

CITY OF HASTINGS
CITY COUNCIL FOLLOW-UP AGENDA

Monday, April 3, 2023

7:00 p.m.

I. CALL TO ORDER 7:12 pm

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. DETERMINATION OF QUORUM

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

Staff Present:

City Administrator Dan Wietecha

City Attorney Kori Land

Public Works Director Ryan Stempki

Proclamation: Arbor Day 2023

V. APPROVAL OF MINUTES

Approve Minutes. of the City Council workshop and regular meeting on March 20, 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.

Ray Menard, 906 East 1st Street, and Cynthia Carl, 102 Washington, presented concerns about the area between Franklin and Washington and 1st and 2nd Streets due to flooding. They had three requests of Council: confirm that the City is ready to pump water from the area in the event of flooding; identify actions to mitigate the current status; and dedicate the area as a ponding basin.

Bob Majeski, 1800 Brittany, and Erica Majeski, 2925 4th St East, described the difficulties for families and concerns about flooding on part of 4th Street.

Pete Likes, 3000 4th St East, provided some history on the flooding on the east side and requested a sign on 2nd street restricting traffic to residents only in the event of a flood this year.

John Conzemius, Denmark Township, urged Council to consider reserving flat land on the south end of the City for agriculture rather than development.

Diane Likes, 3000 4th St East, posed questions and concern about emergency vehicle and personnel access due to train traffic or flooding.

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.

Leifeld, Fox to approve consent agenda with removal of items 13, 17, 18 to be placed under X. Reports from City Staff: E. Administration.

6 Ayes, 0 Nays

1. Pay Bills as Audited
2. Resolution **No. 04-01-23**: Accept Donation from the Hastings Rivertown Lions Club to the Parks and Recreation Department
3. Authorize Signature: Use of Fire Safety House for Safety Camp on June 27, 2023
4. Authorize Signature: Use of Fire Safety House for Fire Department Open House on October 10, 2023
5. Resolution **No. 04-02-23**: Approve Transfer of Liquor License from Nirvana, LLC dba Ace Liquor to KTEK, LLC dba Ace Liquor Store, 1355 South Frontage Road, Suite 330
6. Resolution **No. 04-03-23**: Approve Transfer of Tobacco License from Nirvana, LLC dba Ace Liquor to KTEK, LLC dba Ace Liquor Store, 1355 South Frontage Road, Suite 330
7. Approve Special Event Designation – Downtown Business Association (DBA) –Historic Hastings Car Shows
8. Approve Business Service Agreement with Digitech Computer LLC for Ambulance & EMS Billing Services
9. Approve 2023 – 2027 Dakota County Drug Task Force (DCDTF) Joint Powers Agreement
10. Resolution **No. 04-07-23**: Approve In-Store Fireworks Sales License for TNT Fireworks at Coborn's #2037, 225 33rd Street West
11. Escrow Accounts and Fees for Development
 - a. 1st Reading and Order Public Hearing: City Code Amendment – Chapter 34.03: Escrows and Fees
 - b. 1st Reading and Order Public Hearing: City Code Amendment – Chapter 154: Escrows and Fees
 - c. 1st Reading: City Code Amendment – Chapter 155: Escrows and Fees
12. 1st Reading: City Code Amendment – Chapter 155: Solar Energy Systems
13. 2nd Reading: City Code Amendment – Chapter 34: Fee Schedule – Cannabis and Hemp Businesses
14. Resolution **No. 04-04-23**: Approve the Delegated Contracting Process Agreement with MnDOT
15. Approve WSB & Associates, Inc. Professional Services Agreement for a PFAS Water Treatment Feasibility Study
16. Resolution **No. 04-05-23**: Approve Installation of a Sign to Address Engine Braking on TH 316
17. Update on Flood Forecast & Response Planning Steps
18. No Wake Ordinance
19. 2022 Public Safety Advisory Commission Report

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. 2023 Neighborhood Infrastructure Improvements
 - a. Conduct Public Hearing
 - b. Resolution **No. 04-06-23**: Order the Improvements and Adopt Assessments

Stempski noted the project was not ordered at the March 6th meeting as the Council did not have the ability to provide a supermajority vote. Stempski provided an overview of the 2023 Neighborhood Infrastructure Improvements project. This project contains street and utility improvements to six City streets ranging in scope of work from reclamation of streets to full street and utility reconstruction. The full scope of the project was presented to Council on March 6, 2023. Stempski reviewed the assessment approach and payment options for this project. Council is asked to approve the resolution to order the project and adopt the proposed assessments for the project.

