

Hastings, Minnesota
City Council Minutes
May 1, 2017

The City Council of the City of Hastings, Minnesota met in a regular meeting on Monday, May 1, 2017 at 7:00 p.m. in the Council Chambers at the Hastings City Hall, 101 East 4th Street, Hastings, Minnesota.

Members Present: Mayor Hicks, Councilmembers Lund, Braucks, Folch, Leifeld, Balsanek, and Vaughan

Staff Present: City Administrator Melanie Mesko Lee
Administrative Services Director Julie Flaten
City Attorney Dan Fluegel
Community Development Director John Hinzman
Parks & Recreation Director Chris Jenkins
City Forester Paul Mahoney

Introduction of New Employee – Melanie Lammers, Finance Manager
Flaten introduced new Finance Manager, Melanie Lammers.

Proclamation – Declare May 6, 2017 as Lakeside Cemetery Association Founders Day
Council read the proclamation.

Approval of Minutes

Mayor Hicks asked if there were any additions or corrections to the minutes of the Regular City Council Meeting on April 17, 2017. The minutes were approved as presented.

Consent Agenda

Councilmember Braucks moved, seconded by Councilmember Balsanek to approve the consent agenda as amended.

Ayes, 7; Nays, None.

1. Pay Bills as Audited
2. **Resolution 05-01-17**—Approve Fireworks License for Coborn’s Inc., 225 West 33rd Street, Hastings
3. Approve Motorized Golf Cart Permit for Peter A. Fasbender, 1625 Maple Street, Hastings
4. Designate 2017 Two Rivers Vintage Crawl as a Special Event
5. First Reading and Order Public Hearing for Changes to the Utility Fees
6. Accept Sponsorship of \$150.00 From Power Within Chiropractic Clinic for Storytime in the Park
7. Reappoint Planning Commissioner (Estenson)
8. Authorize Signature: Joint Powers Cost Share Agreement – Pictometry

9. Authorize Signature: Contract for Services - Vermillion Street Corridor Plan – Houseal Lavigne Associates
10. Authorize Signature: Contract for Services - Comprehensive Plan – MSA Professional Services

Public Hearing— Vacation of Right-of-Way #2017-12 – Block 6 – Barkers Addition

Hinzman introduced the item requesting adoption of a resolution to approve to vacation of a foot alley of Block 6, Barkers Addition, generally located north of 3rd Street and east of Locust Street.

Public Hearing opened at 7:10 p.m.

Hearing no comments.

Public Hearing closed at 7:11 p.m.

Resolution 05-02-17: Vacation of Right-of-Way #2017-12 – Block 6 – Barkers Addition

Councilmember Balsanek moved, seconded by Councilmember Folch to approve as presented.

Ayes, 7; Nays, None.

Resolution 05-03-17: Recertification of Vacation of Right-of-Way – Locust Street (north of 3rd Street East)

Hinzman introduced the item requesting adoption of a resolution re-authorizing the 1998 City Council approval to vacate Locust Street, north of 3rd Street between Lot 8, Block 5 and Lot 5, Block 6 Barkers Addition. Dakota County maps indicate the vacation has taken place, however we are unable to locate the resolution authorizing the action.

Mayor Hicks allowed public comment.

Kris Katz of 1425 3rd Street West asked for clarification on his property which is affected by the vacation.

Council discussion on who will own the vacated property.

Councilmember Folch moved, seconded by Councilmember Leifeld to approve as presented.

Ayes, 7; Nays, None.

Resolution 05-04-17: Special Use Permit-Site Plan #2017-11 – Hastings Chrysler Parking Lot Expansion (2980 Vermillion Street)

Hinzman introduced the item requesting adoption of a resolution approving the Site Plan and Special Use Permit request of Hastings Chrysler to lease land and to expand and construct a vehicle parking area on land owned by St. Luke's Cemetery. Expansion of the site directly south of the current Hastings Chrysler will allow for greater inventory at Hastings Chrysler. Discussion on Special Use Permit included length of permit, leasing vs. purchasing property.

Doug Erickson, Hastings Chrysler provided clarification on why property is being leased. Discussion on site plan about length of lease, changes to site plan require future council approval, and restoration of property if lease terminates.

Joan Keetley, family genealogist, addressed the council in support of the lease agreement if no changes are made. She spoke about any future encroachment into cemetery and family members and Native American burials that exist in the cemetery.

Dan Dibble of Sherman Way clarified that research has been done to ensure no gravesites exist on space proposed to be leased.

