

**Hastings, Minnesota
City Council Meeting Minutes
September 16, 2024**

The City Council of the City of Hastings, Minnesota met in a regular meeting on Monday, September 16, 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, Lawrence, Pemble, and Vihrachoff

Members Absent: Councilmembers Haus, Leifeld

Staff Present: City Administrator Dan Wietecha
City Attorney Kori Land
Parks and Recreation Director Chris Jenkins
City Planner Justin Fortney
Deputy City Clerk Emily King
Public Works Director Ryan Stempski

Proclamation: Down Syndrome Awareness Month

Presentation: BR4R and 4RM+ULA

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 September 3, 2024.
Minutes were approved as presented.

Comments from the Audience

Theresa Auge`, 1926 14th Street W., raised concerns regarding the forthcoming ATV ordinance amendments. Auge` requested that Council gather public input and considers sending the topic to the Public Safety Advisory Commission for review.

Councilmember Pemble motioned to approve sending the topic to the Public Safety Advisory Commission for review, seconded by Councilmember Lawrence.
4 Ayes, 1 Nay (Fox).

Consent Agenda

Councilmember Fox motioned to approve the Consent Agenda, seconded by Councilmember Lawrence.
5 Ayes, 0 Nays.

1. Pay Bills as Audited
2. Resolution No. 09-05-24: Accept Donation from the Minnesota Jaycees to the Hastings Fire Department
3. Resolution No. 09-06-24: Accept Donation from Delta Industrial Service and Supply Fire and Safety to the Hastings Fire Department
4. 1st Reading: Amend City Code Chapter 50.05 – On-Site Sewer Requirements
5. Approve Pay Estimate No. 3 for the 2024 Neighborhood Infrastructure Improvements – A1 Excavating LLC (\$668,006.51)

6. Schedule a Special City Council Meeting to Canvass 2024 General Election Results
7. Authorize Signature: Agreement for Legal Services between the City of Hastings and Campbell Knutson, PA
8. Authorize Signature: Joint Powers Agreement between the City of Hastings and Dakota County for Cost Sharing of Mississippi Riverbank Erosion Repair Project
9. Arts Commission – Budgeted Expenses
10. Declare Surplus Property and Authorize for Sale, Donation, or Disposal – Fire Department
11. Civil Penalties: Northern Tier Retail LLC dba Speedway #4486
 - a. Resolution No. 09-07-24: Imposing Sanctions Upon Retail Intoxicating Liquor License Holder Speedway Gas Station
 - b. Resolution No. 09-08-24: Imposing Sanctions Upon Tobacco License Holder Speedway Gas Station

Award Contract: Three Rivers Trail Reconstruction

Jenkins provided a summary of the request to award contract for the Three Rivers Trail Reconstruction Project and authorize the Parks and Recreation Director to execute change orders in an amount not to exceed, in total, 10% of the construction contract. The Three Rivers Trail has exceeded its useful life and needs to be reconstructed. This trail is the link between the Tuttle Neighborhood to the South and East 31st Street to the North, and the Three Rivers Mobile Home Community in between. Jenkins briefly reviewed the eight (8) bids received, sharing staff recommendation to award the contract to New Look Contracting, Inc. with a Base Bid of \$249,532.50 and is within the 2024 budget allocations.

No Council discussion.

Councilmember Fox motioned to approve as presented, seconded by Councilmember Vihrachoff.
5 Ayes, 0 Nays.

Resolution No. 09-09-24: Special Use Permit – Cannabis – Smokeys Tobacco – Alobaidi (300 Vermillion St)

Fortney provided a summary of the request for a Special Use Permit to allow Cannabis Retail Sales at Smokeys Tobacco at 300 Vermillion Street. The Zoning Code outlines performance standards and prohibited acts pertaining to Cannabis. Fortney provided a brief summary of the Planning Commission review and shared Special Use Permit approvals require six of seven Councilmembers.

No Council discussion.

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

Resolution No. 09-10-24: Cannabis Product Retail License – Smokeys Tobacco – Alobaidi (300 Vermillion St)

King reviewed the application for a new Cannabis Retail Sales License for Smokeys Tobacco, 300 Vermillion Street. The license would allow for the sale of cannabis products containing 0.3% or less of THC. Smokeys Tobacco 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 Pemble.
5 Ayes, 0 Nays.

