

CITY OF HASTINGS
CITY COUNCIL FOLLOW-UP AGENDA

Tuesday, September 6, 2022

7:00 p.m.

- I. CALL TO ORDER 7:05 pm**
- II. PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. DETERMINATION OF QUORUM**

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

Members Absent: None

Staff Present:

City Administrator Dan Wietecha
Assistant City Administrator Kelly Murtaugh
Attorney Amanda Johnson
Community Development Director John Hinzman
Interim Public Works Director Ryan Stempski
Police Chief Dave Wilske

Citizen's Award of Commendation: Chief Dave Wilske presented various citizen awards.

Jacob Lingle
Samuel Lemay
Silverio Munoz-Ramos

MDH Presentation, Jim Kelly

Kelly, ESA Section Manager, and Dr. Helen Goeden, Toxicologist, from the Department of Health presented on PFAS. Stempski presented on the City well locations, PFAS Health Risk Index (HRI) status, and next steps for the City: continued quarterly well testing, wait for guidance from MDH, launch a City press release and website with information, and host an Open House with MDH this fall.

Council discussion on what treatment needs look like and how prior treatment investments complement this situation. Discussion on the various values and what they mean going forward. Questions about PFAS that are identified north of the City and what the projections are for the concentration showing up in City water. Council recommendation that if the values are going to be lowered, Council needs to do more planning for this eventuality.

- V. APPROVAL OF MINUTES**
Approve Minutes of the City Council workshop meeting and regular meeting on August 15, 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.
- 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.

Braucks, Leifeld to approve as presented.

7 Ayes, 0 Nays

1. Pay Bills as Audited
2. Resolution **No. 09-01-22**: Accept Donation from the Prairie Island Tribal Council to Purchase & Update Medical Equipment for the Police Department
3. Resolution **No. 09-02-22**: Accept Donation from the Hastings Lyle Russell VFW Post 1210 to the Police Department to Purchase Individual First Aid Kits (IFAK) for All Officers
4. Authorize Signature: 2nd Amendment to Villas at Pleasant Development Agreement
5. Resolution **No. 09-03-22**: Approve Massage Establishment License Application for Nicole DePalma, Mindful Motion, Pilates, Wellness, Ayurvedic Massage Services
6. Approve Reimbursement for Conference Fees and Travel Expenses from the Dakota County EMS Council

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. County Crossroads 4th Addition – Enclave Apartments
 - a. Public Hearing: Vacation of Easement
 - b. Resolution **No. 09-04-22**: Vacation of Easement
 - c. Resolution **No. 09-05-22**: Amend Final Plat

Hinzman presented the request related to the Vacation of Easement and Final Plat Amendment for the County Crossroads 4th Addition – Enclave Apartments. The development adds 211 apartments which will be developed south and east of 33rd and Vermillion Streets. Council is requested to hold a public hearing and vote on the request to vacate certain public easements and amend the final plat.

Mayor Fasbender opened the public hearing at 8:07 p.m.

Mayor Fasbender closed the public hearing at 8:07 p.m.

Council discussion on the value in subdividing the lot. Hinzman indicated that this is a preferable for management of the project.

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

2. Jeffrey Kuhn – 520 7th Street East – Vacates
 - a. Public Hearing: Vacation of Right-of-Way
 - b. Resolution **No. 09-06-22**: Vacation of Right-of-Way

Hinzman presented the request to consider vacating portions of the Right-of-Way of portions of an alley and Lea Street adjacent to 520 7th Street East. The applicant is demolishing the existing home and this double lot. The applicant intends to market the parcel for construction of a twin home and believes the subjects of right-of-way are

unusable and the additional property gained would make for a more buildable lot. Approval of the vacation is recommended subject to: drainage and utility easements are created in place of all vacated right-of-way and the vacation of the subject rights-of-way shall not become effective until recorded with Dakota County.

Mayor Fasbender opened the public hearing at: 8:11 p.m.

Mr. Kuhn reported that he bought the property and that he desires to make it more accessible and improve the property. He is looking at erecting a twinhome on the property.

Mayor Fasbender closed the public hearing at 8:16 p.m.

Council discussion clarifying the location of the property and specific action by Council at this meeting.

Leifeld, Fox to approve 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

D. Public Safety

1. 1st Reading of Interim Ordinance on Cannabis/Cannabinoids

Wietecha presented the 1st Reading of Interim Ordinance on Cannabis/Cannabinoids. The interim ordinance is in response to the 2022 Legislative Session where the state passed new laws surrounding the sale of cannabis/cannabinoid products, which went into effect July 1. The new law limits the sale of these products to individuals age 21 and older and implements regulations regarding packaging of these products. The Public Safety Advisory Commission met on August 18 and recommended a twelve-month interim ordinance to allow time for adequate study. On September 1, the Public Safety Committee of City Council met and discussed concerns of public safety, community impact, and supporting local businesses and recommended a six-month interim ordinance acknowledging it could be extended if further study were needed. This Interim Ordinance would prohibit the establishment of new uses or the expansion of existing uses related to Cannabis and Intoxicating Cannabinoids (CBD) Sales, Testing, Manufacturing, or Distribution.

