



City Council Memorandum

To: Mayor Fasbender & City Councilmembers
From: Kelly Murtaugh
Date: July 1, 2024
Item: May 6, 2024 Council Meeting Minutes

Council Action Requested:

Reapprove Council meeting minutes from Monday, May 6, 2024.

Background Information:

At the May 20, 2024 meeting, Council approved the minutes from May 6, 2024. One item on the Consent Agenda was acted upon but not reflected in the minutes when approved. That item has been correctly reinstated in the minutes.

Financial Impact:

NA

Advisory Commission Discussion:

N/A

Council Committee Discussion:

N/A

Attachments:

May 6, 2024 Council Meeting Minutes

Hastings, Minnesota
City Council Meeting Minutes
May 6, 2024

The City Council of the City of Hastings, Minnesota met in a regular meeting on Monday, May 6, 2024 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 Fox, Haus, Lawrence, Leifeld, Pemble, and Vihrachoff

Members Absent: None

Staff Present: City Administrator Dan Wietecha
Assistant City Administrator Kelly Murtaugh
City Attorney Kori Land
Parks and Recreation Director Chris Jenkins
Community Development Director John Hinzman

Proclamation: Veterans of Foreign Wars “Buddy Poppy”

Approval of Minutes

Mayor Fasbender asked if there were any additions or corrections to the minutes of the City Council regular meeting on April 15, 2024.

Minutes were approved as presented.

Comments from the Audience

Dr. Stephanie Tucker expressed appreciation to Council for work they do; expressed concern about the about water situation and noted the impact water conditions can have on the body. Dr. Tucker strongly encouraged Council to find ways to get water to citizens and would like to be an advocate with the city to address this issue. Dr. Tucker indicated that she would share follow up notes about a tap water database with notations of additional contaminants in water; she does not believe the current recommendations are safe enough.

Councilmember Leifeld reminded listeners about the May 9 Community Meeting on this topic at 6 pm at the Hastings High School auditorium.

Consent Agenda

Councilmember Pemble motioned to approve the Consent Agenda as corrected, seconded by Councilmember Leifeld.

7 Ayes, 0 Nays.

1. Pay Bills as Audited
2. Building Safety Month Proclamation
3. Resolution No. 05-01-24: Accept Donation to the Parks and Recreation Department from the Henn Family
4. Resolution No. 05-02-24: Accept Donation to the Parks and Recreation Department from Avionte LLC
5. Resolution No. 05-03-24: Accept Donation to the Parks and Recreation Department from Hastings Family Service
6. Resolution No. 05-04-24: Accept Donation to the Parks and Recreation Department from SC Toys
7. Resolution No. 05-05-24: Accept Donation to the Hastings Fire Department from Hastings

- Rivertown Lions Club
8. Resolution No. 05-06-24: Accept Donation to the Hastings Fire Department from Barbara Lippert
 9. Approve Special Event Designation: Animal Ark 3k Walk with Temporary Liquor License
 10. Approve Special Event Designation: Pride Festival
 11. Resolution No. 05-07-24: Approve New Massage Therapy License for Raena Mueller-Dahl
 12. Resolution No. 05-08-24: Approve Outdoor Tent Fireworks Sales License for TNT Fireworks at Walmart #1472
 13. Resolution No. 05-09-24: Approve Temporary One-Day Gambling Permit for Hastings Family Service
 14. Approve Sidewalk Café Renewal for Hastings Tavern with Liquor License Amendment
 15. Authorize Project Work: 2025 Neighborhood Infrastructure Improvements
 16. Approve Revision to Joint Powers Agreement with Dakota County: Opioid Settlement Funds
 17. Approve 2024 – 2025 Labor Agreement with Teamsters Public and Law Enforcement Employees Union, Local #320 (Fire Captains)
 18. Approve Pickleball Court Rental Policies
 19. Resolution No. 05-10-24: Write Off Uncollectable AR Balances

H Tobacco – Special Use Permit – Cannabis

Hinzman provided a summary of the request for a Special Use Permit for Cannabis Retail Sales for H Tobacco at 1310 Vermillion Street with an amendment to the conditions to require Mr. Sumrin to acquire sign permit licensure for existing signs erected without proper permits. Hinzman indicated this application is the first Cannabis Retail Sales application to be considered. Hinzman shared the license application has already been considered and approved by City Council and that the Special Use Permit was not included in the original request. Hinzman ensured future requests will go through proper approvals prior to issuance.

Mayor Fasbender opened the public hearing at: 7:17 p.m.

Mayor Fasbender closed the public hearing at: 7:18 p.m.

No Council discussion.

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

Authorize Signature: Professional Services Agreement – Codametrics – Zoning Code Revision

Hinzman provided an overview of the request to authorize signature of the professional services agreement with Codametrics to prepare a revision of the Zoning Code (Chapter 155). Hinzman indicated the entire Zoning Code was last updated in 1996 and comprehensive changes are needed to the code to ensure relevancy. Hinzman reviewed the six firms that responded to the Request for Proposals to provide services. Four firms were interviewed by the City. Codametrics was chosen based on their comprehensive experience in preparing zoning codes and code preparation in similar cities.

