

Hastings, Minnesota
City Council Meeting Minutes
November 6, 2023

The City Council of the City of Hastings, Minnesota met in a regular meeting on Monday, November 6, 2023 at 7:00 p.m. in the Council Chambers at the Hastings City Hall, 101 East 4th Street, Hastings, Minnesota.

Members Present: Mayor Fasbender, Councilmembers Folch, Fox, Haus, Lawrence, Leifeld, and Pemble

Members Absent: None

Staff Present: City Administrator Dan Wietecha
Assistant City Administrator Kelly Murtaugh
City Attorney Kori Land
Community Development Director John Hinzman
Public Works Director Ryan Stempki

Comments from the Audience

John Strohfus, 14530 90th Street, Denmark Township related to the agriculture lease land option and was an applicant for the option B and appreciated the opportunity to seek the lease. Mr. Strohfus offered his thoughts on the need to incentivize farming related to environmentally friendly options.

Council Items to be Considered

City Administrator asked to pull item X-E-01 from the agenda and delayed until the next meeting.

Approval of Minutes

Mayor Fasbender asked if there were any additions or corrections to the minutes of the City Council workshop and regular meeting on October 16, 2023.

Minutes were approved as presented.

Consent Agenda

Councilmember Leifeld motioned to approve the Consent Agenda as presented, seconded by Councilmember Fox.

7 Ayes, 0 Nays

1. Pay Bills as Audited
2. Resolution No. 11-01-23: Accept Donation from the Community Halloween Party to the Parks and Recreation Department
3. Resolution No. 11-02-23: Accept Donation from the Schweich Family to the Parks and Recreation Department
4. Resolution No. 11-03-23: Accept Donation from Robert & Shirley Frembgen to the Hastings Police Department
5. Resolution No. 11-04-23: Accept Donation from Robert & Shirley Frembgen to the Hastings Fire Department
6. Approve Special Event Designation: Holiday Train
7. Resolution No. 11-05-23: Approve Tobacco License Application for Hastings Smokey's Tobacco, Inc. dba Smokey's Tobacco & Vape Center
8. Authorize Signature: 2024 Dakota County South Metro SWAT Joint Powers Agreement

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9. Approve Snow Plowing and Ice Control Policy
10. Approve Assessment Abatement for 2023 Neighborhood Infrastructure Improvements
11. Resolution 11-06-23: Supporting and Authorizing Application to MnDOT for the Local Road Improvement Program (LRIP) for the TH 61 Project
12. Resolution 11-07-23: Supporting and Authorizing Application to MnDOT for the Local Road Improvement Program (LRIP) for the Mill & Overlay Program
13. Declare Surplus Property and Authorize for Public Sale – Hastings Fire Department
14. Approve 2023 Budget Amendment: double check valve
15. Resolution No. 11-08-23: Declaring Insurance Liability Coverage
16. Approve Personnel Policy Updates and Additions
17. Approve Amendment to JPA Between Dakota County Drug Task Force and City of Hastings for Administrative Staff Services

Award Contract: Hastings Industrial Park Agriculture Lease

Hinzman provided an overview of the request to award the 2024 – 2026 Industrial Park Agriculture Lease contract. The industrial park agricultural lease had originally allowed corn to be planted every year, which requires application of a nitrogen fertilizer. To help reduce nitrates in the Drinking Water Supply Management Areas (DWSMA) the City began requiring best practice requirements for applying nitrogen at minimum levels and alternating crops. There were two requests for bids; one for corn/soybeans (option A) and the other for a low nitrogen perennial crop (option B). The request for bids stated that the award will be based on qualifications, bid price, and crop option. Hinzman reviewed the bids received for option A and option B. Staff recommends awarding the 2024 – 2026 agricultural lease to Dave and Joe Birk for 233.00 per acre as it was the most competitive offer.

