

**CITY OF HASTINGS
CITY COUNCIL AGENDA**

Tuesday, September 4, 2018

7:00 p.m.

I. CALL TO ORDER

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

**Staff: City Administrator Melanie Mesko Lee
Administrative Services Director Julie Flaten
City Attorney Dan Fluegel
Community Development Director John Hinzman
Finance Manager Melanie Lammers
Senior Accountant Ashley Parker**

III. DETERMINATION OF QUORUM

Presentation – Mariah Ring, site director, presented information on the upcoming LeDuc Civil War Weekend and Matt Carter, Executive Director of the Dakota County Historical Society provided an annual report.

IV. APPROVAL OF MINUTES

Approve Minutes of the Regular City Council Meeting and City Council Workshop on August 20, 2018 and City Council Workshop on August 16, 2018.
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.

Vaughan, Folch to approve as presented.

7-0

1. Pay Bills as Audited
2. **Resolution No. 09-01-18:** Approve One-Day Gambling Permit for Oak Ridge Manor on November 10, 2018
3. **Resolution No. 09-02-18:** Accept \$800.00 Memorial Bench Donation from Joe Reis
4. Special Event Request Holiday Hoopla
5. Council Memo: Voyageur Estates Apartments Stormwater Agreement
6. Council Memo: Accept Resignation from Parks & Recreation Commissioner Nicole DePalma
7. Approve Pay Estimate #1 : 2018 Water Meter Replacements (\$230,266.83) – Core & Main LP
8. Resolution No. 09-03-18: Agreement By and Between the City of Hastings Police Department and the State of Minnesota – Department of Public Safety
9. **Resolution No. 09-04-18:** National Night-Out Donations
10. **Resolution No. 09-05-18:** Accept \$2,500.00 donation to the Hastings Police Reserves from

the Hastings Area Chamber of Commerce and Tourism Bureau
11. **Resolution No. 09-06-18:** Deed Restrictions for Lions Park Lands

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

1. Resolution No. 09-07-18: Preliminary and Final Plat – Wallin 18th Addition (Bramblewood Ct)

Hinzman presented the item requesting the Council grant preliminary and final plat approval of Wallin 18th addition containing a 14 lot cluster subdivision containing 14 villa homes located on Bramblewood Court, east of General Sieben Drive.

Todd Rapp, attorney for the Wallin family, explained the rationale for the villa home concept. Fieldstone Family Homes would be the developer. Mayor Hicks allowed public comment.

Ian Martin, 1770 Greystone Road and member of the Planning Commission, spoke against the project. He provided data he compiled from other villa developments in the City of Hastings.

Curtis Gerrits, 1771 Greystone Road spoke against the project. He provided Council with a petition signed by 44 neighbors of the proposed development. Gerrits spoke about the notification process.

Anna Prettyman, 1655 Fallbrooke Drive spoke against the project and shared concerns about covenants, standards current residents were held to when building homes, and future lot sales.

Robert Ladd, 1790 Fallbrooke Drive spoke against the project contending villa homes are not appropriate for the neighborhood.

Jim Hill, 1605 Fallbrooke Court spoke against the project sharing concerns about proposed project not providing benefit to current neighborhood, future lot sales and notification process.

Jill Gentz, 1671 Fallbrooke Drive spoke against the project and shared process he endured when building his home.

Jim Boogren, 1626 River Shore Drive spoke against the project stating the development is not appropriate for the neighborhood.

17 additional residents provided their names, addresses, and confirmed opposition to the project.

Council discussion on lot prices, if a villa home cluster is appropriate in the neighborhood, assurances covenants will be enforced, plans for Outlot A, number of homes built since the discussion began approximately a year ago, plans for west side of General Sieben Drive, concerns with precedent project

sets, transient nature of homes. Council recognized the need for diverse housing in the City.

Attorney Fluegel was asked of Council could deny project if all conditions City set forth have been met. Fluegel responded that any denial would need to be supported by facts.

Council raised concerns that more time may be needed to fully understand the effects on the neighborhood and home values this development may have and enforceability of covenants.

Attorney Fluegel cautioned Council against approving only the preliminary plat. He stated that the issue could be tabled.

Council encouraged the developer to work with the neighborhood on a compromise and communicate more effectively.

Councilmember Vaughan made a motion to table the item for two weeks.

Attorney Fluegel shared concerns about the timeline needed for approval of the plat.

Todd Rapp said the developer was not interested in extending the timeline. Councilmember Vaughan amended motion to table item until September 10th.

Attorney Fluegel clarified the City has 120 days to approve the plat and the item could be tabled for two weeks.

Councilmember Vaughan removed second motion and renewed motion to table the item until the September 17th Council meeting. Seconded by Councilmember Balsanek.

Roll call vote.

Seven ayes, Zero nays.

