

**CITY OF HASTINGS**  
**CITY COUNCIL FOLLOW-UP AGENDA**

**Monday, June 20, 2022**

**7:00 p.m.**

- I. CALL TO ORDER 7:04 pm**
- II. PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. DETERMINATION OF QUORUM**

**Members Present:** Mayor Fasbender, Councilmembers Braucks, Folch, Fox, Leifeld, Lund and Vaughan.

**Staff Present:**

City Administrator Dan Wietecha  
Assistant City Administrator Kelly Murtaugh  
City Attorney Korine Land  
Community Development Director John Hinzman

**Proclamation: Make Music Day**

Mayor Fasbender and City Councilmembers read the proclamation.

**Presentation: Certificate of Appreciation – HEDRA Commissioner Martha Sullivan**  
Outgoing HEDRA board member was recognized by Director Hinzman for her service to the Commission.

**Hastings Arts Task Force, Barb Hollenbeck**

Barb Hollenbeck, Chair, presented the task force background, results and recommendations from the work of the task force to date. They were tasked with identifying a structure and work plan. The Task Force adopted a commission format, created a charter document, and workplan. Some project ideas: review polices, review design elements for the TH 61 project, early stages in event planning for new festivals, promote local art groups to get together for engagement and collaboration, QR codes on memorial/honorary benches, Ardent Mills façade project, use for the piece of the old blue bridge in River Flats. Recommend dedicating 1% of capital project funds annually to provide the new Arts Commission with funding to carry out the projects. Also seeking staff liaison for 5 hours per week.

Council thanked Barb, as Chair, and the rest of the Task Force members, for the work they did this year. Council discussion on the funding request and source of funds. Discussion led to the need for the recommendations to go to a council committee for further discussion.

Fox moved to have this discussion assigned to the Planning Committee of Council, second by Leifeld.

Further discussion about the funding options and if a staff person is available to support the commission at this time. Commissions are resources for the various departments. An Arts commission is a different structure than other commissions as there is no art department where this commission naturally fits and projects may be connected to any of the departments.

7 Ayes, 0 Nays

**V. APPROVAL OF MINUTES**

Approve Minutes of the City Council regular meeting on June 6, 2022.  
**Minutes were approved as presented.**

**VI. COMMENTS FROM THE AUDIENCE**

*Comments from the audience may include remarks about items listed on the Consent Agenda.*

Brandon Spillman (125 18<sup>th</sup> St West) expressed concerns about KFC coming to the proposed location. He has lived there since 1995. He understands that change is inevitable but is concerned about traffic on residential streets. He would like Council to deny the plan for KFC and send it back to Planning Commission. Mr. Spillman submitted a petition.

Marcy Jorgensen (122 18<sup>th</sup> St West) would be a neighbor of the proposed KFC. She went to Planning Commission last week and got good information. Her property abuts the proposed KFC drive-thru. She understands that development is inevitable but feels that this is not an appropriate business for the Vermillion Corridor plan as she has reviewed it. The proposed KFC would be a stark contrast to the VCP and she believes the location would not be successful and also the first KFC in town did not succeed. She is concerned that traffic to the restaurant will cause back-ups on 18<sup>th</sup> street and that it is a dangerous entrance/exit onto Vermillion. There are many other places for fast-food markets in town.

Tony and Lynn Vinge (115 17<sup>th</sup> St West) live behind new dairy building and share about 100 ft of property line with the proposed KFC. They concur with the concerns presented. In addition, they concerned about dumpster odor and critters that it attracts. They also have a major concern about health—cars sitting in drive-thru idling exposing them to higher level of carbon monoxide and reducing their time to enjoy their back yard. They are concerned this could possibly reducing property values. Please deny or spend time considering before acting.