Hinzman invited Dakota County Soil and Water Conservation, Ashley Gallagher, and Mitch Hunter, Forever Green Initiative to discuss the initiative. They expressed appreciation to the City for offering the option that would not add to the nitrates and have a more positive influence on the drinking water, while experiencing an economic gain. The FGI helps educate about the cover crops and protecting drinking water.

Council discussion on learning about the nitrates and the watershed district in the past and that government can take the lead on green initiatives and the potential income loss is small and recommends that the bid for Option B be awarded the contract.

Councilmember Pemble motioned to award the contract to Strohfus Farms in the Option B, seconded by Councilmember Leifeld.
7 Ayes, 0 Nays.

Authorize Signature: Amend Contract – Miller Dunwiddie

Hinzman provided an overview of the request to authorize signature to amend the contract for the City Hall HVAC and Architecture Design Services. This amendment for additional services would include additional HVAC design work to combine City Hall and the Police Department building heating plants to one and include updated drawings and bidding work for the second and third dome roof requests for bids. Hinzman reviewed the proposals for professional services asking Council to consider authorizing the contract amendment with Miller Dunwiddie, Inc.

Council discussion on the services of the original contract and the cost savings in the HVAC project due to combining of City Hall and Police Department heating plants.

Councilmember Folch motioned to approve as presented, seconded by Councilmember Haus.
7 Ayes, 0 Nays.

Resolution No. 11-09-23: Authorize Signature: Renaissance Roofing – City Hall Dome Replacement (\$3,294,805)

Hinzman provided an overview of the request to authorize signature and award contract for the City Hall Dome Roofing Project to Renaissance Roofing, Inc. As part of the larger City Hall repair project, the dome roofing portion was the most difficult to procure a bid. As indicated previously, the project was advertised three times. Multiple firms attended some or all pre-bid walkthroughs. Miller Dunwiddie, the project architecture firm amended the proposal each time to reduce any possible bidder apprehension. Hinzman reviewed the repairs and the total base bid asking Council to consider awarding the contract to Renaissance Roofing, Inc. in the amount of \$3,294,805.

Council discussion on the paint versus the gilding of the top of the dome with support of the historic preservation. Preservation of the asset is of great importance and has been a topic of discussion for many years and the costs have continue to rise during this time. Discussion on clarification of the scope of the project to include the entire roof of City Hall. Hinzman recognized the depth of knowledge staff has in this project.

Councilmember Folch motioned to approve as presented, seconded by Councilmember Leifeld.
7 Ayes, 0 Nays.

Authorize Signature: Professional Service Agreement with WSB, LLC

Wietecha provided an overview of the request to approve the professional service agreement with WSB, LLC with Ryan Stempki as Public Works Director/Engineer. The City has contracted with Focus Engineering since 2015 for City Engineer service. This has been an embedded position with Stempki as part of the Public Works Department. Because of upcoming changes at Focus Engineering, Ryan has resigned there, and began working with WSB & Associates on October 30th. Wietecha shared Stempki brings expertise to large projects and day-to-day activities of Public Works. The contract continues the partnership from Focus to WSB with Stempki as our Public Works Director effective October 30th, 2023.

Council discussion on the structure of the prior contract and the new contract. Wietecha indicated there are no changes between the contracts, sharing discussions will take place in the future of how this structure fits within the Public Works Department overall. Council expressed appreciation for Stempki's work with the City.

Councilmember Fox motioned to approve as presented, seconded by Councilmember Haus.
7 Ayes, 0 Nays.

Resolution No. 11-10-23: Variance – Front Yard Setback – Ground Mounted Solar – Dakota County (1590 Highway 55)

Hinzman provided an overview of the request for a variance to the requirement that ground-mounted accessory solar arrays may not be in the front yards of principal structures, as provided in City Code. The applicants propose to install an estimated 595kW ground mounted solar array in the open low-lying area on the SE corner of the site. The applicant believes the site is a good location and that the others on site are not feasible. Hinzman provided additional details for the proposed request also sharing notice was given to property owners within 350-feet of the property and have not received any comments. Hinzman indicated granting the variance is recommended based on the information from the review provided.

