

CITY OF HASTINGS
CITY COUNCIL AGENDA
For informational purposes

Tuesday, February 21, 2017

7:00 p.m.

I. CALL TO ORDER

II. ROLL CALL: Mayor Hicks, Councilmembers Braucks, Lund, Leifeld, Balsanek, Folch, and Vaughan

Staff: City Administrator Melanie Mesko Lee
Administrative Services Director Julie Flaten
City Attorney Dan Fluegel
Police Chief Schafer
Mike Schutt, Fire & EMS Director
Tom Bakken, Building Official

III. DETERMINATION OF QUORUM

Introduction of New Employees and Volunteers:

Department heads introduced new employees and Flaten administered the Oath to the Police Reservists.

Building & Inspections:

Alana Siebenaler

Police Department:

Jessica Urbach
Kim Gelhar
Richard Brown

Reservists:

Dominic Milne
Jeremy Thompson
Michael Beard
Brian Jansen

Fire & EMS Department:

Jake Lohmann
Derrick Cooper
Tim Likes
Jenny Thomsen

Phil Nelson
Erik Geske
Jeremy Bickner
Rob Zietlow

IV. APPROVAL OF MINUTES

Approve Minutes of the Regular City Council Meeting on February 6, 2017

Minutes were approved as presented.

V. COUNCIL ITEMS TO BE CONSIDERED

Mayor Hicks asked that an item to discuss the Pine Street and Southview Drive neighborhood request for ordinance revisions be added under Administration.

VI. CONSENT AGENDA

The items on the Consent Agenda are items of routine nature or no perceived controversy 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.

Braucks, Vaughan to approve as presented.

7-0

1. Pay Bills as Audited
2. Approval of Social Media Policy as Addendum to Personnel Policy
3. Authorize Signature: Livable Communities Demonstration Account Grant – Artspace Hastings Lofts
4. Approve Budget Carryovers – 2016 to 2017
5. Item was Removed
6. Resolution–Accept Donation of \$500.00 from Dakota Electric Association to the Parks and Recreation Department
7. Accept Smead Manufacturing Sponsorship Check of \$1,000.00 for Performances in the Park
8. Approve 2017 Traffic Marking Program and Authorize South Metro Joint Powers Agreement
9. Approve Master Services Agreement with Voith Hydro – Hydro Electric Plant
10. Approve Pay Estimate #8 – Riverfront Renaissance Phase 3 – Pember Companies (\$111,754.99)
11. Accept Feasibility & Assessments Report and Approve Resolution to Order Public Hearing, Declare Amount to be Assessed, and Order Assessment Hearing for 2017-1 Neighborhood Infrastructure Improvements
12. Order Public Hearing: Vacation of Easement – South Oaks of Hastings 2nd Addition – Greg J Homes
13. Approve Additional Payment for Design & Project Management Services – RR – Bolt & Menk

VII. AWARDING OF CONTRACTS AND PUBLIC HEARING

These are formal proceedings that give the public the opportunity to express their concern, ask questions, provide additional information, or support on a particular matter. Once the public hearing is closed, no further testimony is typically allowed and the Council will deliberate amongst itself and with staff and/or applicant on potential action by the Council.

VIII. REPORTS FROM CITY STAFF

These items are intended primarily for Council discussion and action. It is up to the discretion of the Mayor as to what, if any, public comment will be heard on these agenda items.

A. Public Works

B. Community Development

C. Administration

1. **Pine Street and Southview Drive Neighborhood Request for Ordinance Revision.**
Mayor Hicks recognized the request of the neighborhood to look at ordinance amendment for child safe zones. Mayor Hicks suggested this matter be referred to the Public Safety Committee of the Council for review and to provide recommendations.
Mayor Hicks accepted a petition.
2. Liquor License Compliance Check Failures:
 - Wyatts' Twisted Americana

Fluegel introduce the item and explained the Wyatt's Twisted Americana has signed the Stipulation of Facts and Civil Sanction and agrees to pay the \$500 civil penalty.

Braucks, Folch to accept.

7-0

- **Cub Discount Liquors**

Fluegel introduced the item and Doug Hagerty, manager, from Cub Foods addressed the Council and asked for leniency on the presumptive penalties. Cub Foods waived a factual hearing. Council discussion on the Best Practices Program offerings and effect of employee turnover.

Councilmember Folch made a motion to impose a \$1,500 civil penalty and stay the 3 day license suspension if Cub Foods were to enroll, in writing, in the Best Practices Program by March 1, 2017. Seconded by Councilmember Vaughan.

Roll call vote: 3 Ayes, 4 Nays (Balsanek, Leifeld, Lund, Braucks)

Motion failed.

Councilmember Braucks made a motion to impose a \$1,000 civil penalty and stay the 3 day license suspension if Cub Foods were to enroll, in writing, in the Best Practices Program by March 1, 2017. Seconded by Councilmember Lund.

Roll call vote: 5 Ayes, 2 Nays (Folch, Balsanek)

Motion passed.

BreakAway Arts LLC

Fluegel introduced the item and Mecca Page, owner of BreakAway Arts Café addressed the Council and asked for leniency on the presumptive penalties. BreakAway Arts waived a factual hearing. Council discussion on granting leniency to new businesses and setting precedent by not following penalties in ordinance.

Councilmember Lund made a motion to impose a \$500 civil penalty and stay the 3 day license suspension if BreakAway Arts Café were to enroll, in writing, in the Best Practices Program by March 1, 2017. Seconded by Councilmember Braucks.

6-1 (Balsanek voting Nay)

- **El Mexican Restaurant of Hastings LLC**

- **Fluegel introduced the item and David Perez, owner of El Mexican Restaurant of Hastings addressed the Council and asked for leniency on the presumptive penalties. El Mexican Restaurant of Hastings waived a factual hearing.**

Council discussion on options for the Best Practices Program.

Councilmember Leifeld made a motion to impose a \$500 civil penalty and stay the 3 day license suspension if El Mexican were to enroll, in writing, in the Best Practices Program by March 1, 2017. Seconded by Councilmember Vaughan.

6-1 (Balsanek voting Nay)

3. Closed Door Session – Security Report

Motion to adjourn to closed door session at 8:40 p.m.

Braucks, Folch

7-0

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Closed Door Session opened at 8:45 p.m.
Motion to adjourn closed door session at 9:48 p.m.
Braucks, Leifeld
7-0
Regular Council Meeting re-opened at 9:49 p.m.

IX. COMMENTS FROM AUDIENCE

During this period of time, citizens may speak informally to the Council on subjects not on the agenda

John Langenfeld addressed the council encouraging them to adopt an ordinance regarding sex offenders.

X. UNFINISHED BUSINESS

XI. NEW BUSINESS

XII. REPORTS FROM CITY COMMITTEES, OFFICERS, COUNCILMEMBERS

- **Planning Commission will meet on Monday, February 27th at 7:00 p.m. at City Hall.**
- **Community Tourism Meeting will be held from 9:00 -11:00 a.m. on Saturday, February 25th at City Hall.**
- **Councilmember Vaughan will attend a Minnesota High Speed Rail meeting on March 2nd.**
- **City Council will tour Hastings Family Service at Monday, march 6th at 6:00 p.m.**

XIII. ADJOURNMENT 9:50 p.m.

Next Regular City Council Meeting: Monday, March 6, 2017 at 7:00 p.m.