**VII. COUNCIL ITEMS TO BE CONSIDERED**

**VIII. 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 so requests, in which event the items will be removed from the Consent Agenda to the appropriate Department for discussion.*

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

**7 Ayes, 0 Nays**

1. Pay Bills as Audited
2. Resolution No. 06-07-22: Approve Renewal of Liquor Licenses for 2022 – 2023 Licensing Period
3. Resolution No. 06-08-22: Approve Renewal of Tobacco Licenses for 2022 – 2023 Licensing Period
4. Resolution No. 06-09-22: Approve New Tobacco License for Westview Smokes, Inc. dba Westview Smokes
5. Resolution No. 06-10-22: Approve Liquor License Modification for Pizza on 50<sup>th</sup> & France dba Carbone’s Pizza of Hastings
6. Resolution No. 06-11-22: Approve Dugarel’s Outdoor Music Tent and Liquor

- License Amendment Request
7. Resolution **No. 06-12-22**: Approve One-Day Temporary Liquor License and One-Day Charitable Gambling Permit Request for the Hastings Fire Relief Association for their 81<sup>st</sup> Annual Booya
  8. Declare Surplus Property and Authorize for Public Sale
  9. Approve Pay Estimate No. 1 for the 2022 Mill & Overlay Program – Minnesota Paving and Materials (\$145,539.90)
  10. Authorize Signature: Contract for Use of Fire Safety House for Safety Camp Agreement
  11. Criminal Justice Service Agreement
  12. 2022 Budget Amendments
  13. Resolution **No. 06-13-22**: Approving Out of State Travel with Great River Rail Commission by Councilmember Vaughan
  14. Memorandum of Agreement: Police Sergeant Base Wages

## **IX. 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. Presentation and Approval of 2021 Comprehensive Financial Report  
Eitemiller introduced Bergen KDV representative, Nancy Schulzetenberg, who presented the 2021 audit findings. One written finding of lack of segregation of accounting duties and no compliance findings for 2021. She provided an overview of the revenues and expenditures as compared to 2020. She then reviewed the special funds (Ambulance, Parks, Water, Sewer, Storm Water, Hydro).

Council offered kudos to Finance staff for the preparation and work to contribute to a strong report.

Braucks, Leifeld to approve 2021 Comprehensive Financial Report as presented.  
7 Ayes, 0 Nays

## **X. 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. Parks and Recreation**

### **C. Community Development**

1. Resolution **No. 06-14-22**: Variance – Accessory Building – Heselton (707 1<sup>st</sup> Street East)

Hinzman showed the property of note and presented a variance request for an accessory building/garage. Currently an additional building would not be allowed due to the size of the existing accessory buildings. The Planning Commission

recommended approval. The Council would function as the Board of Adjustment and Appeals in this situation.

Council discussion on the size of the garage and its intended usage. Terry Heselton (707 East 1<sup>st</sup> Street) indicated that the garage would be for car and motorcycle storage.

Folch, Fox to approve as presented.  
7 Ayes, 0 Nays

2. **Resolution No. 06-15-22: Site Plan – KFC (1726 Vermillion Street)**  
Hinzman presented the site plan for a KFC restaurant proposed for the former Freedom Gas Station site. The Planning Commission voted 6-1 to recommend approval. Residents expressed concerns at the Planning Commission similar to public hearing comments heard at this Council meeting. Hinzman showed the site plan, renderings showing the street access to the restaurant, photos showing the site in relation to the residential area nearby.

Council discussion on the neighborhood and needed development for the area. Council further discussed the potential traffic concerns, asked about change in traffic with the addition of Kwik Trip, and how traffic capacity is assessed. Council discussed the Th 61 and 18<sup>th</sup> Street access points as well as the potential for increased waste and odor from food waste. Concerns were noted about restaurant visitors wanting to go north and the difficulty in doing that. Strong recommendation to MnDOT to add stop light to 18<sup>th</sup> Street. Council further discussed the Vermillion Corridor Plan and its influence on the placement of buildings in relation to the neighborhood and TH 61. Council asked if there can be an operational time restriction. Attorney Land indicated that when directly adjacent to residential areas, it is appropriate to place reasonable operational conditions.