Councilmember Vaughan moved, seconded by Councilmember Balsanek to approve Special Use Permit.

Ayes, 7; Nays, None.

Councilmember Braucks moved, seconded by Councilmember Lund to approve Site Plan. Ayes, 7; Nays, None.

Approve Boulevard Tree Maintenance Requirements

Jenkins introduced the item requesting City Council support in adopting the recommendations provided by the Parks & Recreation Committee of Council as it relates to boulevard tree maintenance and Emerald Ash Borer.

Council discussion on total number of privately owned Ash trees in community ability to ensure compliance with required maintenance, time of year trees are treated, concerns about chemicals used to treat trees, removal costs vs treatment costs, costs to residents of program, tree removal integration into future road construction projects. The value residents place on mature trees in community was a guiding factor in committee's recommendation.

Councilmember Braucks moved, seconded by Councilmember Leifeld to approve as presented.

Ayes, 7; Nays, None.

Resolution 05-05-17 - Due Olives LLC d/b/a/ Bella Vista Ristorante Italiano and Vista Rio Alleged Liquor License Violation

Fluegel introduced the item explaining a report received by the Alcohol and Gambling Enforcement Division of Public Safety regarding Due Olives LLC d/b/a as Vista Rio liquor sales after being placed on the Minnesota Department of Revenue Tax Delinquent Liquor list. Once posted on the tax list it is illegal for a retailer of alcoholic beverages to purchase liquor from another retailer of alcoholic beverages for the purpose of resale. On March 10, 2017 a State Representative visited the establishment and determined that a violation of Minnesota Statutes 340A.415 had occurred. City Council may impose penalties that include a financial penalty of up to \$2,000, a suspension of the license for up to a maximum of 60 days, a combination of those two penalties, or revocation of the liquor license.

Jennifer Melecio of Duo Olives LLC addressed the council, waived her right to a formal hearing, acknowledged the violation, and asked for leniency.

Mayor Hicks suggested imposing no additional fines or sanctions in addition to those imposed by the State of Minnesota. Council discussion on situation having no precedence, State and City processes overlapping, City's role in issuance and enforcement of liquor license, and recommendation that staff create a policy that includes penalties for future offenses.

Motion to impose no additional penalty or sanctions.

Councilmember Balsanek moved, seconded by Councilmember Braucks to approve as presented.

Ayes, 7; Nays, None.

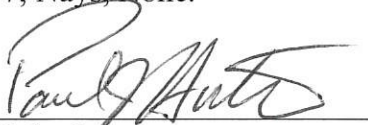
Douglas Salton addressed the council and requested a parking permit for the municipal parking lot adjacent to City Hall.

**REPORTS FROM CITY COMMITTEES, OFFICERS, COUNCILMEMBERS
ADJOURNMENT**

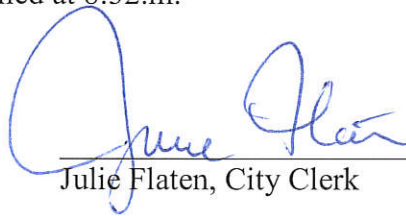
- Annual Parks and Trails Clean Up on Saturday, May 6th at 9:00 a.m. at Vermillion Falls Park.
- Planning Commission meeting for Monday, May 8th has been cancelled.
- Parks and Recreation Commission will meet on Tuesday, May 9th at 6:00 p.m. at City Hall.
- HEDRA Commission will meet on Thursday, May 11th at 6:30 p.m. at City Hall.
- Parks & Recreation Committee of Council meeting has been changed to Tuesday, May 30th.
- Police Week Open House on Tuesday, May 16th at 4:30 p.m. on Sibley Street adjacent to City Hall.
- Summer programming at the Levee Pavilion was released.
- Councilmember Balsanek will hold a Ward 2 Neighborhood Meeting at the Pleasant Hill Library on Saturday May 6th beginning at 10:00 a.m. to discuss traffic along Highway 42 and Pleasant and Emerald Ash Borer.
- Councilmember Vaughan will attend the Minnesota High Speed Rail and Dakota County Water Forum meetings.
- Councilmember Leifeld reminded residents about the Inclusiveness and Diversity Workshop at Tilden Community Center on Monday, May 9th at 7:00 p.m.
- Councilmember Folch recognized the success of the recent Hootenany held in downtown Hastings.

Motion to adjourn the meeting was made by Councilmember Braucks seconded by Councilmember Balsanek. Meeting was adjourned at 8:32.m.

Ayes, 7; Nays, None.



Paul Hicks, Mayor



Julie Flaten, City Clerk