

**Hastings, Minnesota**  
**City Council Meeting Minutes**  
**August 19, 2024**

The City Council of the City of Hastings, Minnesota met in a regular meeting on Monday, August 19, 2024 at 7:00 p.m. in the Council Chambers at the Hastings City Hall, 101 East 4<sup>th</sup> 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  
Community Development Director John Hinzman  
Community Development Intern Lindsey Duggan  
Assistant City Engineer John Caven

**Approval of Minutes**

Mayor Fasbender asked if there were any additions or corrections to the minutes of the City Council special meeting on July 22, 2024 and regular meeting on August 5, 2024.

Minutes were approved as presented.

**Council Items to be Considered**

Motion to add Joint Powers Agreement with the DNR for repair of the boat launch to the Consent Agenda.

Councilmember Pemble motioned to add the Joint Powers Agreement to the Consent Agenda, seconded by Councilmember Lawrence.

7 Ayes, 0 Nays.

**Consent Agenda**

Councilmember Fox motioned to approve the Consent Agenda, seconded by Councilmember Haus.  
7 Ayes, 0 Nays.

1. Pay Bills as Audited
2. 2<sup>nd</sup> Reading: Ordinance Amendment: City Code Chapter 34.03 – Fee Schedule – Police Department
3. Approve ATV Application for Michael A. Haagen
4. Approve Special Event Designation: Relay for Life
5. Approve Amendment to Special Event Designation: Rivertown Live
6. Resolution No. 08-04-24: Approve Temporary One-Day Gambling Permit for Patriot Assistance Dogs
7. Approve Pay Estimate #2 for the 2024 Neighborhood Infrastructure Improvements to A-1 Excavating LLC (\$534,471.19)
8. Resolution No. 08-05-24: Accept Donations for the 2024 National Night Out Lions Park Neighborhood Celebration
9. Resolution No. 08-06-24: Approve Fund Closures
10. Approve Revised Purchasing Policy

11. Resolution No. 08-07-24: Approve Budget Amendment - City Hall Dome & HVAC Project Budget
12. Authorize Signature: Agreement for SAC\WAC Deferral – 214 2<sup>nd</sup> Street East
13. Approve Community Investment Fund Projects
14. Approve Contract Addendum: BS&A Payment Module
15. Approve Joint Powers Agreement – Minnesota Department of Natural Resources - Public Water Access

**Public Hearing\Resolution No. 08-08-24: Special Use Permit – Cannabis – Westview Smokes (1355 South Frontage Rd)**

Duggan provided a summary of the request for a Special Use Permit to allow Cannabis Retail Sales at Westview Smokes at 1355 South Frontage Rd. The Zoning Code outlines performance standards and prohibited acts pertaining to Cannabis. Duggan provided a summary of the Planning Commission review and shared Special Use Permit approvals require six of seven Councilmembers.

Council discussion on dissenting vote representing the non-compliance in selling without a license. Clarification on cannabis and edibles differentiation and how that prepares for the state law changes coming in 2025. Hinzman indicated the Special Use Permit would allow for both uses and that additional discussion around new cannabis laws will be held at a future City Council Workshop.

Mayor Fasbender opened the public hearing at: 7:07 p.m.

Mayor Fasbender closed the public hearing at: 7:07 p.m.

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

**Public Hearing\Resolution No. 08-09-24: Special Use Permit – Cannabis – Hastings Tobacco 1 (1769 Market Blvd)**

Clarification is needed and applicant has waived the 60 Day Rule for a decision. Council made a motion to continue the public hearing and special use permit resolution, as well as the associated cannabis retail sales license until the City Council's meeting on September 3.

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

**Resolution No. 08-10-24: CSAH 42 Corridor Study Recommended Scope of Improvements – Dakota County**

Dakota County representative Bryce LeBrun provided an overview of the study and feedback from open houses and corridor data. The study area is CR 42/Nininger/2<sup>nd</sup> Street from Lock Blvd to Spring St. Preliminary recommendations include curb extensions at intersections, add dedicated left turn lanes, and evaluate right turn lanes. Evaluate signing, striping, and lighting improvements. There are potential trail improvements being considered through expansion of existing trails or additions where there is no trail. Construction anticipated in 2027 and mill and overlay tentatively slated for 2028. Part of the project would be

cost share between the County and the City.

Mississippi Greenway trail does not meet County greenway standards and improvements are anticipated for 2025.

Council discussion on the Greenway safety of cyclists and walkers coming down the hill with sharp turns. LeBrun indicated that there will be efforts to ease the slope and open sight lines for safer navigation of the path and possible signage. Council expressed concern about vehicle speeds of motorists coming into the City and potential solutions. Council expressed appreciation for the information and the effort put into each aspect of the project. Council posed questions regarding the length of time that the trails will be closed and encouraged the County to collaborate with the City's Arts & Culture Commission and keep the public apprised of any updates. Commissioner Slavik indicated that the County Arts Commission is looking at art installment related to Greenway development. Slavik shared the trail originally was a City asset but has shifted to become part of the County Greenway project, putting the funding on the County as a regional asset.

