

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

Tuesday, September 5, 2017

7:00 p.m.

- I. **CALL TO ORDER**  
II. **ROLL CALL** Mayor Hicks, Councilmembers Folch, Balsanek, Braucks, Leifeld, Lund, Vaughan

**Staff: City Administrator Melanie Mesko Lee**  
**Administrative Services Director Julie Flaten**  
**City Attorney Dan Fluegel**  
**Police Chief Bryan Schafer**  
**Community Development Director John Hinzman**  
**Finance Director Melanie Lammers**

III. **DETERMINATION OF QUORUM**

**Swearing In: Police Commander Bryan Schowalter**  
**Police Sergeants Kyle Linscheid and Chris Nelson**  
**Flaten administered the oath.**

**Citizen's Lifesaving Award: Jerry Harrington/Melanie Olson**  
**Citizen's Award of Commendation: Ronald Davis**  
**Chief Schafer gave a summary of the heroic service provided by Harrington, Olson, and Davis and presented each with a plaque.**

**Presentation: LeDuc-Civil War Weekend**  
**Amy Deaver gave an overview of the upcoming Civil War Weekend planned at the LeDuc Mansion.**

- IV. **APPROVAL OF MINUTES**  
Approve Minutes of the Regular City Council Meeting on August 21, 2017  
**Minutes were approved as presented.**

V. **COUNCIL ITEMS TO BE CONSIDERED**

- 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, Folch to approve as presented.**

**7-0**

1. Pay Bills as Audited
2. Approve an ATV Permit for Michael A, Haagen, 762 S. Park Drive, Hastings
3. First Reading/Ordinance Amendment-Comcast Cable Franchise Ordinance
4. **Resolution 09-01-17** – Providing for the Competitive Negotiated Sale of \$1,075,000 General Obligation Improvement Bonds, Series 2017A

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5. Approve 2017 2<sup>nd</sup> Quarter Financial Report
6. **Resolution 09-02-17** Accept Donation of \$1,550.00 to the Parks and Recreation Department from Denice Muccio-Grout for a Memorial Bench
7. Final Pay Estimate - MN Veterans Home Building 25 Parking Lot Mill & Overlay
8. Approve Joint Powers Agreement Regarding Public Safety Related to 2018 National Football League Super Bowl Security

## 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.*

1. Public Hearing: City Code Amendment\Rezoning – C-2 to C-4 – Caturia-Smidt Funeral Home (3075 Vermillion St)  
**Hinzman introduced the item requesting Council conduct a second reading, hold a public hearing, and consider and final adoption of an amendment to City Code Chapter 155.01 – Zoning Code-Zoning Map to re-zone 3.01 acre parcel located at from 3075 Vermillion Street from C-2 Highway Auto-Specialized Commerce to C-4 Regional Shopping Center. Caturia-Smidt plans to acquire the existing Knights of Columbus site, demolish the existing building and construct a new funeral home and crematory. The Planning Commission unanimously approved this action on August 14, 2017. At the August 21<sup>st</sup> Council Meeting, councilmembers and a representative of Me and Julio’s restaurant raised questions about environmental effects of the operation.  
Public Hearing opened at 7:35 p.m.  
Hearing no comments.  
Public Hearing was closed at 7:36 p.m.**

## 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

1. 2<sup>nd</sup> Reading/Order Public Hearing: **Ord. 2017-05** City Code Amendment/Rezoning – C-2 to C-4 – Caturia-Smidt Funeral Home (3075 Vermillion Street)  
**Council discussion on auto sale land vacancies in City, clarification of Special Use Permit vs re-zoning of property, increased traffic, and appreciation of investment in community by Cateria-Smidt family. Vaughan, Lund to approve as presented.  
7-0**
2. **Resolution 09-03-17** – Consider Reversal of Decision by Administrative Official: Construction of a Fence – McCoy (209 West 7<sup>th</sup> Street)  
**Hinzman introduced the item requesting Council to consider reversing the decision an administrative official (John Hinzman) made in**

determining Andrew McCoy's structure as a fence. The City Council acts as the Board of Adjustment and Appeals in considering this request. Andy McCoy testified in regards to his request to reverse determination that the structure should not be considered a fence.