1st Reading: Amend City Code Chapter 34.03: Civic Arena Fees

Jenkins presented an overview of the request to conduct the 1st reading on updating the Civic Arena Fee Schedule for the 2024 – 2025 season. Jenkins indicated ice rental fees at the Hastings Civic Arena have been historically the lowest in our region. As fees have been slowly increasing over the past couple of years, we remain the lowest cost facility for prime ice rentals. This increase is necessary and prudent as the cost of operating the facility continues to rise. Jenkins reviewed the costly Civic Arena project, indicating these increased fees will help to offset a portion of the payment for the project cost.

Council discussion on the availability for groups to rent the ice rink. Jenkins shared the variety of current uses by different groups, indicating after working hours are generally reserved. Council posed questions regarding the proposed rate compared to other nearby municipalities and future potential increases. Jenkins indicated other municipalities rates range from \$225 to \$260 per hour, sharing some municipalities are looking are proposing even higher rates for upcoming years. Jenkins estimated the future prime and non-prime ice rental fees and indicated frequent renters have been made aware of the fee increase.

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

2025 Budget Preauthorization

Wietecha presented a brief overview of the request to pre-approve several items for the 2025 Budget. Wietecha indicated there are supply chain delays that will impact a number of the items included in the proposed budget and vehicle orders with state-bid pricing often have early and short windows for ordering. Wietecha shared we presently have funds that could cover the total cost so the pre-approval can be independent of the property tax levy. Wietecha indicated two of the items would incur costs this year: the Police Department HVAC Automation and the Zamboni Room Roof at the Civic Arena.

Council asked clarifying questions on funding for the items and expressed appreciation to staff for their efforts in this process.

Councilmember Fox motioned to approve as presented, seconded by Councilmember Vihrachoff.
5 Ayes, 0 Nays.

Closed Meeting Pursuant to Minn. Stat. 13D.05 subd. 3(c) to Develop Offers for Purchase of Real Property

Councilmember Pemble motioned to move to the closed meeting, seconded by Councilmember Lawrence.
5 Ayes, 0 Nays.

Announcements

- Summer Rec Programs at Levee Park...
 - Tuesday, Sept 17, Comedy in the Park with “Stand-up Comedian Tim Harmston.” Sponsored by SMEAD Manufacturing Company.
 - Wednesday, Sept 18, Storytime in the Park with the theme “Underwater.” In partnership with Pleasant Hill Library.
- Dakota County residents can get help repairing household items, clothes, electronics, and more at a Fix-It Clinic on Saturday, September 21. Pre-registration is required.
- The Chamber of Commerce and HCTV are hosting a Candidates Forum on Tuesday, September 24.
- Join us at “Paws in the Park” for an evening of fun and socializing with fellow dog lovers and their furry companions on Thursday, October 3.
- In recognition of National Fire Prevention Week, the Fire & EMS Department Open House is Tuesday, October 8. Meet the department, learn about fire safety, and see the trucks & equipment. All ages are welcome.
- Happy birthday, today, to Councilmember Haus!

Meetings

- Heritage Preservation Commission Meeting on Tuesday, September 17, 2024 at 7:00 p.m.
- Joint Parks & Recreation Commission and Parks & Recreation Committee of Council Meeting on Wednesday, September 18, 2024 at 6:00 p.m.
- Public Safety Advisory Commission Meeting on Thursday, September 19, 2024 at 6:30 p.m.
- Utilities Committee Meeting on Monday, September 23, 2024 at 6:00 p.m.
- Planning Commission Meeting on Monday, September 23, 2024 at 7:00 p.m.
- City Council Workshop on Monday, October 7, 2024 at 5:30 p.m.
- City Council Regular Meeting on Monday, October 7, 2024 at 7:00 p.m.

Councilmember Fox motioned to adjourn the meeting at 8:40 PM, seconded by Councilmember Lawrence. Ayes 5; Nays 0.


 Kelly Murtaugh, City Clerk


 Mary D. Fasbender, Mayor