, 2014 at the Green Mill Event Center, 101 10<sup>th</sup> Street West, Hastings
4. **Resolution 02-03-14**—Approve one-Day Liquor License for St. Elizabeth Ann Seton Parish’s “Sip and Shop” on March 28, 2014
5. **Resolution 02-04-14**—Approve One-Day Temporary Gambling and One-Day Temporary Liquor License for Hastings Family Service on March 4, 2014
6. Approve Hastings Young Life 5k Race on May 31, 2014
7. 2014 Nick Clare Memorial Race
8. **Resolution 02-05-14**—Dakota County Designation of CSAH 47 as a 10 Ton Route
9. Approve Hastings Preservation Commissioner Jill Ragan Scully
10. Approve Budget Carryover from 2013 to 2014 – Police Department
11. Internal Control Policy Update
12. **Resolution 02-06-14**—Approve One-Day Temporary Liquor License for United Way of Hastings on February 8, 2014

## **VII. AWARDING OF CONTRACTS AND PUBLIC HEARING**

1. Public Hearing—Second Reading/Ordinance Amendment on Meter Testing Fee  
**Montgomery introduced the item explaining the fee and utility ordinance would correct conflicting water meter testing fees. The ordinance amendment would update the current fee schedule to fully cover the cost of testing water meters. Public Hearing was opened at 7:10 p.m. Hearing no comments Public Hearing was closed at 7:11 p.m.**
  
2. Award Contract— **Resolution 02-07-14-Well #6 Rehabilitation**  
**Montgomery introduced the item stating three bids were received for Well No. 6 Rehabilitation Project on Wednesday, January 19<sup>th</sup>. Bids were submitted by E.H. Renner & Sons, Inc. at \$125,963; Bergerson-Caswell, Inc. at \$144,795; and Keys Well Drilling Co. at \$144,960. Council is requested to approve awarding the contract to the lowest bidder E.H. Renner & Sons at \$125,963. Alongi, Balsanek to approve as presented. 5-0**

## **VIII. REPORTS FROM CITY STAFF**

### **A. Public Works**

1. Second Reading/Adopt **Ordinance No. 2014-04** on Meter Testing Fee  
**Alongi requested clarification on the maximum fee that could be charged to residents. Nelson, Hollenbeck to approve as presented. 5-0**

### **B. Community Development**

### **C. Administration**

1. Administrative Hearing for Alleged Violation of Liquor Ordinance-Super Valu  
**Fluegel introduced the item requesting Council consider the administrative penalty be assessed against Supervalu, Inc., d/b/a Cub Discount Liquor Store in the amount of \$1,000 presumptive civil penalty plus a three day license suspension, as cited in City Code Section 111.10 for a recent failed alcohol compliance check. Super Valu is currently not a participant in the Best Practices Program, which would have reduced the presumptive civil penalty by half and with no license suspension.**

**Mike Harris of Super Valu spoke asking for Council's leniency to reconsider the penalty for this incident to include only the \$1,000 fine without a three day suspension. A suspension would not only punish the business, but also the 6-8 employees who would lose hours/income during that time. Mr. Harris noted that Super Valu should be commended for their past record of liquor compliance successes and the steps taken to prevent this situation from happening in the future.**

**Councilmember Alongi commended Mr. Harris and Cub Discount Liquor for coming to the meeting and their history of compliance. Councilmember Balsanek noted this was the first offense since Cub Discount Liquor opened 11 years ago. Councilmember Nelson commented on the Best Practices Program and the Administrative Committee's work that went into developing it. Mayor Hicks encouraged councilmembers to suspend the 3-day license suspension and encouraged Cub Discount Liquor to join the Best**

**Practices Program. A motion was made to assess the \$1,000 fine and suspend the 3-day license suspension.  
Hollenbeck, Alongi to approve a \$1,000 civil penalty and encourage SuperValu to participate in the Best Practices Program. 5-0**

2. Administrative Hearing for Alleged Violation of Liquor Ordinance- Hastings Country Club

**Fluegel introduced the item requesting Council consider the administrative penalty be assessed against Hastings Country Club in the amount of \$1,000 presumptive civil penalty plus a three day license suspension, as cited in City Code Section 111.10 for a recent failed alcohol compliance check. Hastings Country Club is currently not a participant in the Best Practices Program, which would have reduced the presumptive civil penalty by half and there would be no license suspension.**

**Representatives Mike Anderson and Kevin Sieben spoke on behalf of Hastings Country Club asking Council's leniency to reconsider the penalty for this incident to include only the \$1,000 fine without a three day license suspension. A suspension would not only punish the business, but also many employees who would lose hours/income during that time.**

**Hastings Country Club was commended for having no history of prior offenses. Mayor Hicks stressed the desire to have all license holders participate in the Best Practices Program.**

**A motion was made to assess the \$1,000 fine and suspend the 3-day license suspension. The motion was further amended to require Hastings Country Club to enroll in the Best Practices Program for a period of no less than the next 10 years. Failure to remain in the program would allow the City Council to impose the 3 day license suspension.**

**Alongi, Balsanek to approve a \$1,000 civil penalty and require the Hastings Country Club to participate in the Best Practices Program for the next 10 years. 5-0**

**IX. COMMENTS FROM AUDIENCE**

**X. UNFINISHED BUSINESS**

**XI. NEW BUSINESS**

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

- **Joint Powers Committee** will meet on Tuesday, February 04, 2014 at 7:30 a.m. at the Community Education Building.
- **Planning Commission** will meet on Monday, February 10<sup>th</sup> at 7:00 p.m. in the Council Chambers.
- **Parks and Recreation Commission** will meet on Tuesday, February 11<sup>th</sup> at 6:00 p.m. in the Council Chambers.
- **Levee Park and Downtown Improvements Scoping Study Committee** will meet on Tuesday, February 11, 2014 at 4:00 p.m. at City Hall.
- **HEDRA Commission** will meet on Thursday, February 13, 2014 at 6:30 p.m. in the Council Chambers.
- **City Offices** will be closed on Monday, February 17, 2014 in observance of President's Day.
- **Next City Council Meeting** will be on Tuesday, February 18, 2014 at 7:00 p.m. in the Council Chambers.

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- **Operations Committee** will meet on Tuesday, February 18, 2014 at 6:00 p.m. at City Hall.
- **Heritage Preservation Commission** will meet on Tuesday, February 18, 2014 at 7:00 p.m. in the Volunteer Room.
- Councilmember Balsanek will attend the **DCC Board Meeting** on February 20, 2014.
- **United Way** will hold its 50<sup>th</sup> Anniversary Gala on Saturday, February 8.
- The City is accepting applications for a **Building Inspector, Sports & Recreation Coordinator and summer help at the Hastings Family Aquatic Center**. Applications are also accepted for the **Heritage Preservation Commission**.

**XIII. ADJOURNMENT 7:55 p.m.**

**Next Regular City Council Meeting: Tuesday, February 18, 2014 at 7:00 p.m.**