2. Resolution No. 09-08-18: Vacation of Easement – Wallin 17th Addition
Hinzman presented the item requesting the Council to adopt the vacation of easement of Wallin 17th addition located on Outlot A, Wallin 17th addition. This comes as to the request of Roberta Sjoding on land owned by Duane Wallin and Winston Wallin Partnership.
Motion to table item until September 17th Council meeting by Councilmember Lund, seconded by Councilmember Braucks.
7-0
3. Resolution No. 09-09-18: Variance – Sideyard Setback – Wright (414 West 5th St.)
Hinzman presented the item requesting the Council to deny variance requests for Robert Wright on 414 West 5th Street to build a new 1,000 s.f. detached garage. Variance to the five foot minimum sideyard setback required per City Code Chapter 155.50. Applicant proposes to construct the garage 2 feet 8 inches from the property line resulting in a variance request of 2 feet 4 inches. This also requires an Original Hastings Design Standards (OHDS) review for the construction of the garage.
Council discussion on reason for setback regulations, justification for variance, age of current structure, how far soffit is off property line,

adjacent neighbor's property lines and structure placement, Planning Commission split vote, OHDS standard, aesthetics of new proposed garage. Councilmember Folch made a motion to approve variance, seconded by Councilmember Leifeld.

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Motion to approve Original Hastings Design Standards review made by Councilmember Folch, seconded by Councilmember Balsanek.

7-0

Administration

1. **LeDuc Contract Amendments**

Mesko Lee presented the item requesting the Council to approve the amendments to the LeDuc Operating Agreement with the Dakota County Historical Society.

Council discussion showing appreciation of partnership, value of asset, communication, citizen desires for property, and encouraging involvement of Hastings citizen on board.

Balsanek, Lund to approve as presented

7-0

2. **Resolution No. 09-10-18: Approve Preliminary 2019 City Property Tax Levy, Preliminary Budget, and Setting Truth in Taxation Hearing**

Mesko Lee presented the item requesting the Council to set the 2019 Preliminary Budget, Property Tax Levy. The 2019 City Preliminary Levy is set at \$14,233,201, and the Preliminary Budget is set at \$32,976,425. Council is asked to schedule the truth in taxation public hearing for Monday, December 3, 2018.

Council discussion on valuation of multi-unit dwellings, economic development funding, fiscal disparities, process for 2019 recommendations and appreciation for City Administrator and City Department Heads.

Braucks, Vaughan to approve as presented

7-0

3. **Resolution No. 09-11-18: Approve Proposed 2019 HEDRA-HRA Special Tax Levy**

Mesko Lee presented the item requesting the Council to grant 2019 HEDRA-HRA Special Tax Levy.

Vaughan, Braucks to approve as presented

7-0

4. **Resolution No. 09-12-18: Approve Financial Consultant Contract – Northland Securities**

This item was moved to #1 under Administration.

Lammers presented the item requesting the Council to grant Financial Advisory Services contract approval with Northland Securities. Tammy Omdahl of Northland Securities introduced her peers and expressed gratitude for opportunity to work for the City.

Leifeld, Braucks to approve as presented

7-0

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

- **Councilmember Folch commented on positive feedback from the Downtown Business Association on new Mobile Food Unit policies.**
- **Councilmember Vaughan will attend the Minnesota High Speed Rail meeting on Thursday, September 8th.**
- **City Council Workshop on Monday, September 10th at 6:00 p.m. at City Hall to discuss Transit.**
- **Planning Commission meeting on Monday, September 10th at 7:00 p.m. at City Hall.**
- **City Council Workshop on Wednesday, September 12th at 6:00 p.m. to discuss Strategic Priorities.**
- **HEDRA meeting on Thursday, September 13th at 6:30 p.m. at City Hall.**
- **Parks and Recreation Commission meeting on Tuesday, September 18th at 6:00 p.m. at City Hall.**
- **Heritage Preservation Commission will meet on Tuesday, September 18th at 7:00 p.m. at City Hall.**
- **Councilmember reminded residents about the 16th annual Ward 2 Block Party being held on Saturday, September 8th beginning at 4:00 p.m.**
- **The Diversity, Equity, and Inclusion Initiative will hold events on September 20th and 27th.**
- **The LeDuc Civil War Weekend will be held on Saturday and Sunday, September 8th and 9th.**
- **The Fire Relief Association Booyah is Saturday, September 8th from 11:00 a.m. to 4:00 p.m. at SEAS Church.**
- **Councilmember Braucks was wished a Happy Birthday on September 17th.**
- **Public Works Director Nick Egger was wished a Happy Birthday on September 6th.**

XIII. ADJOURNMENT 10:05 p.m.

Next Regular City Council Meeting: Monday, September 17, 2018 7:00 p.m.