

CITY OF HASTINGS
CITY COUNCIL FOLLOW-UP AGENDA

Monday, March 20, 2023

7:00 p.m.

- I. CALL TO ORDER 7:01 pm**
- II. PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. DETERMINATION OF QUORUM**

Members Present: Mayor Fasbender, Councilmembers Fox, Haus, Leifeld, Lund, and Pemble
Members Absent: Councilmember Folch

Staff Present:

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

Presentation: Building Remembrance for Reconciliation

- V. APPROVAL OF MINUTES**

Approve Minutes. of the City Council regular meeting on March 6, 2023.
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**

Motion to accept adding authorization applications for MN DNR Outdoor Recreation grants to the Reports from City Staff, Parks and Recreation portion of the agenda.
Fox, Haus to approve as requested.
6 Ayes, 0 Nays

- 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.

Pemble, Leifeld to approve as presented.
6 Ayes, 0 Nays

1. Pay Bills as Audited
2. Resolution **No. 03-04-23:** Approve New Massage Therapist License for Kristen Layman
3. Resolution **No. 03-05-23:** Approve Outdoor Music – Tent Event with Liquor License Amendment for Dugarel’s
4. Approve Contract with Precision Landscaping & Construction, Inc. for Downtown Planters & Baskets
5. Approve Contract with ISG, Inc. for Roadside Tennis Courts & Parking Lot
6. Resolution **No. 03-06-23:** Accept Donation from the Hastings Rivertown Lions Club to the Hastings Fire Department
7. Resolution **No 03-07-23:** National Opioid Settlement
8. Approve Commissions Meeting Calendar Schedule

9. City Council Meeting June 19, 2023
10. Approve Budget Amendment for the Hastings Fire Station Shower
11. Approve Water Meter Project Budget Carryover Adjustment
12. Resolution **No. 03-08-23**: Declaring Insurance Liability Coverage

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.

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

1. **Resolution: Authorizing Application for MN DNR Outdoor Recreation Grants.**

Wietecha expressed appreciation for the ability to add this item to the agenda. Playground equipment at Conzemius, Pioneer and Tuttle parks are scheduled for replacement in 2024. Staff have identified the grant as an opportunity for funding at a fifty-fifty match. Each park would require a separate grant application. The applications are due March 31, 2023. Wietecha explained how funds are granted and the City's responsibility; if priorities change, the applications could be withdrawn or grant declined if awarded.

Council discussion on the priority of these three parks in this process and the City's competitiveness in these submissions.

Fox, Pemble to approve as presented.
6 Ayes, 0 Nays

C. Community Development

1. 2nd Reading\Adopt Ordinance: Annexation – Best Development Property – Walden at Hastings (TH 316 & Michael Ave)

Hinzman provided an overview of the request to annex the property owned by Best Development (TH 316 & Michael Ave). The developer submitted the annexation application in anticipation of future City Council approvals to generally allow for the number and types of residential units within the conceptual plan. No official approvals pertaining to residential construction are included in this application. Council is requested to approve annexation with land use remaining agricultural. Future meetings would look at results of the traffic impact study, environmental assessment, land use changes, and plan approval. With approval, the annexation would extend the City boundaries and land use remains the same at this point. Hinzman outlined the many steps in the process that would occur before Council.

Hinzman indicated that the concept plan has been presented to a neighborhood meeting, Planning Committee of Council, and Planning Commission. Hinzman showed the concept plan and discussed the life cycle nature of the types of home sites and amenities.

Council discussion on clarification of current ownership of the property, the increase in number of units from prior proposals, the mix of types of homes, and traffic. Council discussion on anticipated changes as a result of the development in terms of tax revenue, increase in new residents, impact on public safety, and infrastructure. Council asked clarifying questions about the north side barrier with 30' berm with landscaping, the commencement of the traffic study, and impact to the City if the development project falls through.

Leifeld, Fox to approve as presented.
6 Ayes, 0 Nays

2. 2nd Reading: City Code Amendment – Chapter 117 Cannabis and Hemp (Licensing)

Attorney Land indicated that this is the final reading for both licensing and zoning proposed ordinance changes. Land provided a presentation of the proposed ordinance amendment regarding Licensing and Zoning Regulations of Cannabis and Hemp Uses, Sales, and Operations. Land reviewed the proposed retail performance standards (time, place and manner). The same performance standards are in place for zoning and licensing ordinances. State law changes may impact the proposed ordinances which would require Council to revisit the ordinances. The proposed state legislation allows cities to adopt a moratorium that is effective until 1/1/25. Land recommends adoption with a late implementation for staff to prepare and communicate to current business owners.