Council discussion on when the zoning code was last updated and that updating the code will involve stakeholder engagement, public hearings, and resident involvement. Council discussed project timing when considering the overall budget and other high priority items. Wietecha indicated that in the past few years, the City has had a few land use lawsuits which updates to the zoning code would seek to prevent. Council discussed the use of these funds elsewhere to address higher priority items, the importance of continuing the other work of the City, and the risks associated with delaying the update to zoning code. Wietecha provided

guidance on next steps if Council desires to consider budgetary questions. Hinzman shared he does not know if tabling the item would present issues with the bid. Council discussed the goals of the Strategic Plan and expressed the importance of the project.

Councilmember Fox motioned to approve as presented, seconded by Councilmember Haus.
6 Ayes, 1 Nay (Leifeld).

Trail Easement: Smead Property – Resolution: No. 05-12-24

Jenkins provided an overview of the request to conduct a public hearing and consider the attached resolution vacating a trail easement. The trail easement was acquired to construct a trail through private property owned by Smead Manufacturing. The easement is inaccurate and no longer necessary since Dakota County has obtained a new easement through the property for public trail purposes.

Mayor Fasbender opened the public hearing at: 7:40 p.m.

Mayor Fasbender closed the public hearing at: 7:40 p.m.

Council discussion on completion and extent of the trail. Jenkins provided additional information on the various steps of the project and a general overview of the trail. Council posed questions on responsibility of maintenance and ownership. Jenkins clarified the details of the request.

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

2nd Reading – Chapter 94: Parks and Recreation

Jenkins provided an overview of the request to repeal and replace City Code Chapter 94 regarding Parks and Recreation. The replacement provides simplified language and adds new language to be consistent with current permits, leases, and other City ordinances. Jenkins indicated the Parks and Recreation Commission reviewed and discussed changes in August, 2023 and supports the proposed changes. The first reading was approved by City Council on April 15, 2024. Council is requested to consider the second reading and adopt the ordinance amendment as presented.

Council discussion on clarifying alcohol use regulations in parks.

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

PFAS Update

As it is the first meeting of the month, Wietecha presented the PFAS Update. There will be a public meeting Thursday, May 9 at 6 pm in the Hastings High School Auditorium with the Minnesota Department of Health and Minnesota Pollution Control Agency presenting and taking community questions. Wietecha indicated for those unable to attend the meeting in person, the meeting will be livestreamed on the HCTV YouTube channel. Wietecha reviewed key updates in funding applications at the state and federal levels, as well as updating the application for the state Project Priority List and upcoming Intended Use Plan. On Monday, the Finance Committee will be meeting to discuss the 2025 budget and possible water rate increases. The MPCA is drilling 6 new sampling wells to continue to study contamination locations.

Accounting Software Changeover – Resolution No. 05-13-24: Temporary Waiver of Utility Late Fees

Wietecha provided an overview of the Finance System Project. He shared progress on the two-year project, indicating the City is in the latter stages of implementation. Wietecha shared important dates and details as the City begins to utilize the new system. Staff recommends approval of the resolution for a temporary waiver of utility late fees as some utility customers may be affected during the implementation.

Council discussion on the credit card and ACH fees along with bill pay options without fees. Wietecha clarified the fees are through BS&A and not the City. Council discussed how residents can direct their questions and the process to move over to the new system.

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

Announcements

- May is Mental Health Awareness month.
- May is National Building Safety Month and National Historic Preservation Month; this week is Municipal Clerk Appreciation Week; and next week is National Police Week. Please join me in a great and heartfelt thank you to our employees in these departments for their service to our community.
- The Arts & Culture Commission hosts the annual Creative Convergence on Thursday, May 9. All arts and culture organizations and individuals are invited to attend and network.
- Please join us 6 pm Thursday, May 9, in the High School Auditorium for a presentation on PFAS in Hastings. Representatives from the Minnesota Department of Health and Minnesota Pollution Control Agency will be present for a question and answer period.
- On Saturday, May 11, we have a mattress and box spring drop-off and document shredding event. Discounted price for mattress and box spring recycling and shredding is free. Info on the City website.
- Tuesday, May 14, is the Police Week Open House. All are invited to this free event.
- The Roadside Courts Grand Re-Opening is Saturday, May 18. Ribbon cutting, refreshments, drawing, open play, challenge courts, and clinics. The Hastings Pickleball Association will facilitate lessons.
- Filing for municipal office opens Tuesday, May 21, through Tuesday, June 4. The City Clerk will hold an optional candidate information session on Tuesday, May 21.

Meetings

- HEDRA Meeting on Thursday, May 9, 2024 at 6:00 p.m.
- Arts & Culture Commission Meeting on Wednesday, May 8, 2024 at 6:00 p.m.
- Public Meeting on Drinking Water and PFAS (HHS Auditorium) on Thursday, May 9, 2024 at 6:00 p.m.
- Finance Committee Meeting on Monday, May 13, 2024 at 7:00 p.m.
- Planning Commission Meeting on Monday, May 13, 2024 at 7:00 p.m.
- Parks and Recreation Commission Meeting on Wednesday, May 15, 2024 at 6:00 p.m. – Cancelled
- Public Safety Advisory Commission Meeting on Thursday, May 16, 2024 at 6:30 p.m.
- City Council Workshop on Monday, May 20, 2024 at 5:30 p.m.
- City Council Regular Meeting on Monday, May 20, 2024 at 7:00 p.m.

Councilmember Pemble motioned to adjourn the meeting at 8:11 PM, seconded by Councilmember Lawrence. Ayes 7; Nays 0.

Kelly Murtaugh, City Clerk

Mary D. Fasbender, Mayor