Council discussion on Public Safety Committee's review of the issue without state guidance. Committee wanted to make sure minors are protected and businesses can do legal business in the community. Discussion on the importance of input into the conversation, reflecting the perspectives of the whole community. Discussion on the impact of an interim ordinance on local business, enforcement by the Police Department, and revenue.

Vaughan, Braucks to approve as presented.

7 Ayes, 0 Nays

E. Administration

1. Friends of Pleasant Hill Library Crafter-Noon Request

Wietecha presented the request of a disbursement of \$500.00 from the Doffing Trust Fund to support Crafter-Noon events this fall and winter. Wietecha provided background information on the Doffing Trust Fund, sharing this would be additional programming beyond what the Library has budgeted. The Friends of Pleasant Hill Library shared their programming funds have been expended through the close of the year and shared the programs would meet a request from the community.

Leifeld, Fox to approve as presented.

7 Ayes, 0 Nays

2. Classification and Compensation Study Implementation

Wietecha provided an overview of the process of a Compensation and Classification study. Mirroring information provide to the Council at the workshop on August 15, the implementation plan was outlined. Council is requested to adopt the Step & Grade Scale and approve wage adjustments for non-represented (non-union) employees, retroactive to July 4, 2022, as outlined in the memo provided. Wietecha shared the recommendation, highlighting that it balances several priorities fairly. Adopting the recommendation positions the City to retain high-performing employees, while also being able to recruit top talent to meet future needs.

Council discussion on support for the study and its outcomes. In addition to wages, there are many reasons why employees work for the City and there are ongoing efforts to increase engagement of employees.

Vaughan, Lund to approve as presented.

7 Ayes, 0 Nays

3. Resolution No. 09-07- 22: Approve Preliminary 2023 City Property Tax Levy, Preliminary Budget and Setting Truth in Taxation Hearing

Wietecha presented a brief overview of the resolution for the adoption of the Preliminary 2023 City Property Tax Levy, Preliminary Budget, and Setting Truth in Taxation.

Council discussion recognizing that Finance Committee of Council met on the budget and the full Council had a workshop just prior to the meeting, which accounts for limited discussion at the meeting. Councilmember Folch summarized some of the key features of the 2023 budget, acknowledging the increase is less than the rate of inflation at this time. Council reinforced that the preliminary levy is the maximum it could be and invited the community to provide feedback to Council.

Fox, Leifeld to approve as presented

7 Ayes, 0 Nays

4. Resolution No. 09 –08– 22: Approve Proposed 2023 HEDRA – HRA Special Tax Levy

Wietecha presented a brief overview of the resolution for the proposed 2023 HEDRA – HRA Special Tax Levy resolution.

Lund, Leifeld to approve as presented
7 Ayes, 0 Nays

XI. UNFINISHED BUSINESS

XII. NEW BUSINESS

XIII. REPORTS FROM CITY COMMITTEES, OFFICERS, COUNCILMEMBERS

Announcements

- Summer Rec Programs at Levee Park...
 - Tuesday, September 13, Performance in the Park with “Collide Theatrical Dance.” Sponsored by SMEAD Manufacturing Company.
 - Friday, September 16, Movies in the Park with “The Mitchells vs. The Machines.” Sponsored by Ardent Mills. Please bring a non-perishable food donation for Hastings Family Service.
 - Wednesday, September 21, Storytime in the Park is “Transportation.” Recommended for ages 10 and under. A partnership with Pleasant Hill Library.
 - Friday, September 23, to Sunday, September 25, a Storywalk will be on the trail between Levee Park and Jaycee Park. A partnership with Pleasant Hill Library.
- The Fire Relief Association’s annual Booya is this Saturday, September 10.
- Building Remembrance for Reconciliation (BR4R) is holding a conversation about the early Black community in Hastings next week Tuesday, September 13.
- Happy Birthday coming up for Councilmember Braucks.
- Vaughan—Great River Rail—took train from St. Paul to LaCrosse; approval for 2nd train and momentum for the 3rd. Encourages continued Council representation on this and (the other) so that the City continues to have a voice.

Meetings

Thurs, Sept 8

6:00 pm HEDRA Meeting

Mon, Sept 12

7:00 pm Planning Commission Meeting

Tues, Sept 13

7:00 pm Parks and Recreation Commission Meeting

Wed, Sept 14

6:00 pm Arts Task Force

Thurs, Sept 15

6:30 pm Public Safety Advisory Commission Meeting

Mon, Sept 19

7:00 pm City Council – Regular Meeting

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XIV. ADJOURNMENT **Leifeld, Braucks to adjourn 9:06 pm**

Next Regular City Council Meeting: Monday, September 19, 2022 7:00 p.m.