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

#### **Resolution No. 08-11-24: Special Use Permit – Cannabis – ACE Liquor (1355 South Frontage Rd)**

Duggan provided a summary of the request for a Special Use Permit to allow Cannabis Retail Sales at ACE Liquor at 1355 South Frontage Road. The Zoning Code outlines performance standards and prohibited acts pertaining to Cannabis. Duggan provided a summary of the Planning Commission review and shared Special Use Permit approvals require six of seven Councilmembers.

No Council discussion.

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

#### **Downtown Parking Report**

Duggan provided a summary of the Downtown Parking Report. Duggan provided map visuals to create distinct areas for the study. The goal was to continue calculating the average usage of parking spots in the downtown area. Duggan highlighted the changes since the 2023 study.

Council discussion on the value of the analysis of parking use and availability in downtown Hastings, as well as appreciation for the presentation. The Wal-Mart property overlay on the downtown area provided a helpful visual. Council expressed appreciation to the work put in to the study and presentation. Council discussion on the utilization comparison to cities of similar size and how the availability of parking in the downtown area could be communicated. Council discussion on the qualitative addition to the study that may look at other variables of defining who is parking in the areas, as overnight residents, visitors to the downtown. Council discussion on the study helping understand the true availability of parking.

#### **Resolution No. 08-12-24: Approve New Cannabis Retail Sales License for ACE Liquor**

Murtaugh reviewed the application for a new Cannabis Retail Sales License for Upward Solutions, LLC doing business as ACE Liquor. The license would allow for the sale of adult-use cannabis products

containing 0.3% or less of THC. ACE Liquor has met all the requirements to be issued the license, including an approved security plan.

No Council discussion.

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

#### **Resolution No. 08-13-24: Approve New Cannabis Retail Sales License for Westview Smokes**

Murtaugh reviewed the application for a new Cannabis Retail Sales License for Westview Smokes, 1355 South Frontage Road. The license would allow for the sale of adult-use cannabis products containing 0.3% or less of THC. Westview Smokes has met all the requirements to be issued the license, including an approved security plan.

No Council discussion.

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

#### **Resolution: Approve New Cannabis Retail Sales License for Hastings Tobacco 1**

Clarification is needed and applicant has waived the 60 Day Rule for a decision. Council made a motion to continue the public hearing and special use permit resolution, as well as the associated cannabis retail sales license until the City Council's meeting on September 3. See item IX Awarding of Contracts and Public Hearing, #2.

#### **Announcements**

- Thank you to the City of Red Wing and the Red Wing Fire Department of use of an engine last week when we had apparatus in the shop. This kind of inter-department collaboration helps keep our communities safe. Thank you.
- Happy Birthday next week to Councilmember Fox.
- Summer Rec Programs at Levee Park
  - Wednesday, Aug 21, Storytime in the Park with the theme "Jungle." A partnership with Pleasant Hill Library.
  - Thursday, Aug 22, Music in the Park with "BOB, The Music of Bob Dylan – Tribute to Bob Dylan." Supported by the Ruth and George Doffing Charitable Fund.
  - Thursday, Aug 29, Music in the Park with "Steam Machine – Old Time and Bluegrass." Supported by the Ruth and George Doffing Charitable Fund.
- Makers Market will be in Levee Park on Thursday, August 22. Support area makers and artisans within our historic downtown and riverfront park by shopping at the markets.
- Concerts in the Orchard at the LeDuc Historic Estate will feature "Double Down Daredevils" on August 25. Sponsored by Merchants Bank.
- Rec + Art + Police is Wednesday, Aug 28, at Vermillion Falls Park with choice art, a DJ, and contests. Recommended for elementary and middle schoolers. Supported by SC Toys, Country Financial, Hastings Lions Club, Hastings Family Service, Community Ed, and Hastings Prescott Arts Council.

- City Offices will be closed Monday, September 2, in observation of Labor Day.

### Meetings

- Heritage Preservation Commission Meeting on Tuesday, August 20, 2024 at 7:00 p.m.
- Parks and Recreation Commission Meeting on Wednesday, August 21, 2024 at 6:00 p.m. - Cancelled
- Finance Committee Budget Meeting on Wednesday, August 21, 2024 at 7:00 p.m.
- Parks and Recreation Committee Meeting on Monday, August 26, 2024 at 7:00 p.m.
- Planning Commission Meeting on Monday, August 26, 2024 at 7:00 p.m.
- HEDRA Meeting on Tuesday, August 27, 2024 at 6:00 p.m.
- City Council Budget Workshop on Tuesday, September 3, 2024 at 5:30 p.m.
- City Council Regular Meeting on Tuesday, September 3, 2024 at 7:00 p.m.

Councilmember Leifeld motioned to adjourn the meeting at 8:02 PM, seconded by Councilmember Pemble. Ayes 7; Nays 0.

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Kelly Murtaugh, City Clerk

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Mary D. Fasbender, Mayor