Mayor Fasbender opened the public hearing at: 8:04 pm

Mayor Fasbender closed the public hearing at: 8:05 pm

Council expressed appreciation to Stempski on helpful explanation of the assessment process.
Council discussion on the assessment to St. Phillips Church.

Leifeld, Fox to approve as presented.
6 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

E. Administration

1. 2nd Reading: City Code Amendment – Chapter 34: Fee Schedule – Cannabis and Hemp Businesses

Wietecha reviewed the fee ordinance to accompany the recently adopted license ordinance. Public Safety Advisory Commission and Public Safety Committee recommended a retail fee at \$10,000, which was reduced to \$8000 during the 1st Reading at that last meeting.

Council discussion on the retail license fee, suggesting that it be more closely aligned with on-sale liquor license. Attorney Land remarked on the differences in compliance with regulated and unregulated products and the expenses to monitor compliance. Council discussion on lack of clarity as to where the State legislative conversation lands at the end of session. Council discussion on potential difficulty for a business to open with high licensing fees.

Fox, Folch to approve as presented, amending retail sales to \$6000 annually.
3 Ayes, 3 Nays (Fasbender, Pemble, Lund)

Lund, Pemble to approve as presented.
5 Ayes, 1 Nay (Folch)

2. Update on Flood Forecast & Response Planning Steps

Wietecha provided an overview of the flood projections and planning related to protecting City infrastructure in the event of a flood, as well as other preparations that are being made to address possible impacts of the flood.

Council discussion on clarification of the organization of sandbagging by the City. Council discussion on the access concerns raised by East side residents related to flooding. Suggestion for Operations Committee to further review the concerns. Chief Wilske addressed the placement of the emergency vehicle near the railroad tracks and the responsibility of public safety.

Folch, Fox to accept report as presented.
6 Ayes, 0 Nays

3. No Wake Ordinance

Wietecha reviewed recent history of discussion of No Wake at Public Safety Commission and determination that it is outside the City's jurisdiction. It is the jurisdiction of Dakota and Washington counties. Both counties have decided to not take any action at this time.

Council discussion on the marinas and residents' complaints about erosion, safety concerns, and tourism impacts due to the speed of boats going down the river. Dakota county indicated that there was a speed study, but the information has not been made available. Chief Wilske reviewed the process of how changes on waterways are made, and ultimately decided by the Department of Natural Resources.

XI. UNFINISHED BUSINESS

XII. NEW BUSINESS

XIII. REPORTS FROM CITY COMMITTEES, OFFICERS, COUNCILMEMBERS

Announcements

- Hastings Area Earth Day Birding Festival at Carpenter St. Croix Valley Nature Center on Saturday, April 22. Guided birding field trips, bird banding demonstrations, raptor presentation. Pre-registration preferred.
- Adult Softball and Sand Volleyball Leagues are forming now. Please go to the City website to register.
- Hastings residents can drop off yard waste at the Minnesota Coaches parking lot off Commerce Drive on Wednesdays 3-7 and Saturdays 8-2, weather permitting. Grass clipping and leaves should be in compostable paper bags or re-usable containers. Plastic bags and loose materials are not accepted. Brush should be cut to 4-foot lengths, no branches more than 3 inches diameter, and bundles not more than 40 pounds.

Meetings

Wed, Apr 5

7:00 pm Finance Committee

Mon, Apr 10

7:00 pm Administration Committee Meeting

7:00 pm Planning Commission Meeting

Wed, Apr 12

6:00 p.m. Arts & Culture Commission Meeting

Thurs, Apr 13

6:00 pm HEDRA Meeting

Mon, Apr 17

7:00 pm City Council – Regular Meeting

XIV. ADJOURNMENT Leifeld, Pemble to adjourn 9:05 pm

Next Regular City Council Meeting: Monday, April 17, 2023 7:00 p.m.