Shannon Smith, engineering consultant for the project, provided a information about screening (fence and adding trees) from the residential area and intended hours. Their traffic flow consideration was initially based on the prior existence of a gas station and convenience store at that location. Questions were posed about restricting access to TH61 or 18<sup>th</sup> Street. Land indicated that the City cannot impact access to TH 61 and any restrictions on 18<sup>th</sup> would be taking rights away from property owner and would come at a cost to the City.

Braucks, Leifeld to approve as presented.  
5 Ayes, 2 Nays (Lund, Folch)

#### **D. Public Safety**

#### **E. Administration**

1. **DBA Music Series**

Wietecha provided an overview of the Councilmember request to consider open consumption of alcohol during the DBA Music Series. It is recommended that if this is something the Council wishes to consider, it should be referred to staff, to then meet with the DBA, and bars/restaurant participants to prepare the details for a future Council meeting.

Council discussion on sending this complex discussion to staff and then the Public Safety Committee. City Attorney Land indicated that there are different mechanisms for approving this kind of event if there is an interest. More discussion needs to be held due to the legal complexities. Council discussion about existing parklets full during these events and others who are also there to listen to the music are not able to be served. The event brings a different crowd than renting the pavilion for a music event may. The event runs from 6-9 pm on Friday nights.

Braucks, Folch to refer the conversation to staff and Public Safety Committee.  
7 Ayes, 0 Nays

#### **XI. UNFINISHED BUSINESS**

#### **XII. NEW BUSINESS**

#### **XIII. REPORTS FROM CITY COMMITTEES, OFFICERS, COUNCILMEMBERS**

##### **Announcements**

- Tomorrow, June 21, is Make Music Day with 12 performers over 12 hours at 4 locations. Bring a blanket or chair to enjoy live music from talented musicians in Hastings parks.
- Summer Programs at Levee Park...
  - Thursday, June 23, Music in the Park with “The Southern Express Band.” Supported by the Ruth and George Doffing Charitable Fund.
  - Friday, June 24, Movies in the Park will be “Encanto.” Sponsored by Ardent Mills. Please bring a non-perishable food donation for Hastings Family Service.
  - Tuesday, June 28, Performances in the Park will be a “Comic Magician and Illusionist.” Sponsored by SMEAD.
  - Thursday, June 30, Music in the Park with “Sawyer’s Dream.” Supported by the Ruth and George Doffing Charitable Fund.
- The City’s Parks & Recreation and Police Departments are partnering with Hastings Prescott Area Arts Council to serve up fun for youth in Hastings. The Rec + Art + Police program will offer free activities, treats, and giveaways this summer The first event is Wednesday, June 22, from 1 to 2 pm at Levee Park with a hula hoop contest, DJ, games, and crystal magic art. Recommended for tweens and teens. Supported by SC Toys and Country Financial.
- City Offices will be closed Monday, July 4, in observation of Independence Day.
- Appreciation to Hastings Golf Club for organizing a Fourth of July Parade, at 6:30 pm from SEAS Church, then eastbound on 15<sup>th</sup> Street, and ending at Westview Drive. Followed by live music, then fireworks at 10 pm. And appreciation to Vermillion Bank and Hastings Golf Club for the fireworks.
- And coming up soon, Happy Birthday to Councilmember Folch.
- Councilmember Folch provided an update from a recent Dakota Broad Band technical advisory group. A joint powers agreement was going to be drafted to reform and focus the DBB on City collaboration on fiber assets within the County. The County has decided to withdraw participation in the DBB and this shifts the power for asset use. Technical advisory group of the DBB have reiterated the benefits of working together but this was

dismissed by the larger cities and the county. Survey results from residents and businesses may be available soon.

**Meetings**

**Tues, June 21**

CANCELLED Heritage Preservation Commission

**Wed, June 22**

6:00 pm Arts Task Force

**Mon, June 27**

7:00 pm Planning Commission

**Tues, July 5**

7:00 pm City Council – regular meeting

**XIV. ADJOURNMENT      Leifeld, Braucks to adjourn 9:20 pm**

**Next Regular City Council Meeting: Tuesday, July 5, 2022 7:00 p.m.**