Rita Dahl testified in regards to the hedge which is planted along the structure in question.

Council discussion asking for clarification on which property the hedge was originally planted, encroachment of hedge with growth over time, definition of hedge vs trellis, clarification in law if vegetation encroaches onto adjacent owner's property the ability for adjacent owner to maintain and trim, and encouragement of dialogue among neighbors.

Vaughan, Braucks to approve as presented.

6-1 Balsanek voting nay

### C. Administration

#### 1. 2018 Budget:

Resolution **09-04-17**– Approve Preliminary 2018 City Property Tax Levy, Preliminary Budget, and Setting Truth in Taxation Hearing Date

**Mesko Lee introduced the item explaining the preliminary budget represents the financial plan and priorities of the City, within established limits set by the City Council. The Finance Committee and staff have worked on the preliminary levy and budget over the past several months. The preliminary levy must be set by September 30, 2017. Once set, the City Council cannot establish a final levy higher than the preliminary levy. The Truth in Taxation hearing will be held on December 4, 2017.**

**Council discussion on direction to have final levy be less than 4.0% increase and additional details of items included in budget to be provided at October Finance Committee and Council workshop. Balsanek, Braucks to approve as presented.**

**7-0**

Resolution **09-05-17**– Approve Proposed 2018 HEDRA-HRA Special Tax Levy

**Balsanek, Vaughan to approve as presented.**

**7-0**

#### 2. Accept Public Arts Task Force Recommendation

**Mesko Lee introduced Bea Westerberg and Mary Ellen Fox of the Arts Task Force. Westerberg walked through the history of the Arts Task Force and their request for approval of a proposal in response to a call for artists for designs on the exterior of the warming house seasonally located at Levee Park. Free Birds is the recommendation of the Arts Task Force. This will be the second piece of public art commissioned by the Public Arts Task Force.**

**Council discussion to encourage year-round use of art.**

**Braucks, Folch to approve as presented.**

**7-0**

3. Discuss Road Blight

**Councilmember Folch introduced the item noting concerns with weeds on several areas of Vermillion Street/Highway 61. Maintenance of this road is the responsibility of MnDOT.**

**Council discussion on responsibility of property owners, City, and MnDOT, medians having grass vs tar and cement for aesthetic appeal. Councilmember Balsanek made a motion to have this item referred to the Operations Committee of the Council for further review of City ordinances. Seconded by Councilmember Braucks.**

**Additional council discussion on budget implications, timing of action if sent to committee, what City staff responsibility should be, longer term solution and issue should be looked at City wide. Mesko Lee commented that staff has an upcoming meeting with MnDOT and this item will be discussed.**

**6-1 to send to Operations Committee with Councilmember Folch voting nay.**

**IX. COMMENTS FROM AUDIENCE**

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

**X. UNFINISHED BUSINESS**

**XI. NEW BUSINESS**

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

- **City Council group portrait Wednesday, September 6 at 5:30 p.m. at Levee Park.**
- **Councilmember Vaughan will attend the MN High Speed Rail Commission Meeting on Thursday, September 7<sup>th</sup> at 9:30 a.m. in Red Wing.**
- **Comprehensive Plan Steering Committee will meet on Thursday, September 7<sup>th</sup> at 7:00 a.m. at City Hall.**
- **Planning Commission will meet on Monday, September 11<sup>th</sup> at 7:00 p.m. at City Hall in the Council Chambers.**
- **Vermillion Street Community Workshop will be held on Monday, September 11<sup>th</sup> at 7:00 p.m. at City Hall.**
- **Vermillion Street Business Workshop will meet on Tuesday, September 12<sup>th</sup> at 8:00 a.m. at City Hall.**
- **Parks and Recreation Commission will meet on Tuesday, September 12<sup>th</sup> at 6:00 p.m. at City Hall.**
- **Councilmember Braucks was wished a Happy Birthday on September 17<sup>th</sup>.**
- **Firefighters Annual Booya in Sunday, September 10<sup>th</sup>.**

**XIII. ADJOURNMENT 9:10 p.m.**

**Next Regular City Council Meeting: Monday, September 18, 2017 at 7:00 p.m.**

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