Council discussion on the lifespan of a solar array and the length of permitted use. The Dakota County representative anticipates a 25-30-year lifespan. Council discussion on the maintenance of the grounds and placement of the array. Representatives indicated the area will be fenced in, trees added, with ground cover. The area has a slight sloping area down and away from Hwy 55. Taud Hoopingartner, Parks, Facilities and Fleet Director for Dakota County, indicated the fence would be a black vinyl coated chain link fence, vegetation, will keep the array out of view.

Councilmember Fox motioned to approve as presented, seconded by Councilmember Pemble.
7 Ayes, 0 Nays.

Gregg Lowe Automobile Repair Facility (3000 Lightbourn Court)

- a. Resolution No. 11-11-23: Special Use Permit**
- b. Resolution No. 11-12-23: Site Plan**

Hinzman provided an overview of the request to consider the construction and operation of an auto repair facility business with a Special Use Permit at 3000 Lightbourn Court. Hinzman reviewed the proposed structure and site photos. He indicated the currently vacant 1-acre lot is owned by HEDRA (Hastings Economic Development and Redevelopment Authority). The applicant and HEDRA have an agreement for the sale of land for the proposed use. Hinzman reviewed the properties surrounding the site and provided a summary of the staff recommended conditions for approval.

No Council discussion.

Councilmember Haus motioned to approve both items as presented, seconded by Councilmember Lawrence.
7 Ayes, 0 Nays.

Resolution No. 11-13-23: Special Use Permit – BMMK, LLC (1945 31st Street E)

Hinzman provided an overview of the request to consider the request for BMMK, LLC for a Special Use Permit to operate a tax and financial service business at 1945 31st Street East. The 1-acre lot consists of a 5,100 square foot building formerly used as a dental laboratory office developed in 2009. Hinzman reviewed the properties surrounding the site sharing notification was provided to property owners within 350- feet of the property and that no comments have been received. Hinzman shared staff recommendation for approval of the request.

No Council discussion.

Councilmember Pemble motioned to approve as presented, seconded by Councilmember Fox.
7 Ayes, 0 Nays.

National Class Action Settlements - PFAS

Item was pulled from the agenda and will be added to a future agenda.

Announcements

- Happy Birthday, John Hinzman!
- City Offices will be closed Friday, November 10 in observance of Veterans Day.
- There are several events in town in recognition of Veterans Day:
 - Salute to Veterans at Hastings High School – Friday, November 10 at 10 am.
 - United Heroes League Ice Rink Ribbon Cutting and Memorial will be open for Veteran’s Day Observance – Saturday, November 11 at Noon.
 - Community Veterans Dinner & Program hosted by VFW – Saturday, November 11 at 5 pm at 2nd Street Depot.
 - River Valley Band and 204th Army Band Concert – Sunday, November 12.
- Friends of Pleasant Hill Library hosts its Used Book Sale Friday to Sunday, November 17-19.
- Election day on Tuesday, November 7. City Hall is not a polling place for this election.

Meetings

- Arts & Culture Commission Meeting on Wednesday, November 8, 2023 at 6:00 p.m.
- HEDRA Meeting on Thursday, November 9, 2023 at 6:00 p.m.
- Administration Committee Meeting on Monday, November 13, 2023 at 7:00 p.m.
- Planning Commission Meeting on Monday, November 13, 2023 at 7:00 p.m.
- Charter Commission Meeting on Tuesday, November 14, 2023 at 6:00 p.m.
- Parks & Recreation Commission Meeting on Wednesday, November 15, 2023 at 6:00 p.m. - Cancelled
- Public Safety Advisory Commission Meeting on Thursday, November 16, 2023 at 6:30 p.m.
- City Council Regular Meeting on Monday, November 20, 2023 at 7:00 p.m.

Councilmember Leifeld motioned to adjourn the meeting at 7:58 PM, seconded by Councilmember Pemble. Ayes 7; Nays 0.

Kelly Murtaugh, City Clerk

Mary D. Fasbender, Mayor