Council discussion on the details of the proposed language, limits on number of retailers, and the intersection of state and local proposals. Council discussion about removing bars (on-sale liquor) as a prohibited establishment. Further discussion about watching what happens locally and with the state, getting public safety input, and amending the ordinance at a later date. Council discussion on extending moratorium options. Land indicated that an extension is not before Council and the moratorium will expire prior to the next meeting.

Leifeld, Haus to approve as presented, striking that bars are excluded from both ordinances.
3 Ayes, 3 Nays—Pemble, Lund, Fasbender.

Lund, Pemble to approve as originally presented.
6 Ayes, 0 Nays

3. 2nd Reading: City Code Amendment – Chapter 155 Cannabis and Hemp (Zoning)

See discussion above.

Leifeld, Pemble, to approve as presented.
6 Ayes, 0 Nays.

4. 1st Reading: City Code Amendment – Chapter 34 – Fee Schedule

Clerk Murtaugh introduced the proposed ordinance amendment in response to the 2nd Readings of Cannabis and Hemp Zoning and Licensing Ordinances. The proposed ordinance creates a one-time background investigation fee and an annual fee for the following licenses: Cannabis Product Retail License, Manufacturing/Testing/Processing/Wholesale License, and Cultivation License. The Public Safety Planning Commission and the Public Safety Committee of Council recommended a \$10,000 fee for retail establishments.

Council discussion on comparison to liquor license fees and what goes into setting the fees.
Discussion on the retail fee, comparison to area cities and possible reduction to the retail fee.

Fox, Leifeld to approve as presented, amending the retail fee to \$8000 per year.
5 Ayes, 1 Nays--Pemble.

D. Public Safety

E. Administration

1. Strategic Planning Facilitator

Wietecha introduced the request to select and approve hiring a facilitator for Strategic Planning. Over the last year, Council used a set of Strategic Initiatives as agreed priorities in order to maintain focus and progress, drive accomplishment, and ensure regular tracking and reporting. In January of 2023, the City Council had a general consensus to develop an updated set of initiatives this Spring with several recommendations.

Council discussion on leaving the decision up to staff as possibly being more versed in making the choice based on prior experience with these consultants and knowledge of Council goals.

Leifeld, Fox to approve as presented, authorizing Rapp Consulting Group as the consultant.
6 Ayes, 0 Nays.

2. Public Works Director

Wietecha reviewed the vacancy in the Public Works Director role and how it has been handled since summer 2021. After an unsuccessful search, the City amended the contract with Focus Engineering to name Ryan Stempski as Interim Public Works Director through 2022 and later extended it through March, 2023. Wietecha shared Stempski has support in the Public Works Department, with the Operations Committee, and the Management Team. Council is asked to approve appointing Stempski to the Director position.

Council discussion that Stempski has built important relationships within and outside the City and has support of his team. There are many critical projects going on now and in the near future and there is confidence in Stempski's ability to lead the department.

Lund, Leifeld to approve as presented.
6 Ayes, 0 Nays.

XI. UNFINISHED BUSINESS

XII. NEW BUSINESS

XIII. REPORTS FROM CITY COMMITTEES, OFFICERS, COUNCILMEMBERS

Announcements

- Free Ice Cream Cone day at Dairy Queen today (March 20, 2023)
- Coffee with a Cop is tomorrow Tuesday, March 21, from 10 – noon at Froth & Cork.
- The Friends of Pleasant Hill Library used book sale is March 23 to 26.
- Athletic Gear Swap on Saturday, April 1. Please ensure items are in fair condition, clean, and useable.

- Applications for 2023 Community Investment Fund (CIF) project proposals are open, with a first review of applications set for March 31. The City created the CIF last year to encourage and support community partnerships and community-driven projects.
- Happy Birthday next week to Councilmember Dave Pemble.

Meetings

Tues, Mar 21

7:00 pm Heritage Preservation Commission Meeting

Mon, Mar 27

7:00 p.m. Planning Commission Meeting

7:00 pm Parks Committee

Mon, Apr 3

5:30 pm City Council – Workshop – 5 Year Parks Plan

7:00 p.m. City Council – Regular Meeting

XIV. ADJOURNMENT Pemble, Leifeld to adjourn 8:54 pm

Next Regular City Council Meeting: Monday, April 3, 2023 7:00 p.m.